Port Botany Terminal

Environmental Management System

Annual Environmental Management Report & Annual Compliance Report - 2019

Reporting Period: 1 January to 31 December 2019

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

Report No. PBT_HSE_REP_11_02_04_v01

Date Issued: 13 March 2020

DOCUMENT CONTROL

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

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

Listed below are the for this document.

Document History

Version No.	Page No.	Issue Date	Description of Amendment(s)	Prepared By	Approved By
1	All	17-Sep-18	Initial report	Marie Gibbs	Bruce Guy
2	All	27-Feb-19	Redraft as per NSW Government – "Annual Review Guidelines", Post-approval requirements for State significant mining developments, Oct 2015.	Marie Gibbs	Bruce Guy
3	All	13-Mar-20	Updated format as per guidelines.	Marie Gibbs	Bruce Guy

A person using Patrick's documents or data accepts the risk of:

a) Using the documents or data in electronic form without requesting and checking them for accuracy against the original hard copy version; and

b) Using the documents or data for any purpose not agreed to in writing by Patrick.

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Title Block

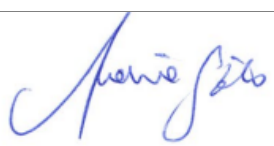
Name of Operation:		Patrick [Port Botany Terminal]
Name of Operator:		Patrick Stevedores Operations Pty Limited
Consents / Licences:		Listed below
1	**Development consent / project approval:**	Port Botany Expansion, DA 494-11-2003-i (MOD 16)
	Name of holder of development consent / project approval:	NSW Ports (transferred from Sydney Ports Corporation)
2	**Development consent / project approval:**	Patrick Redevelopment, DA 453-12-2002-i (MOD 7)
	Name of holder of development consent / project approval:	Patrick Stevedores Operations Pty Limited
3	**Environmental Protection Licence (EPL):**	EPL 6962
	Name of holder of EPL:	Patrick Stevedores Operations Pty Limited
4	**Consent to Discharge Industrial Trade Wastewater:**	24990
	Name of the consent holder:	Patrick Stevedores Operations Pty Limited
5	**Trade Wastewater Discharge Schedule:**	40110
	Name of permit holder	Patrick Stevedores
Date the Site was deemed Operational:		4 February 2016
Annual Review start date:		1 January 2019
Annual Review end date:		31 December 2019

I, Marie Gibbs, certify that this audit report is a true and accurate record of the compliance status of the Patrick Stevedores, Port Botany Terminal for the period 1 January 2019 to 31 December 2019 and that I am authorised to make this statement on behalf of the Patrick Port Botany Terminal.

Note:

a) *The Annual Review is an 'environmental audit' for the purposes of section 122B(2) of the Environmental Planning and Assessment Act 1979. Section 122E provides that a person must not include false or misleading information (or provide information for inclusion in) an audit report produced to the Minister in connection with an environmental audit if the person knows that the information is false or misleading in a material respect. The maximum penalty is, in the case of a corporation, $1 million and for an individual $250,000.*

b) *The Crimes Act 1900 contains other offences relating to false and misleading information: section 192G (Intention to defraud by false or misleading statement – maximum penalty 5 years imprisonment); sections 307A, 307B, and 307C (False or misleading applications/information/ documents – maximum penalty 2 years imprisonment or $22,000 or both.)*

Name of authorised reporting officer:	Marie Gibbs
Title of authorised reporting officer:	ESC Manager / Environmental Representative
Signature of authorised reporting officer:	
Date:	13 March 2020

Acronyms and Glossary

Term	Definition
ACCC	Australian Competition & Consumer Commission
AEMR	Annual Environmental Management Report
Auto Straddle	Automated Straddle Carrier – a mobile plant remotely controlled
Auto Yard or Automated Yard	Fenced off area where containers are stored between being loaded onto trucks or loaded onto vessels. When in operation only Auto Strads and containers occupy this area. In the event access is required the Auto Strads are noded out.
PB	Port Botany
CEMP	Construction Environmental Management Plan
Council	Bayside City Council comprises of Botany and Rockdale Councils. Further references to the former Botany and Randwick Councils remain throughout.
CoA	Conditions of Approval
DA	Development Application
Development Consents	• DA-494-11-2003-i; and • DA-453-12-2002-i
DG	Dangerous Goods
DPE	NSW Department of Planning and Environment
DPIE	NSW Department of Planning, Industry and Environment (formerly DPE)
DSEWPC	Department of Sustainability, Environment, Water, Population and Communities (refer to Australian Government - Department of the Environment and Energy)
ESC	Environment, Sustainability & Compliance
EIS	Environmental Impact Statement
ERP	Environmental Response Plan
EPA	Environment Protection Authority
EPL	Environment Protection Licence
EPBC	Environment Protection and Biodiversity Conservation Act 1999
FRNSW	Fire and Rescue NSW
HAZMAT	Hazardous Materials
HSE	Health, Safety & Environment
IMDG	International Maritime Dangerous Goods (Code)
INC	Incident
MOD	Modification
NPWS	NSW National Parks & Wildlife Service
OEM	Original Equipment Manufacturer
OEMP	Operation Environmental Management Plan
OOG	Out of gauge
PBE	Port Botany Expansion

Term	Definition
PBCCC	Port Botany Community Consultative Committee
PBROG	Port Botany Rail Optimisation Group
PBRT	Port Botany Road Taskforce
POEO	Protection of the Environment Operations
Quay Crane	Purpose built crane mounted on rails on the wharf and can move along the wharf on these rails. Used for loading and unloading cargo from vessels onto the wharf or in the back reach of the crane into the Automated Yard.
Reach Stacker	Mobile plant used to pick up and carry containers with its telescopic arm and spreader. Used to handle OOG cargo, rail cargo on and off wagons.
Secretary	Prior to DA 494 MOD 16 the DPE referred to this position/office as Director-General.
SOP	Standard Operating Procedure
SPC	Sydney Ports Corporation
Spreader	A device used by quay cranes, Auto Strads or reach stackers which enables the mobile plant to lift, lock on to and carry containers safely.
TEU	Twenty-foot Equivalent Unit – the acceptable measure of container through-put and equal to 1x 20-foot (6.1m) long container i.e. 1x 40-foot container is equal to 2 TEU.

1. STATEMENT OF COMPLIANCE

1.1 Overall Assessment

The purpose of the Annual Environmental Management Report (AEMR) is to undertake the necessary assessment and review of compliance, Environmental Impact Statement (EIS) predictions, and the effectiveness of environmental management and mitigation works required. This AEMR has been prepared for the preceding twelve-month period (1 January 2019 to 31 December 2019) in accordance with the requirements of:

- CoA 494, C4.2 – Annual Environmental Management Report; and
- CoA 453, C6.6 – Annual Compliance Report

The overall assessment of the environmental performance for this reporting period demonstrated a high level of compliance with the relevant conditions of the two (2) development approvals, EPA Licence, trade waste consent and key performance indicators at Patrick's Port Botany Terminal.

Table 1.1 – Statement of Compliance

Were all conditions of the relevant approval(s) complied with?	YES / NO
Development Consent DA 494-11-2003i MOD 16 *(MOD 17 applied post 19 September 2019)*	**NO**
Development Consent DA 453-12-2002i MOD 8	**NO**
Environmental Protection Licence No. 6962	**NO**
Consent to Discharged Industrial Trade Wastewater No. 24990	**YES**
Trade Wastewater Discharge Schedule, Permit No. 40110	**YES**

1.2 Non-Compliances

Applying the Compliance Status Key (Figure 1.2) the conditions of the above approvals which are non-compliances are identified in Table 1.3 below.

Table 1.2 - Compliance Status Key

Risk Level	Colour Code	Description
High	**Non-compliant**	Non-compliance with potential for significant environmental consequences, regardless of the likelihood of occurrence
Medium	**Non-compliant**	Non-compliance with: • potential for serious environmental consequences, but is unlikely to occur; or • potential for moderate environmental consequences, but is likely to occur
Low	**Non-compliant**	Non-compliance with: • potential for moderate environmental consequences, but is unlikely to occur; or • potential for low environmental consequences, but is likely to occur
Administrative non-compliance	**Non-compliant**	Only to be applied where the non-compliance does not result in any risk of environmental harm (e.g. submitting a report to government later than required under approval conditions)

Table 1.3 – 2019 AEMR Non-Compliances

Relevant Approval	Cond. #	Condition Description (Summary)	Compliance Status Note 1	Comment	Where addressed in AEMR
EPL 6962, DA 453	L1.1, 3.33	Except as provided by a licence issued under the POEO Act 1997 s120 shall be complied with and in connection with the carrying out of the development.	**Non-Compliant**	A minor water pollution incident – 12 July 2019 - (Crane (PT08) at Berth 8, the western end waterside gantry rail clamp leaked hydraulic oil onto the sealed ground of the wharf area and crane trench was reported to the EPA, DPIE and NSW Ports.	Section 11, Appendices E & H
EPL 6962	R2.2	The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.	**Non-compliant**	14 July 2019, at Berth 8 (covered by DA 453). Patrick self-reported the incident to the EPA's Pollution Incident Call Line (Ref. C09594-2019). A detailed written report was sent to the EPA, NSW Ports and DPIE. A formal warning letter (dated 12 December 2019) was received from the EPA on the 16 December 2019 – under Section 148 (2) of the NSW Protection of the Environment Operations Act 1997 given that 'several' hours had elapsed between the incident and the self-report to the EPA.	Section 11, Appendix E
DA-453	1.9	The Applicant shall ensure that all employees, contractors and sub-contractors are aware of, and comply with the conditions of this consent.	**Non-Compliant**	The Site Induction for employees has been recently updated however it does not appear to contain the appropriate references to environmental requirements as showing in the Site Induction for Contractors.	Sections 10 (1/2019) & 2; Appendix B
DA-453	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 includes: 'Clean Rainwater Only', 'Clean Water Only' or 'H2O Only'.	**Non-Compliant**	Some stormwater drains have this signage installed but not alongside every stormwater drain readily accessible.	Sections 10 (2/2019) & 2; Appendix B

Continued on the next page

Relevant Approval	Cond. #	Condition Description (Summary)	Compliance Status Note 1	Comment	Where addressed in AEMR
DA-453	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.	Non-Compliant	In Patrick's 2019 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.	Sections 5, 10 (3/2019) & 12; Appendix B
DA 494 DA 453	-- --	Raise with DPIE and NSW Ports, inconsistences in DA 494 and DA 453.	Non-Compliant	Modification discussed internally and in brief with NSW Ports and DPE. Patrick has prepared a draft proposed consolidation document, 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.	Sections 6.2 & 12 (4/2019)
DA 494 DA 453	C4.2 6.6	AMER to be completed within 60 days following the end of the monitoring period.		Sought an extension for the submission of the 2019 AEMR, which includes the Annual Compliance Report, DA 435, condition	Sections 6.2 & 12 (5/2019)

Note 1 – Refer to next page for compliance status key for the risk-level of the non-compliances

1.3 Contact Details for Key Personnel

Names and contact details for the key personnel who are responsible for the environmental management of the operation (terminal) are:

Marie Gibbs
Environmental, Sustainability & Compliance Manager (and appointed Environmental Representative)
Patrick,
Gate B105A, Penrhyn Road (Inter-Terminal Access Road)
Port Botany NSW 2036
Mobile: 0417 442 963; Email: m.gibbs@patrick.com.au; Web: http://www.patrick.com.au/

2. INTRODUCTION

2.1 Site Location

Patrick's Port Botany Terminal (PBT) is located at Penrhyn Road (Inter Modal Access Road) in Port Botany, NSW 2036. Foreshore Road and Botany Road are located to the north and Brotherson Dock to the south. Figure 3.1 below provides an overview of the site context which is comprised of approximately 63 hectares of land.

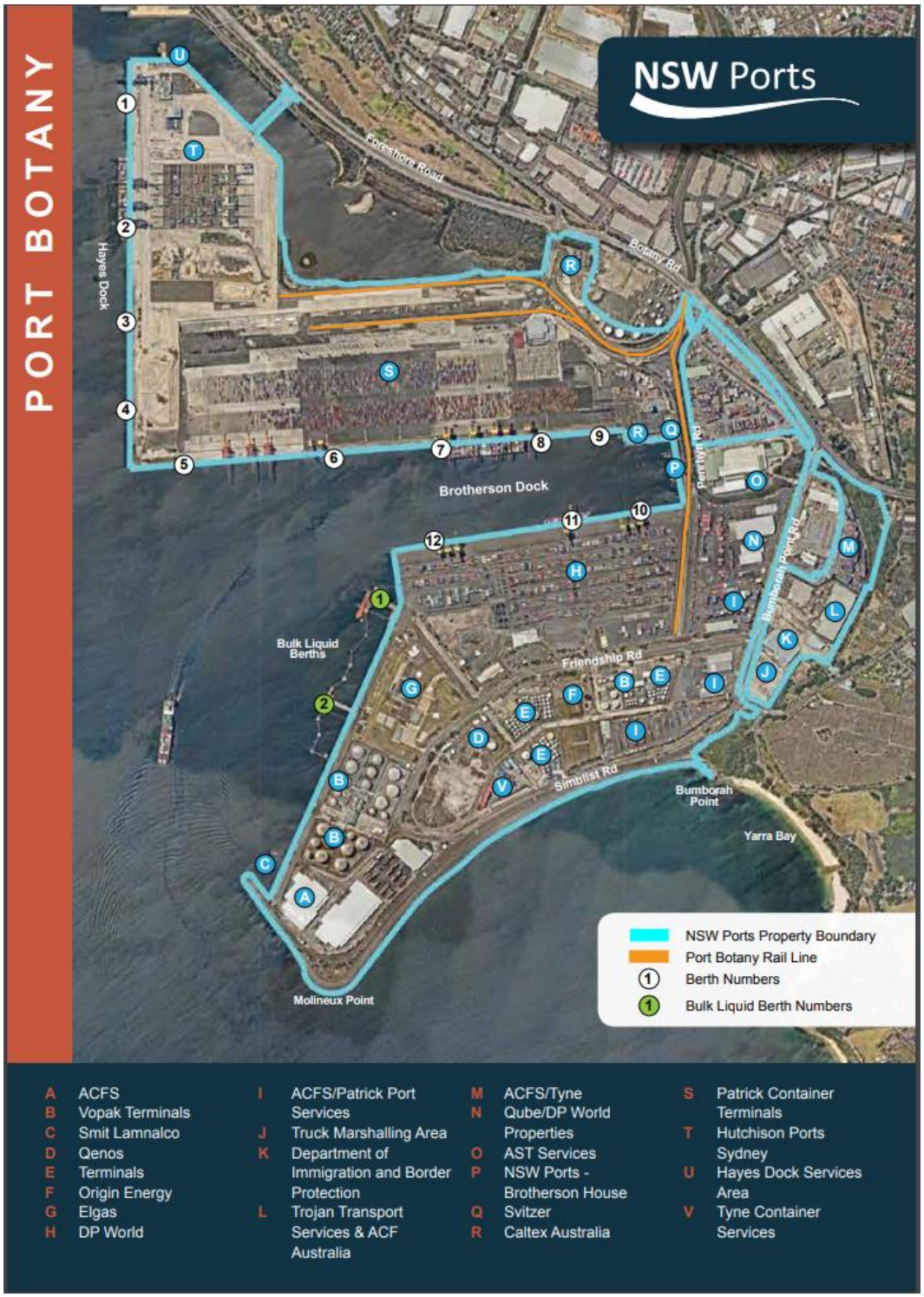


Figure 2.1.1: Location of Patrick's Terminal at Port Botany

The original terminal was approximately 45 hectares, and as a result of the Port Botany Expansion Project a further 18 hectares (The Knuckle) was added to Patrick's terminal.

In April 2015, the terminal replaced its manual straddle fleet with automated straddles (Auto Strad^{TM}) operating within a fenced automated yard.

Figure 2.1.2: Layout of Patrick's Port Botany Terminal

2.2 Key Structure Elements

Patrick's PBT comprises of the original terminal and 'The Knuckle' and the following key structural elements:

a) Quay line 1400 metres;

b) Depth alongside quay line – ranges from approximately 14 to 17 metres;

c) Berths – four (4);

d) Quay Cranes – eight operational (8);

e) Automated Straddles – 47;

f) Onsite import and export container yard including power units for refrigerated containers;

g) Onsite empty container handling facility;

h) Truck Grids – 31 lanes for discharging or loading containers;

i) Rail siding length – 1.490 km (i.e. 2 parallel tracks of 0.745 km each)

j) Heavy duty pavement and roadways;

k) Stormwater drainage infrastructure including pumps, pollution control devices, trenching and kerbing;

l) Light tower foundations – light, radar and camera poles;

m) Maintenance – offices, workshop, cleaning bays, refuelling station;

n) Administration Building and Tower – offices, amenities, facilities (security, first aid, canteen; and

o) Workforce and visitor car parking areas.

2.3 Overview of Key Activities

The key activities carried out at the terminal include:

- Loading and unloading containers and breakbulk cargoes to and from ships;
- Marshalling and short-term storage of import, export and empty containers, and breakbulk cargoes;
- Handling of containers and breakbulk cargoes to and from road transport;
- Handling of containers and breakbulk cargoes to and from rail transport; and
- Site equipment service, maintenance and refuelling activities.

2.4 Site Operation

The terminal operates 24 hours a day, seven days a week. Operations undertaken within the site boundary include:

- Truck processing and container exchange activities: Road transport trucks enter the terminal, access the Truck Grid and reverse into truck lanes where they are either loaded or unloaded by an auto straddle. An empty container exchange area is located parallel to Penrhyn Road (eastern side of the terminal), and an empty container park at the rear of the terminal's rail siding. Road transport trucks enter the Terminal from Penrhyn Road via Gate B110 and are unloaded by heavy forklifts.
- Rail siding activities: Freight locomotives are serviced along the rail siding parallel to Penrhyn Road (northern side of the site). Locomotives enter the site from the north-east. Loading and unloading of rolling stock is undertaken by reach stackers. Trucks are loaded / unloaded of containers and driven back and forth from the rail siding to the Truck Grids on the opposite of the rail siding. In August 2019, as part of the rail line extension project, construction activities begun at the eastern most end of the terminal's rail siding.
- Automated container yard activities: Containers transit through the terminal via an automated yard. Current operations provide a storage capacity of approximately 5,000 ground slots, with an average of 4,000–8,000 containers located in the yard at any one time (depending on the time of year). The containers are manoeuvred through the automated yard, and to and from trucks at the Truck Grids via the use of automated straddles. Approximately forty auto straddles are available for use throughout the automated yard at any given time.
- Quay crane activities: Vessels are currently serviced at the site by eight quay cranes on Brotherson Dock. The cranes loaded and unload vessels with containers transferred to and from the automated yard by auto straddles.
- Maintenance activities: Routine maintenance on equipment and plant is carried out in the purpose-built workshop, and when required on mobile plant in-situ e.g. quay cranes. Refuelling and conducting repairs mobile plant.

Areas surrounding the site comprises of industrial, port related, commercial, residential and recreational land uses.

2.5 Changes to Key Structural Elements and Operations During the Preceding Year

During the preceding twelve-month period (1 January 2019 to 31 December 2019), there were no changes made to key structural elements or the site operations.

3. APPROVALS

Table 3.1 below lists all the approvals currently held by Patrick Stevedores Operations Pty Ltd which are relevant to the terminal's operations and any changes made to those approvals during the reporting period.

Table 3.1 – Approvals for the Patrick Port Botany Terminal

No.	Details	Approval Name, Reference Number, Date Approved / Issued, Name of Applicant	Changes made during reporting period (1 January to 31 December 2019)
1	**Development Consent:**	**DA-494-11-2003-i** (MOD 16, 24 October 2017)	*On the 19 September 2019, DPIE issued "Modification of Development Consent" for Application No. DA 494-11-2003i.* DA 494-11-2003i (MOD 16) was amended of administrative errors and reissued as MOD17.
	Applicant:	NSW Ports (formerly Sydney Ports Corporation (SPC))	
	Issued by	Department of Planning, Industry and Environment (formerly Department of Planning and Environment (DPE))	
2	**Development Consent:**	**DA-453-12-2002-i** (MOD 7, 26 September 2013)	No change
	Applicant:	Patrick Stevedores Operations Pty Ltd	
	Issued by	Department of Planning, Industry and Environment (formerly DPE)	
3	**Environmental Protection Licence:**	**6962** (Notice of Variation of Licence – 13 June 2017)	No change
	Applicant:	Patrick Stevedores Operations Pty Ltd	
	Issued by:	NSW Environment Protection Authority	

No.	Details	Approval Name, Reference Number, Date Approved / Issued, Name of Applicant	Changes made during reporting period (1 January to 31 December 2019)
4	**Consent to Discharge Industrial Trade Wastewater Consent No.:**	**24990** (24 June 2015)	No change
	Applicant:	Patrick Stevedores Operations Pty Ltd	
	Issued By:	Sydney Water (formerly Sydney Water Corporation)	
5	**Trade Wastewater Discharge Schedule, Permit No.:**	**40110** (18 April 2019)	New
	Applicant:	Patrick Stevedores Operations Pty Ltd	
	Issued By:	Sydney Water Operations Pty Ltd	

4.
5.
6.

4. OPERATIONS SUMMARY

4.1 Terminal Operations – Total Equivalent Units (TEU) Throughput 2019

Table 4.1 - Patrick PBT – TEU Throughput 2016 to 2019

Patrick PBT	TEU Throughput (Import/Export Containers)			
	2016	2017	2018	2019
Throughput	931,472	864,909	969,043	**1,029,090**

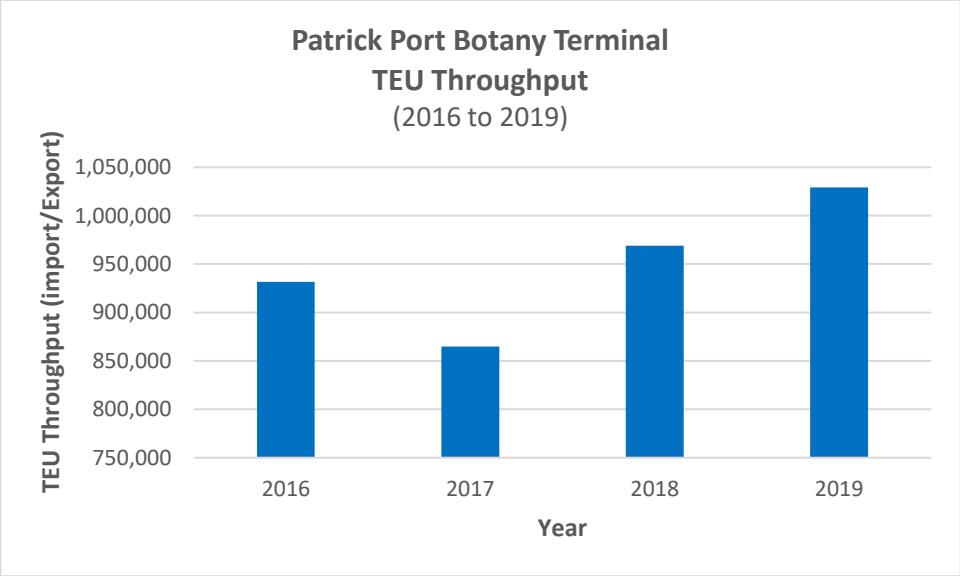


Figure 4.1.1: Patrick PBT – TEU Throughput (Import/Export Containers) 2016 to 2019

The volume of TEU throughput has steadily increased since 2016.

4.2 Terminal Operations – Landside Transport Mode Share 2019

Table 4.2 - Patrick PBT – Landside Transport Mode Share 2016 to 2019

Patrick PBT	Landside Transport Mode Share (%)			
	2016	2017	2018	2019
Truck	69%	67%	72%	**72%**
Train	20%	23%	20%	**21%**
Other	11%	10%	8%	**8%**

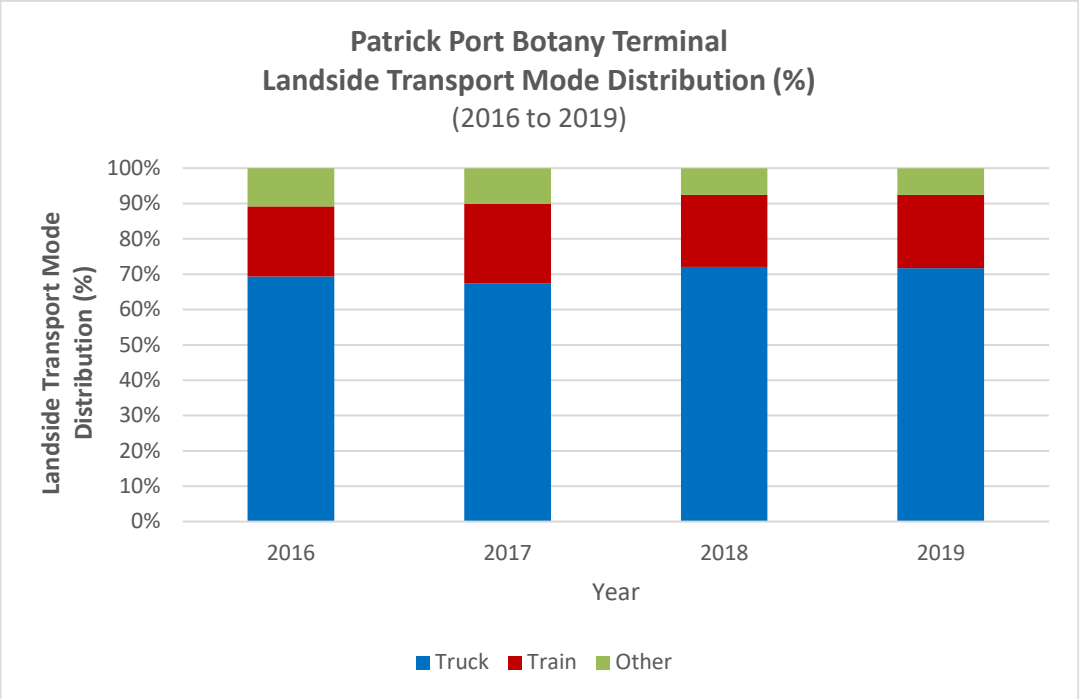


Figure 4.2: Patrick PBT – Landside Transport Mode Share 2016 to 2019

In November 2018 NSW Ports reported they are set to invest in 'on-dock' rail infrastructure capacity at each of the three container terminals at Port Botany, commencing with Patrick in 2019. Investment will be staged, with stevedores being required to invest in rail operating equipment to meet target terminal capacities Patrick is the first of the three stevedores to accept the investment.

NSW Ports reports the investment in rail infrastructure will reduce the growth in truck movements around the port. When fully operational this investment will reduce truck-kilometres travelled in Sydney by at least 10 million per year. This is estimated to save over 2 million litres of diesel per year which is the equivalent to a net reduction in CO_2 emissions of more than 5,400 tonnes a year. Patrick's agreement with NSW Ports will significantly increase the terminal's rail capacity and enhance efficiency in container movements at the port.

The construction of the rail infrastructure commenced in 2019.

4.3 Terminal Operations – Average Truck Turnaround Times 2019

Table 4.3 - Patrick PBT – Average truck turnaround times (2016 to 2019)

Patrick PBT	Truck Turnaround Times (mins)			
	2016	2017	2018	2019
Truck	27.43	25.71	28.54	30.04

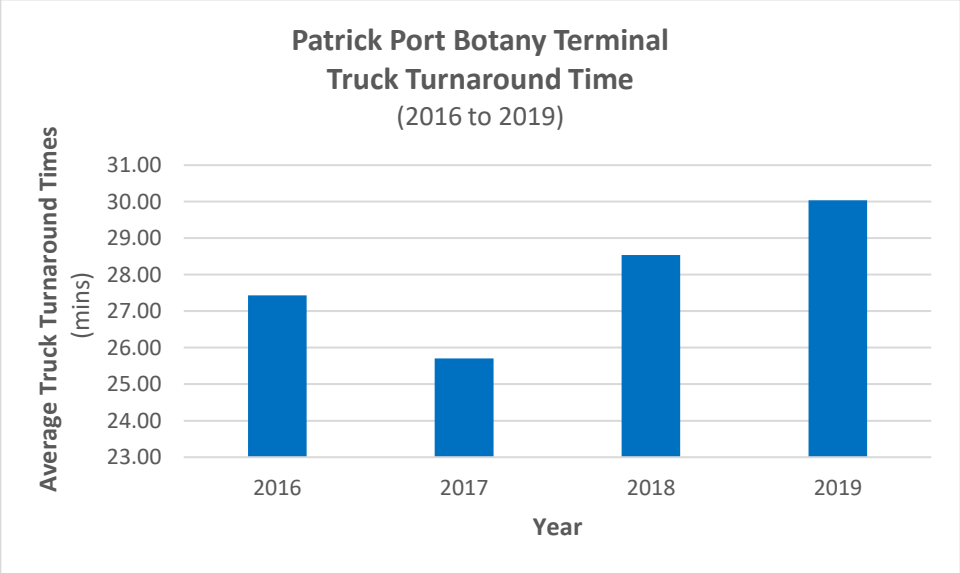


Figure 4.3: Patrick PBT – Average Truck Turnaround Times (2016 to 2019)

There was as increase in the average truck turnaround times for 2018 to 2019.

4.4 Terminal Operations – Hours of Operation and Truck Visits by Shift 2019

Table 4.4 - Patrick PBT – Hrs of Operation and Number of Truck Visits by Shift (2016 to 2019)

Patrick PBT Shift hours of operation	No. Truck Visits			
	2016	2017	2018	2019
Day – 0600hrs to 1400hrs	140,451	126,845	121,354	146,812
Evening – 1400hrs to 2200hrs	115,373	106,247	139,085	129,793
Night – 2200hrs to 0600hrs	97,519	94,290	107,670	112,940
Total	**353,343**	**327,282**	**368,109**	**389,545**

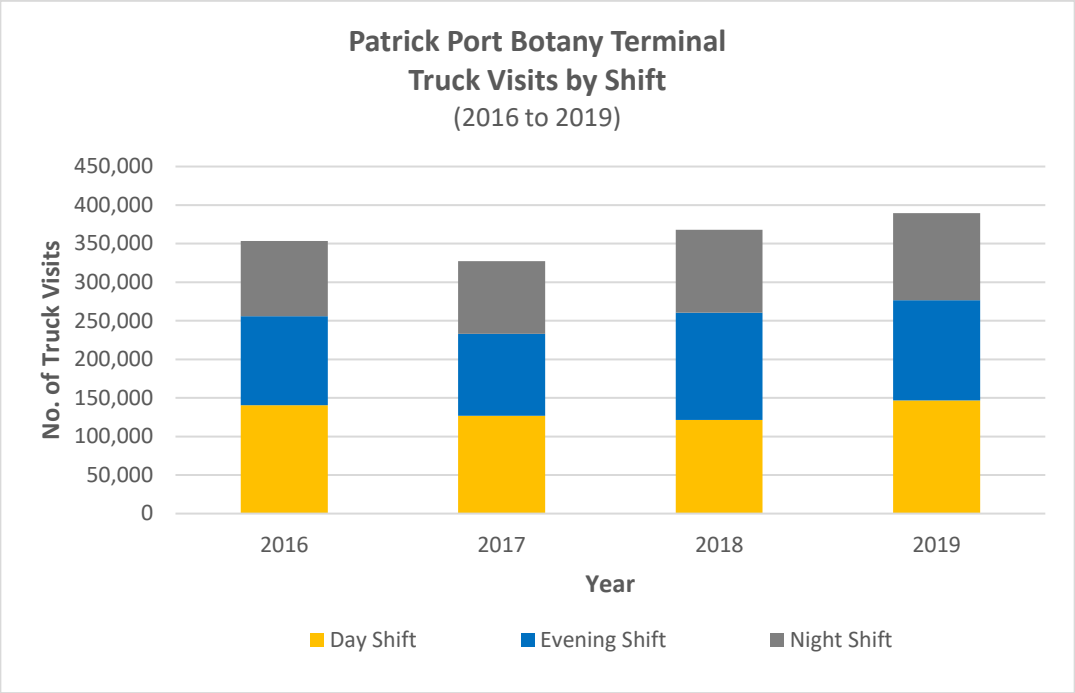


Figure 4.4: Patrick PBT – Hrs of Operation and Number of Truck Visits by Shift (2016 to 2019)

The proportionate number of truck visits during day shift, evening shift and night shift remains consistent over the past 4-years (2016 to 2019).

Patrick's investment with NSW Ports in rail infrastructure will significantly increase the terminal's rail capacity and enhance efficiency in container movements at the port. This in turn will reduce the number of trucks required to visit the terminal.

4.5 Next Reporting Period (forecast)

During the next reporting period, Patrick expects that operations and container volumes will remain stable with the services currently under agreement.

- The fleet of existing container handling equipment is anticipated to change with quay crane 02 being engineered dismantled in 2020.
- The construction of the rail infrastructure commenced in 2019.

5. ACTIONS REQUIRED FROM PREVIOUS ANNUAL REVIEW

The table below identifies any actions required as an outcome of the previous annual review (i.e. 2018) i.e. independent audit and annual environmental management report. It includes any actions that have been undertaken, which actions have been completed, and those which remain open.

Table 5.1 - Actions required from the 2018 Annual Reviews – Completed/Closed

Audit/ Review No.	Source / Reference	Action required from Patrick's previous Annual Review - 2018 (i.e. Independent Audit & AEMR)	Requested By	Action taken by the Patrick	Who/ When	Where discussed in 2019 AEMR
STATUS OF PREVIOUS REVIEWS: 2018 ANNUAL REVIEWS FINDINGS – COMPLETED / CLOSED						
1/2018	OEMP	Update Stormwater Management Plan and ensure those involved with stormwater controls are across requirements.	Patrick, Auditor	OEMP revised, Stormwater Management Plan updated (OEMP, Section 6.1).	ESC Manager, M. Gibbs	CLOSED (Section 6.6)
4/2018	DA 494, C4.4	Draft Toolbox Training Talks covering key issues such as noise, littering and spills were sighted.	Patrick, Auditor	Environmental related tool box talks prepared and issued Feb-19 to be rolled out to the work force at the pre-shift tool box talks.	ESC Manager, M. Gibbs	CLOSED (Section 6.1)
5,6 & 7/2018	DA 494, C1.3; DA 453, 6.5	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.	Patrick, Auditor	OEMP revised, sub-plans integrated into OEMP. Reviewed by NSW Ports, copy sent to DPIE and uploaded onto Patrick's website.	ESC Manager, M. Gibbs	CLOSED (Section 6.3)
8/2018	---	Prepare 2018 AEMR as per the Department of Planning – Annual Review Guidelines.	Patrick	Completed with the 2018 AMER and subsequent reports	ESC Manager, M. Gibbs	CLOSED (Section 6.3)
11/2018	EPL 6962, L1.1;	[Auditor] recorded this as a non-compliance against Condition L1.1 of the EPL.	Auditor	For noting, no further action required	ESC Manager, M. Gibbs	CLOSED
12/2018	EPL 6962, L1.1; DA 453, 3.33	Identify key leak sources, determine controls and activate action plan.	Patrick	Raised with key stakeholders, ongoing review to ensure the cause of any leak is identified and addressed at the source.	ESC Manager, M. Gibbs	CLOSED (Section 6.6)

Audit/ Review No.	Cond. No.	Action required from Patrick's previous Annual Review - 2018 (i.e. Independent Audit & AEMR)	Requested By	Action taken by the Patrick	Who/ When	Where discussed in 2019 AEMR
STATUS OF PREVIOUS REVIEWS: 2018 ANNUAL REVIEWS FINDINGS – COMPLETED / CLOSED						
13/2018	DA 494, C3.1	Forward copies of Patrick's 2018 Community Feedback Quarterly Reports to the EPA; and ensure from 1/Q 2019 the Patrick Community Feedback Quarterly Report is sent to the EPA.	Patrick, Auditor	Copies of Patrick's Community Feedback Quarterly Report emailed to the EPA, EPA included on distribution list.	ESC Manager, M. Gibbs	CLOSED (Sections 6.2 & 9.1)
14/2018	DA 494, C4.2	Ensure the AEMR is issued 60 days after the end date of the reporting period of the report.	Patrick	Completed with the 2018 AMER.	ESC Manager, M. Gibbs	CLOSED (Section 6.2)
15/2018	DA 453, 3.52	Ensure a call to the EPA's Environment Incident Reporting Line of an incident/event also triggers a notification to the DPIE at the same time.	Patrick, Auditor	Escalation Matrix simplified and trialled. Reissue new matrix and updated OEMP and ERP.	ESC Manager, M. Gibbs	CLOSED (Section 6.2)
16/2018	DA 453, 3.19	Review condition of direction arrows on internal roadways.	Patrick, Auditor	Review completed.	ESC Manager, M. Gibbs	CLOSED (Section 6.11)
17/2018	DA 453, 3.51	Confirm with DPE compliance reports have been received.	Patrick, Auditor	DPIE sends an automatic reply to the sender.	ESC Manager, M. Gibbs	CLOSED (Section 6.2)
18/2018	DA 453, 7.7	Confirm the redesigned Maintenance refuelling area complies with the EPA's Environmental Guideline: Surface Water Management on the Covered Forecourt Areas of Service Stations.	Patrick, Auditor	Confirmed the design of the diesel unloading area on site complies with the EPA Practice Note, Managing run-off from service station forecourts (June 2019).	ESC Manager, M. Gibbs	CLOSED (Section 6.6)
19/2018	PBE EIS, 20.8.4	Prepare a Feral Animal management sub-plan.	Patrick, Auditor	Updated OEMP, Section 6.3 – Feral Animal Management Plan.	ESC Manager, M. Gibbs	CLOSED (Section 6.7)
20/2018	PBE EIS, 23.8.2	The use of alternative energy for ships berth (i.e. shore power).	Patrick, Auditor	Ships calling into Port Botany are not configured for shore power.	ESC Manager, M. Gibbs	CLOSED (Section 6.15)
21/2018	PBE EIS, 33.5	The Operational EMP to include a Water Resources Management Plan (WRMP).	Patrick, Auditor	Updated OEMP, Section 6.11 – Energy and Resources Management.	ESC Manager, M. Gibbs	CLOSED (Section 6.15)

Table 5.2 - Actions required from previous Annual Reviews 2018 – Remain Open

Audit/ Review No.	Cond. No	Action required from Patrick's previous Annual Review - 2018 (i.e. Independent Audit & AEMR)	Requested By	Action taken by the Operator	Status	Who/When	Where discussed 2019 AEMR
STATUS OF PREVIOUS REVIEWS: 2018 ANNUAL REVIEW FINDINGS – REMAIN OPEN							
2 & 3/2018	DA 453, 5.7	Raise with DPE and NSW Ports, inconsistences in DA 494 and DA 453.	Patrick, Auditor	Modification discussed in brief with NSW Ports and DPE. Patrick prepared a draft proposed consolidation and is waiting for details of the major upgrade to rail area which may necessitate modification to approval conditions that could also address this finding in a consolidated manner.	OPEN	ESC Manager, M. Gibbs	Section 6.2, Section 12, 4/2019
9 & 10/2018	DA 453, 7.25	Locate or arrange the Energy Efficiency Compliance Report (EECR) to be repeated/undertaken.	Patrick, Auditor	EEC Report was not located; engaged GHD (consultants) to prepare the report – GHD contacted Bayside Council to obtain the applicable DCP. GHD to issue a report.	OPEN	ESC Manager, M. Gibbs	Section 6.15, Section 12, IEA - 3/2019
18 & 19/2017	DA 494, C4.4 OEMP, Section 4.4	Revise / re-issue the site induction package to include specific environmental training, toolbox talks or similar covering topics such as bunding, spill response, noise mitigation etc. Update the new employee and relevant contractor inductions and environmental requirements. Initiate the provision of environmental training at toolbox talks or prestart meetings as required under section 4.4 – Environmental Training – of the OEMP, was provided.	Auditor	Site induction has been significantly revised in June 2018. Draft Toolbox Training Talks covering key issues such as noise, littering and leaks/spills. OEMP updated and reissued 5 July 2019. Note: Site Induction for contractors includes environmental aspects, however missing from employee induction. To be rectified.	OPEN	ESC Manager, M. Gibbs 31-Mar-2020	Section 6.1, Section 12, 1/2019

6. ENVIRONMENTAL PERFORMANCE

This section provides a summary of the environmental outcomes that were intended for the reporting period and detail on achieving these. Actions required as an outcome of the 2019 Annual Review have also been identified, including detail of actions undertaken and when these were completed.

6.1 Induction and Training

Development Consent DA 494	C4.4
Development Consent DA 453	3.62
EPA Licence 6962	NA
EIS Prediction & Conclusion	32.2.4
Industrial Trade Wastewater Discharge Consent - 24990	Schedule 1
Trade Wastewater Discharge Schedule - Permit 40110	NA
Patrick's OEMP	Section 4.3

Performance during the reporting period	Environmental training commences when new employees starts at the terminal in the form of a Site Induction, which is conducted during their first to two weeks of employment at Patrick. Specific training in mobile plant and equipment operation for personnel in Operations and Maintenance roles incorporates Standard Operating Procedures (SOP) or Job Safety Analysis (JSA), environmental controls, emergency and evacuation procedures that Patrick has implemented at the terminal. Training assessment and Verification of Competency is completed prior to any worker being deemed competent. Patrick's Contractor Site Induction is provided to all contractors and service providers prior to them starting work at the terminal. Contractors and Service Providers are also required to supply Safe Work Method Statements (SWMS) and complete the Permit to Work process prior to starting any activity on the terminal. The appropriate High-Risk Work (HRW) Licence associated with any work to be undertaken (e.g. confined space, working at heights, forklift, etc) will also be reviewed by the Facilities Manager and/or Technical Specialist responsible for the Contractor or Service Provider. Patrick conducted a scheduled an emergency drill on 24 October 2019. The emergency drill scenario was a bomb threat issued by Australian Border Force. In 2019, Patrick personnel involved in the handling of dangerous goods (i.e. shift and yard managers, stevedoring managers, rail coordinators and senior clerks) completed the 1-day refresher Maritime General Awareness & Maritime Function Specific training course (AMSA accepted DG Training Course based on the current IMDG Code Amendment 39-18, which came into force on 1 January 2020 for the next two years). Training was provided by All Modes Dangerous Goods Training (AMSA Course Approval No. 5111). All new Patrick employees involved in the handling of dangerous goods are required to complete the initial 2-day training course. The terminal issued an annual statement of compliance for 2019 to the Port Authority of NSW (Dangerous Goods Unit) on the 15 January 2020.

Performance during the reporting period	**CLOSED - Corrective Actions from 2018 Annual Review** (refer to Section 5) *4/2018 – Tool Box Talks* Environmental related tool box talks prepared and issued Feb-19 to be rolled out to the work force at the pre-shift tool box talks.
Trend / key management implications	Following the emergency drill on 30 October 2018, Patrick identified several corrective actions relating to a review of the Emergency Response Plan (ERP). The terminal's ERP, version 12 was reissued on 12 November 2019.
Implemented / proposed management actions	Refresher training in the next issue of the IMDG Code Amendment will be scheduled for 2021 in preparation for the new issue which will be effective from January 1, 2022). Roll out Toolbox Training Talks covering key issues such as noise, littering and leaks/spills. Reissue the revised Site Induction for employees. Ensure the change management process is applied to ensure all stakeholders have opportunity to contribute to, and sign off on, future amendments to the content of the Site Inductions. Provide training for all new and existing members of the Emergency Control Organisation on the revised ERP. *3/2019 – Site Induction, Environmental Aspects* Site Induction for contractors includes environmental aspects, however missing from employee induction. To be rectified.

6.2 Environmental Reporting

Development Consent DA 494	C2.20, C4.1
Development Consent DA 453	3.52
EPA Licence 6962	R2.1, R2.2, R3.1, R3.2, R3.3 and R3.4
EIS Prediction & Conclusion	28.10.1 and 32.1
Industrial Trade Wastewater Discharge Consent - 24990	Schedule 1
Trade Wastewater Discharge Schedule - Permit 40110	NA
Patrick's OEMP	Section 4.4

Performance during the reporting period

In 2019, there were 98 'environmental' related events, of which eight (8) were reported to regulatory agencies, of which two were classified as potential environmental incidents:

- **12 July 2019** - Crane (PT08) at Berth 8 (covered by DA-453), the western end waterside gantry rail clamp leaked hydraulic oil onto the sealed ground of the wharf area and crane trench. Patrick self-reported to the NSW EPA (Ref. No. C09574-2019) and other regulatory authorities.
- **14 July 2019** - Crane (PT08) at Berth 8 (covered by DA-453), was discharging twin-lift cargo from below on the MSC FLORENTINA, centre twist locks on the spreader did not lock onto the containers, causing the containers to dislodge from height over the hold of the vessel. Causing 13 containers to be damaged and the liquid contents of one to leak on top of the containers beneath and into the hold. This container was discharged from the vessel directly to the spill trailer. NSW EPA (Reference No. C09594-2019) and other regulatory authorities. 12 December 2019: EPA issued a formal warning for delayed reporting.

The remaining events were contained within the site and cleaned up without any impact to the environment and have been classified as 'near miss - environmental'. Public comments, inquires or complaints are reported separately, refer to Section 7.

CLOSED - Corrective Actions from 2018 Annual Review (refer to Section 5)

13/2018 – Community Feedback Quarterly Reports

Copies of Patrick's Community Feedback Quarterly reports emailed to the EPA, and the EPA included on the distribution list for future reports.

14/2018 – Issuing Annual Environmental Management Report (AEMR)

The 2018 AMER was issued to the DPIE within 60 days after the end date of the reporting period (i.e. 1 March 2019).

15/2018 – Notifying the NSW EPA triggers reporting to the DPIE

The terminal's escalation matrix has been simplified and trialled for effectiveness. It includes when reporting to the NSW EPA to also report to DPIE Compliance.

17/2018 – DPIE receipt of reports

Reports are emailed to the DPIE, on receipt the DPIE automatically sends a reply indicating received of the email.

Trend / key management implications	Engineering & Maintenance (E&M) Manager identified controls for key leak sources to reduce the risk of leaks; personnel allocated to progress. As per the revised Escalation Matrix, when Patrick notifies the NSW EPA of an actual incident or threat to the environment via the NSW EPA Pollution Incident Reporting Line (131 555) ensure this triggers notification to the DPIE (via email) at the same time.
Implemented / proposed management actions	*1/2019 – Raise with DPIE and NSW Ports inconsistencies in DA 494 and DA 453* 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.

6.3 Environmental Inspection and Auditing

Development Consent DA 494	C4.5
Development Consent DA 453	3.53 and 6.7
EPA Licence 6962	NA
EIS Prediction & Conclusion	NA
Industrial Trade Wastewater Discharge Consent - 24990	Schedule 1
Trade Wastewater Discharge Schedule - Permit 40110	NA
Patrick's OEMP	Section 4.5

Performance during the reporting period	As per development consents – DA 494, condition C4.5 an Annual Independent Environmental Audit, and DA 453, condition 6.7 a three-yearly audit was undertaken. The combined audit for 2019 was carried out by an independent auditor (Steve Fermio, WolfPeak Pty Ltd) approved by the Secretary and conducted on 22 January 2020. The final audit report was sent to DPIE and NSW Ports on the 14 February 2020 and satisfies condition C4.5 and 6.7. A copy of the Annual Independent Environmental Compliance Audit will be located on Patrick's website – https://patrick.com.au/about/safety-and-environment/ As per development consent DA 453, condition 3.53 the 3-yearly hazard audit was carried out by an independent auditor (Karin Nilsson, Planager Pty Ltd) approved by the Secretary in 2017. A copy of the final report was emailed to the DPIE on the 27 February 2020. Together this report forms compliance with DA 494 (C4.2) Annual Environmental Management Compliance Report, and DA 453 (6.6) Annual Compliance Report makes up the annual review. Internal and external audits of Patrick's environmental management system were carried out in 2019. A review and update of the OEMP and management plans was completed in 2019. Review was conducted by NSW Ports, the OEMP was submitted to the DPIE for approval. **CLOSED Corrective Actions from 2018 Annual Review** (refer to Section 5) *5, 6 & 7/2018 – Review the OEMP and sub-plans* In 2019 the OEMP was updated and the sub-plans integrated into the body of the plan. The OEMP (version 2) is available on the Patrick website https://patrick.com.au/about/safety-and-environment/ *8/2018 – Review the OEMP and sub-plans* The 2018 AEMR was prepared in accordance with NSW Government Annual Review Guideline (Post-approval requirements for State significant mining developments, October 2015). The same will be applied to subsequent AMERs.

Trend / key management implications	Specific trends identified from the 2019 annual review – include the Operation Environmental Management Plan (OEMP), supporting documents, reporting and training.
Implemented / proposed management actions	Modification to DA 453 has been discussed internally and in brief with NSW Ports and DPIE. A proposed consolidation document has been drafted. Patrick is 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.

6.4 Emergency Preparedness and Response

Development Consent DA-494	NA
Development Consent DA-453	7.13
EPA Licence 6962	NA
EIS Prediction & Conclusion	NA
Discharge Industrial Trade Wastewater, Consent 24490	NA
Trade Wastewater Discharge Schedule, Permit 40110	NA
Patrick's OEMP	Section 4.8

Performance during the reporting period	Patrick conducted a scheduled drill / exercise to test its Emergency Response Plan (EMP). An emergency drill was carried out on site on 24 October 2019. The emergency drill scenario was a bomb threat issued by Australian Border Force. An annual review of the terminal's Emergency Response Plan (version 12) was reviewed and reissued as version 12 on the 12 November 2019. A copy of the updated ERP is located on the Patrick website https://patrick.com.au/about/safety-and-environment/ **Actions from 2019 Annual Review** (refer to Section 12) Nil identified.
Trend / key management implications	Nil.
Implemented / proposed management actions	As scheduled conduct a review of the Emergency Response Plan.

6.5 Air Quality Management Plan

Development Consent DA-494	C2.1, C2.2, C2.3 and C2.4
Development Consent DA-453	3.45, 3.46, 3.47 and 3.48
EPA Licence 6962	O3.1
EIS Prediction & Conclusion	23.8.2
Discharge Industrial Trade Wastewater, Consent 24490	NA
Trade Wastewater Discharge Schedule, Permit 40110	NA
Patrick's OEMP	Section 6.1

Performance during the reporting period	No visible dust emissions were reported to Patrick during this period. Wharf and road sweeping are routinely carried out on the terminal to reduce build-up of debris and dust. No excavated material is piled on the main body of the terminal. In August/September 2019 Patrick's contractors began evacuations of the area at the rear of the site where the terminal's rail extension project began works. The contractor's construction environmental management plan (CEMP) approved by NSW Ports, identified the potential hazards and controls to reduce any risk or threat to the environment e.g. water truck moves around the construction site spraying water on excavated material.
Trend / key management implications	The overall opportunity for odour and dust generation from operational areas of the Patrick terminal is considered very low. In addition, it is difficult to isolate Patrick's contribution for the surround environment from other potential contributors such as traffic, roadworks, construction areas, neighbouring stevedores and/or nearby industries. Patrick relies on the workforce to report any odour or build-up of dust/debris on the terminal. These events are investigated and where attributed to terminal activities they are cleaned up. Details are recorded in Patrick's HSE incident/event database and the terminal's Public Comment, Inquires & Complaints Register.

Photo 6.5.1: Diesel storage tanks

Photo 6.5.2: Diesel storage tanks – relief valves and filters

Implemented / proposed management actions	Patrick personnel conduct routine visual environmental inspections of the terminal (and the rail extension construction site) to verify that control measures are in place and functioning correctly and to identify / address any air quality issues or the presence of any deposited dust / debris.

6.6 Stormwater Management Plan

Development Consent DA 494	C2.14 and C2.15
Development Consent DA 453	3.26, 3.27, 3.28, 3.29, 3.30, 3.31, 3.32, 3.33, 3.34, 3.35 Note1, 3.36 Note1, 3.37, 5.1, 5.2, 5.3, 5.4 Note1, 5.5, 5.6, 5.7 Note1, 6.2 (a) and 6.4 (a) (Note1 MOD-7 issued 26 September 2013 includes the specific details of the EPL applicable at the time, since then the EPL has had several revisions and changed.)
EPA Licence 6962	L1.1
EIS Prediction & Conclusion	16.4.2, 17.6.2, 18.4.2, 18.4.3, 18.5.2, 33.2.2, 33.3.2 and 33.5
Industrial Trade Wastewater Discharge Consent - 24990	Schedule 1
Trade Wastewater Discharge Schedule - Permit 40110	NA
Patrick's OEMP	Section 6.2

Performance during the reporting period

In 2019, there were 98 'environmental' related events, of which eight (8) were reported to regulatory agencies, of which two were classified as potential environmental incidents:

- **12 July 2019** - Crane (PT08) at Berth 8 (covered by DA-453), the western end waterside gantry rail clamp leaked hydraulic oil onto the sealed ground of the wharf area and crane trench. Patrick self-reported to the NSW EPA (Ref. No. C09574-2019) and other regulatory authorities.
- **14 July 2019** - Crane (PT08) at Berth 8 (covered by DA-453), was discharging twin-lift cargo from below on the MSC FLORENTINA, centre twist locks on the spreader did not lock onto the containers, causing the containers to dislodge from height over the hold of the vessel. Causing 13 containers to be damaged and the liquid contents of one to leak on top of the containers beneath and into the hold. This container was discharged from the vessel directly to the spill trailer. NSW EPA (Reference No. C09594-2019) and other regulatory authorities. 12-Dec-19: EPA issued a formal warning for delayed reporting.

The incident/events were controlled through the implementation of spill response procedures, including the use of absorbent materials and where required further clean up using 3rd party equipment.

Stormwater Management Plan was revised and reissued as part of the OEMP.

Four Quality improvement devices (SQIDs) located on the neighbouring property leased by Hutchison Ports from NSW Ports, were serviced by Cleanaway during 2019.

Completed Actions from 2018 Annual Review (refer to Section 5)

1/2018– Stormwater Management Plan

OEMP revised (version 2), Stormwater Management Plan (Section 6.2) updated, available on the Patrick website https://patrick.com.au/about/safety-and-environment/

12/2018 – Identify key leak sources

Raised key leak sources with stakeholders; ongoing review to ensure the cause of any leak is identified and addressed at the source.

18/2018 – Diesel tanker unloading area

Confirmed the design of the diesel unloading area on site complies with the NSW EPA Practice Note, Managing Run-off from Service Station Forecourts (June 2019).

Photo 6.6.1: Diesel trans-tanks in bunded area

Photo 6.6.2: Road tanker delivering diesel

Trend / key management implications	Spill kits are situated in key locations around the terminal and Patrick employees have been trained in the use of spill kits and incident response. Leaks/spills are quickly identified, contained and reported. A spill trailer is also available at the terminal.

Photo 6.6.3: spill kits

Photo 6.6.4: Spill trailer connected ITV/Mafi located mid-way on the wharf

Implemented / proposed management actions	Engineering & Maintenance (E&M) Manager assigned Maintenance personnel to specific areas on site for their management and improvement. Conduct an annual review of the OEMP and Section 6.2 – Stormwater Management Plan.

6.7 Feral Animal Management Plan

Development Consent DA 494	NA
Development Consent DA 453	NA
EPA Licence 6962	NA
EIS Prediction & Conclusion	20.8.4 and 29.3.3
Industrial Trade Wastewater Discharge Consent - 24990	NA
Trade Wastewater Discharge Schedule - Permit 40110	NA
Patrick's OEMP	Section 6.3

Performance during the reporting period	**CLOSED – Corrective Actions from 2017 & 2018 Annual Reviews** (refer to Section 5) *19/2018 - Feral Animal Management Plan* OEMP revised (version 2), Feral Animal management (Section 6.3) updated, available on the Patrick website https://patrick.com.au/about/safety-and-environment/
Trend / key management implications	Rodents appear to be low in numbers, while at certain times of the year pigeons roosting inside the Maintenance workshop. Refer to Section 6.13, Bird Hazard Management Plan.

Photo 6.7.1: Litter bins are placed around the site - along the truck grid at each of the bus shelters, and at the Operations vehicle parking area

Photo 6.7.2: Rodent traps located around the site

Implemented / proposed management actions	**Actions from 2019 Annual Review** (refer to Section 12) Nil identified. Conduct a review of the OEMP and Section 6.3 – Feral Animal Management Plan.

6.8 Waste and Wastewater Management

Development Consent DA 494	C2.13, C2.13A, C2.14 & C2.15
Development Consent DA 453	3.38, 3.39, 3.40, 3.41, 3.42, 3.43, 3.44, 6.4(d), 7.5, 5.21, 7.22, 7.23 & 7.24
EPA Licence 6962	L2.1, L2.2, L2.3 & L2.4, O1.1, O4.1, O4.2
EIS Prediction & Conclusion	33.2, 33.3, 33.4, 33.5
Industrial Trade Wastewater Discharge Consent - 24990	Schedule 1
Trade Wastewater Discharge Schedule - Permit 40110	Items 1 to 13
Patrick's OEMP	Section 6.4

Performance during the reporting period	Review of the waste certificates and invoices provided by waste collection service providers to Patrick (summarised in the Waste Register) show waste levels do not exceed those limits as listed in EPL 6962, Consent DA-453, or in the *Protection of the Environment Operations Act 1997,* Schedule 1. All waste removal/transport/disposal service providers are engaged under a Service Agreement or a Purchase Order, and area licenced by the EPA for the appropriate scheduled activity. Waste skip bins are covered and routinely emptied. Site environmental inspections are conducted at least every three months and include an inspection of waste storage areas. Wastewater diverted to sewer is routinely monitored and tested as per Patrick's Industrial Trade Wastewater Consent (No. 24990, dated 24 June 2015). The Backflow Prevention Devices were last tested by Matic Plumbing (approved by Sydney Water) on 3 July 2019. Starting from the 1 December 2019 the grease trap is pumped out and cleaned every 26 weeks. In 2019, Patrick was unable to support the annual NSW Ports Clean Up Australia Day initiative involving Port Botany Precinct tenants cleaning up Prince of Wales Drive.
Trend / key management implications	The volume of waste (e.g. waste oil, and oily rags) recycled in 2019 has remained consistent with previous years as the recycling practices carried out by the Maintenance Department remains common practice. Metal recycling increase in 2019 with obsolete equipment disposed of via metal recycling facilities. The volume of paper and cardboard recycled in 2019 remains consistent with previous years. There is an opportunity for the recycling processes adopted at the terminal to be documented.

Trend / key management implications	Windblown litter and debris have been found to be minimal since enclosed rubbish bins were installed initially at every second truck lane shelter at the Truck Grid (2015) and upgraded to every truck lane in 2017. In 2018 at the request of an employee the same type of rubbish bins have been installed at the Operations vehicle parking area (refer to photo 6.8.1). These new bins have replaced the former rubbish bins from which litter was reported to escape. The rubbish bins remain in place at the Operations vehicle parking area and at the Truck Grid. The bins are emptied several times per week. During 2019, the replacement of the wooden stingers along the quay line when time for repair with recycled plastic stringers continued (as illustrated in Photo 6.8.2).

Photo 6.8.1: Enclosed rubbish bins next to Operations vehicle parking area

Photo 6.8.2: Wooden stringers (left) being replaced with recycled plastic stringers (right)

Photo 6.8.3: Grease Arrester Pit (Permit No. 40110) collects greasy wastewater from the Canteen/Kitchen.

Photo 6.8.4: Wastewater from the wash bay draining into a sump which drains to the wastewater holding tank.

Implemented / proposed management actions	Patrick will continue to monitor waste volumes.

Performance during the reporting period	Site environmental inspections are conducted at least every three months and include an inspection of the site and waste storage areas. Wastewater diverted to sewer is routinely monitored and tested as per Patrick's Industrial Trade Wastewater Consent (No. 24990, dated 24 June 2015). The Backflow Prevention Devices were last tested by Matic Plumbing (approved by Sydney Water) on 3 July 2019. As of 1 December 2019, the grease trap will be pumped out and cleaned every 26 weeks. **Actions from 2019 Annual Review** (refer to Section 12) Nil identified. Conduct a review of the OEMP and Section 6.4 – Waste and Wastewater Management Plan.

6.9 Dangerous Goods and Hazardous Chemicals/Substances Management Plan

Development Consent DA 494	C2.16, C2.17, C2.18
Development Consent DA 453	7.4, 7.6, 7.7, 7.8, 7.9, 7.10
EPA Licence 6962	A1 Scheduled Activity (Chemical storage); & O1.1
EIS Prediction & Conclusion	18.5.2, 28.10.1 and 32.2.4
Industrial Trade Wastewater Discharge Consent - 24990	Schedule 1
Trade Wastewater Discharge Schedule - Permit 40110	NA
Patrick's OEMP	Section 6.5

Performance during the reporting period	The two development consents cover different berths: Berth 6 (DA 494), and Berths 7, 8 and 9 (DA 453). On 19 September 2019 the DPIE approved MOD 17 for DA 494, the key changes were administrative. There were no modifications made to DA 453 in 2019. As a reference, during the 1995/1996 period 825 tonnes (average value) of Class 2.3 Dangerous Goods were transited through Port Botany. During the monitoring period on 2019, a total of 24 containers of packaged material of Class 2.3 transited through Berth 6. Refer to Appendix 1. In 2019, Patrick personnel involved in the handling of dangerous goods (i.e. shift and yard managers, stevedoring managers, rail coordinators and senior clerks) either completed the initial 2-day or the refresher 1-day Maritime General Awareness & Maritime Function Specific training course (AMSA accepted DG Training Course based on based on the current IMDG Code Amendment 39-18, which came into force on 1 January 2020 for the next two years) training provided by All Modes Dangerous Goods Training (AMSA Course Approval No. 5111). Patrick issued an annual statement of compliance and a register of those employees who completed the designated training in 2019 to the Port Authority of NSW (DG Unit) on the 15 January 2020. Dangerous goods (i.e. shipping containers) are routinely spot checked by the Dangerous Goods Inspector / Officer from the Port Authority NSW to ensure red line cargo does not stay on the terminal past its allowable dwell time limit. In October 2019 a Hazard Audit was conducted by Planager and a copy of the report submitted to the DPIE on 27 February 2020. A program of at least quarterly environmental inspections was implemented in 2019. During 2019 routine environmental inspections were conducted of the Operational and Maintenance work areas. The initial environmental inspections of the Maintenance areas identified a number of opportunities for improvement.

Performance during the reporting period	**Actions from 2019 Annual Review** (refer to Section 12) Nil raise.
Trend / key management implications	Consistent and routine inspections of Maintenance areas and stores has resulted in significant improvements with handling / storing dangerous goods / hazardous chemicals.

Photo 6.9.1 Oil & Grease store – oils on plastic bunded pallets and grease (due to high viscosity) on wooden pallets

Photo 6.9.2: Flammable liquids cabinet

Implemented / proposed management actions	The 1-day refresher training in the IMDG Code Amendment 39-18 (effective and available from January 1, 2019 and mandatory from 1 January 2020) was planned for Patrick personnel in 2019. Two of Patrick's personnel were unable to attend the 1-day refresher training, are being scheduled to attend the 2-day initial training course. Routine environmental inspections, and audit of chemicals and dangerous goods and hazardous chemical storage areas will continue during the next reporting period. Conduct a review of the OEMP and Section 6.5 – Dangerous Goods and Hazardous Chemicals / Substance Management Plan.

6.10 Operational Noise Management Plan

Development Consent DA 494	C2.5, C2.6, C2.7, C2.8, C2.9, C2.10, C2.11
Development Consent DA 453	3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 5.8 and 6.4 (e)
EPA Licence 6962	L3.1, L3.2, L3.3, L3.4, L3.5, L3.6 and L3.7; Special Condition E1.1 and E1.2
EIS Prediction & Conclusion	22.4.2 and 22.5.2
Industrial Trade Wastewater Discharge Consent - 24990	NA
Trade Wastewater Discharge Schedule - Permit 40110	NA
Patrick's OEMP	6.6

Performance during the reporting period	During 2019 there was one (1) public comments, inquires and complaints received by Patrick via the EPA and NSW Ports (refer to Section 9.3 – Public Comments, Inquiries and Complaints Register of this AEMR). The complaint received could not be attributed to Patrick's operations. Noise monitoring is conducted six-monthly by Rodney Stevens Acoustics. Monitoring conducted in May 2019 and November 2019 identified some levels above the limits in L3.2. The noise emissions received at the designated locations have been estimated via calculation. Patrick did not report a recorded exceedance in the EPA Annual Return 1 April 2018 to 31 March 2019, based on an email (20 July 2016) received from the EPA advising that Patrick was not deemed non-compliant based on the difficulty of attributing the detected noise emissions in the community as having singularly come from Patrick's operations. Copies of the noise monitoring reports for May 2019 and November 2019 have been posted on the Patrick website https://patrick.com.au/about/safety-and-environment/ At the 3-monthly Port Botany Consultative Community Committee (PBCCC) NSW Ports raises any noise complaints received from the local community and/or EPA. **Actions from 2019 Annual Review** (refer to Section 12) Nil identified.
Trend / key management implications	There appears to be no significant impact on noise limits and noise emissions from the Patrick terminal during 2019.

Photo 6.10.1: Noise attenuation wall positioned on the Northern side of the Patrick terminal, between Hutchison's rail siding and the Penrhyn Estuary

Implemented / proposed management actions	Noise monitoring will continue to be carried out at 6-monthly intervals as per the conditions of the Patrick Environmental Protection Licence (EPL 6962). Noise mitigation is covered in the Site Induction which includes the requirements to minimise noise from operations and cargo handling; this topic will also form part of routine tool box talks. Patrick continues to progress a noise reduction project to reduce noise emissions: • Reversing beepers on reach stackers and forklifts have been replaced with low tonal reversing alarms (quackers). • Connecting and moving alarms on the automated straddles fleet (44) are being replaced with LED blue flashing lights. This engineering control is continuing into 2019. Conduct a review of the OEMP and Section 6.6 – Operational Noise Management Plan.

6.11 Operational Traffic Management Plan

Development Consent DA 494	C2.12
Development Consent DA 453	3.9, 3.10, 3.11, 3.12, 3.13, 3.14, 3.15, 3.16, 3.17, 3.18, 3.19, 3.20, 3.21, 3.22, 3.23, 3.24, 3.25 and 6.4 (c)
EPA Licence 6962	NA
EIS Prediction & Conclusion	21.10
Industrial Trade Wastewater Discharge Consent - 24990	NA
Trade Wastewater Discharge Schedule - Permit 40110	NA
Patrick's OEMP	Section 6.7

Performance during the reporting period	The make-up of Patrick's transport of container throughput via road and rail in 2019 remains similar to that for 2016 to 2018.
Trend / key management implications	A Patrick representative attends the Port Botany Rail Optimisation Group (PBROG) which meets to provide advice to Transport for NSW (TfNSW) on strategies and actions to optimise the movement of containers by rail to and from the container terminals at Port Botany. The PBROG Terms of Reference were issued 27 April 2016. In May 2018 the Australian Government announced a funding commitment to duplicate the remaining section of single line freight track between Mascot and Botany, known as the Botany Rail Duplication Project. The Botany Rail Duplication Project will complement future upgrades taking place in and around the airport and port precinct which aim to improve traffic flow and help reduce congestion on nearby roads. NSW Ports has set a target of three million TEU per year to be transported by rail by 2045 – around 40 per cent of forecast container volumes. Achieving this target requires action by all stakeholders involved in the container rail supply chain including NSW Ports, all levels of government, rail operators, shipping lines, stevedores and intermodal operators. The majority of imported containers will remain destined for metropolitan Sydney, with 80 per cent delivered within a 40 kilometre radius from Port Botany. There will be a greater proportion of containers destined for west and south-west Sydney over this time period. **CLOSED - Corrective Actions from 2018 Annual Review** (refer to Section 5) *16/2018 – Direction arrows* Review completed

Implemented / proposed management actions	Transport for NSW holds two formal forums for rail and road operations at PB. 1. **Port Botany Rail Optimisation Group (PBROG)** Established in 2015 to help drive improved rail network utilisation and efficiency at the port. A monthly meeting is held with representatives from Patrick, ARTC, stevedore operators, rail operators, 1-Stop, NSW Ports, Transport for NSW, freight and logistics operators etc. 2. **Port Botany Road Taskforce (PBRT)** Provides advice to Transport for NSW on strategies and actions to optimise the movements of containers by road to and from the container terminals at PB. Conduct a review of the OEMP and Section 6.7 – Operational Traffic Management Plan.

6.12 Aviation Operational Impacts Management Plan

Development Consent DA-494	C2.21, C2.22, C2.23, C2.24 & C2.25
Development Consent DA-453	3.61
EPA Licence 6962	NA
EIS Prediction & Conclusion	25.5, 29.3.3, 29.4 and 30.4.2
Industrial Trade Wastewater Discharge Consent - 24990	NA
Trade Wastewater Discharge Schedule - Permit 40110	NA
Patrick's OEMP	Section 6.8

Performance during the reporting period	Patrick has complied with the requirements under the Development Consent (DA-494) and the EIS for crane height, light spill and bird management. During the monitoring period (2019) there were no reported incidents of aviation impacts or aviation requested management of birds.
Trend / key management implications	**Terminal Lighting** Maritime Order 32 Schedule 1 (2) … lighting requires adequate lighting during loading and unloading activities. In some cases, the ship will be unloaded / loaded at night and require sufficient lighting to undertake the operations. When vessels are not under stevedore operations, the quay crane lights (except the beacon lights) will be switched off in order to minimise the light glare or distraction to aircraft pilots. **Bird Management** Where containers have leaked grain, the grain is swept up as soon as practicable.
Implemented / proposed management actions	Vessels are generally berthed facing west, unless otherwise directed to face east by the harbour pilot reducing the light to surrounding residents and nearby aircraft. Patrick personnel are required to report any aviation hazards or the presence of nesting or injured wildlife, including any eggs. Patrick has adopted the following measures to discourage bird attraction to the terminal: • No eating is permitted outside of the building; • Use of enclosed rubbish bins to reduce the risk of attracting birds; • Control of littering through signage, induction training and regular tool box talks; • The design of rooves and guttering of terminal buildings to deny birds the opportunities to roost and make nests. During 2019 Patrick continued to trial LED lights on the underside of the quay cranes boom/beams with the aim to improve efficiency. With the trial being a success Patrick will roll out LED lights as and when the existing lights require replacing.
Implemented / proposed management actions	Conduct a review of the OEMP and Section 6.12 – Biosecurity and Customs (open/unpack containers) Management Plan.

6.13 Bird Hazard Management Plan

Development Consent DA 494	C2.25
Development Consent DA 453	NA
EPA Licence 6962	NA
EIS Prediction & Conclusion	NA
Industrial Trade Wastewater Discharge Consent - 24990	NA
Trade Wastewater Discharge Schedule - Permit 40110	NA
Patrick's OEMP	Section 6.9

Performance during the reporting period	**CLOSED – Corrective Actions from 2018 Annual Reviews** (refer to Section 5) Nil raised.
Trend / key management implications	During 2019 bird management continued inside the Maintenance workshop where pigeons tend to roost.

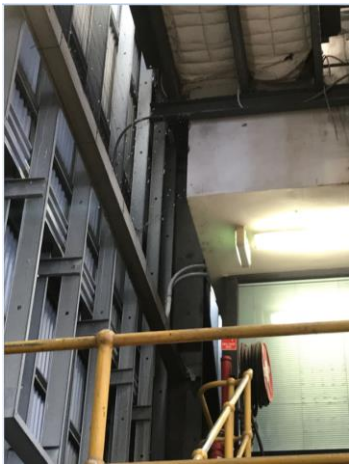


Photo 6.13.1: Use netting to limit access into the Maintenance Workshop.

Photo 6.13.2: Visual inspection of light poles for nests

Implemented / proposed management actions	**Actions from 2019 Annual Review** (refer to Section 12) Nil identified. Conduct a review of the OEMP and Section 6.9 – Bird Hazard Management Plan.

6.14 Vegetation and Land Management Plan

Development Consent DA 494	NA
Development Consent DA 453	3.57, 3.58, 3.59, 3.60 and 6.4(b)
EPA Licence 6962	NA
EIS Prediction & Conclusion	Ch. 19 – Aquatic ecology, and Ch. 20 – Terrestrial ecology
Industrial Trade Wastewater Discharge Consent - 24990	NA
Trade Wastewater Discharge Schedule - Permit 40110	NA
Patrick's OEMP	Section 6.10

Performance during the reporting period	**CLOSED – Corrective Actions from 2018 Annual Review** (refer to Section 5) *20/2018 – Alternative energy for ships berth* OEMP revised (version 2), includes the new Sustainability Management Plan (Section 6.13) updated, available on the Patrick website https://patrick.com.au/about/safety-and-environment/
Trend / key management implications	Patrick uses contractors to maintain the planted areas on site which are predominately in the car parking areas. Routine maintenance is carried out to ensure road signs are not obscured by tree branches. The terminal is predominately has sealed surfaces which are routinely inspected and repairs carried out as required.

Photo 6.14.1: Maintenance car park – landscaping and sealed surface

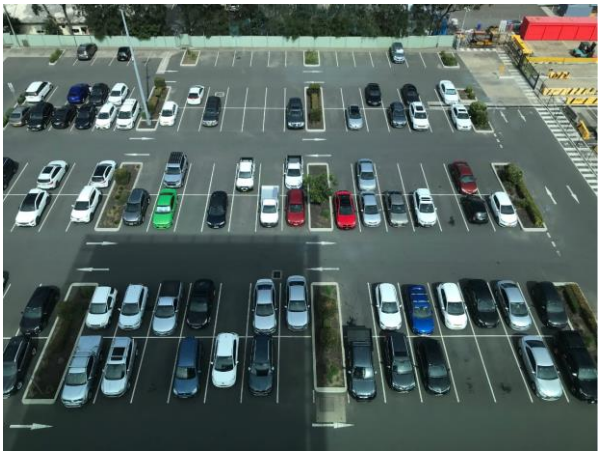


Photo 6.14.2: Main car park – landscaping and sealed surface

Implemented / proposed management actions	**Actions from 2019 Annual Review** (refer to Section 12) Nil identified. Conduct a review of the OEMP and Section 6.10 – Vegetation and Land Management Plan.

6.15 Energy and Resources Management Plan

Development Consent DA 494	NA
Development Consent DA 453	NA
EPA Licence 6962	NA
EIS Prediction & Conclusion	20.8.4 and 29.3.3
Industrial Trade Wastewater Discharge Consent - 24990	NA
Trade Wastewater Discharge Schedule - Permit 40110	NA
Patrick's OEMP	Section 6.11

Performance during the reporting period	**CLOSED – Corrective Actions from 2018 Annual Review** (refer to Section 5) *20/2018 – Alternative energy for ships berth (i.e. shore power)* Ships calling into Port Botany are not configured for shore power. *21/2018 – Water Resources Management Plan* OEMP revised (version 2) while it does not include a specific *Water Resources Management Plan* it does includes: • Stormwater Management Plan (Section 6.2) • Waste and Wastewater Management Plan (Section 6.4) • Energy and Resources Management Plan (Section 6.12) Updated, available on the Patrick website https://patrick.com.au/about/safety-and-environment/
Trend / key management implications	Fuel has trended upwards with increased number of TEU moving through the terminal.
Implemented / proposed management actions	**Actions from 2019 Annual Review** (refer to Section 12) *5/2019 – Energy Efficiency Report* DA 453 (7.25) the EEC Report was not located; engaged GHD (consultants) to prepare the report – GHD contacted Bayside Council to obtain the applicable DCP. GHD to issue a report. The completed report was emailed to DPIE on 6 March 2020. Investigate methods for recording data to review trends. Conduct a review of the OEMP and Section 6.12 – Biosecurity and Customs (open/unpack containers) Management Plan.

6.16 Biosecurity and Customs (open/unpack containers) Management Plan

Development Consent DA 494	NA
Development Consent DA 453	NA
EPA Licence 6962	NA
EIS Prediction & Conclusion	NA
Industrial Trade Wastewater Discharge Consent - 24990	NA
Trade Wastewater Discharge Schedule - Permit 40110	NA
Patrick's OEMP	Section 6.12
Performance during the reporting period	**CLOSED – Corrective Actions from 2018 Annual Review** (refer to Section 5) Nil raised.
Trend / key management implications	Nil trends to report.
Implemented / proposed management actions	**Actions from 2019 Annual Review** (refer to Section 12) Nil identified. Conduct a review of the OEMP and Section 6.12 – Biosecurity and Customs (open/unpack containers) Management Plan.

6.17 Sustainability Management Plan

Development Consent DA 494	NA
Development Consent DA 453	NA
EPA Licence 6962	NA
EIS Prediction & Conclusion	NA
Industrial Trade Wastewater Discharge Consent - 24990	NA
Trade Wastewater Discharge Schedule - Permit 40110	NA
Patrick's OEMP	Section 6.13

Performance during the reporting period	**CLOSED – Corrective Actions from 2018 Annual Review** (refer to Section 5) *20/2018 – Alternative energy for ships berth* OEMP revised (version 2), includes the new Sustainability Management Plan (Section 6.13) updated, available on the Patrick website. https://patrick.com.au/about/safety-and-environment/
Trend / key management implications	Nil trends to report.
Implemented / proposed management actions	**Actions from 2019 Annual Review** (refer to Section 12) Nil identified. Conduct a review of the OEMP and section 6.13 – Sustainability Management Plan.

7. WATER MANAGEMENT

7.1 Water take

This Annual Review does not report on the water taken by the operation in the previous year. Water used by the Terminal is supplied by Sydney Water via a water meter.

The management of stormwater and wastewater is outlined in the following plans:

- Stormwater Management Plan, refer to Section 6.6
- Waste and Wastewater Management Plan, refer to Section 6.8

8. REHABILITATION

8.1 Rehabilitation performance during the reporting period

This Annual Review does not incorporate a summary of the rehabilitation performance of the operation against the rehabilitation targets in the Mining Operations Plan (MOP) / Rehabilitation Management Plan (RMP) as they do not apply to either DA 494 or DA 453.

9. Community

9.1 Community Consultative Committee

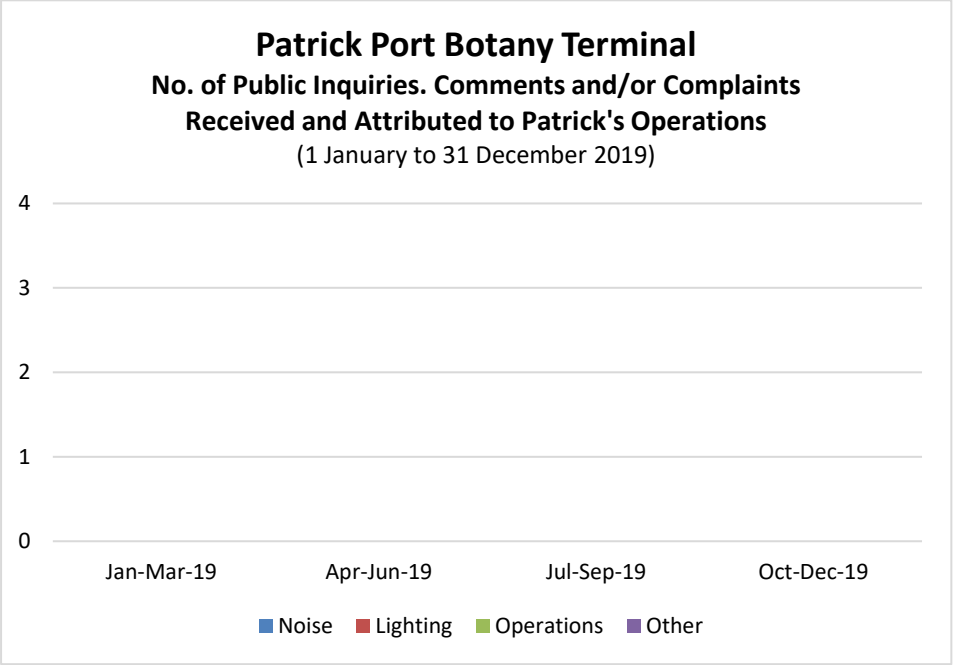
Development Consent DA 494	C3.2 and C3.3
Development Consent DA 453	NA
EPA Licence 6962	NA
EIS Prediction & Conclusion	NA
Industrial Trade Wastewater Discharge Consent - 24990	NA
Trade Wastewater Discharge Schedule - Permit 40110	NA
Patrick's OEMP	Section 4.7

Performance during the reporting period	In September 2013, the Port Botany Community Consultative Committee was combined with the Port Botany Neighbouring Liaison Group to create the Port Botany Community Consultative Committee (PBCCC). Members of the PBCCC includes members from the local Port Botany community, tenants of Port Botany, local council, NSW Ports, EPA, etc. The chairperson is Roberta Ryan, and the minutes are taken by Sandra Spate, who retired later in 2019 with Stella Cimarosti filling the role. As part of the meeting agenda Patrick provides updates as required/requested. The Patrick representative at the PBCCC meetings is Marie Gibbs (ESC Manager and the appointed Environmental Representative). Patrick's representative attended the four PBCC meetings held during the reporting period (2019): • 5 February 2019 – held at NSW Ports, Brotherson House, Port Botany • 7 May 2019 – held at NSW Ports, Brotherson House, Port Botany • 6 August 2019 – held at Prince Henry Centre, Little Bay • 29 October 2019 - – held at Prince Henry Centre, Little Bay **Actions from 2019 Annual Review** (refer to Section 12) *13/2018 - Community Feedback Quarterly Reports* Copies of Patrick's 2018 and 2019 Community Feedback Quarterly Reports were forwarded to the NSW EPA; and NSW EPA has been added to the distribution list to receive subsequent reports.
Trend / key management implications	No trend / key management implications.
Implemented / proposed management actions	The Patrick appointed Environmental Representative (Marie Gibbs – ESC Manager) will continue to attend the PBCCC meetings. Conduct a review of the OEMP and Section 4.7 – Community Consultation Committee.

9.2 Handling Environmental Related Pubic Inquires, Comments and Complaints

Development Consent DA 494	C3.1
Development Consent DA 453	3.63, 3.64,
EPA Licence 6962	M2.1, M2.2, M2.3, M2.4, M3.1, M3.2 & M3.3
EIS Prediction & Conclusion	22.5.2
Industrial Trade Wastewater Discharge Consent - 24990	Schedule 1
Trade Wastewater Discharge Schedule - Permit 40110	NA
Patrick's OEMP	Section 4.6

Performance during the reporting period	Patrick operates a toll-free phone number (02) 9304 0308 solely for the community to use to contact Patrick with any comments, inquiries and/or complaints. The phone number is operational 24 hours 7 days a week. The phone number is tested weekly to ensure it is operational. The phone number is displayed on the front fence next to Patrick's Port Botany Terminal Gate B105A adjacent fence and on Patrick's website https://patrick.com.au/about/safety-and-environment/ Patrick monitors all community concerns / enquires / feedback and complaints and responds to the parties involved. All public enquires are logged in the site Public Comment, Inquires & Complaints Register attached to the site Environmental Register, and details of the findings and actions taken by Patrick area also recorded. Each event is entered into Patrick's HSE database and relevant correspondence attached. Any complaints received are reported as part of the daily, weekly and monthly environmental report. During 2019 there was one (1) public comments, inquires and complaints received by Patrick via the EPA and NSW Ports (refer to Section 9.3 – Public Comments, Inquiries and Complaints Register of this AEMR). The complaint received could not be attributed to Patrick's operations. The quarterly Community Feedback Reports are available on Patrick's website: https://patrick.com.au/about/safety-and-environment/ Each report includes the required information as per the two development consents. During 2019 the role of Environment Representative (as per DA 494, condition C4.3) for Patrick was fulfilled by Marie Gibbs, Patrick's Environment, Sustainability & Compliance Manager and the appointed Environmental Representative. **Actions from 2019 Annual Review** (refer to Section 12) Nil identified.

Trend / key management implications	The graph below shows the types of community feedback received and the month the complaint was reported to Patrick for the reporting period (2019).  **Figure 9.2.1:** Public comments, inquires and/or complaints received attributed to Patrick's operations in 2019
Implemented / proposed management actions	Conduct a review of the OEMP and Section 4.6 – Handling Environmental Related Pubic Inquires, Comments and Complaints.

9.3 Public Comments, Inquiries and Complaints Register

Table 9.3 - Public Comments, Inquiries and Complaints Register: 1 January 2018 to 31 December 2019

No.	Date of Notification	Time of Notification	Direct or Indirect Feedback	Method (Means)	Type of Feedback	Details of Comment, Inquiry or Complaint (if none "nil")	Nature of Comment, Inquiry or Complaint	Details of Comment, Inquiry or Complaint Received	Attributed to Patrick Operations (Yes / No)	Action taken by Patrick (if nil – state reason)	Follow up by Patrick
1	26-Nov-19	10am	Indirect	Phone	Negative	NSW Ports, NSW EPA	Complaint	Community complaints (25-Nov-19) – low tonal noise coming from the port	No	**Issue:** CSAV TOCONAO (Patrick, Berth 9) reported being unable to sail due to an electrical fault with its back-up generator. **Action Taken:** Patrick liaised with the shipping agent - vessel unable to turn generator off due to refrigerated cargo aboard; liaised with NSW Ports, EPA, shipping agent; NSW Ports posted information on their website and contacted the members of the PBCCC to advise. The vessel was moved to Hutchison Ports, while repairs were being arranged etc. Incident No. INC0004898	NSW Ports held a debriefing meeting with port personnel, AMSA & EPA

10. Independent Environmental Compliance Audit

As per development consents - DA-494, C4.5 an Annual Independent Environmental Compliance Audit, and DA-453, 6.7 a three-yearly audit was undertaken. The 2019 audit was carried out by an independent auditor approved by the Secretary (Steve Fermio, WolfPeak Pty Ltd) and conducted on 22 January 2020.

Copies of the audit will be posted on Patrick's website – http://www.patrick.com.au/environment-monitoring-reporting.

10.1 Compliance Status

Table 10.1 -2019 Audit Findings - Non-Compliance (3) and Corrective Actions

Audit Item No.	Cond. No.	Details of Condition / Requirement	Comments, observations, discussion, evidence, supporting documentation	Proposed Action	Who By	When
DA 494 – Port Botany Expansion Approval						
There were no findings made against the conditions of DA 494 during the audit.						
DA 453 – Patrick Port Botany Redevelopment Approval						
1/2019	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 recently updated and does not appear to contain appropriate references to environmental requirements. Observation: ESC needs to be included as part of the change management process for approval of inductions.	Revision of site induction to include appropriate environmental requirements.	ESC Manager, M. Gibbs	31-Mar-20
2/2019	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'	Some stormwater drains have this signage installed but not in all instances.	Signage or ground stencils to be installed at the remainder of stormwater drains.	ESC Manager, M. Gibbs	31-Mar-20

Audit Item No.	Cond. No.	Details of Condition / Requirement	Comments, observations, discussion, evidence, supporting documentation	Proposed Action	Who By	When
DA 453 – Patrick Port Botany Redevelopment Approval						
3/2019	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 2019 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.	Report to be submitted by March 2020. Occupation certificate obtained in May 2018 so report due in September 2019. Extension to timeframe provided by Laura Papoulias DPIE via email on 7/11/19 to 31/1/2020. GHD sustainability consultant inspected site on 14/15 January 2020. Report being prepared.	ESC Manager, M. Gibbs	13-Mar-20

11. Incidents during the reporting period

In 2019, there were 98 'environmental' related events, of which eight (8) were reported to regulatory agencies, of which two were classified as potential environmental incidents:

- **12 July 2019** - Crane (PT08) at Berth 8 (covered by DA-453), the western end waterside gantry rail clamp leaked hydraulic oil onto the sealed ground of the wharf area and crane trench.
- **14 July 2019** - Crane (PT08) at Berth 8 (covered by DA-453), was discharging twin-lift cargo from below on the MSC FLORENTINA, centre twist locks on the spreader did not lock onto the containers, causing the containers to dislodge from height over the hold of the vessel. Causing 13 containers to be damaged and the liquid contents of one to leak on top of the containers beneath and into the hold. This container was discharged from the vessel directly to the spill trailer.

The remaining events were contained within the terminal area and cleaned up without any discharge, or threat, to the environment and have been classified as 'near miss - environmental'. Note: Public comments, inquires or complaints are reported separately, refer to Section 9.

Table 11 - Environmental Related Incidents (including Near Misses) Reported in 2019

Event No.	Date / Incident No.	Area of Impact	Description / Classification	Action Taken	Status
1	02-Jan-19	Air (Potential)	Import container loaded onto the truck was reported to be emitting the smell of beer.	Truck driver decided to transport the container. **NEAR MISS:** INC0003533	Closed
2	03-Jan-20	Land (Potential)	Auto Straddle (AS38) front spreader value stack leaked hydraulic oil onto the sealed roadway at the Truck Grid. Nil entry into stormwater drains in vicinity.	Maintenance attended, hydraulic spreader isolated, absorbent material put down and the leak cleaned up. AS38 was returned to workshop and repaired. **NEAR MISS:** INC0003540	Closed
3	06-Jan-19	Land (Potential)	Auto Straddle (AS33) in the Launch Pad when its engine oil drip tray filled with rainwater and overflowed onto the concrete area and drained into the Purceptor below.	Maintenance review procedures to ensure engine oil tray routinely inspected and emptied. **NEAR MISS:** INC0003555	Closed
4	16-Jan-19	Land (Potential)	Import container during loading onto a truck trailer at the Truck Grids was found to be leaking a pink sand-like material. Nil entry into stormwater drains in vicinity.	The hole was patched up, and the area cleaned. **NEAR MISS:** INC0003582	Closed
5	30-Jan-19	Land (Potential)	Crane (PT13) spreader (SP48) developed a leak on the T-beam. Nil entry into stormwater drains in the vicinity.	Maintenance attended, placed absorbent material put down and the area cleaned. SP48 repaired. **NEAR MISS:** INC0003647	Closed

Event No.	Date / Incident No.	Area of Impact	Description / Classification	Action Taken	Status
6	30-Jan-19	Land (Potential)	Auto Straddle (AS10) hydraulic hose end failed on main hydraulic accumulator leaking oil onto the sealed ground in C3 Block.	Maintenance attended, absorbent material put down and the area cleaned. AS10 was returned to the workshop and repaired. **NEAR MISS:** INC00003668	Closed
7	03-Feb-19	Land (Potential)	Truck driver reported to Patrick personnel it was unclear if the export full tank-tainer being delivering was leaking or the truck.	The truck driver inspected the tank-tainer and found the seal was missing. A seal was delivered and installed, and tank-tainer unloaded. **NEAR MISS:** INC0003667	Closed
8	05-Feb-19	Air (Potential)	Patrick personnel reported two instances where the vessel emitted smoke while alongside Berth 9. The vessel has kept running its engines after the ship's cranes were moved.	Initial event was reported to the shift manager and safety facilitator - who spoke to the vessel's Chief Officer to reduce the emissions. **NEAR MISS:** INC0003697	Closed
9	06-Feb19	Water (Potential)	Crane (PT04) spreader reported to have leaked hydraulic oil on the wharf. Nil stormwater drains located in the vicinity.	Maintenance attended, absorbent material put down and the area cleaned. Crane spreader was changed over and returned to the workshop and repaired. **NEAR MISS:** INC0003687	Closed
10	07-Feb-19	Land (Potential)	Reach stacker (RS09) blew a hydraulic hose leaking oil onto the sealed roadway at the Rail Siding. Nil stormwater drains in the vicinity.	Maintenance attended, absorbent materials put down and the area cleaned. **NEAR MISS:** INC0003694	Closed
11	07-Feb-19	Land (Potential)	Auto Straddle (AS31) leaked hydraulic oil onto the top frame of the straddle. Nil entry into stormwater drain.	Maintenance attended, absorbent material put down and the area cleaned. AS31 was returned to the workshop and repaired. **NEAR MISS:** INC0003690	Closed
12	09-Feb-19	Land/Water (Potential)	Crane (PT13) spreader flipper damaged caused hydraulic hose to be damaged and leak oil. Nil entry into stormwater drain.	Maintenance attended, absorbent material put down and the area cleaned. Crane spreader was changed over and returned to the workshop and repaired. **NEAR MISS:** INC0003702	Closed

Event No.	Date / Incident No.	Area of Impact	Description / Classification	Action Taken	Status
13	13-Feb-19	Air (Potential)	Patrick personnel aboard a vessel reported that through cargo - DG tank-tainer (UN1951, Argon Refrigerated Liquid; Class 2.2 - Non-Flammable Non-Toxic Gas) alarm continuously sounding.	Exclusion zone installed and Fire & Rescue Hazmat called found tank-tainer to have a pipe leaking, opened/closed the valve to reset the valve, heard a hiss from the relief valve. Fire & Rescue Hazmat deemed the unit to be safe to reload, vessel's Chief Officer refused to accept the tank tainer aboard vessel. **Patrick self-reported to NSW EPA (Reference No. C02219-2019) and other regulatory authorities.** **NEAR MISS:** INC0003723	Closed
14	16-Feb-20	Land (Potential)	Patrick personnel reported an oil leak from Crane (PT08) landside rail brake. Nil stormwater drains within the vicinity.	Maintenance attended, put down absorbent material and the area cleaned. Crane repairs carried out. **NEAR MISS:** INC0003743	Closed
15	03-Mar-19	Land (Potential)	Crane (PT12) spreader (SP46) gear box was broken causing oil to leak onto the roof of the container underneath.	Maintenance attended, the spreader changed over and returned to the workshop and repaired, absorbent material put down and the area cleaned. The top of the container was cleaned. **NEAR MISS:** INC0003809	Closed
16	04-Mar-19	Land (Potential)	During Patrick's Safety Facilitator's inspection of a vessel alongside Berth 7, found an area taped off due to leaking Class 2.2 UN2187 box (Non-flammable, non-poisonous gas).	The hazardous container remained board the vessel throughout. Fire & Rescue Hazmat attended, sampled and tested around the area of the container - nil leak detected. **Patrick self-reported to NSW EPA (C03482-2019) and other regulatory authorities** **NEAR MISS:** INC0003816	Closed
17	11-Mar-19	Water	A vessel alongside Berth 6 about to sail when fuel was noticed to be leaking from a crack in the hull above the water line leaking fuel into the bay.	**Patrick self-reported to NSW EPA (Reference No. C03880-2019) and other regulatory authorities**. Port Authority NSW and ship's agent contacted and attended site. **NEAR MISS:** INC0003836	Closed

Event No.	Date / Incident No.	Area of Impact	Description / Classification	Action Taken	Status
18	15-Mar-19	Vessel (Potential)	Crane (PT14) was loading a vessel's hatch lid aboard when the crane spreader side shifted to one side without input causing one side shift hose on the head block to break, spilling oil onto ship.	Maintenance attended, cleaned up leak on vessel using absorbent material. **NEAR MISS:** INC0003847	Closed
19	19-Mar-19	Land (Potential)	A reach stacker (RS10) 10 blew a hydraulic hose and leaked oil onto the sealed wharf area under a crane (PT03). Nil entry into the nearest stormwater drain.	Maintenance attended, isolated the leak and put down absorbent material, and the area cleaned. **NEAR MISS:** INC0003866	Closed
20	21-Mar-19	Land (Potential)	Patrick personnel reported low hydraulic oil level for Auto Straddle (AS44) outside truck grid 12. Nil stormwater drains within the vicinity.	Maintenance attended and found oil leaking from AS44, cause by split hydraulic hose / pipe from pump on top frame. AS44 was isolated, absorbent materials put down and the area cleaned. **NEAR MISS:** INC0003877	Closed
21	25-Mar-19	Land (Potential)	Patrick personnel reported reach stacker (RS10) was leaking oil onto the sealed ground at the Rail Siding. Nil stormwater drains within the vicinity.	Maintenance attended, found transmission output shaft flange popped out and shaft extended. Placed bucket under the leak, absorbent material put down around RS10 to bund the area, and the area cleaned. RS10 was repaired. **NEAR MISS:** INC0003893	Closed
22	26-Mar-19	Air (Potential)	Patrick personnel reported Auto Straddle (AS39) blowing smoke.	AS39 was returned to the workshop for inspection/repairs. **NEAR MISS:** INC0003902	Closed
23	27-Mar-19	Land (Potential)	Auto Straddle (AS02) in Maintenance Workshop leaked oil which was collected in the collection pit.	AS02 was stopped, absorbent material put down and the area cleaned. **NEAR MISS:** INC0003908	Closed
24	27-Mar-19	Land (Potential)	Import non-hazardous container was moved from the Auto Yard to the truck grid (TG09) to be loaded onto a truck where it was found to be leaking white powder from a taped area on the side of the container onto the sealed ground. Nil stormwater drains within the vicinity.	Re-patched the taped area, container surveyed. Copy of SDS obtained. Maintenance attended and cleaned the area. **NEAR MISS:** INC0003911	Closed

Event No.	Date / Incident No.	Area of Impact	Description / Classification	Action Taken	Status
25	27-Mar-19	Vessel (Potential)	Following the discharge of an import container from the vessel a fish oil residue was found below, unclear if the residue was from a leaking container.	Following inspection Patrick Personnel advised the vessel's Chief Officer here was a possibility the fish oil was left over from a previous port load. **NEAR MISS:** INC0003910	Closed
26	29-Mar-19	Land (Potential)	At the Rail Siding reach stacker (RS11) leaked hydraulic oil onto the sealed ground from a loose transmission oil filter. Nil stormwater drains within the vicinity.	Maintenance attended, shut down RS11 immediately and towed from the area, absorbent material put down and the area cleaned. Maintenance contractors inspected RS11 and conducted repairs. **NEAR MISS:** INC0003918	Closed
27	01-Apr-19	Land (Potential)	Patrick personnel reported Auto Straddle (AS08) with low hydraulic oil in the Yard B2 block. Nil entry into the nearest stormwater drains.	Maintenance attended, absorbent material put down and the area cleaned. AS08 was returned to the workshop and repaired. **NEAR MISS:** INC0003937	Closed
28	01-Apr-19	Land (Potential)	Patrick personnel reported Auto Straddle (AS05) was leaking at the Truck Grid. Nil stormwater drains within the vicinity.	Maintenance attended, put down absorbent material and the area cleaned. AS05 was returned to the workshop and repaired. **NEAR MISS:** INC0003936	Closed
29	05-Apr-19	Land (Potential)	Auto Straddle (AS21) attempting to pick up twin boxes in the back-reach of crane PT05 in Lane 1 when it leaked oil onto the sealed ground. Nil stormwater drains within the vicinity.	Maintenance attended, the oil leak was isolated at the spreader, put down absorbent material and the area cleaned. AS21 was returned to the workshop and repaired. **NEAR MISS:** INC0003949	Closed
30	05-Apr-19	Land (Potential)	Reach stacker (RS11) at the Rail Siding leaked oil onto the seal ground when the spreader was damaged causing the hydraulic hose to fail. Nil stormwater drains within the vicinity.	Maintenance attended, the oil leak was isolated at the spreader, absorbent material put down and the area cleaned. Maintenance contractors attended RS11 and conducted repairs. **NEAR MISS:** INC0003950	Closed
31	06-Apr-19	Land (Potential)	Auto Straddle (AS41) leaked oil from a valve block on the steer deck onto the sealed ground. Nil stormwater drains within the vicinity.	Maintenance attended, put down absorbent material and cleaned the area. AS41 was returned to the workshop and repaired. **NEAR MISS:** INC0003954	Closed

Event No.	Date / Incident No.	Area of Impact	Description / Classification	Action Taken	Status
32	18-Apr-19	Land (Potential)	Patrick personnel reported a potentially leaking hazardous container at the truck grid. Nil stormwater drains within the vicinity.	As a precaution the area was evacuated, and Fire & Rescue Hazmat contacted and attended. Fire & Rescue Hazmat identified the leak as water from a hole in the top rail of the container. **NEAR MISS:** INC0004026	Closed
33	21-Apr-19	Land (Potential)	Patrick personnel reported oil leaking from crane (PT12) spreader (SP44). Nil stormwater drains within the vicinity.	Maintenance attended, put down absorbent material and the area cleaned. Identified the leaking was coming from landside right flipper motor. SP44 was changed out and returned to the workshop and repaired. **NEAR MISS:** INC0003997	Closed
34	02-May-19	Biosecurity (Potential)	Patrick personnel reported sighting an orange coloured bug (looked like a "stink bug") on the container stand. It was unclear if the bug had fallen out of the container's twist lock pocket.	The insect as placed in a plastic bottle and Biosecurity contacted. Biosecurity attended site to conduct an inspection and take the bug for identification. **NEAR MISS:** INC0004042	Closed
35	04-May-19	Land (Potential)	Crane (PT05) using spreader SP49 was found leaking hydraulic oil. Nil stormwater drains within the vicinity.	Maintenance attended, leaking hose isolated, spreader changed over, absorbent material put down and the area cleaned. SP49 was returned to the workshop and repaired. **NEAR MISS:** INC0004053	Closed
36	19-May-19	Land (Potential)	At the Rail Siding, reach stacker (RS07) blew hydraulic hose. Nil stormwater drains within the vicinity.	Maintenance attended, RS07 was shut down immediately and the spill contained using absorbent material and the area cleaned. Maintenance contractors attended and repaired RS07. **NEAR MISS:** INC0004107	Closed
37	22-May-19	Land (Potential)	Patrick personnel reported Auto Straddle (AS39) leaking hydraulic oil onto the sealed ground in G Block. Nil stormwater drains within the vicinity.	Maintenance attended, leaking hose isolated, absorbent material put down and the area cleaned. AS39 returned to the workshop and repaired. **NEAR MISS:** INC0004126	Closed
38	22-May-19	Land (Potential)	Patrick Personnel reported Auto Straddle (AS08) leaking oil onto the sealed ground at the truck grid. Nil stormwater drains within the vicinity.	Maintenance attended, absorbent material put down and the area cleaned. AS08 returned to the workshop and repaired. **NEAR MISS:** INC0004135	Closed

Event No.	Date / Incident No.	Area of Impact	Description / Classification	Action Taken	Status
39	31-May-20	Land (Potential)	Patrick personnel reported Auto Straddle (AS39) holding a refrigerated container whose cable had been ripped out, was wrapped around a pipe on AS39 causing oil to leak onto the sealed ground in the truck grid. Nil stormwater drains within the vicinity.	Maintenance attended, absorbent material put down and the area cleaned. AS08 returned to the workshop and repaired. **NEAR MISS:** INC0004182	Closed
40	11-Jun-19	Land (Potential)	Auto Straddle (AS16) faulted in Block L1 with a damaged valve and leaked oil onto the sealed ground. Nil stormwater drains within the vicinity.	Maintenance attended, absorbent material put down and the area cleaned. AS16 returned to the workshop and repaired. **NEAR MISS:** INC0004208	Closed
41	15-Jun-19	Land (Potential)	Patrick personnel reported Auto Straddle (AS18) leaking oil. Nil stormwater drains within the vicinity.	Maintenance attended, absorbent material put down and the area cleaned. **NEAR MISS:** INC0004224	Closed
42	16-Jun-19	Land (Potential)	Patrick personnel reported an oil leak from Auto Straddle (AS07) at rear of Truck Grid lane 12. Nil stormwater drains within the vicinity.	Maintenance attended, absorbent material put down and the area cleaned. AS07 returned to the workshop and repaired. **NEAR MISS:** INC0004228	Closed
43	27-Jun-19	Land (Potential)	Driver of reach stacker (RS11) reported oil leaking from a hose onto the ground at the Rail Siding. Nil stormwater drains within the vicinity.	Maintenance attended, absorbent material put down and the area cleaned. Maintenance contractors attended and RS11 repaired. **NEAR MISS:** INC0004260	Closed
44	02-Jul-19	Land (Potential)	Auto Straddle (AS07) blew a hose at the valve stack up top behind the engine, leaking oil onto the sealed ground. Nil entry into any nearby stormwater drains.	Maintenance attended, absorbent material put down and the area cleaned. AS07 returned to the workshop and repaired. **NEAR MISS:** INC0004280	Closed
45	07-Jul-19	Land (Potential)	Patrick personnel reported Forklift 01 leaking hydraulic oil onto the sealed wharf area at Berth 6. Nil entry into any nearby stormwater drains.	Maintenance attended, put absorbent material around the forklift, could not locate the leak, and the area was cleaned. **NEAR MISS:** INC0004301	Closed

Event No.	Date / Incident No.	Area of Impact	Description / Classification	Action Taken	Status
46	12-Jul-19	Land/water (Potential)	Crane (PT08) at Berth 8 western end waterside gantry rail clamp leaking hydraulic oil onto the sealed ground of the wharf area and crane trench.	Maintenance attended, isolated the hydraulic oil supply and cleaned the affected area of the leaked oil using absorbent material and mats. As a precautionary measure, as it was unclear if any of the oil had entered into the bay, absorbent boom socks/pillows secured by rope were put into the bay, in between the vessel and the wharf to skim across the surface of the water. A new hydraulic oil hose (rubber) was made up and installed by passing the faulty section of the steel hydraulic oil line. **Patrick self-reported to the NSW EPA (Ref. No. C09574-2019) and other regulatory authorities.** **NEAR MISS:** INC0004318	Closed
47	14-Jul-19	Water (Potential)	Crane (PT08) at Berth 8 was discharging twin-lift cargo from below on the MSC FLORENTINA, centre twist locks on the spreader did not lock onto the containers, causing the containers to dislodge from height over the hold of the vessel. Causing 13 containers to be damaged and the liquid contents of one to leak on top of the containers beneath and into the hold. This container was discharged from the vessel directly to the spill trailer.	Maintenance attended, absorbent material put down and the sealed wharf area cleaned. The vessel's hold was pumped and cleaned. The incident was reported to the **NSW EPA (Reference No. C09594-2019) and other regulatory authorities.** **12-Dec-19: EPA issued a formal warning:** Section 148(2) of the NSW Protection of the Environment Operations Act 1997 states 'A person carrying on [an] activity must, immediately after the person becomes aware of [an] incident in which [material harm to the environment is caused or threatened], notify each relevant authority of the incident and all relevant information about it.' Section 148(8) of the POEO Act defines what 'relevant authority' are and includes the EPA. Several hours elapsed between the time the EPA considers that the incident could reasonably been considered material harm and when the licensee became aware the incident had come to the notice of the EPA. The EPA therefore considers that incident was not immediately notified to the EPA as required by the section 148 of the POEO Act. **INCIDENT:** INC0004325	Closed

Event No.	Date / Incident No.	Area of Impact	Description / Classification	Action Taken	Status
48	16-Jul-19	Land (Potential)	Auto Straddle (AS03) hydraulic oil hose blew, oil leaked from top frame onto the top of containers under AS03 and onto the sealed ground in G Block. Nil stormwater drains within the vicinity.	Maintenance attended, absorbent material put down and the area cleaned. AS03 and the containers were sent to the workshop and cleaned, the containers returned to the Yard, and AS03 repaired. **NEAR MISS:** INC0004336	Closed
49	19-Jul-19	Land (Potential)	Export grain container arrived into the Rail Siding, with a hole in the side wall causing grain to leak onto the ground.	The hole was patched, Maintenance attended cleaned up the split grain, the container was transported by road to an off-site facility to be repacked. **NEAR MISS:** INC0004361	Closed
50	25-Jul-19	Land (Potential)	Reach stacker (RS11) blew a hydraulic hose and leaked oil onto the sealed ground at the Rail Siding. Nil stormwater drains within the vicinity.	Maintenance attended, RS11 was shut down immediately and the leak contained using absorbent material and the area cleaned. Maintenance contractors attended and repaired RS11. **NEAR MISS:** INC0004380	Closed
51	28-Jul-19	Land (Potential)	Patrick personnel reported Auto Straddle (AS38) leaking oil onto the sealed ground. Nil entry into the nearest stormwater drains.	Maintenance attended, absorbent material put down and the area cleaned. AS38 was returned to the workshop and repaired. **NEAR MISS:** INC0004393	Closed
52	29-Jul-19	Land (Potential)	Reach stacker (RS10) blew a hydraulic hose onto the sealed ground in the out of gauge area. Nil oil entry into the nearest stormwater drain.	RS10 was shut down. Maintenance attended and closed off the drain warden in the nearest stormwater drain, put down absorbent material and cleaned the area. Maintenance contractors attended and repaired RS07. **NEAR MISS:** INC0004394	Closed
53	31-Jul-19	Land (Potential)	Auto Straddle (AS05) leaked oil onto the sealed ground inside Yard E4 Block. Nil entry into the nearest stormwater drains.	Maintenance attended, absorbent material put down and the area cleaned. AS05 was returned to the workshop and repaired. **NEAR MISS:** INC0004397	Closed
54	02-Aug-19	Land (Potential)	Reach stacker (RS10) operating in OOG started to leak hydraulic oil from a loose fitting on pump onto the sealed ground. Nil entry into the nearest stormwater drains.	The reach stacker operator immediately shut down RS10. Maintenance attended, secured the loose fitting, put down absorbent material and cleaned the area. **NEAR MISS:** INC0004404	Closed

Event No.	Date / Incident No.	Area of Impact	Description / Classification	Action Taken	Status
55	06-Aug-19	Land (Potential)	Oil leak from crane (PT05) identified near the crane rail. Nil entry into the nearest stormwater drains.	Maintenance attended and inspected all the hoses on the storm rail brake, small leak identified. Maintenance put down absorbent material and the area cleaned. PT05 repaired. **NEAR MISS:** INC0004412	Closed
56	08-Aug-19	Land (Potential)	Auto Straddle (AS21) spreader leaked hydraulic oil onto the sealed ground in the Yard E1 area. Nil entry into the nearest stormwater drains.	Maintenance attended, absorbent material put down and the area cleaned. AS21 was returned to the workshop and repaired. **NEAR MISS:** INC0004423	Closed
57	09-Aug-19	Land (Potential)	Patrick personnel reported Auto Straddle (AS05) positioned behind Truck Grid 23 was leaking hydraulic oil onto the spreader and sealed ground. Nil stormwater drains within the vicinity.	Maintenance attended, absorbent material put down and the area cleaned. AS05 was returned to the workshop and repaired. **NEAR MISS:** INC0004426	Closed
58	13-Aug-19	Land (Potential)	Auto Straddle (AS05) reported to have leaked oil on top of a container in Truck Grid 14 and onto the sealed ground. Nil stormwater drains within the vicinity.	Maintenance attended, absorbent material put down and the area cleaned. AS40 collected the container and transported it to the workshop where it was cleaned. AS05 was returned to the workshop and repaired. **NEAR MISS:** INC0004450	Closed
59	14-Aug-19	Biosecurity (Potential)	Patrick personnel reported following a trans-shipment non-hazardous container being discharged to the wharf it was found with "rice-like" grains caked to bottom rail at non-door end and floor bearers.	Patrick personnel inspected, nil movement or any insect castings, Patrick salted around the container; sample collected for Biosecurity who attended site and inspected the bottom of the container. Biosecurity cleared the container for loading aboard the vessel**. NEAR MISS:** INC0004451	Closed
60	18-Aug-19	Land (Potential)	Patrick personnel reported Auto Straddle (AS41) to be leaking in the back-reach of the crane (PT14) onto the sealed ground. Nil entry into the nearest stormwater drain.	Maintenance attended and stopped the hydraulic pump; absorbent material was put down and the area cleaned up. AS41 was returned to the workshop and repaired. **NEAR MISS:** INC0004471	Closed

Event No.	Date / Incident No.	Area of Impact	Description / Classification	Action Taken	Status
61	18-Aug-19	Land (Potential)	Patrick personnel reported Auto Straddle (AS10) was leaking oil onto the sealed ground in Truck Grid 18. Nil entry into the nearest stormwater drain.	Maintenance attended, absorbent material put down and the area cleaned. AS10 was returned to the workshop and repaired. **NEAR MISS:** INC0004473	Closed
62	19-Aug-19	Land (Potential)	Patrick personnel reported Auto Straddle (AS25) was leaking oil onto the sealed ground in Truck Grid 14. Nil entry into the nearest stormwater drain.	Maintenance attended, absorbent material put down and the area cleaned. AS25 was returned to the workshop and repaired. **NEAR MISS:** INC0004476	Closed
63	27-Aug-19	Land (Potential)	Off-site – A truck exited Patrick's terminal and jack knifed at top roundabout damaging the fuel tank, fuel leaked onto roadway.	Patrick reported the event to NSW Ports, and provide resources where available. **NEAR MISS:** INC0004506	Closed
64	01-Sep-19	Land (Potential)	Auto Straddle (AS07) leaking hydraulic oil onto the sealed ground in the D Block. Nil entry into the nearest stormwater drain.	Maintenance attended, absorbent material put down and the area cleaned. AS10 was returned to the workshop and repaired. **NEAR MISS:** INC0004519	Closed
65	04-Sep-19	Land (Potential)	Patrick personnel reported Auto Straddle (AS04) was leaking hydraulic oil and onto the sealed ground in the Yard. Nil entry into the nearest stormwater drain.	Maintenance attended, absorbent material put down and the area cleaned. AS04 was returned to the workshop and repaired. **NEAR MISS:** INC0004537	Closed
66	05-Sep-19	Land (Potential)	Auto Straddle (AS05) in Truck Grid 19 leaked engine oil (from a loose sump plug) onto the top of the container it was holding, the trailer and onto the sealed ground. Nil entry into the nearest stormwater drain.	Maintenance attended, absorbent material put down and the area cleaned. AS05 and the container were sent to the workshop and cleaned, the container returned to the yard and AS05 repaired. **NEAR MISS:** INC0004544	Closed
67	06-Sep-19	Land (Potential)	Patrick personnel reported crane (PT05) spreader (SP44) to be leaking in the back-reach onto the sealed ground in Lane 1. Nil entry into the nearest stormwater drain.	Maintenance attended, changed over spreader, absorbent material put down and the area cleaned. SP44 was returned to the workshop and repaired. **NEAR MISS:** INC0004548	Closed
68	07-Sep-19	Land (Potential)	Auto Straddle (AS42) in Block H reported to have low level of coolant. Nil entry into the nearest stormwater drain.	Maintenance attended, absorbent material put down and the area cleaned. AS42 was returned to the workshop and repaired. **NEAR MISS:** INC0004544	Closed

Event No.	Date / Incident No.	Area of Impact	Description / Classification	Action Taken	Status
69	10-Sep-19	Land (Potential)	Crane driver (PT05) reported spreader (SP95) had blown a hose in the back reach of the crane (Lane 1) and leaked onto the sealed ground. Nil stormwater drains within the vicinity.	Maintenance attended, spreader changed over, absorbent material put down and the area cleaned. SP95 was returned to the workshop and repaired. **NEAR MISS:** INC0004569	Closed
70	11-Sep-19	Air (Potential)	Patrick personnel reported an unknown and unrecognisable odour around the Administration Building. Caltex reported no issues at their facility.	Fire & Rescue Hazmat attended and cleared the area. **Patrick self-reported the event to the NSW EPA (Reference No. EPA 103324) and other regulatory authorities**. **NEAR MISS:** INC0004579	Closed
71	13-Sep-19	Land (Potential)	Grain leak from a container in D Block onto the sealed ground. Nil entry into the nearest stormwater drain.	Maintenance attended. The initial container thought to be leaking did not contain grain - unable to determine which container involved. Road sweeper arranged and the area cleaned. **NEAR MISS:** INC0004590	Closed
72	14-Sep-19	Land (Potential)	Reach Stacker (RS11) blew a hydraulic hose on the RHS twist lock ram of spreader, leaked a small volume of oil on the sealed ground at the Rail Siding. Nil entry into the nearest stormwater drain.	Maintenance attended, absorbent material put down and the area cleaned. Maintenance contractors attended and RS11 repaired. **NEAR MISS:** INC0004591	Closed
73	15-Sep-19	Land (Potential)	A vessel reported a leaking Hazardous (Green Line) import container board. Patrick advised Fire & Rescue Hazmat on the 14-Sep-19.	Fire & Rescue Hazmat attended and under their control the container discharged to spill trailer. ABF approved the container to be opened, Fire & Rescue Hazmat inspected and cleared the container for transport to an approved unpack/repack facility in the Port Botany Precinct. **Patrick self-reported the event to the NSW EPA (Reference No. C12515-2019) and other regulatory authorities**. **NEAR MISS:** INC0004606	Closed
74	15-Sep-19	Land (Potential)	Auto Straddle (AS22) developed an oil leak in J Block, leaking oil on top of 2 containers and onto the sealed ground. Nil entry into the nearest stormwater drain.	Maintenance attended, absorbent material put down and the area cleaned. AS22 and the containers were sent to the workshop and cleaned, the containers returned to the yard, and AS22 repaired. **NEAR MISS:** INC0004602	Closed

Event No.	Date / Incident No.	Area of Impact	Description / Classification	Action Taken	Status
75	21-Sep-19	Land (Potential)	On the 16-Sep-19 AS13 carrying general trans-shipment container stopped in the Auto Yard (G Block) unable to be retrieved. 21-Sep-19 - During the planned retrieval by Maintenance a large volume of the container's non-hazardous cargo leaked from the damaged container on the sealed ground. Nil entry into any stormwater drains.	Maintenance attended, covered the material with tarp and secured the sides. ABF gave approval for the leaked cargo to be removed from the terminal. Maintenance attended with a licenced waste contractor to vacuum the solid material for disposal at a licensed disposal facility. **NEAR MISS:** INC0004638	Closed
76	22-Sep-19	Land (Potential)	Prior to discharge, import refrigerated container found with material (white and red liquid - melted ice cream?) outside on the deck.	The container was wiped around the door by the crew and relocated to Q-Block and put on power. Nil leaks. **NEAR MISS:** INC0004639	Closed
77	23-Sep-19	Land (Potential)	Auto Straddle (AS35) blew a turbo in N Block and leaked engine oil onto the sealed ground. Nil oil entry into the stormwater drain.	Maintenance attended, absorbent material put down and the area cleaned.AS35 was returned to the workshop and repaired. **NEAR MISS:** INC0004635	Closed
78	26-Sep-19	Land (Potential)	Reach Stacker (RS07) brake hose spilt and leaked oil onto the sealed ground at the Rail Siding. No stormwater drains within the vicinity.	Maintenance attended, absorbent material put down and the area cleaned. Maintenance contractors attended and RS07 repaired. **NEAR MISS:** INC0004655	Closed
79	01-Oct-19	Land (Potential)	During operations crane (PT03) spreader (SP40) was damaged causing oil to leak on the wharf sealed surface. Nil entry into stormwater drains.	Maintenance attended, spreader changed over, absorbent material put down and the area cleaned. SP40 was returned to the workshop and repaired. **NEAR MISS:** INC0004671	Closed
80	02-Oct-19	Land (Potential)	Patrick personnel reported material on the sealed ground in H-Block. Nil entry into any stormwater drains.	Maintenance attended, identified the solid material to be grain. Containers removed from the area and no grain containers identified within the vicinity. Area cleaned. **NEAR MISS:** INC0004679	Closed
81	10-Oct-19	Land (Potential)	Crane (PT05) spreader (SP43) flipper was damaged leaking oil onto the wharf (Berth 7). Nil entry into any stormwater drains.	Maintenance attended, spreader changed over, absorbent material put down and the area cleaned. SP43 was returned to the workshop and repaired. **NEAR MISS:** INC0004700	Closed

Event No.	Date / Incident No.	Area of Impact	Description / Classification	Action Taken	Status
82	20-Oct-19	Land (Potential)	Patrick personnel reported an oil/fuel leak on the sealed ground inside Truck Grid 05 after Auto Straddle (AS47) parked in this area overnight. Nil entry into any stormwater drains.	Maintenance attended, absorbent material put down and the area cleaned. AS47 was returned to the workshop and repaired. **NEAR MISS:** INC0004734	Closed
83	22-Oct-19	Land (Potential)	Reach stacker (RS08) reported to have blown a hydraulic hose leaking oil onto the sealed ground at the Rail Siding. Nil entry into any stormwater drains.	Maintenance attended, absorbent material put down and the area cleaned. Maintenance contractors attended and RS08 repaired. **NEAR MISS:** INC0004742	Closed
84	23-Oct-19	Land (Potential)	Auto Straddle (AS05) developed a hydraulic oil leak from steering valve onto the ground in G Block. Nil stormwater drains within the vicinity.	Maintenance attended, absorbent material put down and the area cleaned. AS05 was returned to the workshop and repaired. **NEAR MISS:** INC0004747	Closed
85	28-Oct-19	Land (Potential)	Patrick personnel reported Auto Straddle (AS04) leaking hydraulic oil onto the sealed ground in Truck Grid 12. Nil stormwater drains within the vicinity.	Maintenance attended, absorbent material put down and the area cleaned. AS04 was returned to the workshop and repaired. **NEAR MISS:** INC0004770	Closed
86	2-Nov-19	Land (Potential)	Crane (PT08) spreader (SP40) leaked oil in the back-reach of the crane onto the sealed ground in Lane 2. Nil stormwater drains within the vicinity.	Maintenance attended, spreader changed over, absorbent material put down and the area cleaned. SP40 returned to the workshop and repaired. **NEAR MISS:** INC0004788	Closed
87	6-Nov-19	Land (Potential)	Auto Straddle (AS15) developed a hydraulic oil leak and leaked onto the top of the container and onto the sealed ground in K Block. Nil stormwater drains within the vicinity.	Maintenance attended, absorbent material put down and the area cleaned. AS15 and the container were sent to the workshop and cleaned, the container returned to the yard, and AS15 repaired. **NEAR MISS:** INC0004799	Closed
88	8-Nov-19	Land (Potential)	Auto Straddle (AS03) developed a hydraulic oil leak and leaked onto the sealed ground. Nil stormwater drains within the vicinity.	Maintenance attended, absorbent material put down and the area cleaned. AS03 returned to the workshop and repaired. **NEAR MISS:** INC0004812	Closed
89	12-Nov-19	Land (Potential)	Crane (PT08) spreader (SP40) leaked oil in the back reach of the crane onto the sealed ground in Lane 2. Nil stormwater drains within the vicinity.	Maintenance attended, spreader changed over, absorbent material put down and the area cleaned. SP40 was returned to the workshop and repaired. **NEAR MISS:** INC0004788	Closed

Event No.	Date / Incident No.	Area of Impact	Description / Classification	Action Taken	Status
90	14-Nov-19	Land (Potential)	Crane (PT05) developed a leak from the TLS cylinder and leaked oil onto the sealed ground in the back reach of the crane. Nil entry into any stormwater drains.	Maintenance attended, absorbent material put down and the area cleaned. PT05 repaired. **NEAR MISS:** INC0004846	Closed
91	17-Nov-19	Land (Potential)	A vessel arrived into port with import container reported to be leaking "oil" on deck, on inspection nil leak.	As a precaution the import container was discharged to the spill trailer for inspection. **NEAR MISS:** INC0004846	Closed
92	27-Nov-19	Land (Potential)	Reach stacker (RS08) reported to be leaking oil onto the sealed ground at the Rail Siding. Nil entry into any stormwater drains.	Maintenance attended, absorbent material put down and the area cleaned. Maintenance contractor attended and RS08 repaired. **NEAR MISS:** INC0004909	Closed
93	29-Nov-19	Air (Potential)	Patrick personnel reported Auto Strad AS39 blowing smoke.	AS39 returned to the workshop for inspection and repair. **NEAR MISS:** INC0004923	Closed
94	30-Nov-19	Land (Potential)	Auto Straddle (AS13) developed a hydraulic oil leak onto the sealed ground in H Block. Nil stormwater drains within the vicinity.	Maintenance attended, absorbent material put down and the area cleaned. AS13 returned to the workshop and repaired. **NEAR MISS:** INC0004920	Closed
95	08-Dec-19	Land (Potential)	Auto Straddle (AS18) leaked hydraulic oil onto the sealed ground in E Block. Nil stormwater drains within the vicinity.	Maintenance attended, absorbent material put down and the area cleaned. AS18 returned to the workshop and repaired. **NEAR MISS:** INC0004966	Closed
96	12-Dec-19	Land (Potential)	Patrick personnel reported a truck leaking oil in waiting bay for Truck Grid 21. Nil entry into any stormwater drains.	Maintenance attended, absorbent material put down and the area cleaned. **NEAR MISS:** INC0004985	Closed
97	23-Dec-19	Land (Potential)	Crane (PT08) leaked from the landside rail brake onto the concrete. Nil entry into any stormwater drains.	Maintenance attended, absorbent material put down and the area cleaned. Crane repaired. **NEAR MISS:** INC0005029	Closed
98	30-Dec-19	Land (Potential)	Patrick personnel reported a small leak coming from an import Hazardous container (UN1866, Class 3) after it was loaded onto a truck trailer. Nil entry into any stormwater drains.	Fire & Rescue Hazmat attended site, container placed into the spill trailer, moved to an area within the Auto Yard. Fire & Rescue Hazmat cleaned truck's trailer. **Patrick self-reported to NSW EPA (Reference No. C17343-2019) and other regulators**. 3rd party experts unpacked/repacked the container on site. **NEAR MISS:** INC0005042	Closed

12. Activities to be completed in the next reporting period

Table 12 - Action Plan, 2019 Annual Review

Includes any findings from: outstanding AMER findings, annual Independent Environmental Compliance Audit, and the current AMER.

No.	Source	Activity	Action	Responsibility	Timeframe
1/2019 (18 & 19/2017) IEA 3/2019	DA 453, 1.9 & 3.62 (duplicate)	The Applicant shall ensure that all employees, contractors and sub-contractors are aware of, and comply with, the conditions of this consent.	The contractor site induction includes the environmental aspects and key elements of this consent however this information is not present in the employee site induction.	ESC Manager M. Gibbs	31-Mar-20
2/2019 REISSUED IEA 2/2019	DA 453, 7.19	Signs shall be displayed adjacent to all stormwater drains on the premises indicating that only clean water is allowed to enter these drains. Examples of possible signage include: 'Clean Rainwater Only', 'Clean water only - NO waste' or 'H_2O only'.	Ensure all stormwater drains display the sign 'Clean Rainwater Only'.	ESC Manager M. Gibbs	30-Jun-20
3/2019 (9 & 10/2019) IEA 3/2019	DA 453, 7.25	Locate or arrange for the Energy Efficiency Compliance Report to be repeated or undertaken.	Patrick has engaged a consultant (GHD) to assist with preparing the Energy Efficiency Compliance Report. The report was due in September 2019.	ESC Manager M. Gibbs	6-Mar-20
4/2019 (2 & 3/2019)	DA 494, DA 453	Raise with DPIE and NSW Ports, inconsistences in DA 494 and DA 453.	Modification discussed internally and in brief with NSW Ports and DPE. Patrick has prepared a draft proposed consolidation document, 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 Manager M. Gibbs	31-Dec-20
5/2019 NEW	DA 494, C4.2; & DA 453, 6.6	AMER to be completed within 60 days following the end of the monitoring period.	Sought an extension for the submission of the 2019 AEMR, which includes the Annual Compliance Report, DA 435, condition 6.6.	ESC Manager M. Gibbs	13-Mar-20

Appendix A: Port Botany Expansion Project – Condition of Approval: DA 494-11-2003-i

Table A.1 - CoA 494, Assessment Compliance Rating

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

Table A.2 - CoA 494-11-2003-i – Port Botany Expansion (Applicant – Sydney Ports Corporation, transferred to NSW Ports)

No.	Condition of Approval 494 - Detail	Evidence 2019	Assessment Rating 2019
	SCHEDULE A: TERMINAL OPERATIONS		
A1	**General**		
	Scope of Development		
	The approved aspects of the development shall be carried out generally in accordance with: 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 *Port Botany Expansion, Section 96(1A) Application: Modification of Consent Conditions*, prepared by SPC and dated September 2006; g) modification application MOD-134-11-2006-i, accompanied by *Port Botany Expansion, Section 96(1A) Modification – Wharf Structure Design*, prepared by SPC and dated November 2006;	Compliance with these requirements is verified through this independent audit process, compliance reports etc.	Compliant

No.	Condition of Approval 494 - Detail	Evidence 2019	Assessment Rating 2019
	h) modification application MOD-149-12-2006-i, accompanied by *Port Botany Expansion, Section 96(1A) Modification – Application to Modify Conditions B2.9 and B2.22 of the Port Botany Consent*, prepared by SPC and dated 1 December 2006; i) modification application MOD-78-9-2007-i, accompanied by *Port Botany Expansion – Modification of Conditions C2.20 & C2.25*, prepared by SPC, dated July 2007; j) modification application MOD-60-9-2008, accompanied by *Port Botany Expansion – Modification of Conditions B2.46 & C2.25*, prepared by SPC, dated 27 August 2008; k) modification application MOD-68-12-2008, accompanied by a letter from SPC dated December 2008; l) modification application MOD-08-03-2009, accompanied by a letter from Sydney Ports Corporation dated 16 February 2009 and assessment report titled Port Botany Expansion – Rail *Operations Section 96(1A) Modification* dated February 2009 m) modification application DA-494-11-2003-I MOD 8, accompanied by an assessment report *titled "Port Botany Expansion – Ship Turning Area Dredging Section 96 (1A) Modification* dated May 2009; n) modification application DA-494-11-2003-I MOD 9 accompanied by an assessment report titled *"Port Botany Expansion – Additional High Spot Dredging off Molineux Point Section 96 (1A) Modification"* dated May 2009. o) modification application DA-494-11-2003-I MOD 10, accompanied by an assessment within the letter titled *"Port Botany Expansion – Section 96(1A) Modification – Additional Ship Turning Area Dredging"* dated 8 July 2009; p) modification application DA-494-11-2003-i MOD 11, accompanied by an assessment report titled "*Sydney Port Botany Terminal No. 3 PKG-17.1 Planning Section 75W Modification Operations Building and Maintenance Building*" dated 14 September 2011; and 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		

No.	Condition of Approval 494 - Detail	Evidence 2019	Assessment Rating 2019
	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; and 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 Port and Maritime Related Interim 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 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 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 v) the conditions of this consent. Insofar as they relate to the approved development.		
A1.2	In the event of an inconsistency between: a) The conditions of this consent and any document listed from condition A1.1a) to w) inclusive, the conditions of this consent shall prevail to the extent of the inconsistency; and b) Any document listed from condition A1.1a) to w) inclusive, the most recent document shall prevail to the extent of the inconsistency.	Noted.	**Compliant**

No.	Condition of Approval 494 - Detail	Evidence 2019	Assessment Rating 2019
	Statutory Requirements		
A1.3	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's: • Consent to Discharge Industrial Trade Wastewater No. 24990 is current. • Trade Wastewater Discharge Schedule – permit No. 40110 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 2.3 of the OEMP (version 2, 2019) which is available on the Patrick website: http://www.patrick.com.au/environment-management	**Compliant**
A1.4	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.	**Compliant**

No.	Condition of Approval 494 - Detail	Evidence 2019	Assessment Rating 2019
	SCHEDULE C: TERMINAL OPERATIONS		
C1	**General Requirement**		
	Application of Schedule		
C1.1	The conditions in this Schedule of the consent relate to all the development and activities associated with the operation of the container terminal and associated infrastructure.	Noted. Refer to detailed input below.	**Compliant**
C1.2	The conditions in this sub-schedule of the consent must be complied with by the Applicant, or any party undertaking the activities and works referred to under condition C1.1, with the exception of the undertaking of Port, Maritime and Waterway Related Interim Uses at Hayes Dock Services Area, which are subject to condition C1.2A – C1.2F. Should more than one terminal operator undertake operations within the terminal area.	Noted. Patrick's Port Botany Terminal is a stevedore operator moving shipping containers to and from vessels from and to trucks/trains. On an annual basis has/will commission an independent environmental auditor approved by the DPIE to audit the premises to assess compliance against these conditions with respect to its own operations.	---
	Port and Maritime Related Interim Uses		
C1.2A	The conditions in this sub-schedule of the consent must be complied with by the Applicant, or any party undertaking activities and works associated with Port, Maritime and Waterways Related Use Interim Uses, except conditions C1.3, C1.4, C1.5, C2.5, C2.12, C2.16, C2.17, C2.18, C2.20, C2.25, C3.2, C3.3, C4.2, C4.3, C4.4 and C4.5.	Noted.	**Compliant**

No.	Condition of Approval 494 - Detail	Evidence 2019	Assessment Rating 2019
	Operation Environment Management Plan – Port, Maritime and Waterway Related Interim Uses Hayes Dock Services Area		
C1.2B	The Applicant shall prepare an Operation Environmental Management Plan (OEMP) – Port, Maritime and Waterway Related Interim Uses prior to the commencement of Port, Maritime and Waterways Related Interim Uses on site. The Plan shall include details of how environmental performance would be managed and monitoring to meet acceptable environmental outcomes, including what actions will be taken to address potential advise environmental impacts. In particular, the following environmental issues shall be addressed in the Plan: - Odour and Air Quality; - Noise Management; - Waste Management; - Water and Wastewater Management; - Hazard and Risk Management; - Amenity, including lighting; and - Incident Reporting The OEMP shall also address: - Details of operation activities including key noise and/or vibrations generating activities and machinery that have the potential to generate noise and/or vibration impacts on surrounding sensitive receivers; - Identification of feasible and reasonable measures proposed to be implemented to minimise and manage operation noise and vibration impacts, especially during sleep disturbance; - A description of how the effectiveness of mitigation and management measures would be maintained. Noise management shall include: - Hours in which particular activities are undertaken; - Use of shore power where available; - Restrictions on notably noisy vehicles and vessels from the site; - Use of building and vehicle alarms and/or alternatives available. The plan shall also - Identify all stator obligations that the applicant is required to fulfil in relation to operation of the development, including all consents, licences, approvals and consultations; - Include a description of the roles and responsibilities of all key employees involved in the operation of the development. - Include overall environmental polices and principles to be applied to the operation of the facility. - A copy of the updated OEMP shall be submitted for approval by the Secretary within three (3) months of the date of approval of Modification 16, unless otherwise agreed by the Secretary;	This condition is not applicable to Patrick's operation.	Not Applicable

No.	Condition of Approval 494 - Detail	Evidence 2019	Assessment Rating 2019
	Noise Management Plan – Interim Uses Hayes Dock Area Operation		
C1.2C	The noise management plan shall include, but not necessarily be limited to: - compliance standards, - community consultation, - compliant handling monitoring system, - site contact person to follow up complaints, - mitigation measures, - the design/orientation of the proposed mitigation methods demonstrating best practice, - operation times, - contingency measures where noise complaints are received, and - monitoring methods and program.	This condition is not applicable to Patrick's operation.	Not Applicable
	Noise Compliance Assessment - Interim Uses Hayes Dock Area Operation		
C1.2D	Noise from the Hayes Dock Service Area must not exceed the Leq (15 minute) noise limits presented in Table at C2.6 by more than 5d(B)A between 10:00pm and 7:00am. The Secretary must require a detailed noise compliance assessment, prepared by a qualified acoustic consultant. The noise compliance assessment shall meet the requirements of the Environment Protection Authority. The noise compliance assessment shall include the representative residential receiver locations identified in the Table in C2.6.	This condition is not applicable to Patrick's operation.	Not Applicable
C1.2E	A complaint handling procedure shall be implemented for the Hayes Dock Service Area. Annual reports shall be provided to the Department, outlining details of the complaints received. A register of complaints shall be kept and include the following: - date and time, where relevant, of the comment, inquiry or complaint, - how the comment, inquiry or complaint was communicated, - any personal details of the commenter, inquirer or complainant that were provided. If no details were provided this should be recorded, - the nature of the comment, inquiry or complaint, - any actions taken by the Applicant in relation to the comment, inquiry or complaint, including any follow-up contact, and - if no action was taken, record the reason(s) why.	This condition is not applicable to Patrick's operation.	Not Applicable
C12F	Reporting on the compliance of the Hayes Dock Services Area within the OEMP shall be conducted annual. Reports shall be provided to the Department within twelve (12) months of this modification unless otherwise agreed.	This condition is not applicable to Patrick's operation.	Not Applicable

No.	Condition of Approval 494 - Detail	Evidence 2019	Assessment Rating 2019
	Operation Environmental Management Plan (OEMP)		
C1.3	The Applicant shall prepare an Operation Environmental Management Plan (OEMP) which must be approved by the Secretary prior to commencement of any operations at the terminal. The OEMP must: - 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, EPA, 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; - 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.	The initial OEMP and its appendices were approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones (DPE) to Mr Paul Jerogin (Lend Lease)). The current OEMP (version 2) was developed for Patrick terminal operations and was last reviewed and updated in July 2019 and is available on the Patrick's website: http://www.patrick.com.au/environment-management	**Compliant**

No.	Condition of Approval 494 - Detail	Evidence 2019	Assessment Rating 2019
	Compliance Certification		
C1.4	Prior to each of the events listed from a) to c) below, or within such period otherwise agreed by the Secretary, 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 Secretary. 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 Secretary. a) commencement of any operations within the terminal area; and b) commencement of each stage or phase of operations. *Note: (c) is not listed on the DA	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 (DPE) to Mr Trevor Brown (NSW Ports)).	**Compliant**
C1.5	Notwithstanding condition C1.4 of this consent, the Secretary 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 Secretary and be submitted within such period as the Secretary may agree.	The DPE requested (4 June 2018) an updated audit Action List for the 2017 AEMR. This was provided by Patrick to the DPE on 18 June 2018.	**Compliant**

No.	Condition of Approval 494 - Detail	Evidence 2019	Assessment Rating 2019
C2	**Operational Environmental Performance**		
	Air Quality Management – Odour		
C2.1	The development shall be undertaken so as not to permit any offensive odour, as defined under section 129 of the *Protection of the Environment Operations Act 1997*, to be emitted beyond the boundary of the site.	Refer to OEMP (version 2, 2019), Section 6.1 – Air Quality Management Plan on Patrick's website - http://www.patrick.com.au/environment-management. No complaints of odour(s) attributed to Patrick's Operations were received from the local community during 2019.	**Compliant**
	Air Quality Management - Dust Emissions		
C2.2	All activities shall be undertaken in a manner that minimises or prevents dust emissions from the site, including wind-blown and traffic-generated dust. All activities undertaken on the site shall be undertaken with the objective of preventing visible emissions of dust from the site. Should such visible dust emissions occur at any time, all practicable dust mitigation measures, including cessation of relevant works, as appropriate, shall be identified and implanted such that emissions of visible dust cease.	Between December 2015 and May 2016, a Control (Red Imported Fire Ant) Order was in place at Port Botany and prevented Patrick from undertaking removal of any evacuation materials off site. Refer to OEMP (version 2, 2019), Section 6.1 – Air Quality Management Plan on Patrick's website - http://www.patrick.com.au/environment-management. During 2019, no dust emissions were detected during environmental inspections of the site or reported by the community or external parties to Patrick.	**Compliant**
C2.3	All trafficable and vehicle manoeuvring areas shall be maintained at all times in a condition that minimises the generation and emission of dust.	All internal roads and truck areas are paved/sealed. Patrick engages a street sweeper(s) to sweep roadways truck loading/unloading areas of loose materials and any debris on a routine basis, and as required.	**Compliant**
C2.4	All vehicles entering or leaving the site carrying a load must be covered or otherwise enclosed at all times, except during loading and unloading, to minimise the generation and emission of dust.	Refer to OEMP (version 2, 2019), Section 6.1 – Air Quality Management Plan on Patrick's website - http://www.patrick.com.au/environment-management. Generally, all vehicles entering and leaving the site are carrying sealed shipping containers, or the truck/trailer are empty, or are carrying trades maintenance equipment. Trucks leaving the site with loads of spoil or other material have their trailers covered or enclosed. External roadways are swept as needed using a street sweeper(s). During 2019 no complaints were received relating to uncovered loads generating and emitting dust.	**Compliant**

No.	Condition of Approval 494 - Detail	Evidence 2019	Assessment Rating 2019
	Noise Management - Operation Noise Management Plan		
C2.5	Prior to the commencement of operations, the Applicant must prepare an Operation Noise Management Plan in consultation with EPA, 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: - 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; - 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 EPA; - 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 EPA; - 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 Secretary prior to the commencement of operation.	Refer to Patrick's OEMP (version 2, 2019), Section 6.6 – Operational Noise Management Plan (ONMP) on Patrick's website - http://www.patrick.com.au/environment-management Patrick's initial ONMP, an Appendix of the OEMP, was approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones (DPE) to Mr Paul Jerogin (Lend Lease)). Biannual Noise Compliance Monitoring Reports have been completed during the monitoring period: • May 2019 • November 2019 Copies of these reports are available on Patrick's website at: http://www.patrick.com.au/environment-monitoring-reporting	**Compliant**

<table>
<tr><th>No.</th><th>Condition of Approval 494 - Detail</th><th>Evidence 2019</th><th>Assessment Rating 2019</th></tr>
<tr><td></td><td colspan="3">Noise Management – Noise Limits</td></tr>
<tr><td>C2.6</td><td>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.
<table>
<tr><th rowspan="2">Most affected residential Location</th><th>Day</th><th>Evening</th><th colspan="3">Night</th></tr>
<tr><th>L_{Aeq}(15 min)</th><th>L_{Aeq}(15 min)</th><th>L_{Aeq}(15 min)</th><th>L_{Aeq}, 9hrs</th><th>L_{Aeq}(1 min)</th></tr>
<tr><td>Chelmsford Avenues</td><td>40</td><td>40</td><td>40</td><td>38</td><td>53</td></tr>
<tr><td>Dent Street</td><td>45</td><td>45</td><td>45</td><td>43</td><td>59</td></tr>
<tr><td>Jennings Street</td><td>36</td><td>36</td><td>36</td><td>35</td><td>55</td></tr>
<tr><td>Botany Road (north of Golf Club)</td><td>47</td><td>47</td><td>47</td><td>45</td><td>59</td></tr>
<tr><td>Australia Avenue</td><td>35</td><td>35</td><td>35</td><td>35</td><td>57</td></tr>
<tr><td>Military Road</td><td>42</td><td>42</td><td>42</td><td>40</td><td>60</td></tr>
</table>
For the purpose of this condition;
• 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</td><td>Biannual noise monitoring is conducted six-monthly by Rodney Stevens Acoustics. Monitoring conducted in May and November 2019 identified some levels above the limits set by the EPA.

Patrick did not report a recorded exceedance in the EPA Annual Return 1 April 2018 to 31 March 2019, based on an email (20 July 2016) received from the EPA advising that Patrick was not deemed non-compliant based on the difficulty of attributing the detected noise levels in the community as having singularly come from Patrick's operations.

The reports are available on the Patrick website: http://www.patrick.com.au/environment-monitoring-reporting

It is noted that the noise limits quoted in this condition are different to the limits in current EPL (13 June 2017).</td><td>Compliant</td></tr>
<tr><td>C2.7</td><td>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.</td><td>The location from receivers were chosen to comply with the conditions of the EPL and Condition of Approval. All locations were at the most affected point within the residential boundaries.

This requirement is addressed in the 6-monthly noise monitoring reports (May and November 2019) referred to above.</td><td>Compliant</td></tr>
</table>

No.	Condition of Approval 494 - Detail	Evidence 2019	Assessment Rating 2019
C2.8	Noise from the premises is to be measured at 1m from the dwelling façade to determine compliance with the LA1 (1 minute) noise level in Condition C2.6.	This requirement is included in the scope of works for the acoustic noise monitoring reports as per EPL 6962. See above.	**Compliant**
C2.9	Where it can be demonstrated that direct measurement of noise from the premises is impractical, the DEC may accept alternative means of determining compliance. See Chapter 11 of the NSW Industrial Noise Policy.	Noise monitoring is carried out as per the requirements listed in conditions C2.7 and C2.8 above, and EPL 6962.	**Compliant**
C2.10	The modification factors presented in Section 4 of the NSW Industrial Noise Policy shall also be applied to the measured noise levels where applicable.	Noise monitoring is carried out as per the requirements listed in conditions C2.7 and C2.8 above, and EPL 6962.	**Compliant**
C2.11	The noise emission limits identified in Condition C2.6 apply under meteorological conditions of wind speed up to 3 metres per second at 10 metres above ground level, and temperature inversion conditions up to 1.50C/100m positive lapse rate.	Noise monitoring reports referred to above confirm noise measurements were within the meteorological conditions of the Conditions of Approval.	**Compliant**
	Operational Traffic Management Plan		
C2.12	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: - 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. The plan must be submitted and approved by the Secretary prior to the commencement of operations.	Patrick's initial Operational Traffic Management Plan (OTMP) as part of the OEMP was approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones (DPE) to Mr Paul Jerogin (Lend Lease)). The OTMP has been prepared in consultation in with the relevant stakeholders. Refer to OEMP (version 2, 2019), Section 6.7 – Operational Traffic Management Plan on Patrick's website - http://www.patrick.com.au/environment-management.	**Non-Compliant**

No.	Condition of Approval 494 - Detail	Evidence 2019	Assessment Rating 2019
	Waste Management On-Site		
C2.13	Management of waste must be in accordance with the environment protection licence issued by EPA under the *Protection of the Environment Operations Act 1997.*	The initial Waste Management Plan (WMP) was developed and formed Appendix G to the initial OEMP and was approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones (DPE) to Mr Paul Jerogin (Lend Lease)). Refer to OEMP (version 2, 2019), Section 6.4 – Waste and Wastewater Management Plan on Patrick's website - http://www.patrick.com.au/environment-management. EPL 6269 Conditions A1 and L2 details the scheduled activities for the premises and the types of waste permitted to be received.	**Compliant**
C2.13A	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.	Patrick engages licensed waste transport providers to remove any hazardous waste generated at the site (e.g. Maintenance department). Hazardous waste is disposed of at appropriately licensed facilities. Records of waste oils and filters, transporters and waste oil receival locations are maintained in a Waste Register.	**Compliant**

No.	Condition of Approval 494 - Detail	Evidence 2019	Assessment Rating 2019
	Water and Wastewater Management		
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.	No water quality monitoring is required by the EPL 6962 and there are no licenced discharge points.	**Compliant**
C2.15	Fore 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.	There no licenced discharge points in the EPL.	**Not Applicable**
	Hazards and Risk Management – Hayes Dock Interim Uses		
C2.15A	Port, maritime and waterways related interim uses within Hayes Dock may involve the loading, unloading and storage of minor volumes of dangerous goods (DGs) for the sole purpose of minor site maintenance; line boat, barge and tug maintenance; related service activities and boat refuelling.	This condition is not applicable to Patrick's operation.	**Not Applicable**

No.	Condition of Approval 494 - Detail	Evidence 2019	Assessment Rating 2019
	Hazards and Risk Management - Storage and Handling of Dangerous Goods		
C2.16	Prior to the commencement of operation, the Applicant shall develop management measures in consultation with the Major Hazards Unit of DOP regarding the use of the new terminal for loading, unloading and storage of dangerous goods of Classes 2.3 and 6.	The Emergency Response Plan (ERP) and Emergency Response Procedures (version 12, 2019), OEMP – Section 4.8 was developed to meet the expectation of the DPIE's Major Hazards Unit i.e. to ensure the actions of Patrick when dealing with an emergency involving Class 2.3 or Class 6 dangerous goods did not increase the off-site risk described in the Preliminary Hazard Analysis. DG movements are managed as per *AS3846 – The handling and transport of dangerous goods cargoes in port area.* Standard Operating Procedure (SOP) – *Storage & Handling of Hazardous Dangerous Goods (PBT_OPS_SOP_04_03_v4):* • Section 4.1 - outlines Threshold Limits of Different Classes of Hazards / Dangerous Goods at the Terminal; and • Section 4.5 – Stacking & Segregation of Hazardous / Dangerous Goods. A copy of the current ERP is available on the Patrick website: http://www.patrick.com.au/environment-management	**Compliant**

No.	Condition of Approval 494 - Detail	Evidence 2019	Assessment Rating 2019
C2.17	Twelve months after the determination of DA-494-11-2003-I MOD 16, the Proponent shall submit an annual report to the Secretary which provides details on actual Dangerous Goods movements listed in Table 1 provided in Schedule 4. Should the threshold limits listed in Table 2 in Schedule 4 be exceeded for three consecutive annual reporting years, or if the maximum limits are reached in a single 12 months reporting, the Applicant shall prepare an updated hazard analysis for the PBR operations. The hazard analysis shall: - Be prepared in consultation with the Department; - Be prepared in accordance with Hazardous Industry Planning Pater No. 6, 'Hazard Analysis'; - Assess compliance against the land use safety planning risk criteria (including individual fatality risk, injury/irritation risk and societal risk), as outlined in Hazardous Industry Planning Advisory Paper No. 4, 'Risk Criteria for Land Use Safety Planning'; and - Assess whether the risks from PBE operations will significantly impact on the cumulative risk contour of 1 x 10-6 per annum, contained in Figure 2 of the Port Botany Land Use Safety Study Overview Report 1996, or any other revised land use safety study for the Port that supersedes the 1996 study. The report shall be prepared to the satisfaction of the Secretary. The hazard analysis is to be submitted to the Secretary within 6 months of an identified threshold exceedance, or as agreed to by the Secretary. The information provided shall cover all stevedores in the PBE area. The information may be provided separately by each stevedore to the Department or in total for the PBE by the Applicant.	Clarified with the issue of DA 494 MOD 16, which was superseded by MOD 17 during the monitoring period. On 18 September 2019 Patrick reported to NSW Ports the following number of containers for specific DG Classes transited through Patrick's Berth 6 (covered by this consent DA 494) for the period 1 September 2018 to 31 August 2019. • Class 1.1 and 1.2 - 0 containers • Class 2.3 - 24 containers • Class 8 – 0 containers Report findings concluded the annual threshold limits for the reporting period was not exceeded. Refer to Table 1 on the next page of this report. For details of the unit type and number of shipping containers which passed through Patrick's Berth 6 (covered by DA 494) for the period 1 September 2018 to 31 August 2019, refer to Appendix I of this report. NSW Ports (as the applicant) sent the Port Botany Expansion (DA-494-11-2003-i) Annual Dangerous Goods Report to the DPIE on 30 September 2019.	**Compliant**

<table>
<tr><th>No.</th><th>Condition of Approval 494 - Detail</th><th>Evidence 2019</th><th>Assessment Rating 2019</th></tr>
<tr><td></td><td>
Table 1 Dangerous Goods Reporting Threshold
<table>
<tr><th rowspan="2">DG Class</th><th colspan="2">Basis – Unit Type and number of shipping containers through PBE Note 1 per year containing DG Class</th><th rowspan="2">Comments</th></tr>
<tr><th>From 2 te up to 12 te NEQ Note 2</th><th>≥ 12 te NEQ Note 2</th></tr>
<tr><td>Total Class 1.1 & 1.2</td><td>83</td><td>63</td><td>Number as per PHA (rev. 7) Table 6.8</td></tr>
<tr><td colspan="4"></td></tr>
<tr><td></td><td>Containers of packaged material</td><td>Tanktainers (Bulk) (<= 20 m³)</td><td></td></tr>
<tr><td>Class 2.3</td><td>157</td><td>-</td><td>Packaged material is total of Class 2.3 as per PHA Table 6.8</td></tr>
<tr><td>Toxic gases DG Class 2.3</td><td>-</td><td>26</td><td>Class 2.3 Tanktainers (bulk) – new figure developed from Technical Note Section 2.5 Note 3</td></tr>
<tr><td>Very Toxic gases, DG Class 2.3 substances including Chlorine (1017), Sulphur Dioxide (1079) and Methyl Bromide (1062) or any Class 2.3 substance meeting GHS Note 4 Acute Toxicity Category 1</td><td>-</td><td>1</td><td></td></tr>
<tr><td>Class 8 only Hydrogen Fluoride (1051)</td><td>11</td><td>23</td><td>HF numbers as per PHA (rev. 7) Table 6.8</td></tr>
</table>
Notes:
(1) PBE (Port Botany Expansion), numbers are inclusive of all stevedores operating under this consent.
(2) Contents weight can be used to assign container numbers to a Net Explosive Quantity (NEQ) range. 1 te NEQ can be assumed to equal 1 te contents weight in a container.
(3) Technical Note, PBE Proposed revision of Condition of Consent in relation to DGs prepared by Sherpa Consulting Pty Ltd, Document No. 21137-TN-001 Rev 0 22 Mar 2017.
(4) UN chemical classification, Globalised Harmonised System (GHS)
</td><td>
On 30 September 2019 NSW Ports reported to the DPIE the cumulative data from Patrick and Hutchison Ports as per DA 494-11-2003-i MOD 16.

The letter stated the total volume of the specific DG Classes are well below the defined reporting threshold limit as defined in Table 1, Schedule 4 of MOD 16.

Class 1.1 and 1.2 – 0 containers
Class 2.3 - 54 containers
Class 8 – 0 containers

</td><td>Compliant</td></tr>
</table>

No.	Condition of Approval 494 - Detail	Evidence 2019	Assessment Rating 2019
C2.18	The Applicant shall not store or handle or permit to be stored or handled, dangerous goods of Class 2.3, toxic compressed or liquefied gases above the quantities stored or handled in 1995/96 except in accordance with recommendations 1.1 and 1.2 in the Port Botany Land Use Safety Study (1996).	As per condition C2.17 above, the Annual Dangerous Goods Report findings concluded the annual threshold limits for this reporting period were not exceeded.	**Compliant**
C2.19	Condition deleted from Development Consent	---	---
	Emergency Incident Management - Emergency Response and Incident Management Plan		
C2.20	The Applicant shall develop an Emergency Response and Incident Management Plan in consultation with EPA, DOP, Council and the Community Consultative Committee. The Plan must be approved by the Secretary prior to the commencement of operations and shall detail: - 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 Response Plan (ERP) and Emergency Response Procedures (November 2015) have been developed and attached to the OEMP as Appendix N and approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones (DPE) to Mr Paul Jerogin (Lend Lease)). The ERP (version 12, 2019) is available on the Patrick website – http://www.patrick.com.au/environment-management	**Compliant**
	Aviation Operational Impacts - Impact on Aviation Operations at Sydney Airport		
C2.21	The Applicant shall ensure that the location of fixed terminal operating infrastructure adequately takes into account the required lateral separation distances to minimise the interference to Sydney Airport radar and navigational systems.	Patrick has obtained approval under the *Airports (Protection of Airspace) Regulations 1996* (APAR) (Ref: 12/5083) for the intrusion of three quay cranes [Nos 12, 13 & 14] 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.	**Compliant**

No.	Condition of Approval 494 - Detail	Evidence 2019	Assessment Rating 2019
	Aviation Operational Impacts - Obstacle Limitation Surface		
C2.22	The Applicant shall ensure that all operation equipment is below the obstacle limitation surface, unless otherwise permitted by an approval under the *Airports Act 1999 and Airports (Protection of Airspace) Regulation 1966.*	As above.	**Compliant**
	Aviation Operational Impacts - Terminal Lighting		
C2.23	The Applicant shall ensure design specifications of the terminal lighting conform to the requirements of Regulation 94 of the Civil Aviation regulations 1988.	Patrick has obtained approval under the *Airports (Protection of Airspace) Regulations 1996* (APAR) (Ref: 12/5083) for the intrusion of three quay cranes [Nos. 12, 13 & 14] into prescribed airspace for Sydney Airport. Approval was granted by Flysafe Aerodrome Precincts, Aviation and Airports Division of Department of Infrastructure& Transport on 12 December 2012.	**Compliant**
	Aviation Operational Impacts - Light Spill		
C2.24	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: - 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 "open" with comments about consultation with relevant parties.	**Compliant**
	Aviation Operational Impacts - Bird Hazard Management Plan		
C2.25	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 Secretary prior to the commencement of operations.	Patrick's initial Bird Hazard Management Plan as part of the OEMP was conditionally approved by the General on 25 March 2015 (refer to letter from Ms Karen Jones (DPE) to Mr Paul Jerogin (Lend Lease)). Refer to OEMP (version 2, 2019), Section 6.9 - Bird Hazard Management Plan available on the Patrick website http://www.patrick.com.au/environment-management.	**Compliant**

No.	Condition of Approval 494 - Detail	Evidence 2019	Assessment Rating 2019
C3	**Community Information, Involvement and Consultation**		
	Community Information Complaints Handling		

C3.1	The Applicant must meet the following requirements in relation to community consultation and complaints management:
	- all monitoring, management and reporting documents required under the development consent shall be made publicly available;
	- provide means by which public 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 complaint received by the above means, including the following register fields:
	  - 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 provide, or if no details were provided, a note to that effect;
	  - the nature of the complaint;
	  - any actions(s) taken by the Applicant in relation to the comment, inquiry or complaint, including any follow-up contact with the commenter, inquirer or complainant;
	  - if no action was taken by the Applicant in relation to the comment, inquiry or complaint, the reason(s) why no action was taken;
	  - Provide quarterly reports to the Department and EPA, unless otherwise agreed by the Secretary, outline details of complaints received.
		The process for managing public comments, inquiries and complaints is documented in the OEMP (version 2, 2019) and reporting is addressed in the OEMP, Section 4.6.
		A Statement of Compliance, and a Monitoring and Complaints Summary is provided to NSW EPA as part of the Annual Return (OEMP, Section 4.4.2).
		Contact details and 24/7 enquires and concerns line (Ph. (02) 9394 0308) is available to the public on Patrick's website: http://www.patrick.com.au/environment-sustainability
		Patrick maintains a Complaints Register.
		During the reporting period (2019) – one (1) public comment, inquiry and complaint was received by Patrick (refer to Section 7 – Public Comments, Inquiries and Complaints Register of this report).
		Following the end of each quarter Patrick prepared and issued a copy of the Community Feedback Quarterly Report to the DPIE, NSW Ports and the EPA.
		These reports are available on Patrick's website: http://www.patrick.com.au/environment-monitoring-reporting
			Compliant

No.	Condition of Approval 494 - Detail	Evidence 2019	Assessment Rating 2019
C3.2	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: (a) be comprised of: - 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 Secretary in consultation with the Council; (b) be chaired by an independent party approved by the Secretary; (c) meet at least four times a year, or as otherwise agreed by the CCC; (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 Note: The Applicant may, with the approval of the Secretary, 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. (e) port rail noise within the Port Botany Expansion site is to be an ongoing agenda item to be discussed by the CCC and relevant stakeholders; and (f) within 12 months of the commencement of MOD 16, an advertisement must be placed for new members to join the CCC, given that the other working groups such as the RNWG are no longer present.	NSW Ports have confirmed they are responsible for the implementation of this condition. A Patrick representative attends the 3-monthly Port Botany Community Consultative Committee (PBCCC). The following Patrick personnel attended one or all of the four committee meetings during the reporting period. • Marie Gibbs (All) • Peter Fielder (6 August 2019) The quarterly meetings were held on: • 5 February 2019 • 7 May 2019 • 6 August 2019 • 29 October 2019 The chairperson was Roberta Ryan and the meetings were held at NSW Ports Brotherson House, Penrhyn Road, Port Botany; and then changed to the larger venue at the Prince Henry Centre, 2 Coast Hospital Road, Little Bay. Patrick provides updates during the meeting as and when required / requested. Port rail noise is included in the agenda as a routine agenda item. Minutes of the PBCCC meetings are available on the NSW Ports website: https://www.nswports.com.au/community-and-environment-hub/consultative-committees/port-botany/	Compliant

No.	Condition of Approval 494 - Detail	Evidence 2019	Assessment Rating 2019
C3.3	The Applicant shall, at its own expense: a. ensure that 2 of its representatives attend the Committee's meetings; b. provide the Committee with regular information on the environmental performance and management of the development; 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 Secretary within a month of the Committee meeting.	NSW Ports have confirmed they are responsible for the compliance with this condition and it is satisfied by the Port Botany Community Consultative Committee (PBCCC). Representatives are from all of the operators in the PBE project covered by the Development Consent, and other terminal operators. During 2019 a Patrick representative attended all four PBCCC meeting held at NSW Ports Brotherson House, Penrhyn Road, Port Botany; or more recently the larger venue at the Prince Henry Centre, 2 Coast Hospital Road, Little Bay. Meetings are chaired by Roberta Ryan, and the minutes are taken by Sandra Spate, and more recently by Stella Cimarosti (members of the community). The meeting minutes are published on the NSW Ports website: https://www.nswports.com.au/community-and-environment-hub/consulative-committees/port-botany/	**Compliant**

No.	Condition of Approval 494 - Detail	Evidence 2019	Assessment Rating 2019
C4	**Environmental Monitoring and Auditing**		
	Incident Reporting		
C4.1	The Secretary 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 Secretary within seven days of the date on which the incident occurred. The Secretary 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 Secretary may require.	OEMP (version 2, 2019), Section 4.4 – Environmental Reporting sets out reporting requirements. The Emergency Response Plan (ERP) (version 12, 2019) is available on the Patrick website: http://www.patrick.com.au/environment-management The terminal's escalation matrix directs the duty Shift Manager (deputy chief warden) to call the stevedoring manager (chief warden) immediately, The Stevedoring Manager will escalate the event to the Operations Manager, Safety Manager, and Environment Manager etc. The Environment (ESC) Manager will notify regulators of actual or potential environmental incidents / near misses with the potential to impact people and/or the environment. If safety related, Patrick's Safety Manager will notify the relevant regulator. The terminal's environmental performance is internally communicated by the ESC Manager on a daily, weekly and monthly basis. Patrick records environmental incidents (actual and potential) into the terminal's Environmental Incident Register and includes incident details are communicated to EPA, NSW Ports and DPIE. The Environmental Incident Register includes details of two incidents (amongst others) that were reported to the DPIE. • 12 July 2019 (Berth 8, covered by DA 453) • 14 July 2019 (Berth 8, covered by DA 453) Refer to Section 9 – Incidents during the reporting period, of this report.	**Compliant**

No.	Condition of Approval 494 - Detail	Evidence 2019	Assessment Rating 2019
	Annual Environmental Management Report (AEMR)		
C4.2	The Applicant must prepare an Annual Environmental Management Report for the development. The Annual Environmental Management Report must: - detail compliance with the conditions of this consent; - contain a copy of the Complaints Register (for the preceding twelve-month period, exclusive of personal details) and details of how these complaints were addressed and resolved; - include a comparison of the environmental impacts and performance predicted in the EIS and additional information documents provided to the Department and Commission of Inquiry; - detail results of all environmental monitoring required under the development consent and other approvals, including interpretations and discussion by a suitably qualified person; - contain a list of occasions in the preceding twelve-month period when environmental performance goals have not been achieved, indicating the reason for the failure to meet the goals and the actions taken to prevent recurrence of that type of incident; - be prepared within twelve months of commencement of operation, and every twelve months thereafter; - to the satisfaction of the Secretary for approval; and - be made available for public inspection.	The requirement for an annual environmental management report (AEMR) (which also includes the Annual Compliance Report, DA 453 condition 6.6) is detailed in the OEMP (version 2, 2019), Section 4.4 – Environmental Reporting. While for compliance purposes the date the Patrick site was deemed operational was the 4 February 2016, for ease this AEMR covers the 12-month period from the calendar year i.e. 1 January to 31 December. The AEMR is required to be submitted no later than 60 calendar days after the end of each reporting period (i.e. end February) as per the *NSW Government – "**Annual Review Guidelines**", Post-approval requirements for State significant mining developments, October 2015.* This report was submitted on the 4 March 2020. **Finding:** The submission of this 2019 AMER (which also includes the Annual Compliance Report (DA 435, condition 6.6) to DPIE and NSW Ports has exceeded the 60 days following the end of the monitoring period (31 December 2019). *(Reference No. 5/2019)* An extension was sort from the DPIE up to and including the 6 March 2020. A copy of the submitted 2019 AMER will be uploaded onto Patrick's website - http://www.patrick.com.au/environment-monitoring-reporting.	**Non-Compliant**

No.	Condition of Approval 494 - Detail	Evidence 2019	Assessment Rating 2019
	Environmental Representative		
C4.3	~~Prior to the commencement of operations, a suitably qualified and experienced Environmental Representative(s) shall be nominated to and approved by the Secretary. The Environmental Representative(s) shall be employed for the duration of operations, or as otherwise agreed by the Secretary. The Environmental Representative shall be:~~ - ~~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;~~ - ~~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.~~	Patrick's Environmental, Sustainability & Compliance Manager, Marie Gibbs, was approved as Patrick's Environmental Representative on 3 October 2017.	**Compliant**

Note: Strike through text relates to the previous version of this Approval condition MOD 16, which has been replaced with MOD 17 (19 September 2019)

No.	Condition of Approval 494 - Detail	Evidence 2019	Assessment Rating 2019
	Environmental Training		
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 equipment, including pollution control equipment, where relevant. The Program shall include, but not necessarily be limited to: 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.	OEMP (version 2, 2019), Section 4.3 – Induction and Training requirements are specified the Environmental Training requirements in the OEMP (version 2, 2019). Toolbox talks have been prepared and rolled out in early 2019. E-learning packages are in development with initial modules to cover – incident escalation and reporting, initial leak/spill response, and specific training requirements.	**Compliant**
	Environmental Auditing		
C4.5	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 Secretary. 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 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. - 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.	On 3 October 2017 the DPE approved Wolf Peak Australia Pty Ltd auditors (Steve Fermio and Derek Low) to conduct the independent environmental audits. The 2019 annual Independent Environmental Compliance Audit was conducted by WolfPeak on 22 January 2020. A copy of the final audit report was sent to NSW Ports and DPIE on 26 February 2020 and will be available on Patrick's website shortly afterwards: http://www.patrick.com.au/environment-monitoring-reporting	**Compliance**

Appendix B: Patrick Redevelopment - Condition of Approval: DA 453-12-2002-i

Table B.1 - CoA 453, Assessment Compliance Rating

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

Table B.2 - CoA 453, Schedule 3 – Compliance (Applicant: Patrick Stevedores Operations Pty Ltd)

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
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 initial OEMP and its appendices were approved by the Director-General, 25 March 2015 in a letter from Ms Karen Jones (DPE) to Mr Paul Jerogin (Lend Lease)). A copy of the current OEMP (version 2, 2019) is available on the Patrick website: http://www.patrick.com.au/environment-management	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
1	**General**		
	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 by, lodged with the Department on 16 December 2002, accompanied *Patrick Port Botany Container Terminal Upgrade, Environmental Impact Statement* (three volumes), dated November 2002 and prepared by Parsons Brinckerhoff; b. Additional information provided in respect of development application DA-453-12-2002-i, including: i. The letter from Parsons Brinkerhoff to Planning NSW dated 17 April 2003 titled *Patrick Port Botany EIS – Response to Hazard and Risk Issues;* ii. Upgrade of *Port Botany Container Terminal, Revised Noise Assessment,* dated May 2003 and prepared by Wilkinson Murray Pty Ltd; iii. *Supplementary Avifauna Survey & Assessment of Impacts*, dated 26 May 2003 and prepared by AMBS Consulting; iv. The memorandum from Parsons Brinckerhoff dated 30 May 2003 and titled *Patrick Water Quality Assessment;* v. The amended development application submitted to the Department on 30 May 2003 and associated drawings; vi. The letter from Patrick Terminals to Planning NSW dated 11 June 2003 *titled Patrick Port Botany EIS;* vii. The memorandum from Fielders Engineers Pty Ltd to Parsons Brinkerhoff dated 20 June 2003 titled *Transport NSW's Comments;* viii. The letter from Qest Consulting Group to Parsons Brinkerhoff dated 3 July 2003 titled *Preliminary Hazard Analysis for Patrick Stevedores;* c. Modification application MOD-56-6-2004-i, lodged with the Department on 28 May 2004 and accompanied by the supplementary document tilted *Application to Modify Development Consent*, 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 *Proposed Staff Amenities* (Job No. 0400107, Revision C) numbered 01 to 04 respectively;	Compliance with these requirements is verified through the independent audit process, compliance reports etc.	**Compliant**

[1] Incorporates EPA General Terms of Approval – A1.1

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
1	**General**		
	Scope of Development *(continued)*		
1.2	e. Modification application MOD-83-8-2004-i, lodged with the Department on 16 August 2004, accompanied by four plans titled *Proposed Staff Amenities* (Job No. 0400107, Revision C) numbered 01 to 04 respectively; f. Modification application MOD-156-10-2005-i, lodged with the Department on 6 October 2005, accompanied correspondence dated 6 October 2005 and titled *S96(1A) Application: Patrick Corporation – Port Botany Terminal* and plan titled *Proposed Administration Building* (Job No. PDS-06-38, Revision A). g. Modification application MOD-38-3-2006-i, lodged with the Department on 2 March 2006, accompanied correspondence dated 1 March 2006 and titled *S96(1A) Application: Patrick Corporation – Port Botany Terminal*, and plans titled *Proposed Administration Building* (Job No. PDS-06-38, Revision D); h. Modification application MOD-38-4-2007-i, lodged with the Department on 11 April 2007, accompanied correspondence dated 10 April 2007 and titled S.96(1A) Application, Patrick Corporation – Port Botany Terminal, and plans titled Proposed Additional Staff Amenities (Job No. PDS-07-81, Issue E); i. Modification application MOD-76-9-2007-i, lodged with the Department on 24 August 2007, accompanied correspondence dated 19 June 2007 and 5 November 2007 titled *S.96(1A) Application, Patrick Corporation – Port Botany Terminal*, and the following plans: 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.: 01); 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. SY070313m 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) j. Modification application DA-453-12-2002-i, MOD 7, accompanied by an assessment report titled *Section 75W Modification Port Botany Container Terminal Environmental Assessment* prepared by GHD and dated June 2013; and k. The conditions of this consent. In the event of an inconsistency between a condition of this consent and the documents listed under (a) to (i) above, the conditions of consent shall prevail to the extent of the inconsistency.		

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
1	**General**		
	Staged Development		
1.3	Under Section 80(4) of the Act, this consent applies to the development, as described in Schedule 1, only.	Noted.	---
1.4	Deleted	---	Not Applicable
	Temporary Structures		
1.4A	This consent permits the erection and use of temporary staff accommodation as described in the documents listed under condition 1.2(c) of this consent.	Noted.	Not Applicable
1.4B	All temporary staff accommodation erected and utilised on the site shall be completely removed from the site once the permanent accommodation is completed.	All temporary staff accommodation was removed in 2015 and replaced with permanent fixed Offices and Amenities. .	Compliant
	Exceptions		
1.5	The Applicant shall delete the proposed revegetation and/or rehabilitation landscaping works in the eastern portion of the boat ramp carpark, marked in red, on the Proposed Landscape Layout (Figure A9 Rev C).	Noted.	Not Applicable
	Provision of Documents		
1.6	Where applicable, the Applicant shall provide all documents and reports required to be submitted to the Secretary under this consent in an appropriate electronic format. Provision of documents and reports to other parties, as required under this consent, shall be in a format acceptable to those parties and shall aim to minimise resource consumption. Note: At the date of this consent, an appropriate electronic format for submission to the Director-General is the "portable document format" (pdf) or another format that may be readily converted to pdf.	Noted.	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
1	**General**		
	Statutory Requirements		
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. The Sydney Water consent /permit: • Discharge Industrial Trade Wastewater Consent No. 24990 is current. • Trade Wastewater Discharge Schedule Permit No. 40110 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 2.3 of the OEMP (version 2, 2019) which is available on the Patrick website: http://www.patrick.com.au/environment-management	**Compliant**
	Integrated Approvals		
1.8	No works are to commence at the site prior to a Part 3A Permit under the *Rivers and Foreshores Improvement Act 1948* being obtained from the Waterways Authority and a Licence under the *Protection of the Environment Operations Act 1997* being obtained from the EPA. A copy of these approvals shall be submitted to the Secretary prior to the issue of the construction certificate by the Principal Certifying Authority.	It is noted that the *Rivers and Foreshores Improvements Act 1948* was repealed in 2008. This legislation relates to the construction phase so is no longer relevant to Patrick operations.	**Not Applicable**
	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.	Employees, contractors and sub-contractors are required to undertake an induction prior to commencing work on site. Environmental Training requirements are specified in the OEMP (version 2, 2019) - Section 4.3. The OEMP is available on Patrick's website: http://www.patrick.com.au/environment-management **Finding:** The contractor site induction includes the environmental aspects and key elements of this consent however this information is not present in the employee site induction. *(Duplicate, DA 453, condition 3.62.) (Reference No. 1/2019)*	**Non-Compliant** *(Duplicate)*
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.	**Compliant**

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
1	**General**		
	Compliance *(Continued)*		
1.11	Prior to the commencement of construction of the development, the Applicant shall certify in writing, to the satisfaction of the Director-General, that it has obtained all the necessary statutory approvals for the construction works and complied with all relevant conditions of this consent and/or any other statutory requirements of this development pertaining to that aspect of the development to be constructed.	Applicable to construction works etc.	Not Applicable
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 (DPE) to Mr Trevor Brown (NSW Ports)).	**Compliant**
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 2018 Annual Environmental Management Report was submitted to the DPIE on the 13 February 2019. The DPIE advised on the 18 April 2019 - where there is high risk associated with outstanding items from IEAs the Department may request these to be rectified and reported back within specified timeframes. The outstanding actions outlined in IEA 2018 were considered low risk by the DPIE.	**Compliant**
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.	The 2019 Annual Environmental Management Report (AEMR) will be submitted to the DPIE by the 29 February 2020. An action plan was be included in the 2019 AMER.	**Compliant**

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
1	**General**		
	Dispute Resolution		
1.15	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. 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.	During 2019 there were no known disputes in relation to this condition.	Not Applicable
2	**Construction Certification**		
2.1	In relation to the construction an occupation of the development, the Applicant shall provide to the Director-General and Council the following: (a) Written notification of the appointment of a Principal Certifying Authority prior to the commencement of construction; (b) Copies of all Construction Certificates issued for the development prior to the commencement of construction; (c) Written notification of the intention to commence construction work, to be received at least two working days prior to the commencement construction. In the event that more than one Construction Certificate is issued, notification shall be provided prior to the commencement of construction the subject of each Certificate; (d) Copies of all Occupation Certificates issued for the development prior to occupation; and (e) Written notification of the intention to occupy the development, to be received at least two working days prior to occupation. In the event that more than Occupation Certificate is issued, notification shall be provided prior to the occupation the subject of each Certificate.	Applicable to construction period of the development etc.	Not Applicable
2.2	The Application shall provide all information necessary for the Principal Certifying Authority to determine that the development will comply with: (a) The Building Code of Australia; and (b) All relevant provisions of the Act, including the payment of a long service levy under Section 34 of the *Building and Construction Industry Long Service Payments Act 1986.*	Applicable to construction period of the development etc.	Not Applicable

<table>
<tr><th>No.</th><th>Condition of Approval 453 - Detail</th><th>Evidence 2019</th><th>Assessment Rating 2019</th></tr>
<tr><td>3</td><td colspan="3">Environmental Performance</td></tr>
<tr><td></td><td colspan="3">Demolition</td></tr>
<tr><td>3.1</td><td>All demolition work shall be carried out in accordance with AS2601-2001 The Demolition of Structures.</td><td>Applicable to construction period of the development etc.</td><td>Not Applicable</td></tr>
<tr><td></td><td colspan="3">Hours of Operation - Construction</td></tr>
<tr><td>3.2</td><td>[2] Construction activities associated with the development, including the delivery of material to and from the site, shall only be carried out between the following hours:
(a) Between 7:00am and 6:00pm Monday to Friday inclusive;
(b) Between 8:00am to 2:00pm Saturdays; and
(c) At no time on a Sunday or a public holiday.</td><td>Applicable to construction period of the development etc.</td><td>Not Applicable</td></tr>
<tr><td></td><td colspan="3">Hours of Operation - Construction</td></tr>
<tr><td>3.2A</td><td>Notwithstanding condition 3.2 of this consent, the Applicant may undertake construction of road pavement works required under this consent between 7:00am and 10:00pm Mondays to Fridays’ and between 8:00am and 2:00pm on Saturdays. No pavement works shall be conducted on Sundays or public holidays. All pavement works shall be undertaken to strictly comply with the noise limits specified under condition 3.3 of this consent.</td><td>Applicable to construction period of the development etc.</td><td>Not Applicable</td></tr>
<tr><td></td><td colspan="3">Noise Limits</td></tr>
<tr><td>3.3</td><td>[3] Noise generated by the development shall not exceed the noise limits presented in the table below, unless otherwise agreed by the Director-General:
<table>
<tr><th rowspan="2">Location</th><th colspan="2">Day</th><th colspan="2">Evening</th><th colspan="2">Night</th></tr>
<tr><th>L_{Aeq} (15 min)</th><th>L_{A1} (1 min)</th><th>L_{Aeq} (15 min)</th><th>L_{A1} (1 min)</th><th>L_{Aeq}(15 min)</th><th>L_{A1} (1 min)</th></tr>
<tr><td>Most affected residential premises</td><td>55</td><td>55</td><td>43</td><td>55</td><td>43</td><td>55</td></tr>
</table></td><td>Noise monitoring is conducted six-monthly by Rodney Stevens Acoustics. Monitoring conducted in May and November 2019 identified some levels above the limits set by the EPA. Patrick did not report a recorded exceedance in the EPA Annual Return 1 April 2018 to 31 March 2019, based on an email (20 July 2016) from the EPA advising that Patrick was not deemed non-compliant based on the difficulty of attributing the detected noise levels in the community as having singularly come from Patrick’s operations.

The reports are available on the Patrick website:
http://www.patrick.com.au/environment-monitoring-reporting

Note: The noise limits within the EPL (13 June 2017) are different to those quoted here and in DA 494.</td><td>Compliant</td></tr>
</table>

[2] Incorporates EPA General Terms of Approval – L6.6; [3] EPA General Terms of Approval – L6.1

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
	Noise Assessment Report		
3.4	[4] For the purpose of condition 3.3 of this consent: (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; (b) Evening is defined as the period from 6.00pm to 10.00pm; and (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.	Noted.	**Compliant**
3.5	[5] Within six (6) months of the date of this consent, the Applicant shall submit a Noise Assessment Report to the Director-General and the EPA for approval. The report shall be prepared by a suitably qualified and experienced specialist in the field of acoustics. The report shall contain the following information: (a) A critical review of all measures capable of achieving a reduction in noise emitted by operation of the facility during and upon completion of the development phase including the timetable for implementation of each measure. The report shall contain sufficient information to justify the claim that all reasonable and feasible noise control measures have been incorporated into the redevelopment of the facility so that the noise limits specified in condition 3.3 of this consent, have been achieved as early as possible prior to that date; (b) A timetable specifying dates by which all reasonable and feasible measures will be implemented as identified in (a) above; and (c) Identification and timetabling of noise control measures to reduce noise from existing plant and equipment.	The initial Operational Noise Management Plan (ONMP), dated 15 January 2015 was developed for the site, and is attached to Patrick's OEMP. Which was approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones (DPE) to Mr Paul Jerogin (Lend Lease)). Refer to Patrick's OEMP (version 2, 2019), Section 6.6 – Operational Noise Management Plan, which is available on Patrick's website: http://www.patrick.com.au/environment-management	**Compliant**
3.6	[6] 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.	Biannual noise monitoring reports referred to in condition 3.3 satisfy this requirement: • May 2019 • November 2019 Reports are available on Patrick's website: http://www.patrick.com.au/environment-monitoring-reporting	**Compliant**

[4] EPA General Terms of Approval – L6.2; [5] EPA General Term of Approval – E3.1; [6] EPA General Term of Approval – L6.3

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
3.7	[7] Noise from the site shall be measured at 1 metre from the bedroom window to determine compliance with the LA1 (1 minute) and LA MAX noise limits in condition 3.3 of this consent.	This requirement is included in the scope of works for the acoustic noise monitoring reports as per the current EPL 6962.	Compliant
3.8	[8] 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.	This requirement is included in the scope of works for the acoustic noise monitoring reports as per the current EPL 6962.	Compliant
	Traffic and Transport Impacts		
	Road Improvements		
3.9	The Applicant shall fund and construct the following road works to the satisfaction of the Council and the Roads and Maritime Service: (a) Upgrade of the Botany Road / Foreshore Road / Penrhyn Road intersections to provide: i. Dual eastbound right turn lanes or a lengthened single right turn lane from Foreshore Road to Penrhyn Road; and (b) A westbound continuous slip left turn lane from Penrhyn Road to Foreshore Road. (c) Construction of a roundabout intersection at Penrhyn Road / Boat Ramp Access Road / Inter terminal Access Road. The roundabout shall be designed to accommodate a u-turn manoeuvre by a single B-double vehicle. (d) Construction of a new access road to the Penrhyn Boat Ramp.	Applicable to construction period of the development etc.	Not Applicable
3.10	The Applicant shall complete the upgrade of the Foreshore Road / Penrhyn Road / Botany Road intersection within two (2) years of the date of this consent, unless otherwise agreed by the Director-General. Commencement of road construction works required under this consent shall not commence until the Applicant has consulted with the owner / occupier of the Caltex (within access from Penrhyn Road) and demonstrated to the satisfaction of the Director-General that the median strip closure on Penrhyn Road will not cause an access conflict at that development.	Applicable to construction period of the development etc.	Not Applicable

[7] EPA General Term of Approval – L6.4; [8] EPA General Term of Approval – L6.5

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
3.11	The roadworkers in condition 3.9 of this consent shall be designed and constructed in accordance with RMS requirements and standards. Detailed design plans of the proposed road works shall be submitted to the RMS for approval prior to construction. Note: A plan checking fee and lodgement of a performance bond may be required from the Applicant prior to the release of the approved road design plans by the RMS.	Applicable to construction period of the development etc.	Not Applicable
3.12	The shoulders of the new boat ramp access road shall be constructed with concrete edge strips.	Applicable to construction period of the development etc.	Not Applicable
3.13	The new boat ramp access road shall be completed prior to the closure of the existing Penrhyn Road access to the boat ramp.	Applicable to construction period of the development etc.	Not Applicable
	Transport Code of Conduct		
3.14	Prior to the commencement of operations, the Applicant shall submit for the Director-General's approval a Transport Code of Conduct for the development. The Code shall outline the management of traffic impacts associated with the development and minimum requirements for the movement of heavy vehicles to and from the site. The Code shall address the requirements of Council and shall include, but not necessarily be limited to: (a) restrictions to routes, where relevant; (b) restrictions to the hours of transport operations to avoid travelling through built-up areas late at night or at times of high traffic flows in those areas; and (c) minimum requirements for vehicle maintenance to address noise and exhaust emissions.	The initial Operational Traffic Management Plan (OTMP), dated 3 March 2015 was developed for the site as Appendix E to the OEMP. Patrick's OTMP as part of the OEMP was approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones (DPE) to Mr Paul Jerogin (Lend Lease)). Refer to Patrick's OEMP (version 2, 2019) – Section 6.7, Operational Traffic Management Plan: http://www.patrick.com.au/environment-management	Compliant
	Parking		
3.15	The Applicant shall ensure that any parking spaces within the boat ramp parking area, that are required for the construction of the new access road shall be replaced with an equivalent number and size of parking spaces.	Applicable to construction period of the development etc.	Not Applicable
3.15A	All parking associated with construction shall be temporary, provided within construction compounds and located wholly within the site.	Applicable to construction period of the development etc.	Not Applicable

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
3.15B	The site shall provide a maximum of 333 car parking spaces within two new carparks, of the total number of spaces, at least two shall be for visitors parking and one mobility impaired space provided, located adjacent to building entries and clearly delineated. All car parking, landscaping and bicycle parking shall be provided and designed in accordance with the *Port Botany Development Code 2012.*	Applicable to construction period of the development etc.	Not Applicable
3.16	The staff and visitor's carpark shall be designed to comply with *AS2890.1 1993 Parking Facilities – Off-Street Car Parking.*	Applicable to construction period of the development etc.	Not Applicable
3.17	Disable, visitor and service vehicle parking spaces shall be clearly signposted and designated in accordance with relevant Australian Standards.	Disable, visitor and service vehicle parking spaces are clearly signposted and designated.	Compliant
	Access and Internal Road Works		
3.18	All driveways shall be clearly signposted and designed to accommodate the largest vehicle likely to use the site.	Applicable to construction period of the development etc.	Not Applicable
3.19	Directional pavement arrows shall be installed on all internal roads.	Patrick has reviewed the condition of direction arrows on roadways and scheduled repainting accordingly.	Compliant
3.20	The design of all internal roadways shall be wide enough to accommodate through traffic and turning two-way traffic.	Through and turning two-way traffic accommodated.	Compliant
3.21	The design of the truck marshalling areas, driveways, and sight distances shall comply with *AS 2890.2-2002 Parking Facilities – Off-Street Commercial Vehicle Facilities.*	Applicable to construction period of the development etc.	Not Applicable

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
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.	On 5 December 2018 Patrick advised DPE of their understanding this condition relates to an iteration of 'Penrhyn Road' which no longer exists. Penrhyn Road used to run west alongside the Penrhyn Estuary to the public boat ramp but, following the grade separation, the road was substantially reconfigured and the land that this condition to (being the old Penrhyn Road and the boat ramp) now forms part of the Hutchison Rail Terminal. It is noted the section of road more recently referred to as Penrhyn Road, at the time of issuing DA-453, was known as the 'Inter-Terminal Access Road'. Patrick advised this condition was replaced by DA-494 B2.18. DPE replied 7 December 2018 and advised no further questions at this stage.	Not Applicable
3.23	No parking shall be permitted on the internal roadways outside the designated parking areas.	Patrick does not permit parking of vehicles on internal roadways within the terminal.	Compliant
3.24	All trucks entering the development shall be wholly contained within the site before being required to stop.	Trucks entering the site are contained within the site before being required to stop.	Compliant
3.25	The use of landscaping shall not affect driver sight distance for vehicles entering or exiting the site.	Maintenance of landscaping is periodically carried out. Refer to Patrick's OEMP (version 2, 2019) – Section 6.10, Vegetation and Land Management Plan. The OEMP is available on Patrick's website: http://www.patrick.com.au/environment-management	Compliant
	Water Quality Impacts		
	Erosion and Sediment Control		
3.26	[9] The proposed works shall be carried out so that: (a) No materials are eroded, or likely to be eroded, are deposited, or likely to be deposited, on the bed or shore or into the waters of Botany Bay; and (b) No materials are likely to be carried by natural forces to the bed or shore or into the waters of Botany Bay.	Applicable to construction period of the development etc.	Not Applicable

[9] Waterways Authority General Terms of Approval

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
3.27	[10] Any material that does enter Botany Bay shall be removed immediately.	Applicable to construction period of the development etc.	Not Applicable
3.28	[11] The Applicant shall prepare and implement a Soil and Water Management Plan, as required by condition 6.2 (a) of this consent, to manage erosion, sedimentation and other pollutants during construction of the proposed works. The plan shall be prepared by a suitably qualified person(s). Best practice methods shall be adopted for the on-site control of runoff, sediment and other pollutants during, and post, construction. The methods employed shall be in accordance with the relevant specifications and standards contained in the Department of Housing's Managing Urban Stormwater: Soils and Construction" Manual (1998) and any other relevant Council requirements.	Applicable to construction period of the development etc.	Not Applicable
3.29	[12] Any material that is to be stockpiled on site shall be stabilised to prevent contamination, erosion or dispersal of the material. Consideration should be given to covering stockpiles when not in use. The erosion, sediment and pollution control system shall be effectively maintained at or above design capacity for the duration of the works and until such time as all ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.	Applicable to construction period of the development etc.	Not Applicable
3.30	[13] Demolition and construction works shall be carried out in a manner that minimises the potential for materials, including sediment and other pollutants to enter Botany Bay. In this regard, a combination of temporary measures such as tarpaulins, booms, silt screens and barriers may be required when carrying out particular works.	Applicable to construction period of the development etc.	Not Applicable
3.31	All soil and/or vegetation disturbed or removed from the site shall be disposed of to, or stored at, an appropriate location where it cannot be washed off the site.	Applicable to construction period of the development etc.	Not Applicable
3.32	All construction vehicles exiting the site, having had access to unpaved areas, shall depart via a wheel wash facility. Note: Under section 13TA of the Maritime Services Act, 1935, the Applicant is required to obtain the prior written approval of the Waterways Authority to pipe stormwater, excavate or remove soil, sand or other material from land within a distance of 10 metres from the mean highwater mark. Further details regarding this approval can be obtained from the Property Services Branch (Phone 9563 8808).	Applicable to construction period of the development etc.	Not Applicable

[10] Waterways Authority General Terms of Approval;

[11] Incorporates Waterways Authority and EPA General Terms of Approval - O 4.1

[12 & 13] Waterways Authority General Terms of Approval

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
3	**Environmental Performance**		
	Pollution of Waters		
3.33	[14] 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.	**Findings:** **12- Jul 2019:** A minor water pollution incident. Crane (PT08) at Berth 8, the western end waterside gantry rail clamp leaked hydraulic oil onto the sealed ground of the wharf area and crane trench was reported to the EPA, DPIE and NSW Ports. **14-Jul-2019:** Potential threat to the environment. Crane (PT08) at Berth 8 was discharging twin-lift cargo from below on the MSC FLORENTINA, centre twist locks on the spreader did not lock onto the containers, causing the containers to dislodge from height over the hold of the vessel. Causing 13 containers to be damaged and the liquid contents of one to leak on top of the containers beneath and into the hold. This container was discharged from the vessel directly to the spill trailer. 12-Dec-2019: NSW EPA issued a formal warning stating Patrick had not reported the incident immediately. *(Refer to Table 1.3 and Section 11)*	**Non-Compliance**
	Concentration Limits		
3.34	[15] The concentration limit of a pollutant discharged at Point 1 of the existing licence, shall not exceed the concentration limits specified for that pollutant in the table in condition 3.36 of this consent.	Discharges from Point 1 are referenced in the EPL version dated 18 April 2011. Patrick requested in a letter to the EPA (15 April 2013) the removal of reference to Discharge Point 1 from the EPL. The current EPL (13 June 2017) and the previous EPL (31 March 2015) make no reference to water monitoring requirements.	Not Applicable
3.35	[16] 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.	Not Applicable

[14] EPA General Terms of Approval - L 1.1 and A 2.1;

[15] EPA General Terms of Approval - L 3.1

<table>
<tr><th>No.</th><th>Condition of Approval 453 - Detail</th><th>Evidence 2019</th><th>Assessment Rating 2019</th></tr>
<tr><td>3.36</td><td>[17] To avoid any doubt, this condition does not authorise the discharge or emission of any other pollutants.
Discharge Location - Point 1<table><tr><th>Pollutant</th><th>Unit of Measure</th><th>100% Concentration Limit</th></tr><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></table></td><td>This discharge point was made redundant by the construction of the covered Maintenance workshop area.
A Consent to Discharge Industrial Trade Wastewater (No. 24990) is in place with Sydney Water for discharges from this area.</td><td>Not Applicable</td></tr>
<tr><td></td><td>Acid Sulfate Solids</td><td></td><td></td></tr>
<tr><td>3.37</td><td>[18] In the event that acid sulfate soils are encountered during the works, all works with the potential to disturb the material are to cease. The Applicant shall notify the Waterways Authority immediately and prepare and submit an acid sulfate soils management plan to the Waterways Authority for approval prior to any work re-commencing. The management plan shall be prepared in accordance with the NSW Acid Sulfate Soils Manual.</td><td>Applicable to construction period of the development etc.</td><td>Not Applicable</td></tr>
<tr><td>3.38</td><td>[19] 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 Protection of the Environment Operations Act 1997. 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 Protection of the Environment Operations Act 1997.</td><td>OEMP (version 2, 2019) – Section 6.4, Waste and Wastewater Management Plan is available on the Patrick website.
http://www.patrick.com.au/environment-management
EPL 6962 Condition L2 allows Patrick to receive types of waste at the premises.
Records of waste oils and filters, transporters and waste oil receival locations are maintained in a Waste Register.</td><td>Compliant</td></tr>
</table>

; [16] EPA General Terms of Approval - L 3.2,

[17] EPA General Terms of Approval - L 3.3;

[18] Waterways Authority - General Terms of Approval;

[19] EPA General Terms of Approval - L 5.1 and L 5.2

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
3.39	[20] Except as expressly permitted by a licence issued by the EPA under the *Protection of the Environment Operations Act 1997*, only the hazardous and/or industrial and/or Group A waste listed below may be generated and/or stored at the premises: (a) waste oil/water, hydrocarbons/water mixtures or emulsions; and (b) grease trap waste.	No additional waste to those listed in this condition are known to have been generated or stored at the premises during the reporting period. Waste generated from Maintenance activities are classified as J120 waste oil/water, hydrocarbon mixtures or emulsions. Records are available in the Waste Register.	**Compliant**
3.40	[21] The quantity of hazardous and/or industrial and/or Group A waste generated on the premises shall not exceed 200 tonnes per year.	Hazardous waste generated at the terminal (refer to PBT ex Waste Register): • 2016 –63 T (56 T waste oil & 7 T waste oil filters) • 2017 – 55 T (36 T waste oil & 19 T waste oil filters) • 2018 – 44 T (40 T waste oil & 4 T waste oil filters) • 2019 – 48 T est. (44 T waste oil & 4 T waste oil filters)	**Compliant**
3.41	[22] 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.	Hazardous waste – maximum quantity stored at any one time (refer to PBT Waste Register): • 2016 –maximum quantity stored = 7 Tonnes collected 17-Mar-16 • 2017 – maximum quantity stored = 6 T collected 23-Mar-17 • 2018 – maximum quantity stored = 11 T collected 12-Mar-18 • 2019 – maximum quantity stored = 12 T est. collected	**Compliant**
3.42	A designated area for the storage and collection of waste and recyclable materials shall be provided on the site. Details of this shall be provided in the Waste Management Plan required under condition 6.4 (d) of this consent.	Designated waste and recycle collection bins are provided at the Maintenance Workshop / Building, and the Tower / Administration Building. The initial Waste Management Plan (WMP) – OEMP, Appendix G was approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones (DPE) to Mr Paul Jerogin (Lend Lease)). The Waste and Wastewater Management Plan – refer to Section 6.4 of the OEMP (version 2, 2019) available on the Patrick website: http://www.patrick.com.au/environment-management	**Compliant**

[20] EPA General Terms of Approval - L 5.3;

[21] EPA General Terms of Approval - L 5.4;

[22] EPA General Terms of Approval - L 5.5

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
3.43	All wastes and material generated on the site during construction and operation shall be classified in accordance with the EPA's *Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes* and be disposed of to a facility that may lawfully accept the waste.	Refer to the OEMP (version 2, 2019) – Section 6.4, Waste and Wastewater Management Plan. An agreement is in place with Cleanaway, a licenced waste contractor, to collect used oil filters and waste oil at least monthly. Waste classifications are provided on documentation left by the designated waste contractor.	**Compliant**
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.	Refer to the OEMP (version 2, 2019) – Section 6.4, Waste and Wastewater Management Plan. Table 6.4.2 summaries the types of waste generated at the terminal and details the controls in place to manage waste streams, reduce volumes, and waste receipt and handling. The Maintenance department recycles oily waste, and the site recycles cardboard and paper. In 2018 the site induction was revised to include recycling practices.	**Compliant**
	Air Quality Impacts		
	Dust Emissions		
3.45	[23] The Applicant shall design, construct, operate and maintain the development in a manner which minimises or prevents the emission of dust from the site.	Controls are in place to reduce dust generation and emissions are documented in the OEMP (version 2, 2019) Section 6.1, Air Quality Management Plan. The OEMP is located on Patrick's website: http://www.patrick.com.au/environment-management • roadway sweeping along the wharf is conducted routinely; • the site is covered in hardstand with minimal landscaped areas; and • Excavated material is removed from site as soon as practicable otherwise a covering is installed and maintained to secure the material and reduce dust emissions.	**Compliant**
3.46	All trafficable areas and vehicle manoeuvring areas in or on the premises shall be maintained, at all times, in a condition that will minimise the generation, or emission from the premises, of windblown or traffic generated dust.	See condition 3.45 above.	**Compliant**

[23] EPA General Terms of Approval - O 3.1

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
3.47	During construction of the development, the Applicant shall ensure that all vehicles entering or leaving the site, carrying a load that may generate dust, are covered at all times, except during loading and unloading. Any such vehicles shall be covered or enclosed in a manner that will prevent emissions of dust from the vehicle.	Applicable to construction period of the development etc.	Not Applicable
	Ventilation		
3.48	The details of any mechanical ventilation and/or air conditioning for the development must be certified by a competent person, in accordance with Council's requirements, the BCA and relevant Australian Standards, and to the satisfaction of the PCA prior to commencement of any work related to those activities.	Applicable to construction period of the development etc.	Not Applicable
	Hazard and Risk Impact		
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).	As a reference, during the 1995/1996 period 825 tonnes (average value) of Class 2.3 Dangerous Goods were transited through Port Botany. Refer to Appendix I of this report – for Berth 6. From 1 September 2018 to 31 August 2019 there was approx. 218 tonnes of Class 2.3 dangerous goods transited through Berths 7, 8 and 9 of Patrick's terminal which is well under the 825 tonnes limit required under this condition. (For the same period a total of approx. 242 tonnes of Class 2.3 transited thru the entire terminal (including Berth 6)).	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
3.50	At least two months prior to the commencement of the proposed development or within such further period as the Director-General may agree, the Applicant shall prepare and submit for the approval of the Director-General the studies set out under (a) to (d) below. (a) FINAL HAZARD ANALYSIS - A final hazard analysis (FHA) of the proposed development. The analysis should be prepared in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 6, "Guidelines for Hazard Analysis"; (b) TRANSPORT OF HAZARDOUS MATERIALS -Arrangements covering the transport of hazardous materials including details of routes to be used for the movement of vehicles carrying hazardous materials to or from the proposed development. The study shall be carried out in accordance with the Department's draft "Route Selection Guidelines". Suitable routes identified in the study shall be used except where departures are necessary for local deliveries or emergencies. The study shall use the actual and projected dangerous goods movements from 1996/96 to 2016 to and from the site. In this regard particular attention is required to the future Class 2.3 toxic gases quantities, as detailed under condition 3.49 of this consent. (c) EMERGENCY PLAN - A comprehensive emergency plan and detailed emergency procedures for the proposed development. This plan shall include detailed procedures for the safety of all people inside and outside the development who may be at risk from the development. The plan shall be in accordance with the Department's Department of Infrastructure, Planning and Natural Resources Page 19 of 39 DA-453-12-2002-i Hazardous Industry Planning Advisory Paper No. 1, "Industry Emergency Planning Guidelines"; and (d) SAFETY MANAGEMENT SYSTEM - A document setting out a comprehensive safety management system, covering all operations on-site and associated transport activities involving hazardous materials. The document shall clearly specify all safety related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to procedures. Records shall be kept on-site and shall be available for inspection by the Director-General upon request. The Safety Management System shall be developed in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 9, "Safety Management".	(a) Sydney Ports Corporation – Port Botany Expansion Preliminary Hazard Analysis, revision 7, 9 June 2004. (b) Port Botany Expansion EIS (Appendix P), Traffic and Landside Transport Study for Proposed Port Botany Expansion (June 2002) (c) An Incident Management and Investigation Procedure has been developed forms Appendix I to the OEMP, and the Emergency Response Plan and Emergency Response Procedures (October 2015) and approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones DPE) to Mr Paul Jerogin (Lend Lease)). The ERP (version 12, 2019) and OEMP – Section 4.4 (version 2, 2019) are available on Patrick's website - http://www.patrick.com.au/environment-management (d) Patrick's HSE Management System covers operations on-site and associated transport activities involving hazardous materials. The document specifies all safety related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to procedures.	**Compliant**

No.	Condition of Approval 453 - Detail		Evidence 2019	Assessment Rating 2019
3.51	One month prior to the commencement of operation of the development, the applicant shall submit to the Director-General, a compliance report detailing compliance with conditions 3.49 and 3.50 of this consent, including: (a) dates of study submission, approval, and commencement of operations; (b) actions taken or proposed, to implement recommendations made in the studies; and (c) responses to each requirement imposed by the Director-General under condition 3.54 of this consent.		DPIE sends an auto message via email confirming receipt of any email with or without compliance reports sent.	Complaint
	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.	OEMP (version 2, 2019) Section 4.4 also sets out reporting requirements. The Emergency Response Plan (ERP) includes the terminal's escalation matrix. The OEMP and ERP are located on Patrick's website: http://www.patrick.com.au/environment-management In 2019 there were 98 'environmental' related events, of which 8 were reported to regulatory agencies as Patrick was uncertain at the time which (if any) were going to eventuate into an incident. One of these occurred on the 14 July 2019, at Berth 8 (covered by DA 453). Patrick self-reported the incident to the EPA's Pollution Incident Call Line (Ref. C09594-2019). A detailed written report was sent to the EPA, NSW Ports and DPIE. A formal warning letter (dated 12 December 2019) was received from the EPA on the 16 December 2019 – under Section 148 (2) of the NSW Protection of the Environment Operations Act 1997 given that 'several' hours had elapsed between the incident and the self-report to the EPA. **Finding -**The EPA was notified by Patrick of the incident on 15 July 2019 approx. 5hrs after Fire & Rescue Hazmat attended the site. *(Refer to Table 1.3 & Section 11)* **Subsequent Action Taken**: In the event of an actual incident or with potential significant off-site impacts on people or the environment – Patrick's Environment (ESC) Manager will notify regulators of actual or potential environmental incidents / near misses with the potential to impact people and/or the environment. If safety related, Patrick's Safety Manager will notify the relevant regulator.	Non-Compliant

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
	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 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 Hazardous Industry Planning Advisory Paper No. 5, "Hazard Audit Guidelines". The audit shall include a review of the site safety management system and a review of all entries made in the incident register since the previous audit.	In 2019, DPIE agreed the 3-yearly audit could be undertaken by Planager (a DPE approved independent safety auditor) in 2020. The Hazard Audit was carried out in October 2019 (Planager) and the final report was received on the 27 February 2020 and emailed to the stakeholders including the DPIE the same day.	**Compliant**
	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.	**Not Applicable**
3.55	[24] Foreshore landscaping shall be comprised of locally indigenous species, which represents the original plant communities that would have been found along the foreshore in the vicinity of the site.	No requirements apply.	**Not Applicable**
3.56	[25] A suitably detailed landscape plan shall be provided to the Waterways Authority prior to a Part 3A Permit being issued. The plan shall identify the location and species of trees at the site, measures to protect them from damage during the works and specific details of additional landscaping to be carried out including location and numbers of species to be planted.	No requirements apply.	**Not Applicable**

[24 & 25,] Waterways Authority General Terms of Approval

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
3.57	[26] 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.	OEMP (version 2, 2019) – Section 6.10, Vegetation and Land Management Plan is available on Patrick's website: http://www.patrick.com.au/environment-management	Compliant
3.58	All noxious weeds, as listed under the NSW Noxious Weed Act 1993, on site shall be removed during construction and operation of the development.	Refer to Condition 3.57	Compliant
3.59	Appropriate weed management for the site, especially landscaped areas, shall be undertaken for the life of the development. Details of this shall be included in the Vegetation Management Plan required under condition 6.4 (b).	Refer to Condition 3.57	Compliant
3.60	The Applicant shall install, operate and maintain an irrigation system throughout all landscaped areas. Such a system shall provide full coverage to all landscaped areas with no overspray onto hard surfaces. Details of the irrigation system proposed shall be included in the Vegetation Management Plan required under condition 6.4(b) of this consent. The system shall comply with all relevant Australian Standards. 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.	There is currently no irrigation system on site, based on the low water tolerant trees, shrubs and grasses planted. The VMP is available on the Patrick website: http://www.patrick.com.au/environment-management Landscaping of the area below Ramp D (also known as the Undercroft) is no longer applicable to Patrick as this leased area was returned to NSW Ports on 14 September 2018.	Not Applicable
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 - Control of the Obtrusive Effects of Outdoor Lighting*.	During 2019 no complaints are known to have been received by Patrick in relation to lighting. There are no nearby residences and the site is not located close to a public road where lighting may be a nuisance issue.	Compliant

[26] Waterways Authority General Terms of Approval

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
	Staff Induction		
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: (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 (c) That each employee is made aware that one of the conditions of his or her continued employment shall be compliance with the site's noise emission goals and guidelines relating to the operational impact noise reduction. Those documented conditions will form an integral part of the project's Environmental Quality Assurance Program.	Environmental Training requirements are specified in the OEMP (version 2, 2019) - Section 4.3. The OEMP is available on Patrick's website: http://www.patrick.com.au/environment-management Employees, contractors and sub-contractors are required to undertake an induction prior to commencing work on site. **Finding:** The contractor site induction includes the environmental aspects and key elements of this consent however this information is not present in the employee site induction. *(Duplicate, refer to DA 453, condition 1.9.) (Reference No. 1/2019)*	**Non-Compliant** (Duplicate)
	Telephone Hotline		
3.63	Prior to the commencement of construction, the Applicant shall establish and list with the telephone company a 24-hour free call complaints contact telephone number. The Applicant shall provide the telephone number to the Department, EPA and Council and written notification shall be given to the surrounding residents. The aim of the complaints line is to enable any member of the action to the complaint within two hours, 24 hours per day for the duration of construction and operation of the development.	A 24-hour 7-days a week Ph (02) 9493 0308 is available to external parties to make enquires, concerns or complaints to Patrick, this phone number is displayed: • At the terminal's outside gate (B105A) • On the Patrick website: http://www.patrick.com.au/environment-sustainability A call made to the Patrick Concerns and Enquires line is answered by the terminal's ESC Manager and recorded in the terminal's Public Comment, Inquires & Complaints Register. The phone number is routinely tested. Nil complaints were received via the complaints line during the monitoring period.	**Compliant**

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
	Complaints Register		
3.64	The Applicant shall record details of all complaints received in an up-to-date Complaints Register. The Register shall record, but not necessarily be limited to: (a) the date and time of the complaint; (b) the means by which the complaint was made; (c) any personal details of the complainant that were provided, or if no details were provided, a note to that effect; (d) the nature of the complaints; (e) any action(s) taken by the Applicant in relation to the complaint, including any follow-up contact with the complainant; and (f) if no action was taken by the Applicant in relation to the complaint, the reason(s) why no action was taken. The Complaints Register shall be made available for inspection by the Director-General, EPA and Council upon request. The Applicant shall also make summaries of the register, without details of the complainants, available for public inspection.	Contact details and complaints line are available at: http://www.patrick.com.au/environment-sustainability A Complaints Register is maintained. Patrick's four 2019 Community Feedback Quarterly Reports are available on its website: http://www.patrick.com.au/environment-monitoring-reporting The Public Comments, Inquires & Complaints Register (for 2019) is available for inspection and a summary appears in Section 7 of this report.	Compliant
3.65	The payment of a Development Control fee to Council in accordance with Council's Management Plan, prior to the issue of the Construction Certificate. Development Control $660.00	Applicable to construction period of the development etc.	Not Applicable
4	**Utilities and Public Works**		
4.1	The Applicant shall, prior to construction commencing, identify (including, but not limited to the position and level of service) all public utility services on the site, roadway, nature strip, footpath, public reserve or any public areas that are associated with, and/or adjacent to the site, and/or are likely to be affected by the construction and operation of the development.	Applicable to construction period of the development etc.	Not Applicable
4.2	The Applicant shall, prior to construction commencing, consult with the relevant provider of the utilities identified in condition 4.1 of this consent and make arrangements to adjust and/or relocate their services as required. The cost of any such adjustment and/or relocation of services shall be borne by the Applicant.	Applicable to construction period of the development etc.	Not Applicable

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
4	**Utilities and Public Works**		
4.1	The Applicant shall, prior to construction commencing, identify (including, but not limited to the position and level of service) all public utility services on the site, roadway, nature strip, footpath, public reserve or any public areas that are associated with, and/or adjacent to the site, and/or are likely to be affected by the construction and operation of the development.	Applicable to construction period of the development etc.	Not Applicable
4.2	The Applicant shall, prior to construction commencing, consult with the relevant provider of the utilities identified in condition 4.1 of this consent and make arrangements to adjust and/or relocate their services as required. The cost of any such adjustment and/or relocation of services shall be borne by the Applicant.	Applicable to construction period of the development etc.	Not Applicable
4.3	Prior to commencement of construction, the Applicant shall provide documentary evidence from the utility providers identified in condition 4.1 of this consent, to the Director-General, confirming that their requirements have been satisfied.	Applicable to construction period of the development etc.	Not Applicable
4.4	All external work carried out on public property shall be in accordance with Council's requirements, except as otherwise permitted by this consent.	Applicable to construction period of the development etc.	Not Applicable
4.5	Prior to the issue of an Occupation Certificate, the Applicant shall obtain from Sydney Water a Section 73 Compliance Certificate under the Sydney Water Act 1994.	Applicable to construction period of the development etc.	Not Applicable

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
5	**Environmental Monitoring**		
	General Monitoring Requirements		
5.1	The results of any monitoring required to be conducted by the EPA's general terms of approval, or a licence under the *Protection of the Environment Operations Act 1997,* in relation to the development or in order to comply with the load calculation protocol shall be recorded and retained as set out in conditions 5.2 and 5.3 of this consent.	Bi-annual noise monitoring was carried per condition 3.3 above.	**Compliant**
5.2	All records required to be kept by the licence shall be: (a) In a legible form, or in a form that can readily be reduced to a legible form (b) Kept for at least four years after the monitoring or event to which they relate took place; and (c) Produced in a legible form to any authorised officer of the EPA who asks to see them.	Bi-annual noise monitoring was carried per condition 3.3 above. Records are kept in a legible form and are available on request. The 2019 Bi-Annual Noise Monitoring Reports were submitted to NSW EPA, DPIE and NSW Ports. Reports from 2016 onwards are available on the Patrick website: http://www.patrick.com.au/environment-monitoring-reporting	**Compliant**
5.3	The following records shall be kept in respect of any samples required to be collected: (a) The date(s) on which the sample was collected; (b) The time(s) at which the sample was collected; (c) The point at which the sample was taken; and (d) The name of the person who collected the sample.	Records of samples collected are maintained. The 2019 Bi-Annual Noise Monitoring Reports include the details of the noise emissions monitored and appear in the appendices of: • May 2019 • November 2019 Copies of the reports are available on the Patrick website: http://www.patrick.com.au/environment-monitoring-reporting	**Compliant**

<table>
<tr><th>No.</th><th>Condition of Approval 453 - Detail</th><th>Evidence 2019</th><th>Assessment Rating 2019</th></tr>
<tr><td></td><td colspan="3">Requirement to Monitor Concentrations of Pollutants Discharged</td></tr>
<tr><td>5.4</td><td>The Applicant shall monitor the discharge of pollutants at monitoring location Point 2. The Applicant shall monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in column 1 of the Table below. The Applicant shall use the sampling methods, units of measure, and sample at the frequency, specified in the columns of the Table below.
Monitoring Location - Point 2: Water and Land
<table>
<tr><th>POLLUTANT</th><th>UNITS OF MEASURE</th><th>FREQUENCY</th><th>SAMPLING METHOD</th></tr>
<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>
</table>
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.
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.</td><td>Discharges from Point 1 are referenced in the EPL version dated 18 April 2011. Patrick requested in a letter to the EPA (15 April 2013) the removal of reference to Discharge Point 1 from the EPL.
Monitoring Location Point 2 was removed from EPL 6962 dated the 31 March 2015.
The current EPL (13 June 2017) and the previous EPL (31 March 2015) make no reference to water monitoring requirements.</td><td>Not Applicable</td></tr>
</table>

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
5.5	Monitoring for the concentration of a pollutant emitted to the air required to be conducted by the EPA's general terms of approval, or a licence under the *Protection of the Environment Operations Act 1997*, in relation to the development or in order to comply with the load calculation protocol shall be done in accordance with: (a) Any methodology which is required by or under the POEO Act 1997 to be used for the testing of the concentration of the pollutant; or (b) If no such requirement is imposed by or under the POEO Act 1997, any methodology which the general terms of approval or a condition of the licence or the protocol (as the case may be) requires to be used for that testing; or (c) If no such requirement is imposed by or under the POEO Act 1997 or by the general terms of approval or a condition of the licence or the protocol (as the case may be), any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place. Note: The *Clean Air (Plant and Equipment) Regulation, 1997* requires testing for certain purposes to be conducted in accordance with test methods contained in the publication *"Approved Methods for the sampling and Analysis of Air Pollutants in NSW".*	The current EPL (13 June 2017) and the previous EPL (31 March 2015) make no reference to water monitoring requirements.	Not Applicable
5.6	[32] For each discharge point or utilisation area specified in condition 3.34 of this consent, the Applicant shall monitor the volume of liquids discharged to water or applied to the area.	Discharges from Point 1 are referenced in the EPL version dated 18 April 2011. Patrick requested in a letter to the EPA (15 April 2013) the removal of reference to Discharge Point 1 from the EPL. Monitoring Location Point 2 was removed from EPL 6962 dated the 31 March 2015. The current EPL (13 June 2017) and the previous EPL (31 March 2015) make no reference to water monitoring requirements.	Not Applicable

[32] EPA General Terms of Approval – M6.1

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
	Water Quality Monitoring and Compliance Reporting		
5.7	[33] 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; (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; (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 (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.	As referred to in the 2016 AEMR this requirement has been removed from EPL 6962 due to the Maintenance Workshop being expanded to include the former Maintenance forecourt. Any wastewater generated from workshop activities is treated via the AutoBatch Unit before being discharged to the trade waste (permitted by Sydney Water's Consent to Discharge Industrial Trade Wastewater No. 24990). The related action has been somewhat progressed with a draft review of this consent (and DA 494) with the intention to following up on initial brief and informal discussions had with the DPIE with further discussions with both the DPIE and NSW Ports to propose modifying either or both consents.	**Compliant**

[33] EPA General Terms of Approval – E1.1

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
	Noise Monitoring and Compliance Reporting		
5.8	[34] 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) 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; (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; (c) The results of all noise measurements undertaken to assess compliance with condition 3.3 of this consent; (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; (e) Where noise levels have been assessed to exceed licence limits, a statement explaining the reason why this has taken place; and A statement of what feasible and reasonable additional measures may be implemented to further reduce noise levels below that specified in the licence.	Bi-annual noise monitoring is conducted six-monthly by Rodney Stevens Acoustics. Monitoring conducted in May and November 2019 identified some levels above the limits set by the EPA. The reports were emailed to DPIE. NSW EPA and NSW Ports on: • 30 May 2019 • 18 December 2019 Patrick did not report a recorded exceedance in the EPA Annual Return 1 April 2018 to 31 March 2019, based on an email (20 July 2016) received from the EPA advising that Patrick was not deemed non-compliant based on the difficulty of attributing the detected noise levels in the community as having singularly come from Patrick's operations. The reports are available on the Patrick website: http://www.patrick.com.au/environment-monitoring-reporting Note: The noise limits within the EPL (13 June 2017) are different to those quoted here and in DA 494.	**Compliant**

[34] EPA General Terms of Approval – E1.1

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
6	**Environmental Management**		
	Construction Environmental Management Plan (CEMP) *(Continued)*		
6.1	The Applicant shall prepare and implement a Construction Environmental Management Plan (CEMP) to outline environmental management practices and procedures to be followed during the construction of the development. The Plan shall include, but not necessarily be limited to: (a) a description of all activities to be undertaken on the site during construction of the development, including an indication of stages of construction, where relevant; (b) statutory and other obligations that the Applicant is required to fulfil during construction, including all approvals, consultations and agreements required from authorities and other stakeholders, and key legislation and policies; (c) specific consideration of measures to address any requirements of the Department, EPA, Waterways Authority and Council during construction; (d) details of how the environmental performance of the construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts; (e) a description of the roles and responsibilities for all relevant employees involved in the construction of the development; (f) the Management Plans listed under condition 6.2 of this consent. The CEMP shall be submitted for the approval of the Director-General prior to the commencement of construction of the development. Construction shall not commence until written approval has been received from the Director-General. Upon receipt of the Director-General's approval, the Applicant shall supply a copy of the CEMP to the EPA, Waterways Authority and Council as soon as practicable.	Not applicable as relates to construction phase of the development.	Not Applicable
	Soil and Water Management Plan		
6.2a	A Soil and Water Management Plan to detail measures to minimise erosion during construction of the development. The Plan shall include, but not necessarily be limited to…:	Not applicable as relates to construction phase of the development.	Not Applicable
	Construction Noise Management Plan		
6.2b	A Construction Noise Management Plan to outline measures to minimise impacts from the construction of the development on local noise levels. The Plan shall include, but not necessarily be limited to…:	Not applicable as relates to construction phase of the development.	Not Applicable

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
	Traffic Management Plan		
6.2c	A Traffic Management Plan (TMP) shall be prepared to the satisfaction of the Director-General and submitted at least two weeks prior to the commencement of construction of, or the modification to, of the truck and rail portals. The TMP shall specifically address the management of construction traffic and the alternate arrangements for truck/rail movements around the Terminal during construction.	Not applicable as relates to construction phase of the development.	Not Applicable
	Operational Environmental Management Plan (OEMP or Operational EMP)		
6.3	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: i. identification of all statutory and other obligations that the Applicant is required to fulfil in relation to operation of the development, including all consents, licences, approvals and consultations; ii. a description of the roles and responsibilities for all relevant employees involved in the operation of the development; iii. overall environmental policies and principles to be applied to the operation of the development; iv. standards and performance measures to be applied to the development, and a means by which environmental performance can be periodically reviewed and improved; v. management policies to ensure that environmental performance goals are met and to comply with the conditions of this consent; vi. the Management Plans listed under condition 6.4 of this consent; and vii. the environmental monitoring requirements outlined under section 5 (Environmental Monitoring) of this consent, inclusive. 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.	The initial OEMP was developed for Patrick terminal operations in March 2015. The OEMP (and appendices) were approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones (DPE) to Mr Paul Jerogin (Lend Lease)). OEMP (version 2, 2019) was reviewed by NSW Ports and DPIE, and is available on Patrick's website: http://www.patrick.com.au/environment-management	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
6.4	As part of the OEMP for the development, required under condition 6.3 of this consent, the Applicant shall prepare and implement the following Management Plans:	Noted.	Compliant
	Stormwater Management Plan		
6.4a	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: i. detailed plans showing the design of the stormwater control infrastructure; ii. demonstration that the stormwater control infrastructure will conform with, or exceed all relevant Council requirements and guidelines; iii. description of the procedures for the installation, inspection and maintenance of the stormwater control infrastructure, including stormwater pollution control devices; and iv. description of the procedures to be undertaken if any non-compliance is detected.	The initial Stormwater Management Plan (Appendix F of the OEMP) was approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones (DPE) to Mr Paul Jerogin (Lend Lease)). Refer to the current OEMP (version 2, 2019), Section 6.2 – Stormwater Management Plan. The OEMP is available on Patrick's website: http://www.patrick.com.au/environment-management	Compliant
	Vegetation Management Plan		
6.4b	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: 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; ii. details of existing and proposed utilities, as they relate to the development; iii. maximisation of flora species endemic to the locality in landscaping the site;	The initial Vegetation Management Plan (VMP) (Appendix H of the OEMP) was approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones (DPE) to Mr Paul Jerogin (Lend Lease)). Refer to the current OEMP (version 2, 2019), Section 6.10 – Vegetation and Land Management Plan. The OEMP is available on Patrick's website: http://www.patrick.com.au/environment-management	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
6.4b	iv. details of existing and proposed utilities, as they relate to the development; v. maximisation of flora species endemic to the locality in landscaping the site; vi. details of the proposed weed management system; vii. identification and details of staff recreation areas; viii. details of car parking and measures to prevent vehicle encroachment onto landscaped areas; and ix. a program to ensure that all landscaped and revegetated areas are maintained in a tidy, healthy state.		
	Transport Management Plan		
6.4c	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: i. details of measures that would be implemented to minimise noise and amenity impacts on residential areas resulting from heavy vehicle movements; 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; iii. procedures for monitoring the effectiveness and suitability of these measures, particularly the periodic and random monitoring of heavy vehicle routes; and iv. details of additional measures that would be implemented should be non-compliance be detected.	The initial Operational Traffic Management Plan (OTMP), dated 3 March 2015 was developed for the site as Appendix E to the OEMP. Patrick's OTMP as part of the OEMP was approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones (DPE) to Mr Paul Jerogin (Lend Lease)). Refer to the current OEMP (version 2, 2019), Section 6.7 – Operational Traffic Management Plan. The OEMP is available on Patrick's website: http://www.patrick.com.au/environment-management	**Compliant**

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
	Waste Management Plan		
6.4d	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: i. identification of the type and quantities of waste that would be generated; ii. description of measures and actions to be taken to minimise waste generated by the operation of the development; iii. description of how waste would be handled and stored during operation, and reused, recycled and, if necessary, appropriately treated and disposed of in accordance with the EPA's guidelines Assessment, Classification and Management of Liquid and Non-Liquid Waste; and iv. details of programs for involving and encouraging employees and contractors to minimise domestic waste production on the site and reuse/recycle where possible.	The initial Waste Management Plan (WMP), Appendix G of the OEMP was approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones, (DPE) to Mr Paul Jerogin (Lend Lease)). Refer to the current OEMP (version 2, 2019), Section 6.4 – Waste and Wastewater Management Plan. The OEMP is available on Patrick's website: http://www.patrick.com.au/environment-management	**Compliant**

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
	Operational Noise Management Plan		
6.4e	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: i. identification of all major sources of noise that may be emitted as a result of the operation of the development; ii. specification of the noise criteria as it applies to the particular activity; iii. procedures for the monitoring of noise emissions; iv. protocols for the minimisation of noise emissions; v. description of procedures to be undertaken if any non-compliance is detected; 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 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.	The initial Operational Noise Management Plan (ONMP), dated 15 January 2015 was developed for the site, and is attached to Patrick's OEMP, Appendix D. Patrick's ONMP as part of the OEMP was approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones (DPE) to Mr Paul Jerogin (Lend Lease)). Refer to the current OEMP (version 2, 2019), Section 6.6 – Operational Noise Management Plan. The OEMP is available on the Patrick website: http://www.patrick.com.au/environment-management	**Compliant**
6.5	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.	A finding in the 2017 AEMR states that 4 February 2016 was the date operations commenced at terminal. Patrick's Environmental Action Plan Calendar shows the review of the OEMP was undertaken and the OEMP reissued as version 1 on the 7 June 2019, followed by a second revision and reissued as version 2 on the 5 July 2019.	**Compliant**

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
6	**Environmental Management**		
	Annual Compliance Report		
6.6	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: (a) Identify all the standards, performance measures, and statutory requirements the development is required to comply with, including the conditions of this consent; (b) Review the environmental performance of the development to determine whether it is complying with these standards, performance measures, and statutory requirements. (c) Identify all the occasions during the previous year when these standards, performance measures, and statutory requirements have not been complied with; (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; (e) Include the detailed reporting from any monitoring requirements, and identify any trends in the monitoring over the life of the project; and (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. (c) The Director-General may require the Applicant to address certain matters identified in the Annual Compliance Report. Any action required to be undertaken shall be completed within such period as the Director-General may agree. The Applicant shall provide a copy of the Annual Compliance Report to the EPA and Council. The report shall be made available to the public on request.	This Annual Environmental Management Report (as per D-494, C4.2) also includes the requirement of this condition to submit an Annual Compliance Report. While for compliance purposes the date the Patrick site was deemed operational was the 4 February 2016, for ease this AEMR covers the 12-month period from the calendar year i.e. 1 January to 31 December. The previous Annual Environmental Management Reports (AEMR) are available on Patrick's website: http://www.patrick.com.au/environment-monitoring-reporting The 2018 AEMR was submitted within 60 calendar days after the end of the reporting period (i.e. 28 February), and as per NSW Government – "Annual Review Guidelines", Post-approval requirements for State significant mining developments, October 2015. Following submission of this 2019 AEMR to NSW Ports and DPIE by the 29 February 2020, it will be uploaded onto Patrick's website.	**Compliant**

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
	Independent Environmental Audit		
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. 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 environment; (d) Assess whether the development is complying with the relevant standards, performance measures, and statutory requirements; (e) Review the adequacy of the Applicant's Environmental Management Plan, and Environmental Monitoring Program; and, if necessary (f) Recommend measures or actions to improve the environmental performance of the plant, and/or the environmental management and monitoring systems.	This Independent Environmental Compliance Audit is required to satisfy: • DA 453 - Condition 6.7; • DA 494 – Condition C4.5 DA 453 requires such an audit 12-months, after commissioning and then every 3 years. While DA 494 requires an independent environmental audit to be carried out every 12 months. It is on this basis an independent environmental compliance audit will be carried out annually. The 2019 Independent Environmental Compliance Audit was conducted by Mr. Steve Fermio, WolfPeak (DPIE approved auditor) and assisted by Brendan Shannon (Senior Environmental Consultant) on the 22 January 2019.	**Compliant**
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.	The final report was issued on 24 February 2020 and emailed the same day to DPIE and NSW Ports. A copy of the audit report 2019 will be made available on Patrick's website: http://www.patrick.com.au/environment-monitoring-reporting	**Compliant**

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
	EPA Annual Return		
6.9	The Applicant shall provide an annual return to the EPA in relation to the development as required by any licence under the *Protection of the Environment Operations Act 1997* in relation to the development. In the return the Applicant shall: (a) report on the annual monitoring undertaken (where the activity results in pollutant discharges); (b) provide a summary of complaints relating to the development; (c) report on compliance with licence conditions; and (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.	The Annual Return for the period 1 April 2018 to 31 May 2019 was submitted via eConnect EPA on 8 May 2019 i.e. within the timeframe specified by this condition.	**Compliant**
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.	**Compliant**
7	**Requirements of Botany Bay Council**		
	Vibration		
7.1	The construction and use of the premises shall not give rise to transmission of vibration at any affected premises that exceeds the vibration in buildings criteria outlined in the NSW EPA Environmental Noise Control Manual.	Noted.	**Compliant**
7.2	All machinery shall be installed and/or housed in such a manner as to minimise the emission of noise and transmission of vibration outside the premises.	Noted.	**Compliant**
7.3	Vibration levels induced by the use of the premises or any equipment or service associated with the premises shall not exceed 1mm/sec peak particle velocity when measured at the footing of any adjoining occupied building.	There are no occupied buildings adjoining the site that would be affected by vibration.	**Compliant**

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
	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 AS1940-1993 The Storage and Handling of Flammable and Combustible Liquids.*	The upgrade of the Maintenance Building and Workshop storage and handling of flammable and combustible liquids was completed as part of the redevelopment of the terminal i.e. appropriate bunding of liquids. Routine site inspection identified consistencies in the storage of chemicals and fuels. The Maintenance department completed a site chemical storage audit in 2019. Bunded pallets for storage of waste oil were provided for use in the chemical store in 2019.	**Compliance**
	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.	Waste oil is collected and stored inside the Maintenance Workshop in designated areas either a bunded area or on a purpose built bunded pallet. A recent quarterly inspection of the area identified consistencies in the storage of waste oils. Bunded pallets for storage of waste oil were provided in the chemical store in 2018 and consequently being used.	**Compliance**
	Fuel Tanks and Fuel Filling Areas		
7.6	The fuel tank and fuel filling area shall be designed and operated in accordance with the Code of Practice for the Design, Installation and Operation of Underground Petroleum Storage Systems by the Australian Institute of Petroleum (CP4-1998) and *AS1940: 1993 The Storage and Handling of Flammable and Combustible Liquids.*	There are no underground fuel storage tanks located on the site. Two 65,000 L diesel tanks are located in a bunded area behind the Maintenance workshop.	**Compliant**
	Fuel Bowsers		
7.7	Fuel bowsers and service areas shall comply with the EPA's Environmental Guideline: Surface Water Management on the Covered Forecourt Areas of Service Stations.	As per 7.6 above.	**Compliant**

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
	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 *AS1940-1993 The Storage and Handling of Flammable and Combustible Liquids.*	Routine site inspections confirmed chemical container storage bund consistent with this requirement.	**Compliant**
	Bunding - Tank		
7.9	The area used for the storage of chemicals/liquids in tanks shall be bunded. The bund (walls and floor) shall be constructed of impervious materials and shall be of sufficient volume to contain at least 110% of the volume of the tank(s). The bund shall be designed and installed in accordance with *AS1940-1993 The Storage and Handling of Flammable and Combustible Liquids.*	Routine site inspections confirmed chemical container storage bund consistent with this requirement.	**Compliant**
	Maintenance of Bunded Areas		
7.10	Bunded areas shall be properly maintained and all spillages and/or wastes within the bunded areas cleaned up as soon as practicable and disposed of in a manner that does not pollute waters.	Routine site inspections confirmed chemical container storage bund consistent with this requirement.	**Compliant**
	Traffic Bund		
7.11	All service entries to workshop areas shall be provided with a trafficable bund with a minimum height of 100 mm to prevent any spillage exiting the workshop area and entering the stormwater system.	Routine site inspections confirmed chemical container storage bund consistent with this requirement.	**Compliant**

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
	Spill Clean-up		
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.	Routine site inspections confirmed sufficient clean up supplies for spills: **Spill Kits** are situated in key locations around the terminal including the Maintenance Workshop. **Maintenance Stores** - contains additional absorbent materials, PPE and spill cleaning equipment. **Spill Trailer** - located in a designated area along the quay line in readiness to be hooked up to an ITV/Mafi trailer and transported to the affected container. **Disposal –** Absorbent materials used to clean up spills/leaks are collected by licensed waste contractors and disposed of at licenced waste sites.	**Compliant**
	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 initial Emergency Response Plan (ERP) and Emergency Response Procedures (November 2015) have been developed and attached to the OEMP as Appendix N, and the initial Incident Management and Investigation Procedure developed as Appendix I to the OEMP, were approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones (DPE) to Mr Paul Jerogin (Lend Lease)). The ERP (version 12, 2019) and the current OEMP (version 2, 2019), Section 4.4 includes incident investigation, are available on the Patrick website - http://www.patrick.com.au/environment-management.	**Compliant**

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
	Automotive / Workshop		
7.14	All servicing, mechanical repairs and detailing shall be conducted in a covered, bunded work area. All work areas, including workshops and lube bays, shall be graded into collection sumps and/or grated drains such that surface effluent generated within the workshop area is directed into a dedicated drainage system and disposed of to sewer in accordance with a Trade Waste Agreement from Sydney Water or collected for reuse/disposal by an EPA licensed waste contractor.	The Maintenance Workshop is covered, the floor is sealed and graded toward an internal blind trench. The key chemical storage areas are bunded. All servicing, mechanical repairs and detailing are conducted in this area. Larger units of mobile plant are worked on in-situ and all precautions are taken to eliminate any surface effluent. Routine inspections are carried out. Spill kits containing absorbent materials are available in the Maintenance Workshop, on the Maintenance Break-down truck, and outside in designated locations. Drainage from Wash Bay 1 within the workshop is directed to a sump with oil/water separator and treated via the Auto Batch Unit. The wastewater removed is disposed of via the sewer regulated under the Sydney Water's Consent to Discharge Industrial Trade Wastewater No. 24990. Waste oil and filter aid (ex the Auto Batch Unit) is collected and disposed via a licenced waste contractor and recorded on the terminal's Waste Register.	**Compliant**
	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 condition 7.14.	**Compliant**

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
	Spray Painting		
7.16	All spray painting is to being carried out in a spray booth constructed and ventilated in accordance with *AS 1668.2-2002 – The Use of Mechanical Ventilation and Air-Conditioning* in Buildings. Exhausts from the spray booth shall be discharged through a single stack with a minimum height of 3 metres above the ridge of the building. The stack shall be located not less than 6 metres from any fresh air intake or openable able window. Disposal of wastewater from wet scrubbing shall be disposed of in accordance with Sydney Water's Trade Waste Policy and Management Plan.	Spray painting was not conducted on site during the reporting period.	**Compliant**
	Maintenance of Filters		
7.17	All spray booth filters shall be regularly maintained to ensure emissions of air pollutants are minimised.	There is no permanent or temporary spray booth on site.	**Not Applicable**
	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.	Two wash bays are located inside the Maintenance workshop with one wash bay connected via the Auto Batch unit to the trade waste. The second wash bay is not connected to the trade waste and has not been used since it was installed. The single wash bay is operated under the conditions of Sydney Water's Consent to Discharge Industrial Trade Wastewater No. 24990. The floor is sealed and graded toward an internal drainage point. Any liquids collected are pumped to a 'blind' 2000L storage tank which is periodically emptied and contents transported by a licenced waste collector to a licensed disposal facility.	**Compliant**

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
	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 'H_2O only'.	'Clean Rainwater Only' is being painted next to most stormwater drains on site. **Finding:** Some stormwater drains do not display the sign 'Çlean Rainwater Only'. *(Reference No. 2/2019)*	**Non-Compliant**
	Maintenance of Stormwater Treatment Devices		
7.20	All wastewater and stormwater treatment devices (including drainage systems, sumps and traps) shall be regularly maintained in order to remain effective. All solid and liquid wastes collected from the devices shall be disposed of in a manner that does not pollute waters.	Stormwater drains wardens and Puraceptors have been included into the Maintenance scheduling system (Maximo).	**Compliant**
	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;	Patrick has installed 2 x 10,000L water storage tanks alongside the Maintenance Workshop; and 2 x 10,000 water storage tanks behind the Administration/Tower building. At both locations, the stored water is used for the single purpose to flush toilets/urinals. Recycled water has not been used for single vehicle wash bay in use. The second wash bay is not connected to the trade waste and has not been used since it was installed.	**Compliant**

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
	Removal Off-Site by an Authorised Liquid Waste Disposal Contractor		
7.21	(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.		
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; (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 2.5 m; (f) All uncontaminated stormwater/rainwater must be directed to the dedicated stormwater drainage systems; (g) Have an appropriate capacity storage tank designed to hold all wastewater; (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 (i) That the water storage tank is maintained so that there are no leaks and is functioning as intended.	There are two vehicle wash bays located inside the Maintenance Workshop, which is roofed and bunded. One wash bay is connected via the Auto Batch unit to the trade waste. While the other wash bay is not connected to the trade waste since it has been installed. The single wash bay is operated under the conditions of Sydney Water's Consent to Discharge Industrial Trade Wastewater No. 24990. The floor is sealed and graded toward an internal drainage point. Any liquids collected are pumped to a 'blind' 2000L storage tank which is periodically emptied and contents transported by a licenced waste collector to a licensed disposal facility..	**Compliant**

No.	Condition of Approval 453 - Detail	Evidence 2019	Assessment Rating 2019
7	**Requirements of Botany Bay Council**		
	Discharge to the Sewer via Appropriate Pre-Treatment		
7.23	All vehicle washing bays that discharge to sewer shall meet the following requirements: (a) Discharges into the sewer requires a Permission to Discharge Trade Wastewater certificate issued by Sydney Water; (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; (c) Is roofed and bunded so that all uncontaminated stormwater from the roof areas and uncovered areas, are directed away from the bay; (d) At a minimum the bay should have a roof that has a minimum height of 2.5 m; (e) Have a roof that has a minimum height of 2.5 m; (f) Be constructed with a minimum 20 mm bund around the perimeter of the bay; (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; (h) All uncontaminated stormwater/rainwater must be directed to the dedicated stormwater drainage systems; (i) Have a 1000 L general purpose pit; and (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.	The two vehicle wash bays are located inside the Maintenance Workshop, which is roofed and bunded. One wash bay is connected via the Auto Batch unit to the trade waste. While the second wash bay is not connected to the trade waste since it has been installed. The single wash bay in use is operated under the conditions of Sydney Water's Consent to Discharge Industrial Trade Wastewater No. 24990. The floor is sealed and graded toward an internal drainage point. Any liquids collected are pumped to a 'blind' 2000L storage tank which is periodically emptied and contents transported by a licenced waste collector to a licensed disposal facility.	**Compliant**

No.	Condition of Approval 453 - Detail	Evidence 2018	Assessment Rating 2018
	Disposal of Wastewater to Land Incorporating Appropriate Treatment Devices		
7.24	All vehicle washing bays that discharge wastewater shall meet the following requirements: (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; (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; (c) Site flood potential, exposure to sun and wind, slope, erosion potential, drainage, plant growth conditions; (d) Buffer distances from permanent surface waters, domestic groundwater wells, other waters, property boundaries, driveways, swimming pools and buildings; and (e) Other site assessment details as required by Council.	Two wash bays are located within a roofed and bunded area within the maintenance workshop with one wash bay connected via the Auto Batch unit to the trade waste. The other wash bay is not connected to the trade waste and therefore not in use. The single wash bay is operated under the conditions of 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. Any liquids collected are pumped to a 'blind' 2000L storage tank which is periodically emptied and contents transported by a licenced waste collector to a licensed disposal facility.	**Compliant**
	Energy Efficiency Report		
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.	At the time of issuing this AEMR it has been advised the report is likely to be part of the redevelopment project building design documents. **Finding:** Patrick has engaged a consultant (GHD) to assist with preparing the Energy Efficiency Compliance Report. The report was due in September 2019. The final report will be issued to the DPIE by the 4 March 2020. *(Reference No. 3/2019)*	**Non-Compliant**

Appendix C: Port Botany Expansion - Environmental Impact Statement (EIS)

Table C.1 -PBE Environmental Impact Statement (EIS) - Assessment Predicted Rating

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

Table C.2 - PBE Environmental Impact Statement (EIS) - Predictions and Conclusions

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence 2019	Assessment Rating 2019
Chapter 16 - Hydrology and Water Quality			
16.4.2	**Surface Water Quality**		
	Dredging and Reclamation Initial consolidation of material in the reclaimed area is expected to take up to two years. During this time the surface of the reclamation, if not protected, may be subject to erosion. To control erosion, the surface of the newly reclaimed area would be stabilised and profiled to form sediment detention basins to contain sediment runoff until the reclaimed area is covered with an impervious surface. These control measures would be documented as part of the Construction EMP for the project.	The developed / redeveloped areas are fully surfaced and sealed.	Predicted
	Erosion and Sedimentation Dredged or construction material stockpiles and active construction areas may be subject to erosion and sedimentation from surface runoff.	Between 15 December 2014 and 2 May 2016, a Control (Red Import Fire Ant) Order was in place at Port Botany, and prevented Patrick removing any excavated soils from site. Water spraying of soil stockpiles occurred. During 2019 there was no visible dust emissions reported to Patrick.	Predicted

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence 2019	Assessment Rating 2019
Chapter 17 - Groundwater			
17.6.2	**Groundwater Quality**		
	The operation of the new terminal is expected to have minimal effect on groundwater quality. Once operational, all terminal activities would be conducted in a manner to prevent contamination of surface or groundwater from operational activities. An Operational EMP would be developed in the detailed design phase to ensure an adequate standard is applied to contamination control for the operation of the new terminal.	The operational areas of the terminal are fully sealed. Refer to the current OEMP (version 2, 2019) with specific reference to the following sections: • Section 6.2 - Stormwater Management Plan • Section 6.4 – Waste and Wastewater Management Plan And standard operating procedure: • *Storage & Handling of Hazardous / Dangerous Goods (PBT_OPS_SOP_04_03_v4)* These documents describe the controls which Patrick has in place to control spills/leaks, and control of waste and wastewater generated as part of its operations. The Stormwater Management Plan further details how Patrick will ensure that any surface pollutants shall be captured and treated in order to minimise the potential contamination to groundwater or waters.	**Predicted**

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence 2019	Assessment Rating 2019
Chapter 18 - Geology, Soils and Geotechnical			
18.4.2	**Soil Erosion**		
	The operations at the new terminal would take place on reclaimed and hard surfaced pavement. There is no requirement for soil removal or disturbance during operation of the terminal. Stormwater collection and treatment systems would be designed to capture surface water runoff from all impervious surfaces. Therefore, the operation of the new terminal is expected to have minimal effects on soil erosion. Soil in the vicinity of facilities outside the new terminal area, such as the proposed railway, boat ramp and car park, would be stabilised and erosion in these areas would be low.	Stormwater collection and treatment devices have been installed at the terminal and are operational, and routinely inspected / maintained. There is no evidence of soil erosion identified in the operational areas.	**Predicted**
18.4.3	**Sediment Contamination**		
	Leaks and spills from operations at the new container terminal would be contained by the proposed stormwater detention and treatment system. There is low potential for leaching of contaminants through the hard stand areas. Environmental management measures would be included in the Operational EMP	The initial Stormwater Management Plan formed part of the OEMP and was approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones (DPE) to Mr Paul Jerogin, Lend Lease)). Refer to the current OEMP (version 2, 2019) with specific reference to: Section 6.2 – Stormwater Management Plan. The OEMP is available on Patrick's website –- http://www.patrick.com.au/environment-management Stormwater collection and treatment devices have been installed at Patrick and are operational, and routinely inspected / maintained.	**Predicted**

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence 2019	Assessment Rating 2019
Chapter 18 - Geology, Soils and Geotechnical			
18.5.2	**Operation**		
	The operation of the new terminal would have minimal effects on geology, soils and geotechnical issues. Once operational, all terminal activities would be conducted in a manner to prevent soil erosion and contamination from operational activities. A SWMP would be developed as part of an Operational EMP to ensure an adequate standard is applied to sediment control for the operation of new terminal. This plan would also address stormwater management and be prepared in accordance with NSW EPA requirements. The SWMP for operations would be incorporated in the Operational EMP. Management measures would include: • a first flush system to capture sediment and contaminants from surface water runoff from the new terminal; • treatment of surface water runoff from potential pollutant areas on the new terminal by a wastewater treatment system prior to discharge to sewer; • investigation of the feasibility of installation of sediment traps on Floodvale and Springvale Drains to reduce influx of sediment to Penrhyn Estuary; • emergency response plan for fuel, oil and chemical spills; and • storage and handling of all dangerous goods in accordance with Australian Standards, Dangerous Goods Regulations and NSW EPA requirements.	Refer to the current OEMP (version 2, 2019) with specific reference to: Section 6.2 – Stormwater Management Plan. The OEMP and the ERP (Version 12, 2019) are available on Patrick's website –- http://www.patrick.com.au/environment-management	**Predicted**

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence 2019	Assessment Rating 2019
Chapter 19 – Aquatic Ecology			
19.6.1	**Potential Physical, Chemical and Biological Stressors**		
	Noise, Vibration and Light Vibration would occur as a result of construction and operation of the new terminal. Most aquatic animals would tend to habituate to the changes in noise and vibration, therefore, impacts could be considered as low.	The level of vibrations at Patrick would be similar with the types of activities conducted at the adjacent container terminals. Patrick's operations have not directly resulted in any increase of vessels in the Port Botany area.	**Predicted**
	Introduced Species There appear to be no aspects of the proposal likely to enhance the risk of the introduction of exotic species, other than an increase in risk associated with greater numbers of vessels using Port Botany. In terms of introduced species already in Botany Bay, there is some risk of changes in distribution associated with the proposed port expansion for: • *Caulerpa taxifolia* presently occurring along Foreshore Beach.	In the most recent *Port Botany Long-term Seagrass Monitoring (2018)* the invasive alga *Caulerpa taxifolia* was not mentioned beyond noting if it was present in the Foreshore Beach or Penrhyn Estuary area. Refer to Shorebird Monitoring Annual Report uploaded on the Port Authority of New South Wales (formerly SPC) website: https://www.portauthoritynsw.com.au/media/3847/el1112046-port-botany-shorebird-monitoring-annual-report-2018-rev-0-fi.pdf	**Predicted**
19.6.2	Management of the possible spread of *Caulerpa Taxifolia* would form part of a Construction and Operational EMP.	The management of *Caulerpa taxifolia* is not included in the Patrick OEMP (version 2, 2019) as Patrick has limited control over activities outside of the terminal boundaries. The management and monitoring of *Caulerpa taxifolia* is addressed in section 2.1.5 of the **Port Botany Expansion Penrhyn Estuary Habitat Enhancement Plan (March 2007)** https://www.portauthoritynsw.com.au/media/1084/pehep_report_execsummary.pdf	**Predicted**
19.7.2	**Marine Mammals**		
	With the current operation of the port it appears that marine mammals are able to co-exist with the port operations. A Marine Mammal Management Plan would, however, be prepared to ensure that the occurrence of marine mammals in the vicinity of the port during operations is appropriately managed. This would form part of the Operational EMP and would be prepared in consultation with NPWS.	Patrick's OEMP (version 2, 2019) does not include a Marine Management Plan. The Port Authority of NSW (formerly Sydney Ports Corporation) monitors the presence and location of marine mammals in Botany Bay and through Harbour Control will advise commercial vessels and port operations if there are any marine hazard or emergency.	**Predicted**

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence 2019	Assessment Rating 2019
Chapter 19 – Aquatic Ecology			
19.7.4	**Monitoring and Feedback**		
	Baseline Monitoring - Monitoring of the effects of the proposed port expansion on aquatic ecology would require investigation during construction and operation. Monitoring would be required before construction begins to compile appropriate baseline data. The proposed monitoring would be described in the Construction and Operational EMPs for the project and would include the measures described below: **The Water Column** – Following construction, water quality would be measured on a regular basis within Penrhyn Estuary. Indicators would include turbidity, dissolved oxygen, temperature, salinity, pH, nutrients, heavy metals and organic contaminants. In particular, organic contaminants (e.g. VHCs) would be measured in relation to an influx of contaminated groundwater into Penrhyn Estuary. **Seagrass, Algae and Associated Fauna** - Monitoring programs would be designed and implemented for seagrass during the construction and operational phases of the project. The seagrass indicators that would be considered include extent and coherence of beds (i.e. patchiness) and morphological characteristics, including shoot density, leaf length and width and extent of epiphytic growth. The occurrence and persistence of nuisance algae within Penrhyn Estuary as a result of nutrients from the catchments of Floodvale and Springvale Drains would be monitored to enable an appropriate management response. Finally, organisms utilising the compensatory seagrass beds would be monitored to evaluate diversity and abundance. It is suggested that a good indicator of this would be fish and mobile invertebrates (e.g. prawns) which can be readily collected using standard sampling procedures (e.g. seine nets).	Patrick's OEMP (version 2, 2019) does not include monitoring aquatic ecology. The management and monitoring of the effects on specific aquatic ecology of Foreshore Beach and Penrhyn Estuary is covered in section 3 of the **Port Botany Expansion Penrhyn Estuary Habitat Enhancement Plan (PEHEP) (March 2007)** located on the Port Authority of NSW (formerly SPC) website: https://www.portauthoritynsw.com.au/media/1084/pehep_report_execsummary.pdf. Monitoring of the PEHEP is managed by Cardno on behalf of the Port Authority of NSW – refer to: https://www.portauthoritynsw.com.au/sustainability-and-environment/penrhyn-estuary-rehabilitation/ The results of the Port Botany Post Construction Environmental Monitoring is detailed in the "*End of Project Report*" 22 October 2019 located on the Port Authority of NSW website: https://www.portauthoritynsw.com.au/media/3846/el1112046-port-botany-end-of-project-report-rev-1-final.pdf	**Predicted**

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence 2019	Assessment Rating 2019
Chapter 20 - Terrestrial Ecology			
20.8.4	**Habitat Enhancement**		
	Saltmarsh Protection and Transplantation / Re-establishment A Vegetation Management Plan (VMP) detailing methodologies for saltmarsh excavation, storage, propagation and transplantation would be prepared and would be incorporated as part of the Construction and Operational EMPs for the project.	The habitat management and maintenance of saltmarsh is addressed in section 3.1.2 The Vegetation Management Plan is covered in Appendix C of the **Port Botany Expansion Penrhyn Estuary Habitat Enhancement Plan (March 2007)** located on the Port Authority of NSW website: https://www.portauthoritynsw.com.au/media/1084/pehep_report_execsummary.pdf. The results are summarised in the **Port Botany Post-Construction Environmental Monitoring – Saltmarsh Summary Reports** located on the Port Authority of NSW website: https://www.portauthoritynsw.com.au/sustainability-and-environment/penrhyn-estuary-rehabilitation/	**Predicted**
	Mangrove Removal and Control A Vegetation Management Plan (VMP) detailing methodologies for mangrove removal and control would be prepared and would be incorporated as part of the Construction and Operational EMPs for the project.	The habitat management and maintenance of mangroves is addressed in section 3.1.3 of the **Port Botany Expansion Penrhyn Estuary Habitat Enhancement Plan (March 2007)** located on the Port Authority of NSW website: https://www.portauthoritynsw.com.au/media/1084/pehep_report_execsummary.pdf. The results are summarised in the **Port Botany Post-Construction Environmental Monitoring – Annual Reports** located on the Port Authority of NSW website: https://www.portauthoritynsw.com.au/sustainability-and-environment/penrhyn-estuary-rehabilitation/	**Predicted**

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence 2019	Assessment Rating 2019
Chapter - 20 Terrestrial Ecology			
20.8.4	**Habitat Enhancement**		
	Control of Feral Animals The following two measures would assist in the control of feral animals at Penrhyn Estuary, these include: • ensure rubbish is placed in appropriately covered bins at all times. • ensure rubbish is regularly disposed; and • should shorebird monitoring during construction and operation of the Port Botany Expansion reveal feral cat and fox predation (on shorebirds) to be an ongoing issue, a 1080 fox baiting program should be initiated in consultation with NPWS and an expert shorebird ecologist. A Feral Animal Management Plan (FAMP) would be prepared as part of the Construction and Operational EMP for the Port Botany Expansion. The FAMP would address fencing and the management of garbage, particularly in the habitat enhancement areas, and the viability of a baiting program to be initiated in conjunction with NPWS.	Patrick's current OEMP (version 2, 2019), Section 6.4 – Waste and Wastewater Management Plan includes mitigation measures for the reduction of litter and regular emptying of enclosed rubbish bins, thereby assisting in the control of feral animals. The current OEMP (version 2, 2019) includes a Bird Management Plan, Section 6.9 - Bird Hazard Management Plan: http://www.patrick.com.au/environment-management. Any feral animals found on site are managed by contractors. A Feral Animal Management Plan (FAMP) is included in the OEMP (version 2, 2019), Section 6.3 – Feral Animal Management Plan. The OEMP is available on Patrick's website - http://www.patrick.com.au/environment-management.	**Predicted**
20.10	**Conclusion**		
	Key impacts from the proposal on the 23 shore bird and one seabird species considered as regular or occasional visitors to Penrhyn Estuary could include disturbance to feeding and roosting from a change in lighting regime, increased movement, noise from construction and operation of the port (and associated infrastructure such as railway lines) and potential entry/exit flyway barriers due to the enclosure of Penrhyn Estuary.	The results of the Shorebird Monitoring Program - **Port Botany Post-Construction Environmental Monitoring.** **Shore Bird Reports** • Shorebird Peak Season Summary Report - 2017-18 • Shorebird Off-Peak Season Summary Report – September 2018 • Shorebird Monitoring Annual Report – 2018 • End of Project Report – 22 October 2019 Located on the Port Authority of New South Wales (formerly SPC) website: https://www.portauthoritynsw.com.au/sustainability-and-environment/penrhyn-estuary-rehabilitation/	**Predicted**

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence 2019	Assessment Rating 2019
Chapter 21 - Traffic and Transportation			
21.10	**Conclusion**		
	It has been assumed that the volume moved by rail would be 30% of container throughput by 2006 and 40% by 2011.	Most landside freight movements to and from Port Botany are made by road. As part of the long-term strategy to increase rail freight throughput at Port Botany, the Australian government is supporting the development of a large intermodal terminal at Moorebank in Sydney's south-west. ACCC Container Stevedoring Monitoring Report 2018-19 (November 2019) - https://www.accc.gov.au/publications/container-stevedoring-monitoring-report/container-stevedoring-monitoring-report-2018-19 NSW Ports announced on 27 November 2018 a $120 investment to boost rail capacity at Port Botany. NSW Ports is set to invest in 'on-dock' rail infrastructure capacity at each of the three container terminals at Port Botany, commencing the design phase in 2019. Investment will be staged, with stevedores being required to invest in rail operating equipment to meet target terminal capacities. Patrick is the first of the three stevedores to commit to the project. Expansion of the Patrick rail siding is currently under construction. https://www.nswports.com.au/news/article/120-million-investment-to-boost-rail-capacity-at-port-botany	**Predicted**
Chapter 22 - Noise			
22.4.2	**Operation Noise Impacts – Sleep Disturbance Impacts**		
	All predicted noise levels would be below the external level of 65 dBA which some researchers consider would not result in awakening reactions.	The initial ONMP, dated 15 January 2015 was developed for the site, and is attached to the OEMP as Appendix D. In 2016 NSW EPA advised Patrick where levels exceed noise limits it was not deemed non-compliant based on the difficulty of attributing the detected noise emissions has having come from Patrick's operations. Bi-annual noise monitoring is conducted six-monthly by Rodney Stevens Acoustics. Monitoring conducted in May and November 2019 identified some levels above the limits set by the EPA. The noise emissions received at the designated locations have been estimated via calculation. Patrick did not report a recorded exceedance in the EPA Annual Return 1 April 2018 to 31 March 2019, based on an email (20 July 2016) received from the EPA advising that Patrick was not deemed non-compliant based on the difficulty of attributing the detected noise levels in the community as having singularly come from Patrick's operations. The reports are available on the Patrick website: http://www.patrick.com.au/environment-monitoring-reporting	**Predicted**

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence 2019	Assessment Rating 2019
Chapter 22 - Noise			
22.5.2	**Operation**		
	A Noise Management Plan containing environmental management measures to assess and minimise noise from the operation of the new terminal would be developed. The Noise Management Plan would be included in the Operational EMP for the new terminal. **Machinery Noise Control -** Noise level emissions would be a criteria for selection of new plant for the site. The quietest possible plant that satisfied the operational performance specifications would be selected and noise control kits fitted where required. Regular maintenance of machinery would be carried out to ensure optimal and efficient operation. **Equipment Alarms -** Audible safety alarms on some terminal equipment would be turned off during night hours (between 10.00 pm and 6.00 am) and replaced with visual alarms. It is understood that for certain types of equipment e.g. quay cranes (long travel alarm and high wind alarm) alarms are required to remain for safety reasons. In respect of other items of equipment, a safety assessment would be undertaken to identify where the audible alarms could be replaced with visual alarms without affecting safety. **Operator Awareness and Training -** Operator awareness and training would be regularly conducted. Good training and awareness of noise issues would be implemented to minimise poor cargo handling practices. **Complaints** - Complaints would be assessed and responded to in a quick and efficient manner. **Noise monitoring** – Noise monitoring would be conducted to assess impacts from the operation of the new terminal at locations most likely to be affected by the new terminal operations. The results of this monitoring would be discussed with the EPA and Planning NSW to identify any responses required, although the predicted noise levels would not be expected to occur for some years after the commencement of operations in about 2010. By this time, technological and operational changes are likely to be available which would reduce operational noise levels at the new terminal.	Patrick has prepared and implemented the following document under its OEMP (version 2, 2019), Section 6.6 – Operational Noise Management Plan, Noise levels and noise control specifications are required to be considered when procuring new plant. Maintenance is carried out on a routine / regular basis in accordance with OEM and the equipment/plant history/risk. Maintenance is scheduled and managed via Patrick's MAXIMO system. During 2018 LED lights and low tonal devices (quackers) were installed across the fleet of mobile plant replacing connecting and/or reversing alarms, thereby reducing noise emissions to the working and local environment. Quay crane alarms for the movement of vessel hatch / deck lids have been standardised and positioned to be directing towards the ground. Patrick responds to all public comments, inquiries and complaints received – refer to this AEMR, Section 7 (Public Comments, Inquiries & Complaints Register); and Patrick's OEMP (version 2, 2019), Sections 4.6 and 6.6. *Continued*	**Predicted**

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence 2019	Assessment Rating 2019
Chapter 22 - Noise			
	The Noise Management Plan would also contain the option for shore power to be provided to ships in the future. A Traffic Noise Management Plan would be developed for the new terminal. This plan would consider traffic route selection, traffic clustering and traffic rescheduling.	Patrick's initial ONMP and OTMP as part of the OEMP were approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones (DPE) to Mr Paul Jerogin (Lend Lease)). Patrick's Operational Noise Management Plan, Section 6.6 of the OEMP (version 2, 2019) refers to identifying opportunities to reduce operational noise include, but not necessarily limited to, section of equipment, engineering noise controls and shore-based power. Patrick's OEMP (version 2, 2019), Section 6.7 – Operational Traffic Management Plan - located on Patrick's website: http://www.patrick.com.au/environment-management	**Predicted**
Chapter 23 - Air Quality			
23.8.2	**Operation**		
	Notwithstanding the fact that the proposed expansion is shown to result in acceptable impacts, the new terminal would be designed and constructed such that it could support the use of alternative energy for ships at berth (i.e. shore power), should ships be able to accept such power in the future. This would reduce ship emissions in the local area.	Patrick could potentially support the use of alternative energy for ships at berth (i.e. shore power) if and when vessels which call into Patrick have been reconfigured to accept shore power.	**Partially Predicted**

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence 2019	Assessment Rating 2019
Chapter 24 - Cultural Heritage			
24.8	**Assessment of Impacts During Operation**		
	During the operational phase of the Port Botany Expansion there would be no impacts on Aboriginal, European or maritime heritage resources in the primary or secondary study area	The Knuckle (i.e. Port Botany Expansion DA 494) was constructed on reclaimed land and the operational areas sealed. The remaining area of the terminal was redeveloped on existing sealed areas. During construction / redevelopment there were no heritage impacts reported.	**Predicted**
Chapter 25 - Visual Impact Assessment			
25.5	**Mitigation Measures**		
	Quay Crane specification – quay cranes for the new terminal would be approximately 50 m high. **Container Stacking height** – containers would not be stacked more than six high (18 m) and would typically be only three high (9 m), as is the case with the existing terminals. **Noise Wall** – the proposed noise wall near the edge of the new terminal would be approximately 4 m in height and would partially screen the operations of the new terminal when viewed from foreshore areas near the port.	Maximum height of the Patrick quay cranes of 107.1 m as per 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. Container stacking at Patrick's terminal will be no more than 3 high (as controlled by the RTCS software programming). A noise attenuation wall was constructed by Hutchison Ports and is located within Hutchison Ports rail site positioned between Hutchison's rail siding and the Penrhyn Estuary. The wall is 3 metres high when parallel to the railway siding, and 4 metres high along the northern and eastern sides of the Hutchison Terminal. Refer to Patrick's OEMP (version 2, 2019), Section 6.6 - Operational Noise Management Plan. The OEMP is available on Patrick's website - http://www.patrick.com.au/environment-management	**Predicted**

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence 2019	Assessment Rating 2019
Chapter 26 - Social Impact Assessment			
26.5.5	**Waste**		
	Operation A Waste Management Plan (WMP) would be prepared and implemented by the terminal operator(s) as part of the Operational EMP for the new terminal and would include initiatives for sustainable waste management. All waste discharged by ships at the new terminal would be managed through established waste management practices.	Not part of Patrick's operations, shipping agents arrange for the collection of waste from ships. The initial Waste Management Plan (WMP) formed Appendix G of the OEMP and approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones (DPE) to Mr Paul Jerogin (Lend Lease)). Refer to the current OEMP (version 2, 2019), Section 6.4 – Waste and Wastewater Management Plan: http://www.patrick.com.au/environment-management.	**Predicted**
Chapter 28 – Preliminary Hazard Analysis			
28.10.1	**Mitigation Measures**		
	The following mitigation measures would be implemented to manage the hazards and risks described above: i. containers with dangerous goods would be handled and transported in accordance with the *Australian Standard 3846 (1998):* The *Handling and Transport of Dangerous Goods in Port Areas* and the *NSW Dangerous Goods (General) Regulation 1999;* ii. an Occupational Health and Safety Plan would be developed by the terminal operator(s) to address the handling and transport of dangerous goods during the operation of the new terminal; iii. a notification system for the arrival or delivery of dangerous goods would be implemented; iv. restrictions on the time dangerous goods are allowed to be held within the port would be applied, supported by a loading/unloading plan and arrangement of transport to/from the berths; v. various classes of dangerous goods would be separated by safe distances on the berth;	Mitigation measures include, but are not limited to: i. Standard Operating Procedure - *Storage & Handling of Hazardous / Dangerous Goods (PBT_OPS_SOP_04_03_v4)* prepared in accordance with AS3846 and the WHS Legislation (NSW Dangerous Goods (General) Regulation 1999 repealed; provisions saved under WHS Regulation). ii. As per item (i) above. iii. The Port Authority's ShiPS online system controls the movements of all dangerous goods (import and export) to the terminal. The Port Authority NSW DG Officer routinely audits terminals to ensure compliance with Red line and Green line cargo dwell times for DGs. iv. DGs are classified as Red line or Green line cargo in the ShiPS system and truck bookings are controlled to limit the duration that cargo is stored within the terminal. v. Patrick uses SPARC / RTCS software to program separation of dangerous goods storage and movements around the terminal.	**Predicted**

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence 2019	Assessment Rating 2019
Chapter 28 – Preliminary Hazard Analysis			
28.10.1	**Mitigation Measures** *(continued)*		
	vi. suitable container handling equipment would be used to minimise risk of dropped containers; vii. suitable container loading/unloading, handling and stacking systems would be employed to minimise double handling and attendant risk of damaging containers; viii. the facility would be fitted with adequate yard signage and warning systems for mobile equipment; ix. there would be adequate warning systems for ships moving in the vicinity of the facility; x. a first flush drainage system would be installed and maintained to contain spills and contaminated runoff; xi. bunds would be constructed around diesel storage tanks; xii. fire fighting equipment would be provided and personnel trained in fire fighting and evacuation procedures; and xiii. emergency and incident management procedures would be developed (refer to *Chapter 32 Emergency and Incident Management).*	vi. During 2019, Patrick personnel involved with handling DG completed either the full 2-dy course or the 1-day refresher for the General Awareness & Maritime Function Specific (AMSA Accepted DG Training Course Amendment 38-18). vii. Patrick uses quay cranes, auto straddles and reach stackers with spreaders which lift containers from the top. Quay cranes and reach stackers have automated and manual systems to prevent containers from uncontrolled falls/drops; Auto Straddles have automated systems to prevent containers from uncontrolled falls/drops. viii. Patrick's operations are designed to minimise double handling. ix. Patrick utilises line marking, signage and fish-eye mirrors around the terminal, and all terminal vehicles are fitted with flashing lights. x. Mobile plant is fitted with low tonal devices (quackers); and connecting alarms on Auto Strads have been disconnected and replaced with LED lights. xi. Patrick does not control the berthing of vessels this task is undertaken by the Pilot of Port Authority NSW and third-party tug and line service providers. xii. Patrick has installed Puraceptors, Gross Pollution Traps and drain wardens to contain spills and contaminated runoff; xiii. Bunding has been constructed around the above ground diesel storage tanks (trans-tanks); xiv. Fire Fighting equipment (i.e. fire extinguishers) is installed at the Patrick terminal and key workers trained in its use; and all workers inducted to the site evacuation procedures. xv. The initial Incident Management and Investigation Procedure formed Appendix I to the OEMP. The Emergency Response Plan (ERP) and Emergency Response Procedures (November 2015) have been developed and attached to the OEMP as Appendix N and approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones (DPE) to Mr Paul Jerogin (Lend Lease)). The current OEMP (version 2, 2019 and the ERP (version 12, 2019) are available on Patrick's website - http://www.patrick.com.au/environment-management	**Predicted**

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Chapter 29 - Bird Hazard			
29.3.3	**Operation**		
	Sealed surfaces often provide ideal roost sites for large numbers of birds especially Silver Gulls. Bitumen surfaces provide a warm surface for roosting and are particularly attractive where areas are not subject to regular disturbance. These undisturbed open spaces have the potential to attract significant numbers of birds to the site, thereby potentially increasing the risk of bird strike at Sydney Airport. Areas illuminated at night are also likely to attract birds, especially Silver Gulls, as they provide a secure roosting environment and attract insects which birds feed upon. The additional port land may provide large areas of suitable roosting habitat for the Silver Gull. Flat surfaces of buildings, such as roofs, may provide suitable places for Silver Gulls to roost. Openings and ledges may provide roosting and nesting habitat for Feral Pigeons, Common Starlings, Common Mynas and other bird species associated with buildings. The pavements and buildings associated with the new terminal have the potential to attract significant numbers of birds to the site, thereby potentially increasing the risk of bird strike at Sydney Airport. It is therefore important to initiate deterrent strategies.	The initial Bird Hazard Management Plan formed Appendix Q to the OEMP. The Plan was conditionally approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones (DPE) to Mr Paul Jerogin (Lend Lease)). Refer to the current OEMP (version 2, 2019), Section 6.9 - Bird Hazard Management Plan: http://www.patrick.com.au/environment-management.	**Predicted**
29.4	**Mitigation Measures**		
	A Bird Hazard Management Plan would be prepared for the construction and operation of the Port Botany Expansion to reduce the risk of increasing bird hazards arising from the proposal. The plan would be incorporated in the Construction and Operational EMP and would include: • measures to minimise the attraction of birds, especially high-risk species such as Silver Gulls, Australian Pelicans and Australian White Ibises; • use of deterrents to prevent the build-up of birds; • exclusion of activities that attract birds in certain areas; • measures to minimise disturbance of birds at Penrhyn Estuary; • education about bird hazards; and • monitoring.	Refer to 29.3.3 above	**Predicted**

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence 2019	Assessment Rating 2019
Chapter 30 - Operational Aviation Issues			
30.4.2	**Assessment of Impacts – Operation**		
	Air Space There would be no fixed or mobile structures in the new terminal that would intrude into the OLS. **Light Spill** It is anticipated that light spill from the Port Botany Expansion would not adversely impact operations at Sydney Airport due to the following lighting design measures: • **High masts** - lighting would be directed down to the intended application area with minimal light spill outside the area boundaries, by using asymmetric distribution horizontal flat glass floodlights, and would comply with CASA requirements • **Quay cranes** - lighting of shuttle boom quay cranes would be specified as downlight type to meet civil aviation regulations. Lighting elements for access/egress stairs and gangways would be mounted horizontal (no tilt) and have internal shielding of the lamps to ensure correct cut off. Obstruction lights would be placed on cranes to mark these in accordance with civil aviation regulations (CAR Regulation 95). • **Buildings and associated areas** – buildings and other external areas would be lit with floodlights that have a similar cut off lighting performance to those mounted on high masts. Internal building lighting would be similar to that used at the airport terminal and at the existing port facilities. Therefore, these areas would have a negligible impact on operations at Sydney Airport. • **Roads** – cut off type road lighting and low level lighting elements would be used wherever possible to minimise light spill.	Maximum height of the Patrick quay cranes of 107.1 m as per 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. Patrick's terminal lighting has been designed and installed to comply with the requirements of the Development Consent (see Development Consent clauses C2.23 and C2.24 above) Quay Cranes are fitted with obstruction lights which operate on a 24/7 basis. The terminal (including the buildings and roads) utilises energy efficient lighting, and the windows of the new buildings are tinted. .	**Predicted**

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence 2019	Assessment Rating 2019
Chapter 30 - Operational Aviation Issues			
30.5.2	**Mitigation Measures – Light Spill**		
	• lighting on board ships whilst berthed to be provided primarily by the shuttle boom quay cranes with supplementary lighting on board only being provided where necessary; • ships to be berthed facing a specific direction (e.g. north or south) and to only use floodlights mounted on the bridge. The appropriateness of this option could be tested by CASA through a fly-over of the existing Brotherson Dock; and • provide restrictive temporary shielding to any permanent ship mounted floodlights whilst the ship was docked.	Maritime Order 32 Schedule 1 (2) lighting requires adequate lighting during loading or unloading activities. Routinely vessels will be loaded/unloaded at night and require sufficient lighting to undertake the operations. When vessels are not under stevedore operations, the Quay Crane lights (except the beacon lights) will be switched off in order to minimise the light glare or distraction to aeroplane pilots.	**Predicted**
Chapter 32 - Emergency and Incident Management			
32.1	**Introduction**		
	The future operator(s) of the new terminal, with advice from Sydney Ports Corporation, would prepare an ERIMP to manage these potential emergencies prior to the new terminal commencing operations. The purpose of the ERIMP would be to provide an organised and practised response to incidents and emergency situations to protect employees, the public and the environment.	The initial Incident Management and Investigation Procedure formed Appendix I to the OEMP. The Emergency Response Plan (ERP) and Emergency Response Procedures (November 2015) have been developed and attached to the OEMP as Appendix N and approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones (DPE) to Mr Paul Jerogin (Lend Lease)). The current OEMP (version 2, 2019 and the ERP (version 12, 2019) are available on Patrick's website - http://www.patrick.com.au/environment-management	**Predicted**

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence 2019	Assessment Rating 2019
Chapter 32 - Emergency and Incident Management			
32.2.4	**Specific Sub-Plans**		
	Spill Containment and Management The proposed new terminal would be equipped with emergency response equipment typically comprising absorbent materials, absorbent pads to block drainage points and protective equipment consisting of gloves, rubber boots, eye protection etc.	**Spill Kits** are situated in key locations around the terminal including the Maintenance Workshop. **Spill Container** - containing additional absorbent materials, PPE and spill cleaning equipment is located near the entrance to the quay line, accessible to maintenance and operations staff in an emergency. Maintenance's Break Down Truck is equipped with a spill kit. Spill kits are located in designated locations on site including the Maintenance workshop, refuelling bays and diesel storage tank-tainers. **Spill Trailer** - located in a central position on the quay line with a Mafi ITV attached, from this location the spill trailer can be more easily deployed to either ends of the 1400 m quay line to the affected container.	**Predicted**
Chapter 33 - Water and Wastewater			
33.2	**Water Usage**		
33.2.1	**Operation** Water used for operational activities that do not require potable water, would be sourced from treated surface water runoff stored in two 10,000 L tanks at the northern end of the new terminal. Operational reuse of this water would include maintenance activities, wash down and irrigation.	Patrick has installed water collection and storage tanks: • 2 x 10,000 litre tanks alongside the Maintenance Workshop; and • 2 x 10,000 litre tanks alongside Tower/Administration building. At both locations, the stored water is used for the single purpose to flush toilets/urinals.	**Predicted**

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence 2019	Assessment Rating 2019
Chapter 33 - Water and Wastewater			
33.3	**Wastewater**		
33.3.2	**Operation** All trade waste generated during the operation of the new terminal would discharge to the Sydney Water Corporation sewerage system under a Trade Waste Agreement. The Trade Waste Agreement would determine the level of treatment required prior to discharge. All areas where wash down or maintenance activities are to be undertaken would be bunded and provided with sump pits, grit traps and oil/water separators. This would also be the case for any additional bunded storage areas, such as those used for refuelling and fuel storage. Water collected in these areas would be tested and disposed to the sewerage system, or if unsuitable for disposal to sewer would be disposed offsite by a licensed waste disposal contractor.	Sydney Waters Consent to Discharge Industrial Trade Wastewater (No. 24990) was issued to Patrick on 24 June 2015. Two wash bays are located within a roofed and bunded area within the Maintenance Workshop. A single wash bay is in operation whereby wastewater is collected in a pit with a separator unit for oil/water, pumped to the Auto Batch Unit and passed through filter aid material to trade waste. The second wash bay is not connected to the trade waste and therefore not used. Routine monitoring and testing is carried out by a 3rd party and the results reported to Sydney Water and Patrick.	**Predicted**
33.5	**Water and Wastewater Management**		
33.5	The following mitigation measures would be adopted for the proposed Port Botany Expansion: • water use and wastewater discharge at the site would be subject to a Water Resources Management Plan (WRMP), which would form part of the construction and operational EMPs. These plans would include water minimisation strategies as well as monitoring and testing schedules for wastewater as required; • clean, treated stormwater would be collected in two 10,000 L water storage tanks at the northern end of the new terminal to allow reuse for maintenance, wash down and irrigation; • dual flushing toilets, minimal flow shower heads and regular maintenance to identify leaking or dripping taps and pipes would be implemented during construction and operation; • monitoring and testing would be undertaken prior to discharge of treated wastewater, to ensure compliance with the site Trade Waste Agreement.	Patrick has installed 10,000 litre water collection and storage: • 2 x tanks alongside the Maintenance Workshop; and • 2 x tanks adjacent to the Tower/Administration building. At both locations, the stored water is used for the single purpose to flush toilets / urinals. Dual-flushing toilets and minimal flow shower heads have been installed. Any leaking or dripping taps and pipes is repaired as soon as they have been identified. Monitoring and testing is in line with Sydney Water's Consent to Discharge Industrial Trade Wastewater (Ref No: 24990, 24 June 2015). The OEMP does not include a Water Resources Management Plan (WRMP).	**Partially Predicted**

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence 2019	Assessment Rating 2019
Chapter 34 - Waste			
34.4	**Waste Management and Disposal**		
34.4.2	**Operational Waste** An Operational WMP would be developed and implemented for the new terminal in accordance with the requirements of the *Waste Avoidance and Resource Recovery Act* 2001, the *Protection of the Environment Operations Act* 1997, the EPA's *Environmental Guidelines: Assessment, Classification & Management of Liquid & Non-Liquid Wastes* (1999), the *Botany Bay DCP 29* and the *National Minimisation and Recycling Strategy.* The plan would be incorporated into the Operational EMP for the terminal. **Domestic Waste** Recycling facilities would be provided at the new terminal and in public recreation areas to maximise recycling of waste materials such as plastic and glass bottles/containers, aluminium cans and paper/cardboard. Separate bins would be provided for food waste and fish remains from fish cleaning facilities in the public recreation area. All domestic waste would be collected on a regular basis and transported off site for disposal to a licensed landfill or recycling facility as appropriate. Litter bins would be designed in accordance with the bird hazard guidelines. **Maintenance Material** Waste oils and fluids from maintenance activities may be classified under the POEO Act as being Hazardous, Industrial or Group A Waste. The management of these substances may need to be regulated by an EPA Environment Protection Licence which would be obtained by the terminal operator(s). It is expected that these materials would be collected and stored in proprietary facilities and either be reused onsite or removed by a licensed waste contractor. Scrap metal, used parts, components and machinery would be recycled where practicable.	**Operational Waste** The initial Waste Management Plan (WMP) formed Appendix G to the OEMP was approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones (DPE) to Mr Paul Jerogin (Lend Lease)). Patrick has an Environmental Protection Licence (EPL 6962) for Chemical Storage. Refer to OEMP (version 2, 2019), Section 6.4 – Waste and Wastewater Management Plan on Patrick's website - http://www.patrick.com.au/environment-management. **Domestic Waste -** Paper and cardboard are placed in the appropriate recycling bins and collected by Veolia Environmental Services. All domestic waste is collected on a regular basis and transported off site for disposal to a licensed landfill. **Maintenance Material -** Waste oil and fluids collected in the plant wash-down area in the Maintenance Workshop are removed– oily rags, waste oil and fluids are pumped out from the collection units as required and transported by Cleanaway to an appropriate licenced liquid waste treatment facility, and recycled were possible. Scrap metal, used parts, components and machinery are recycled where practicable. **Hazardous Waste Transport -** Hazardous waste is removed from site using licensed contractors with the applicable waste transport certificates maintained. Environmental inspections are routinely carried out at least on a quarterly basis, waste storage areas are part of the inspection. The volume and type of waste generated and removed from the site is recorded in the terminal's Waste Register.	**Predicted**

<table>
<tr><th>Section</th><th>PBE Environment Impact Statement - Prediction / Conclusion</th><th>Environmental Impact Assessment / Evidence 2019</th><th>Assessment Rating 2019</th></tr>
<tr><td colspan="4">Chapter 35 - Energy</td></tr>
<tr><td>35.3</td><td colspan="3">Operational Phase</td></tr>
<tr><td></td><td>The estimated annual energy consumption over the operational life of the project is presented in Table 35.2:
<table>
<tr><th></th><th>2010</th><th>2015</th><th>2020</th><th>2025</th></tr>
<tr><td>Projected Throughput (TEUs)</td><td>320,000</td><td>800,000</td><td>1,000,000</td><td>1,200,000</td></tr>
<tr><td>Estimated consumption of electricity (MWh)</td><td>10,000</td><td>17,000</td><td>21,000</td><td>25,000</td></tr>
<tr><td>Estimated consumption of diesel fuel (litres)</td><td>1,462,400</td><td>3,656,000</td><td>4,570,000</td><td>5,484,000</td></tr>
</table></td><td>For the period 1 January to 31 December 2019, the:
actual electricity consumption: 15,219,000 MW-hr
actual diesel fuel consumption: 5,207,265 L
actual gas fuel consumption: 1911 L
Note: Auto Straddles are slower and use more fuel than the former fleet of manually operated straddles. They also take longer routes to move containers around the yard hence utilising more fuel due to greater engine hours.</td><td>Predicted</td></tr>
<tr><td>35.4</td><td colspan="3">Energy Conservation and Management</td></tr>
<tr><td></td><td>A key component of achieving energy conservation would be the development of an Energy Management Action Plan. This plan would be included as part of the Construction and Operational EMPs.</td><td>Energy Management Plan was included as part of the Construction EMP.</td><td>Predicted</td></tr>
<tr><td>35.4.2</td><td>Operational Phase
The following mitigation measures would be implemented during site operations and would be detailed in the Operational EMP to achieve energy efficiencies:
Energy Efficient Design
Energy Efficient Equipment
Energy Efficient Work Scheduling and Practice</td><td>Patrick has installed energy efficient systems in new buildings including low energy lighting, climate control air-conditioning with sensors in zones on each floor. External walls in the Tower/Administration and Maintenance Buildings are predominately fitted with large glass windows allowing additional light into the buildings (these glass windows are fitted with blinds and block-out blinds to control heat and light).

The Auto Straddles are powered using diesel and electricity and replaced manually operated straddles which were solely fuelled by diesel.</td><td>Predicted</td></tr>
</table>

Appendix D: Environment Protection and Biodiversity Conservation Act 1999

Table D.1 - Assessment Predicted Ratings and Compliance with EPBC 2002/543

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

Table D.2 - EPBC 2002/543, Annexure 1 (3 January 2006) Audit Checklist - Predictions and Conclusions

Annexure 1 Item	EPBC - Approval Requirement	Evidence 2019	Assessment Rating 2019
1	The person taking the action must construct the port expansion involving the creation of the four additional shipping berths, the provision of road, rail and terminal infrastructure and the enhancement of public and ecologically significant areas, in accordance with the site plan shown at ANNEXURE 2 of this approval.	NSW Ports received a letter (4 February 2016) from the DPE stating the Post-Construction Completion Compliance Report for the Knuckle and Ramp D (dated 15 December 2015) was satisfactory.	**Compliant**
2	Prior to the commencement of construction, the person taking the action must inform the Minister how radar and air navigation issues associated with the port expansion has have been resolved to the satisfaction of Airservices Australia.	Not relevant to Patrick's operations. Sydney Port Corporation (SPC) Audit Reports indicate that SPC received information from Department of Environment, Water, Heritage and the Arts (DEWHA – dated 2 July 2007) that this condition has been satisfactorily addressed.	**Compliant**

Annexure 1 Item	EPBC - Approval Requirement	Evidence 2019	Assessment Rating 2019
3	The person taking the action must be prepare and submit for the Minister's approval a habitat enhancement plan for Penrhyn Estuary to manage impacts on listed migratory bird species during the construction and operation of the new port facilities at Port Botany. The plan must address the matters listed below and state the environmental objectives, performance criteria, monitoring, reporting, corrective action, responsibility and timing for each of these matters: a) A detailed description of habitat enhancement works including methodology and staging of works; b) Habitat management and maintenance measures; c) A habitat monitoring programme; d) Measures to detect and respond to issues identified in the habitat monitoring programme; and e) Reporting requirements that include protocols to inform the Minister of relevant issues, milestones, and the results of surveys and studies. The action must not commence until the plan has been approved. The approved plan must be implemented.	Penrhyn Estuary Habitat Enhancement Plan (PEHEP), March 2007, was implemented by Sydney Ports Corporation prior to the construction of "the Knuckle" (Port Botany Expansion) at Patrick's Terminal. Ongoing monitoring and reporting in accordance with the PEHEP (March 2007) can be found on the Port Authority of New South Wales (formerly SPC) website: https://www.portauthoritynsw.com.au/sustainability-and-environment/penrhyn-estuary-rehabilitation/	**Compliant**
4	Should the person taking the action wish to amend or change the habitat enhancement plan approved under paragraph 3, a revised version of the plan must be submitted to the Minister for approval. If the Minister approves such a revised plan, the plan must be implemented in place of the plan as originally approved.	Not relevant to Patrick operations – no revisions have been made by NSW Ports to the initial PEHEP, the same revision is available (March 2007).	**Compliant**
5	If the Minister believes that it is necessary or desirable for the better protection of the environment to do so, the Minister may request the person taking the action to make specified revisions to a plan or plans approved pursuant to paragraphs 3 or 4, and to submit the revised plan for the Minister's approval. The person taking the action must comply with any such request. If the Minister approves a revised plan pursuant to this condition, the person taking the action must implement that plan instead of the plan as originally approved.	Patrick has not received any request from the Minister to make any revisions to the plans.	**Compliant**

Annexure 1 Item	EPBC - Approval Requirement	Evidence 2019	Assessment Rating 2019
6	The habitat enhancement plan required under paragraph 3 must be reviewed and resubmitted to the Minister for approval every five years or as otherwise agreed by the Minister. The resubmitted plan must incorporate the relevant results of the independent audit report required under paragraph 7.	Not relevant to Patrick operations – the PEHEP was implemented by SPC in March 2007 and is available on the Port Authority of New South Wales website at the time of this report. https://www.portauthoritynsw.com.au/sustainability-and-environment/penrhyn-estuary-rehabilitation/	Compliant
7	After construction of the new port facilities at Port Botany has been completed, and every five years thereafter or as otherwise agreed by the Minister, the person taking the action must ensure that an independent audit of compliance with the conditions of approval for the new port facilities at Port Botany, and the effectiveness of measures to mitigate impacts on listed migratory bird species, is carried out. The independent auditor must be accredited by the Quality Society of Australasia, or such other similar body as the Minister may notify in writing. The audit criteria must be agreed by the Minister within six months of the fifth anniversary of completion of construction of the new port facilities at Port Botany, and within 6-months of every 5th anniversary thereafter.	For compliance purposes Patrick's site was deemed operation as of 4 February 2016 and as such this condition will be required to be enacted every five years after construction i.e. 2020/2021.	Compliant
8	By 1 July of each year after the date of this approval or otherwise agreed by the Minister, the Chief Executive Officer of Sydney Ports Corporation must provide written certification that Sydney Ports Corporation has complied with the conditions of this approval.	Responsibility of NSW Ports | Port Authority NSW.	Not Applicable
9	If, at any time after 5 years from the date of this approval, the Minister notifies Sydney Ports Corporation in writing that the Minister is not satisfied that there has been substantial commencement of construction of the action, construction of the action must not thereafter be commenced.	Not relevant to Patrick's operations. The approval was issued to the then Sydney Port Corporation (SPC) on 3 January 2006 and construction of the Port Botany Expansion project commenced in May 2008 (i.e. within the 5-year time frame).	Not Applicable

Appendix E: Environmental Protection Licence – EPL 6962

Table E.1 - EPL, Assessment Rating

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

Table E.2 - EPL 6962 (date 13 June 2017)

<table>
<tr><th>Condition No.</th><th>EPL 6962 Conditions - Detail</th><th>Evidence 2019</th><th>Assessment Rating 2019</th></tr>
<tr><td>1</td><td colspan="3">Administrative Conditions</td></tr>
<tr><td>A1</td><td colspan="3">What the licence authorises and regulates</td></tr>
<tr><td>A1.1</td><td>This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation. Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.
<table>
<tr><th>Schedule Activity</th><th>Fee Based Activity</th><th>Scale</th></tr>
<tr><td>Chemical Storage</td><td>General chemicals storage</td><td>0-5000 kL storage capacity</td></tr>
<tr><td>Waste storage</td><td>Waste storage – hazardous, restricted solid, liquid, clinical and related waste and asbestos waste</td><td>Any listed waste type stored</td></tr>
<tr><td>Waste storage</td><td>Waste storage – other types of waste</td><td>Any other types of waste stored</td></tr>
</table></td><td>Noted.</td><td>Compliant</td></tr>
<tr><td>A2.2</td><td>The licence applies to the following premises:
Patrick Port Botany Container Terminal, Penrhyn Road, Randwick NSW 2031
(LOT 202 DP 1183399, LOT 203 DP 1183399)</td><td>Noted.</td><td>Compliant</td></tr>
</table>

Condition No.	EPL 6962 Conditions - Detail		Evidence 2019	Assessment Rating 2019
A3	**Other activities**			
A3.1	This licence applies to all other activities carried on at the premises, including: • Ancillary Activities: Shipping Facilities		Noted.	**Compliant**
A4	**Information supplied to the EPA**			
A4.1	Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence. In this condition the reference to "the licence application" includes a reference to: a) the applications for any licences (including former pollution control approvals) which this licence replaces under the *Protection of the Environment Operations (Savings and Transitional) Regulation 1998*; and b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.		Noted.	**Compliant**
2	**Discharges to Air and Water and Applicable Land**			
P1	**Location of monitoring / discharge points and areas**			
P1.1	The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.		Nil table provided in P1.1.	**Not Applicable**
3	**Limit Conditions**			
L1	**Pollution of waters**			
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.*	In 2019 there were 98 'environmental' related events, of which 8 were reported to regulatory agencies as Patrick was uncertain at the time which (if any) were going to eventuate into an incident. The remaining events were contained within the terminal area and cleaned up without any discharge to the environment and have been classified as 'near miss - environmental'. **Finding:** One of these was classified as a minor water pollution incident: On the 12 July 2019, a minor leak occurred at Berth 8 (covered by DA 453). Patrick self-reported the incident to the EPA's Pollution Incident Call Line (Ref. C09574-2019) the same afternoon. It was unclear if any of the oil had left the terminal and entered the bay, as a precaution, absorbent booms were placed into the waters, when removed there was some residual oil adhering to the absorbent material. The actual quantity was difficult to determine. A written report was sent to the EPA, DPIE and NSW Ports on the 19 July 2019. On the 12 December 2019 NSW EPA issued a formal warning stating Patrick had not reported the incident immediately. *(Refer to Table 1.3 and Section 11)*		**Non-Compliant**

<table>
<tr><th>Condition No.</th><th>EPL 6962 Conditions - Detail</th><th>Evidence 2019</th><th>Assessment Rating 2019</th></tr>
<tr><td>L2</td><td colspan="3">Waste</td></tr>
<tr><td>L2.1</td><td>The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled “Waste” and meeting the definition, if any, in the column titled “Description” in the table below.

Any waste received at the premises must only be used for the activities referred to in relation to that waste in the column titled “Activity” in the table below. Any waste received at the premises is subject to those limits or conditions, if any, referred to in relation to that waste contained in the column titled “Other Limits” in the table below. This condition does not limit any other conditions in this licence.
<table>
<tr><th>Code</th><th>Waste</th><th>Description</th><th>Activity</th><th>Other Limits</th></tr>
<tr><td>NA</td><td>Any waste type over the threshold of Schedule 1 pf the POEO Act that is not otherwise listed in this table</td><td></td><td>Waste storage</td><td></td></tr>
<tr><td>NA</td><td>General or Specific exempted waste</td><td>Waste that meets all the conditions of a resource recovery exemption under Clause 92 of the Protection of the Environment Operations (Waste) Regulation 2014</td><td>As specified in each particular resource recovery exemption</td><td>NA</td></tr>
<tr><td>NA</td><td>Waste</td><td>Any waste received on site that is below licensing thresholds in Schedule 1 of the Protection of the Environment Operations Act 1997, as in force from time to time</td><td>-</td><td>NA</td></tr>
</table></td><td>Containers received on the terminal, may include hazardous waste cargo which will be managed on a case by case basis.

In the event of waste being received - Patrick and the Owner of the waste (or their shipping agent) shall separately approach the Port Authority NSW and NSW Ports and seek approval for the storage and shipment of the designated waste.

When the shipping line has approval from the Port Authority NSW to use a specific vessel to carry the waste, and Patrick has approval to store the waste on the terminal and load the approved vessel. The Port Authority NSW shall liaise with the Police and FRNSW Hazmat to cover off any specific community related issues.

Once approvals have been received (via email), the shipping line / agent will work with Patrick to make arrangements for the waste to be received into the terminal and loaded onto the designated vessel within the agreed dwell times etc.</td><td>Complaint</td></tr>
</table>

Condition No.	EPL 6962 Conditions - Detail	Evidence 2019	Assessment Rating 2019
L2.2	Waste must not be stored on the premises in quantities exceeding any licensing threshold under Schedule 1 of the *Protection of the Environment Operations Act 1997*, except for the purposes of transfer through the premises' shipping facilities.	Noted.	Complaint
L2.3	If any waste in quantities above licensing thresholds listed under Schedule 1 of the *Protection of the Environment Operations Act 1997* is (a) predicted to be stored on the premises for more than 7 days, or (b) has been stored on the premises for more than 7 days; then The licensee mist provide a written notification to the EPA that includes the following information, where available: 1) the dangerous goods class and NSW waste classification of the waste that is the subject of the notification; 2) the total quantity of the waste; 3) details of why the waste has been or is predicted to be stored on the premises for more than 7 days; 4) details of when the waste is expected to be removed from the premises; and 5) how the environmental risks associated with storage of the waste will be managed by the licensee.	Noted.	Compliant
L2.4	a) A notification for the purposes of complying with Condition L2.3 must be made within 48 hours of the licensee becoming aware of L2.3 (a) or (b). b) Notifications must be provided to the EPA via email at metro.regulation@epa,nsw.gov.au Note: The export, transit and import of hazardous wastes (as defined under the Hazardous Waste (Regulations of Exports and Imports) Act 1989) is subject to regulation by the Commonwealth Government. For further information, please see the Commonwealth Government's website at: https://www.environment.gov.au/protection/hazardous-waste	Noted.	Compliant

<table>
<tr><th>Condition No.</th><th>EPL 6962 Conditions - Detail</th><th>Evidence 2019</th><th>Assessment Rating 2019</th></tr>
<tr><td>3</td><td colspan="3">Limit Conditions</td></tr>
<tr><td>L3</td><td colspan="3">Noise Limits</td></tr>
<tr><td>L3.1</td><td>Noise from the premises must not exceed the noise limits presented in the Table below. Note the limits represent the noise contribution at the nominated receiver locations in the table.
<table>
<tr><th rowspan="2">Most affected residential Location</th><th>Day</th><th>Evening</th><th colspan="2">Night</th></tr>
<tr><th>L_{Aeq} (15 min)</th><th>L_{Aeq} (15 min)</th><th>L_{Aeq} (15 min)</th><th>L_{Aeq}, 9hrs</th></tr>
<tr><td>Chelmsford Av</td><td>40</td><td>40</td><td>40</td><td>38</td></tr>
<tr><td>Dent St</td><td>45</td><td>43</td><td>43</td><td>43</td></tr>
<tr><td>Jennings St</td><td>36</td><td>36</td><td>36</td><td>35</td></tr>
<tr><td>Botany Rd (North of golf club)</td><td>47</td><td>43</td><td>43</td><td>45</td></tr>
<tr><td>Australia Av</td><td>35</td><td>35</td><td>35</td><td>35</td></tr>
<tr><td>Military Rd</td><td>42</td><td>42</td><td>42</td><td>40</td></tr>
</table>
L_{Aeq} = equivalent continuous (energy average) A-weighted sound pressure level</td><td>Bi-annual noise monitoring was conducted six-monthly by Rodney Stevens Acoustics in May 2019 and November 2019, the results are summarised below:
<table>
<tr><th rowspan="2">Location</th><th rowspan="2">Report Date</th><th>Day</th><th>Evening</th><th colspan="2">Night</th></tr>
<tr><th>L_{Aeq} (15 min)</th><th>L_{Aeq} (15 min)</th><th>L_{Aeq} (15 min)</th><th>L_{Aeq} 9hrs</th></tr>
<tr><td rowspan="3">Chelmsford Av</td><td>Limit</td><td>40</td><td>40</td><td>40</td><td>38</td></tr>
<tr><td>May 2019</td><td>54 Note 1</td><td>57 Note 1</td><td>56 Note 1</td><td>51.8 Note 1</td></tr>
<tr><td>Nov 2019</td><td>59 Note 1</td><td>53 Note 1</td><td>40 Note 1</td><td>44 Note 1</td></tr>
<tr><td rowspan="3">Dent St</td><td>Limit</td><td>45</td><td>43</td><td>43</td><td>43</td></tr>
<tr><td>May 2019</td><td>55 Note 1</td><td>53 Note 1</td><td>49 Note 1</td><td>51.9 Note 1</td></tr>
<tr><td>Nov 2019</td><td>54 Note 1</td><td>53 Note 1</td><td>43</td><td>47 Note 1</td></tr>
<tr><td rowspan="3">Jennings St</td><td>Limit</td><td>45</td><td>43</td><td>43</td><td>43</td></tr>
<tr><td>May 2019</td><td>60 Note 1</td><td>54 Note 1</td><td>48 Note 1</td><td>50.6 Note 1</td></tr>
<tr><td>Nov 2019</td><td>59 Note 1</td><td>54 Note 1</td><td>45 Note 1</td><td>59 Note 1</td></tr>
<tr><td rowspan="3">Botany Rd (North of golf club)</td><td>Limit</td><td>45</td><td>43</td><td>43</td><td>43</td></tr>
<tr><td>May 2019</td><td>52 Note 1</td><td>59 Note 1</td><td>57 Note 1</td><td>54.1 Note 1</td></tr>
<tr><td>Nov 2019</td><td>53 Note 1</td><td>55 Note 1</td><td>54 Note 1</td><td>60 Note 1</td></tr>
<tr><td rowspan="3">Australia Av</td><td>Limit</td><td>45</td><td>43</td><td>43</td><td>43</td></tr>
<tr><td>May 2019</td><td>54 Note 1</td><td>52 Note 1</td><td>50 Note 1</td><td>55.8 Note 4</td></tr>
<tr><td>Nov 2019</td><td>53 Note 1</td><td>52 Note 1</td><td>46 Note 1</td><td>56 Note 1</td></tr>
<tr><td rowspan="3">Military Rd</td><td>Limit</td><td>45</td><td>43</td><td>43</td><td>43</td></tr>
<tr><td>May 2019</td><td>55 Note 1</td><td>62 Note 1</td><td>60 Note 1</td><td>52.4 Note 1</td></tr>
<tr><td>Nov 2019</td><td>61 Note 1</td><td>60 Note 1</td><td>58 Note 1</td><td>71 Note 1</td></tr>
</table>
Note 1 – Refer to L3.2, there is difficulty attributing the noise emissions detected in the community having singularly come from Patrick's operations.</td><td>Compliant</td></tr>
</table>

<table>
<tr><th>Condition No.</th><th>EPL 6962 Conditions - Detail</th><th>Evidence 2019</th><th>Assessment Rating 2019</th></tr>
<tr><td>L3.2</td><td>Noise from the premises must not exceed the noise limits presented in the Table below. Note the limits represent the noise contribution at the nominated receiver locations in the table.

<table>
<tr><th>Most Affected Residential Location</th><th>Night
L_{A1} (1 minute)</th></tr>
<tr><td>Chelmsford Avenue</td><td>53</td></tr>
<tr><td>Dent Street</td><td>55</td></tr>
<tr><td>Jennings Street</td><td>55</td></tr>
<tr><td>Botany Road (North of golf club)</td><td>55</td></tr>
<tr><td>Australia Avenue</td><td>55</td></tr>
<tr><td>Military Road</td><td>55</td></tr>
</table>
L_{A1} = A-weighted sound pressure level exceeded for 1% of the time</td><td>The process for noise monitoring at the site is documented in the OEMP (version 2, 2019), Section 6.6 – Operational Noise Management Plan (ONMP) on Patrick's website - http://www.patrick.com.au/environment-management

Bi-annual noise monitoring is conducted six-monthly by Rodney Stevens Acoustics. Monitoring conducted in May 2019 and November 2019 identified some levels above the limits in L3.2. The noise emissions received at the designated locations have been estimated via calculation (worst case scenario is detailed below).

Patrick did not report a recorded exceedance in the EPA Annual Return 1 April 2018 to 31 March 2019, based on an email (20 July 2016) received from the EPA advising that Patrick was not deemed non-compliant based on the difficulty of attributing the detected noise emissions in the community as having singularly come from Patrick's operations.

<table>
<tr><th>Location</th><th>Report Date</th><th>Night
L_{A1}</th></tr>
<tr><td>Chelmsford Av</td><td>Limit</td><td>53</td></tr>
<tr><td></td><td>May 2019</td><td>65 Note 1</td></tr>
<tr><td></td><td>November 2019</td><td>44</td></tr>
<tr><td colspan="3"></td></tr>
<tr><td>Dent St</td><td>Limit</td><td>55</td></tr>
<tr><td></td><td>May 2019</td><td>55</td></tr>
<tr><td></td><td>November 2019</td><td>47</td></tr>
<tr><td colspan="3"></td></tr>
<tr><td>Jennings St</td><td>Limit</td><td>55</td></tr>
<tr><td></td><td>May 2019</td><td>58 Note 1</td></tr>
<tr><td></td><td>November 2019</td><td>59 Note 1</td></tr>
</table>
Continues next page</td><td>Compliant</td></tr>
</table>

<table>
<tr><th>Condition No.</th><th>EPL 6962 Conditions - Detail</th><th>Evidence 2019</th><th>Assessment Rating 2019</th></tr>
<tr><td>L3.2</td><td></td><td>Table continued from previous page
<table>
<tr><th>Location</th><th>Report Date</th><th>Night
L_{A1}</th></tr>
<tr><td rowspan="3">Botany Rd
(North of golf club)</td><td>Limit</td><td>55</td></tr>
<tr><td>May 2019</td><td>61 Note 3</td></tr>
<tr><td>November 2019</td><td>59 Note 1</td></tr>
<tr><td colspan="3"></td></tr>
<tr><td rowspan="3">Australia Av</td><td>Limit</td><td>55</td></tr>
<tr><td>May 2019</td><td>56 Note 1</td></tr>
<tr><td>November 2019</td><td>56 Note 1</td></tr>
<tr><td colspan="3"></td></tr>
<tr><td rowspan="3">Military Rd</td><td>Limit</td><td>55</td></tr>
<tr><td>May 2019</td><td>74 Note 1</td></tr>
<tr><td>November 2019</td><td>71 Note 1</td></tr>
</table>
Note 1 – Refer to L3.2, there is difficulty attributing the noise emissions detected in the community as having singularly come from Patrick's operations.</td><td>Compliant</td></tr>
<tr><td>L3.3</td><td>For the purposes of Conditions L3.1 and L3.2:
- 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 on any day.
- Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays.</td><td>Periods for Day, Evening and Night are defined in noise monitoring reports and align with periods required by this licence condition.

Noise monitoring reports (May 2019 and November 2019) are provided to the NSW EPA. Copies of the reports are available on Patrick's website: http://www.patrick.com.au/environment-monitoring-reporting</td><td>Compliant</td></tr>
</table>

Condition No.	EPL 6962 Conditions - Detail	Evidence 2019	Assessment Rating 2019
L3.4	For the purposes of Condition L3.1, noise from the premises must be measured or computed at the most affected point on or within the residential boundary.	Ambient noise monitoring is undertaken at the nearest potentially affected receivers in the vicinity of the site (i.e. Chelmsford Ave, Dent St, Jennings St, Botany Rd, Australia Ave, and Military Rd). Results from the unattended and attended noise monitoring are reported. Reference to this EPL condition is made in the 2019 bi-annual noise monitoring reports. Copies of the reports are available on the Patrick website: http://www.patrick.com.au/environment-monitoring-reporting	**Compliant**
L3.5	For the purposes of Condition L3.1, if a residential dwelling is located more than 30m from the residential boundary, noise from the premises must be measured or computed at the most affected point within 30m of the dwelling.	Reference to this EPL condition is made in the 2019 bi-annual noise monitoring reports. Copies of the reports are available on the Patrick website: http://www.patrick.com.au/environment-monitoring-reporting	**Compliant**
L3.6	Noise from the premises must be measured at 1m from the dwelling façade to determine compliance with the LA1 (1minute) noise limits at Condition L3.2.	Reference to this EPL condition is made in the 2019 bi-annual noise monitoring reports. A copy of the reports is available on the Patrick website: http://www.patrick.com.au/environment-monitoring-reporting	**Compliant**
L3.7	The noise limits specified at Condition L3.1 and L3.2 apply under the following meteorological conditions: a) wind speeds up to 3 m/s at 10 metres above ground level; and b) temperature inversion conditions of up to 1.5 degrees C/100m.	Bi-annual noise Monitoring Reports for May 2019 and November 2019 take into account the meteorological conditions including '1.5 degrees' in accordance with EPL Condition L3.7.	**Compliant**

Condition No.	EPL 6962 Conditions - Detail	Evidence 2019	Assessment Rating 2019
4	**Operating Conditions**		
O1	**Activities must be carried out in a competent manner**		
O1.1	Licensed activities must be carried out in a competent manner. This includes: a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.	The terminal's Landside Manager is responsible for implementing *Standard Operating Procedure - Storage & Handling of Hazardous/Dangerous Goods (PBT_OPS_SOP_04_03_v4)*. The DGs Unit ex the Port Authority of NSW conducts regular routine random inspections / audits. The process for collecting, storing and disposing of waste oil is: • There are 4 collection stations inside the Maintenance workshop – 2x located in the North Bay and 2x located at the South Bay. • The waste oil is pumped to designated 2 x 5,000L storage tanks located in the North and South. • An agreement is in place with 3rd party contractors (e.g. Cleanaway) to collect used oil filters and waste oil fortnightly at nil cost (copy of Collection Advice sighted). Waste oil is recycled as an energy source. Note: used rags are no longer collected due to contamination of waste stream. • Volumes of waste oil are not recorded by Patrick (invoices are kept by Purchasing Manager). • Designated bins are located in the Maintenance workshop for used oil filters.	**Compliant**
O2	**Maintenance of plant and equipment**		
O2.1	All plant and equipment installed at the premises or used in connection with the licensed activity: a) must be maintained in a proper and efficient condition; and b) must be operated in a proper and efficient manner.	Maintenance operates a preventative maintenance program which is scheduled and carried out using Maximo for all plant and equipment. Environmental protection equipment (e.g. drain wardens) are included.	**Compliant**

Condition No.	EPL 6962 Conditions - Detail	Evidence 2019	Assessment Rating 2019
O3	**Dust**		
O3.1	The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.	A street sweeper is utilised on site at least monthly and more often if needed. The majority of the site is sealed with concrete and bitumen, reducing the likelihood of dust generation and emissions. Control measures for dust are included in the OEMP (version 2, 2019), Section 6.1 – Air Quality Management Plan. Speed limits are set on the site to minimise the risk of dust generation within the Terminal.	**Compliant**
O4	**Processes and management**		
O4.1	The licensee must ensure that any liquid and/or non-liquid waste generated at the premises is assessed and classified in accordance with the EPA Waste Classification Guidelines as in force from time to time.	The process for waste classification and management is outlined in the current OEMP (version 2, 2019), Section 6.4 – Waste and Wastewater Management Plan. A Waste Register is maintained. Patrick uses the tax invoice provided by the licensed contractor to identify waste type (classification) and quantity. Patrick receives a copy of the Waste Transport Certificate with the invoice. Dockets from Veolia and Cleanaway (licenced waste contractors) are maintained on site. Patrick to confirm location and appropriate licensing of waste receiving facilities and obtain licenses for waste transporters to keep on file. Waste classified as J120 (waste oil/water, hydrocarbons) is generated via the wastewater treatment process in the Maintenance workshop.	**Compliant**
O4.2	The licensee must ensure that waste identified for recycling is stored separately from other waste.	Waste oil is recycled and stored separately from other waste in the maintenance department. A recycling program for paper/cardboard is in place at the terminal.	**Compliant**

Condition No.	EPL 6962 Conditions - Detail	Evidence 2019	Assessment Rating 2019
5	**Monitoring and Recording Conditions**		
M1	**Monitoring records**		
M1.1	The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.	Noise monitoring is the only monitoring required by the applicable EPL (13 June 2017). Compliance with noise monitoring has been addressed in Conditions L3.1 to L3.7 above.	**Compliant**
M1.2	All records required to be kept by this licence must be: a) in a legible form, or in a form that can readily be reduced to a legible form; b) kept for at least 4 years after the monitoring or event to which they relate took place; and c) produced in a legible form to any authorised officer of the EPA who asks to see them.	Monitoring records are maintained in report format provided by Rodney Stevens Acoustics. Noise monitoring reports are available on Patrick's website - http://www.patrick.com.au/environment-monitoring-reporting	**Compliant**
M1.3	The following records must be kept in respect of any samples required to be collected for the purposes of this licence: a) the date(s) on which the sample was taken; b) the time(s) at which the sample was collected; c) the point at which the sample was taken; and d) the name of the person who collected the sample.	Noise monitoring data is recorded by Rodney Stevens Acoustics. Noise Monitoring reports comply with this condition.	**Compliant**
M2	**Recording of pollution complaints**		
M2.1	The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.	The process for managing complaints is documented in the OEMP (version 2, 2019), Section 4.6 – Handling Environmental Related Public Inquires, Comments and Complaints. A Register for recording of complaints / feedback from the community has been included in this AEMR (2019), refer to Section 7 of this report (Public Comments, Inquiries & Complaints Register). A community feedback (complaints) report is issued each quarter and available on the Patrick's website - http://www.patrick.com.au/environment-monitoring-reporting	**Compliant**

Condition No.	EPL 6962 Conditions - Detail	Evidence 2019	Assessment Rating 2019
M2	**Recording of pollution complaints** *(Continued)*		
M2.2	The record must include details of the following: a) the date and time of the complaint; b) the method by which the complaint was made; c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect; d) the nature of the complaint; e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and f) if no action was taken by the licensee, the reasons why no action was taken.	As per M2.1 above.	**Compliant**
M2.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	The process for managing complaints is documented in the OEMP (version 2, 2019), Section 4.6 – Handling Environmental Related Public Inquires, Comments and Complaints, details the retention period for complaint records.	**Compliant**
M2.4	The record must be produced to any authorised officer of the EPA who asks to see them.	A community feedback (complaints) report is issued each quarter and available on the Patrick's website - http://www.patrick.com.au/environment-monitoring-reporting	**Compliant**
M3	**Telephone complaints line**		
M3.1	The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.	Patrick has a designated telephone number for reporting complaints i.e. (02) 9394 0308 which is diverted to a mobile phone ensuring 24 hours 7 days a week cover.	**Compliant**
M3.2	The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.	As per M3.1 above.	**Compliant**
M3.3	The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.	Noted.	**Compliant**

Condition No.	EPL 6962 Conditions - Detail	Evidence 2019	Assessment Rating 2019
6	**Reporting Conditions**		
R1	**Annual returns documents**		
R1.1	The licensee must complete and supply to the EPA an Annual Return in the approved form comprising: 1. a Statement of Compliance, 2. a Monitoring and Complaints Summary, 3. a Statement of Compliance – Licence Conditions, 4. a Statement of Compliance – Load based Fee, 5. a Statement of Compliance – Requirement to Prepare Pollution Incident Response Management Plan 6. a Statement of Compliance – Requirement to Publish Pollution Monitoring Data; and 7. a Statement of Compliance – Environmental Management Systems and Practices. At the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.	Annual Return documents are prepared and submitted to the EPA by the Patrick. Annual Returns include a Statement of Compliance and a Monitoring and Complaints Summary, as required by this condition (Ref: Annual Returns 2005/2006 to the present day).	**Compliant**
R1.2	An Annual Return must be prepared in respect of each reporting period, except as provided below.	The Annual Return for the period 1 April 2018 to 31 May 2019 was submitted via eConnect to the EPA on 8 May 2019 i.e. within the timeframe specified by this condition.	**Compliant**
R1.3	Where this licence is transferred from the licensee to a new licensee: a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.	Patrick continues to be the EPA Licensee. While the signatories have changed over time this does not affect compliance with this condition.	**Compliant**

Condition No.	EPL 6962 Conditions - Detail	Evidence 2019	Assessment Rating 2019
R1.4	Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on: a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.	Noted.	**Compliant**
R1.5	The Annual Return for the reporting period must be supplied to the EPA via *e*Connect *EPA* or by registered post no later than 60 days after the end of each reporting period or in the case of a transferring licence no later than 60 days after the date the transfer was granted (the 'due date').	Patrick lodged the 2018/19 Annual Return via eConnect EPA on the 8 May 2019, within the 60 days reporting period.	**Compliant**
R1.6	The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.	Patrick completes Annual Returns for the site and records dating from 2005/2006 are available on the Patrick computer drive.	**Compliant**
R1.7	Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by: a) the licence holder; or b) by a person approved in writing by the EPA to sign on behalf of the licence holder. Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period. Note: An application to transfer a licence must be made in the approved form for this purpose.	The Statement of Compliance was certified, and the Monitoring and Complaints Summary signed by the licence holder in the Annual Return for FY18/19 and reporting period 1 April 2018 to 31 May 2019.	**Compliant**
R2	**Notification of environmental harm**		
R2.1	Notifications must be made by telephoning the Environment Line service on 131 555.	Notifications to the EPA are made using the NSW EPA Pollution Incident Reporting Line – 13 15 55.	**Compliant**

Condition No.	EPL 6962 Conditions - Detail	Evidence 2019	Assessment Rating 2019
R2	**Notification of environmental harm** *(Continued)*		
R2.2	The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred. Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.	OEMP (version 2, 2019), Section 4.4 – Environmental Reporting sets out reporting requirements. The OEMP, and the Emergency Response Plan (ERP) (version 12, 2019) are available on Patrick's website: http://www.patrick.com.au/environment-management The terminal's escalation matrix directs the duty Shift Manager (deputy chief warden) to call the stevedoring manager (chief warden) immediately, The Stevedoring Manager will escalate the event to the Operations Manager, Safety Manager, and Environment Manager etc. The Environment (ESC) Manager will notify regulators of actual or potential environmental incidents / near misses with the potential to impact people and/or the environment. If safety related, Patrick's Safety Manager will notify the relevant regulator. In 2019 there were 98 'environmental' related events, of which 8 were reported to regulatory agencies as Patrick was uncertain at the time which (if any) were going to eventuate into an incident. One of these occurred on the 14 July 2019, at Berth 8 (covered by DA 453). Patrick self-reported the incident to the EPA's Pollution Incident Call Line (Ref. C09594-2019). A detailed written report was sent to the EPA, NSW Ports and DPIE. A formal warning letter (dated 12 December 2019) was received from the EPA on the 16 December 2019 – under Section 148 (2) of the NSW Protection of the Environment Operations Act 1997 given that 'several' hours had elapsed between the incident and the self-report to the EPA.	**Compliant**

Condition No.	EPL 6962 Conditions - Detail	Evidence 2019	Assessment Rating 2019
R3	**Written report**		
R3.1	Where an authorised officer of the EPA suspects on reasonable grounds that: a) where this licence applies to premises, an event has occurred at the premises; or b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.	Written reports have been provided to the NSW EPA either by Patrick or on request. • 12 July 2019, a minor leak occurred at Berth 8 (covered by DA 453). Patrick self-reported the incident to the EPA's Pollution Incident Call Line the same afternoon (Ref. C09574-2019). A written report was sent to the EPA, DPIE and NSW Ports on the 19 July 2019. • 14/15 July 2019, a potential threat to the environment incident occurred at Berth 8 (covered by DA 453). Patrick self-reported the incident to the EPA's Pollution Incident Call Line on the morning of the 15 July 20-19 (Ref. C09594-2019). A detailed written report was sent to the EPA, NSW Ports and DPIE on the 26 July 2019. A formal warning letter (dated 12 December 2019) was received from the EPA on the 16 December 2019 – under Section 148 (2) of the NSW Protection of the Environment Operations Act 1997 given that 'several' hours had elapsed between the incident and the self-report to the EPA.	**Compliant**

Condition No.	EPL 6962 Conditions - Detail	Evidence 2019	Assessment Rating 2019
R3.2	The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.	As per condition R3.1 above.	Compliant
R3.3	The request may require a report which includes any or all of the following information: a) the cause, time and duration of the event; b) the type, volume and concentration of every pollutant discharged as a result of the event; c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event; d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort; e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants; f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and g) any other relevant matters.	As per condition R3.1 above.	Compliant
R3.4	The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.	As per condition R3.1 above.	Compliant
7	**General Conditions**		
G1	**Copy of licence kept at the premises or plant**		
G1.1	A copy of this licence must be kept at the premises to which the licence applies.	A copy of EPL 6962 is available on the Patrick's intranet page and website: http://www.patrick.com.au/environment-monitoring-reporting	Compliant

<table>
<tr><th>Condition No.</th><th>EPL 6962 Conditions - Detail</th><th>Evidence 2019</th><th>Assessment Rating 2019</th></tr>
<tr><td>G1.2</td><td>The licence must be produced to any authorised officer of the EPA who asks to see it.</td><td>The licence is available on site as per Condition G1.1 above.</td><td>Compliant</td></tr>
<tr><td>G1.3</td><td>The licence must be available for inspection by any employee or agent of the licensee working at the premises.</td><td>As per condition G1.1 above.</td><td>Compliant</td></tr>
<tr><td>G2</td><td colspan="3">Other general conditions</td></tr>
<tr><td>G2.1</td><td>Completed Pollution Studies and Reduction Programs (PRPs)
<table>
<tr><th>PRP</th><th>Description</th><th>Completed Date</th></tr>
<tr><td>Submit detailed report proposing options and a pre</td><td>Submit to the EPA a detailed report proposing options and a preferred option to prevent pollution of waters from activities undertaken on the site.</td><td>15-Oct-01</td></tr>
<tr><td>Stormwater Risk Assessment</td><td>To identify any potential risks to stormwater or local marine receiving environments posed by operation of the premises and provide recommendations for addressing any such identified risks.</td><td>01-Apr-13</td></tr>
<tr><td>Stormwater Improvement Action Plan</td><td>Prepare a plan detailing the actions and timeframes that will be undertaken by the licensee to improve the quality of stormwater discharges to meet licence conditions.</td><td>23-May-13</td></tr>
<tr><td>Stormwater Improvement</td><td>Provide a report outlining the stormwater improvements undertaken by the licensee.</td><td>31-Dec-13</td></tr>
</table></td><td>The Pollution Studies and Reduction Programs listed in this licence condition relate to historic studies and programs which have been completed (e.g. wastewater treatment plant treating water from the maintenance forecourt, which has since been covered).

Details of the studies and programs have been previously submitted to the EPA.</td><td>Compliant</td></tr>
</table>

Condition No.	EPL 6962 Conditions - Detail	Evidence 2019	Assessment Rating 2019
8	**Special Conditions**		
E1	**Noise Monitoring and Compliance Reporting**		
E1.1	The licensee must undertake noise monitoring as follows: a) The noise monitoring must be undertaken within 6 months of the commencement of operations on the new extension - Lot 202, DP 1183399; and b) The noise monitoring must verify the assumptions and the noise limits as outlined in the Port Botany Container Terminal Expansion Noise Assessment (2003), part of the Environment Impact Assessment submitted in accordance with the Environmental Planning and Assessment Act 1979 for the approved container terminal development.	Noise Monitoring Reports (Rodney Stevens Acoustics) reference EPL Condition E1 (Page 6). Conditions E1.1 and E1.2 are also referenced in the noise monitoring report (Section 3 EPL (Noise)). The Port Botany Container Terminal Expansion Noise Assessment (2003) is also referenced in the Noise Monitoring Reports.	**Compliant**
E1.2	Every 6 months after the commencement of operations of the new extension - Lot 202, DP 1183399, the Licensee must undertake a periodic noise monitoring program consisting of the attended and unattended monitoring and provide a report within one month after the completion of the monitoring to the EPA's Manager, Sydney Industry at PO Box 668 Parramatta NSW 2124 containing the following information: a) Unattended monitoring data for a continuous period of no less than two weeks; b) Attended monitoring data during the period outlined in subsection (a); c) Monitoring data from locations specified in Conditions L3.1 and L3.2; d) An assessment of the noise levels against Condition L3 including trend analysis; and e) Details of any feasible and reasonable noise mitigation measures that have been or are proposed to be implemented further reduce noise levels below the limits prescribed in this licence.	Bi-annual noise monitoring reports (May 2019 and November 2019) were provided to the NSW EPA and are available on the Patrick website: http://www.patrick.com.au/environment-monitoring-reporting	**Compliant**

Appendix F: Consent to Discharge Industrial Trade Wastewater – No. 24990

Table F1: Trade Wastewater Consent, Assessment Rating

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

Table F2: Trade Waste Consent No. 24990 (Issued 24 June 2015)

No.	TW Consent 24990 Conditions - Detail	Evidence 2019	Assessment Rating 2019
	SCHEDULE 1 - Trade Wastewater which May be Discharged		
1	**Trade wastewater substances**		
	(a) The Customer may discharge trade wastewater into the sewer in a manner whereby the substance characteristics of the trade wastewater are of a type and discharged at a rate, level or concentration equal to or less than that described in this schedule. (b) The Customer must not discharge trade wastewater into the Sewer in a manner whereby the trade wastewater discharged; i. contains, possesses or produces a substance characteristic not provided in, or which may be determined as being contrary to that described in this schedule. ii. is at or of a rate, level, or concentration not provided in, or which may be determined as being contrary to, that described in this schedule. • BOD: LTADM: 15kg/day, MDM: 27kg/day (Standard: -) • Suspended Solids: LTADM: 1.4kg/day, MDM: 4.8kg/day (Standard: 600kg/day) • Grease: LTADM: 0.8kg/day, MDM: 3.5kg/day (Standard: 110kg/day) • Volatile Halocarbons: LTADM: 0.00265kg/day, MDM: 0.014kg/day (Standard: 1kg/day) • Petroleum Hydrocarbons (Flammable C6-C9): (Standard: 10kg/day)	For the management of trade waste at the site, refer to OEMP (version 2, 2019), Section 6.4 – Waste and Wastewater Management Plan on Patrick's website - http://www.patrick.com.au/environment-management. Chain of Custody (CoC) records from Eurofins are available. Samples were submitted for the analysis of the parameters required by the consent. Laboratory Certificates of Analysis area also available for review.	Compliant

No.	TW Consent 24990 Conditions - Detail	Evidence 2019	Assessment Rating 2019
	RECONCILIATION PROCEDURES: **LONG TERM AVERAGE DAILY MASS:** The Long Term Average Daily Mass is a 12 month arithmetic average of ALL daily mass discharges as calculated for each composite sample. The Daily Mass discharges is to be calculated for each of the above substances and checked against the Long Term Average Daily Mass (kg/day) on the basis of average concentrations of substances discharges (mg/L) over any 24 hour period as determined from composite samples, obtained by either the Customer (in accordance with Schedule 2) or Sydney Water, or a combination of sample results by both. This average concentration (mg/L) is to be multiplied by the total discharge (kL) as recorded by the Customer's discharge flow meter over the 24 hour period in order to calculate the Daily Mass of substances discharged (kg). Exceeding the Long Term Average Daily Mass does not constitute a Breach.	Eurofins ((Environmental Testing Australia Pty Ltd) reports the monitoring results directly to Sydney Water who calculates the rate of waste discharged which is then used by Sydney Water for billing purposes.	**Compliant**
	ACCEPTANCE STANDARD: The Composite Sample Concentration is to be determined for each of the above substances and checked against the above Acceptance Standard (mg/L) for each sample obtained. Exceeding the Acceptance Standard constitutes a breach and will also incur an increased Quality Charge as detailed in Schedule 3. The Discrete Sample Concentration is to be determined for each of the substances identified at Schedule 2, 2(b) and checked against the above Acceptance Standard (mg/L) for each sample obtained. Exceeding the Acceptance Standard constitutes a Breach.	Conducted by the Eurofins (approved by Sydney Water, engaged by Patrick to manage trade waste sampling, collection and testing etc) e.g. laboratory reports.	**Compliant**
	MAXIMIM DAILY MASS: The Daily Mass discharged is to be calculated for each of the above substances and checked against the above Maximum Daily Mass (kg/day) on the basis of average concentrations of substances discharged (mg/L) over any 24 hour period as determined from composite samples, obtained by either the Customer (in accordance with Schedule 2) or Sydney Water, or a combination of sample results by both. This average concentration (mg/L) is to be multiplied by the total discharge (kL) as recorded by the Customer's discharge flow meter over the 24 hour period in order to calculate the Daily Mass of substances discharged (kg). Exceeding the Maximum Daily Mass constitutes a Breach.	Eurofins reports the monitoring results directly to Sydney Water who calculates the rate of waste discharged which is then used by Sydney Water for billing purposes.	**Compliant**

<table>
<tr><th>No.</th><th>TW Consent 24990 Conditions - Detail</th><th>Evidence 2019</th><th>Assessment Rating 2019</th></tr>
<tr><td>2</td><td colspan="3">The trade wastewater discharge must at all times have the following properties</td></tr>
<tr><td></td><td><table>
<tr><td>Temperature:</td><td>Not to exceed 38 degrees Celsius</td></tr>
<tr><td>Colour:</td><td>Determined on a system specific basis</td></tr>
<tr><td>pH:</td><td>Within the range 7.0 -10.0</td></tr>
<tr><td>Fibrous material:</td><td>None which could cause an obstruction to Sydney Water’s sewerage system</td></tr>
<tr><td>Gross solids (other than faecal):</td><td>A maximum linear dimension of less than 20mm, a maximum cross section dimension of 6mm and a quiescent settling velocity of less than 3m/h</td></tr>
<tr><td>Flammability:</td><td>Where flammable and/or explosive substances may be present, Patrick must demonstrate that there is no possibility of explosions or fires occurring in the sewerage system, to the satisfaction of Sydney Water. The flammability of the discharge must never exceed 5% of the Lower Explosive Limit (LEL) at 25 degrees Celsius.</td></tr>
</table></td><td>Conducted by Eurofins (approved by Sydney Water, engaged by Patrick to manage trade waste sampling, collection and testing etc) e.g. laboratory reports.</td><td>Compliant</td></tr>
<tr><td>3</td><td colspan="3">Rate of discharge of waste to sewer:</td></tr>
<tr><td></td><td>(a) Instantaneous maximum rate of gravitated discharge 1.00 litres per second
(b) Maximum daily discharge 50.0 kilolitres
(c) Average daily discharge 23.0 kilolitres</td><td>Noted.</td><td>Compliant</td></tr>
<tr><td></td><td>RECONCILIATION PROCEDURE:
The data obtained by following the above procedures relating to trade wastewater is to be checked by the interface of a chart recorder to the flow metering equipment or by the installation of flow metering equipment by Sydney Water for a minimum of 7 days.</td><td>Noted.</td><td>Compliant</td></tr>
<tr><td></td><td colspan="3">SCHEDULE 2 – Sampling, Analysis, Flow Rates and Volume Determination</td></tr>
<tr><td>1</td><td colspan="3">The Customer must provide and make available for the purpose of sampling and analysis:</td></tr>
<tr><td></td><td>(a) Sampling point located at gauging pit/tank, incl. domestic sewage prior to the point of connection to the Sewer.
(b) Equipment necessary to allow collection of composite automatic samples on either a flow proportional or time basis.</td><td>Location of sampling point and automatic sampler as specified by Sydney Water.</td><td>Compliant</td></tr>
</table>

No.	TW Consent 24990 Conditions - Detail	Evidence 2019	Assessment Rating 2019
	SCHEDULE 2 – Sampling, Analysis, Flow Rates and Volume Determination		
2	**The Customer is to undertake collection and analysis of samples in accordance with the schedule detailed below:**		
	(a) Composite samples are to be obtained: i. over one full production day by combining equal volumes taken at 1 kL intervals. The volumes are to be such that at least 5,000mL are obtained over the full day. The reading of the Flowmeter is to be obtained at the commencement and conclusion of the sampling day. ii. On 27 August 2015 and every 60 days thereafter, if trade wastewater is not discharged on this day, then the sample is to be taken on the next day that trade wastewater is discharged. Trade wastewater includes all non-domestic wastewater discharged to sewer from the premises, including cleaning waste.	Eurofins obtains and collects the composite samples on behalf of Patrick and arranges laboratory testing.	**Compliant**
	(b) Discrete samples are to be obtained as detailed below, and analysed according to the procedures and methods specified in Sydney Water's published analytical methods, to determine the concentrations or levels of the following substance characteristics: • pH: at the start and finish of each sample day • Petroleum Hydrocarbons (Flammable C6-C9): at the finish of each sample day • Volatile Hydrocarbons: at the finish of each sample day	Eurofins obtains discrete samples on behalf of Patrick and arranges laboratory testing.	**Compliant**
	(c) Composite samples are to be analysed according to the procedures and methods specified in Sydney Water's published analytical methods, or methods otherwise agreed to and detailed hereunder, to determine the concentration or levels of the following substance characteristics: • Biological Oxygen Demand (BOD) • Suspended Solids (SS) • Grease • Volatile Hydrocarbons.	Eurofins obtains discrete samples on behalf of Patrick and arranges laboratory testing.	**Compliant**
	(d) The Customer, or the laboratory contracted by the customer, is to submit results of analyses to Sydney Water within 21 days from the date the sample was taken. All analysis results are to be submitted on the sample analysis report provided as appendices 1 and 2 to this Consent OR in such format as may be specified from time to time by Sydney Water.	Eurofins sends a copy of the results directly to Sydney Water, and Patrick.	**Compliant**

No.	TW Consent 24990 Conditions - Detail	Evidence 2019	Assessment Rating 2019
	(e) All data requested on the sample analysis report must be provided.	Eurofins monitoring results report includes data requested by Sydney Water's Trade Waste Consent.	Compliant
	(f) Sydney Water must be notified in writing within 7 days of: i. any failure to obtain samples in accordance with the provisions of Schedule 2; or ii. any loss of any analytical data. Where data is unavailable, lost or not provided, the Quality Charge, as detailed in Schedule 3, will be assessed on the basis of the highest Composite Sample concentration recorded in the 12 months prior to the date of the missing sample data.	Eurofins reports directly to Sydney Water any failure to obtain samples or loss of any analytical data.	Compliant
3	**Volume of Wastewater Discharged, Flow Metering System**		
	The volume of wastewater discharged must be obtained from the reading of the total flow on the Customer's flow metering system. The rate of waste discharged is to be obtained by the reading of the instantaneous flow rate indicator on the Customer's flow metering system, or from any chart recorder interfaced to the Customer's flow metering system.	Eurofins reports the sampling details and monitoring results directly to Sydney Water who calculates the rate of waste discharged which is then used by Sydney Water for billing purposes.	Compliant
	The flow metering system is to be calibrated at least annually at the Customer's expense, by a person or company approved by Sydney Water and a copy of the calibration certificates supplied to Sydney Water within one month of such certificate being received by the Customer.	The flow meter system is scheduled for annual calibration in the Engineering & Maintenance scheduling system, Maximo.	Compliant
	If the Customer's flow metering system fails to record data for any period, Sydney Water is to be advised in writing by the Customer within 7 days of any such failure becoming known by the Customer. An estimate of any data not recorded is to be made as follows: Average of the waste discharges, registered for the four weeks before and/or after the failure to record.	In the instance equipment fails, Patrick will report (within 7 days) the failure to Sydney Water and arrangements are made for additional sampling as required.	Compliant
	SCHEDULE 3 - Payments		
	Nil conditions	Noted	Compliant

No.	TW Consent 24990 Conditions - Detail	Evidence 2019	Assessment Rating 2019
	SCHEDULE 4 – Additional Requirements		
1	**Effluent Improvement Program**		
	N/A	Noted	Not Applicable
2	**Waste Management Program**		
	The existing pre-treatment will result in the generation of 42.0 tonne per annum of waste substances in the form of a sludge containing generally solids. The waste substances are, and will continue to be disposed of, in compliance with the requirements of the EPA.	An initial Waste Management Plan (WMP) formed Appendix G of the OEMP and was approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones (DPE) to Mr Paul Jerogin (Lend Lease)). Refer to OEMP (version 2, 2019), Section 6.4 – Waste and Wastewater Management Plan on Patrick's website - http://www.patrick.com.au/environment-management. Patrick engages licensed waste transport providers to collect any hazardous waste generated at the site (e.g. Maintenance Department) and disposed of at appropriately licensed facilities.	Compliant
3	**Waste Management Program**		
3.1	Backflow Containment Device must be installed and maintained at the water meter outlet property boundary in line with Sydney Water's Connected Customer Policy.	A Backflow Protection (a sealed unit) Device is in place and tested annually by Matic Plumbing (approved by Sydney Water) and the results forwarded directly to Sydney Water. The most recent test was completed 3 July 2019.	Compliant
3.2	Backflow individual/zone protection is required on any tap located within 5m of the trade waste apparatus.	No water taps are located within 5 m of the trade waste system.	Compliant
	SCHEDULE 5 – Apparatus, Plant and Equipment		
1	**Existing**		
	1 x Danfos Magflo Meter 1 x 1,000L Batch Tank 1 x 1,000L Line Transfer Tank 1 x 40L Caustic Tank with Low Level Alarm 1 x Auto Batch 500 with Indexing Belt and Filter Paper Roll 1 x 200,000L Holding Tank with Pumps	The apparatus, plant and equipment listed is present and operational.	Compliant

No.	TW Consent 24990 Conditions - Detail	Evidence 2019	Assessment Rating 2019
	SCHEDULE 6 – Special Conditions		
	Proposed		
	N/A		Not Applicable
1	**Dangerous Discharges**		
	In this Schedule, the term 'may pose a danger to the environment, the Sewer or workers at a sewage treatment plant': (a) means an occurrence whereby matter is discharged to the Sewer which either alone or in conjunction with other matter discharged cannot be adequately treated or may cause corrosion or a lockage, explosion or the production of dangerous gases in the Sewer or may adversely affect the operation of a sewer or sewage treatment plant; and (b) includes, but not so as to restrict the generality of paragraph (a), matter or substances, which is or are: i. toxic or corrosive; ii. petroleum hydrocarbons; iii. heavy metals; iv. volatile solvents; v. phenolic compounds; vi. organic compounds.	The initial Waste Management Plan (WMP) formed Appendix G of the OEMP and was approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones (DPE) to Mr Paul Jerogin (Lend Lease)). Refer to OEMP (version 2, 2019), Section 6.4 – Waste and Wastewater Management Plan on Patrick's website - http://www.patrick.com.au/environment-management. Patrick engages licensed waste transport providers to remove any hazardous waste generated at the site (e.g. Maintenance department) and disposed of at appropriately licensed facilities.	**Compliant**
2	**Unintended Discharges**		
	(a) For purposes of avoiding unintended discharges to the Sewer or the stormwater drainage system, all matter and substances on the Premises must be processed, handled, moved and stored in a proper and efficient manner.	Spill kits are readily available with absorbent material to reduce the risk of entering sewer or the stormwater drainage system. Drain wardens are located in key stormwater drains so that in an event of a spill/leak they can be turned from open to closed.	**Compliant**
	(b) Any substance on the Premises which, if discharged to the Sewer, may pose a danger to the environment, the Sewer or workers at a STP or may harm any sewage treatment process must be handled, moved and stored in areas where leaks, spillages or overflows cannot drain by gravity or by automated or other mechanical means to the Sewer or the stormwater drainage system.	Fuel and lubricants are stored in bunded areas. Any potential spills or leaks have limited potential to enter the sewer or the stormwater drainage system. Spill kits are readily available with absorbent material to reduce the risk of entering sewer or the stormwater drainage system. Drain wardens are located in key stormwater drains so that in an event of a spill/leak they can be turned from open to closed.	**Compliant**

No.	TW Consent 24990 Conditions - Detail	Evidence 2019	Assessment Rating 2019
	SCHEDULE 6 – Special Conditions		
3	**Notification**		
	In the event of a discharge of matter to the sewer that poses or may pose a danger to the environment, the sewer workers at a STP the Customer must immediately notify: (a) Malabar STP Control Room TEL: (02) 9931 8319 FAX: (02) 9931 8366 (b) Business Customer Services (8am to 5pm Mon to Fri) TEL: 1300 985 227 (c) Business Customer Services Emergency Contact (24 Hours) TEL: (02) 8849 5029	Noted.	**Compliant**
4	**Provision of Safe Access**		
	The Customer shall provide safe access to Sydney Water employees visiting the site. In the event that unsafe conditions are identified the Customer must take reasonable steps to correct unsafe conditions and create safe access.	Visitors to site are signed in at Patrick's Security Office located at Gate B105) and while on the terminal escorted by a Patrick employee who have a current Maritime Security Identification Card (MSIC) and completed the site induction. Before any inspections / sampling is carried out the work area is inspected, any hazards identified are controlled and if required, work permits issued.	**Compliant**
5	**Electronic Reporting of Sample Analysis Results**		
	Sydney Water reserves the right to vary this consent to specify the option of reporting by electronic mail as outlined in Schedule 2, 2 (d)).	Noted	**Compliant**
	SCHEDULE 7 (Location Details)		
	Nil conditions	Noted	**Not Applicable**
	SCHEDULE 8 – Notices and Communication Addresses		
	Nil conditions	Noted	**Not Applicable**
	SCHEDULE 9 – Authorised Officers		
	Nil conditions	Noted	**Not Applicable**
	SCHEDULE 10 – Nominated Representatives		
	Nil conditions	Noted	**Not Applicable**

Appendix G: Trade Wastewater Discharge Schedule – Permit 40110

Table G1: Trade Wastewater Consent, Assessment Rating

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

Table G2: Trade Wastewater Discharge Schedule – Permit No. 40110 (Issued 18 April 2019)

No.	Trade Wastewater Discharge Schedule, Permit 40110 - Detail	Evidence 2019	Assessment Rating 2019
	Item 2		
	Business Activities: (generating trade waste) undertaken at the Premises		
	(AA32) – Patrick's staff canteen ➔ 200 KL/year	No change	Compliant
	Item 3		
	Pre-Treatment: (equipment that is required at the premises to treat trade wastewater)		
	PIT 1 – 2,000 Litre boat type grease trap – New Patrick Stevedores Staff Canteen	No change	Compliant
	Item 4		
	Not Applicable		
	Item 5		
	Sydney Water's Sewerage Treatment Plant for the Area:		
	Name: **MALABAR** Level of Treatment we provide: **PRIMARY**	No change	Compliant

<table>
<tr><td></td><td colspan="3">Item 6</td></tr>
<tr><td></td><td colspan="3">Discharge Point at the premises:</td></tr>
<tr><td></td><td></td><td>No change</td><td>Compliant</td></tr>
<tr><td></td><td colspan="3">Item 7</td></tr>
<tr><td></td><td colspan="3">Sampling Point: (where the quality of the wastewater may be checked)</td></tr>
<tr><td></td><td></td><td>No change</td><td>Compliant</td></tr>
<tr><td></td><td colspan="3">Item 8</td></tr>
<tr><td></td><td colspan="3">General Requirements for ALL trade wastewater discharged into sewer.</td></tr>
<tr><td></td><td>
<table>
<tr><th>CHARCTERISTICS</th><th>REQUIREMENT</th></tr>
<tr><td>Temperature</td><td>Not more than 38 Degrees Celsius</td></tr>
<tr><td>Colour</td><td>Not noticeable when diluted 100 times in clear water</td></tr>
<tr><td>Flammables</td><td>None to be discharged to sewer</td></tr>
<tr><td>pH</td><td>Between pH 7 (neutral) and pH 10 (alkaline)</td></tr>
<tr><td>Fibrous Material</td><td>None which could block our sewer</td></tr>
<tr><td>Solid Matter</td><td>Not longer the 20 millimetres, must not settle faster than 3 metres in an hour</td></tr>
<tr><td>Discrete Oil</td><td>None to be discharged to water</td></tr>
</table>
</td><td>No change</td><td>Compliant</td></tr>
<tr><td></td><td colspan="3">Item 9</td></tr>
<tr><td></td><td colspan="3">Not Applicable</td></tr>
</table>

<table>
<tr><td></td><td colspan="3">Item 10</td></tr>
<tr><td></td><td colspan="3">Cleaning Requirements for the equipment at the premises.</td></tr>
<tr><td></td><td>
<table>
<tr><th>Item</th><th>Requirement</th></tr>
<tr><td>(PIT DETAILS)</td><td>Must be serviced in accordance with wastesafe system, by a contractor; licenced by the Environment Protection Authority [EPA]</td></tr>
<tr><td>PIT 1 BOAT TYPE GREASE TRAP – NEW – 2,000 LITRES</td><td>You need to have your grease trap pumped out and cleaned every 26 weeks commencing on 01/12/19</td></tr>
</table>
</td><td>No change.</td><td>Compliant</td></tr>
<tr><td></td><td colspan="3">Item 11</td></tr>
<tr><td></td><td colspan="3">Extra Requirements:</td></tr>
<tr><td></td><td>N/A
Backflow Prevention Containment Policy:
1. Backflow Containment Device must be installed and maintained at the water meter outlet / property boundary in line with Sydney Water’s Backflow Policy.
2. Backflow individual/zone protection is required on any tap located within 5m of the trade waste apparatus.</td><td>No change.</td><td>Compliant</td></tr>
<tr><td></td><td colspan="3">Item 12</td></tr>
<tr><td></td><td colspan="3">What Sydney Water will charge you?</td></tr>
<tr><td></td><td>
<table>
<tr><td>Type of Charge</td><td>Amount</td><td></td></tr>
<tr><td>Permit Fee</td><td>$158.12</td><td></td></tr>
<tr><td></td><td></td><td>Commencement Date</td></tr>
<tr><td>Trade Wastewater Quality Charge</td><td>$475.00 per year</td><td>1/04/19</td></tr>
<tr><td># Wastesafe administration charge</td><td>$112.48 per pit per year</td><td></td></tr>
<tr><td colspan="3">(*) Please Note:
Unless 30 days written notice is given advising any proposed changes to the business operations all Trade Waste charges continue to apply, and credits will not be issued. This written notice must be provided by email to businesscustomres@sydneywater.com.au or by fax to 1300 364 403.</td></tr>
</table>
</td><td>No change.</td><td>Compliant</td></tr>
</table>

	Item 13		
	Contact:		
	BUSINESS CUSTOMER SERVICES PHONE: 9616 2485 EMAIL: businesscustomres@sydneywater.com.au WEB: www.sdyneywater.com.au	No change.	**Compliant**

Appendix H: Management of Key Performance Areas

Table H: Key Performance Areas, Indicators, Goals and Results: 1 January 2018 to 31 December 2019

Key Performance Area	Key Performance Indicator	KPI Goals	2019 Results (1-Jan-19 to 31-Dec-19)
Air Quality	Dust and odour complaints expressed as the number of community complaints per 100,000 TEU	Zero per 100,000 TEU	0
Aviation Operational Impacts	Airport-related complaints including light-spill, radar interference; expressed as the number of **aviation complaints per 100,000 TEU**	Zero per 100,000 TEU	0
	The number of times problem birds need to be actively managed at the Patrick's terminal, expressed as the number of **bird hazard management events per 100,000 TEU**	Zero per 100,000 TEU	0
Noise and Complaints	Noise disturbances expressed as the number of **community complaints or exceedances of the noise limits specified in Development Consent Condition C 2.6 during monitoring per 100,000 TEU**	Zero per 100,000 TEU	0
Operational Traffic	Traffic noise disturbance and traffic impacts such as congestion or trucks parking in residential streets, expressed as the number of **traffic-related community complaints per 100,000 TEU**	Zero per 100,000 TEU	0
Water Quality	Number of times the Pollutant Concentration Limit is exceeded, expressed as **pollution events per 100,000 TEU**	Zero per 100,000 TEU	0
Dangerous Goods and Hazardous Substances Cargo Management	Number of liquid spills or gas leaks during the handling of dangerous goods and hazardous substances, expressed as the **number of incidents per 100,000 TEU**	Zero per 100,000 TEU	1 incident **12 July 2019** - A potential minor water pollution incident on was reported to the EPA and DPIE
	Number of exceedances of the DG throughput limits specified in Development Consent DA 494 MOD 16, condition C 2.17 per 100,000 TEU (i.e. Berth 6) Note 1	Zero per 100,000 TEU	0

Note 1 – DA 494, MOD 16 was used as this condition remained current for the period 1 September 2018 to 31 August 2019.

Key Performance Area	Key Performance Indicator	KPI Goals 2019	2019 Results (1 Jan-19 to 31-Dec-19)
Waste Generation	Amount of solid waste generated and the amount of waste recycled expressed as **cubic metres of solid waste generated per TEU*** and **cubic metres of solid waste recycled per TEU***	TBA	**Solid Waste =** Estimate 1700 m^3 0.002 m^3 recycled / TEU
	Amount of liquid waste generated and the amount of liquid waste recycled expressed as **litres of liquid waste generated per TEU*** and **litres of liquid waste recycled per TEU***	TBA	**Total Liquid Waste =** Estimate Total liquid waste 351,400 L, 0.34 L / TEU Estimate Liquid waste recycled 40,000 L, 0.06 L recycled / TEU
Native and feral animal management	The **number of shorebird management events per 100,000 TEU**	Zero per 100,000 TEU	0
	The **number of feral animal management events per 100,000 TEU**	Zero per 100,000 TEU	0
Water	**The amount of potable water** (including potable water supplied to other businesses) used per TEU, expressed in **kilolitres per TEU***	TBA	**Total water used =** Estimate 65,000 kL, 0.09 kL / TEU
Energy	Fuel consumption expressed in **litres per TEU***	TBA	**Total fuel =** Estimate 5,207,256 L, 5.06 L / TEU
	Electricity Consumption expressed in **kilowatt hours per TEU***	TBA	**Total electricity consumption =** Estimate 15,219,000 KWh, 14.8 KWh / TEU
	Carbon emissions expressed in **kilograms of CO_2 emitted per TEU***	TBA	**Total carbon emissions =** TBA kg CO_2-e / TEU

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

Appendix I: Dangerous Goods Movements through Berth 6

Table I: DA 494, C2.17 - Dangerous Goods, Unit Size and Number of Movements at Berth 6 (The Knuckle): 1 September 2018 to 31 August 2019

DG Class	DG Class Description	Basis – Unit Type and shipping containers thru Patrick Port Botany Expansion [Note 1] per year containing DG Class				Comments ex DA-494-11-2003-I MOD16, condition C2.17
		From 2te up to 12 te NEQ [Note 2]		Greater than or equal to 12te NEO [Note 2]		
		Limit	Actual (Berth 6)	Limit	Actual (Berth 6)	
1	Total Class 1.1 and 1.2	83	0	63	0	Numbers as per PHA (rev 7) Table 6.8
		Containers of packaged material		Tank-tainers (Bulk) (<= 20 m^3)		
		Limit	Actual (Berth 6)	Limit	Actual (Berth 6)	
2	Class 2.3	157	23	---		Packaged materials is total of Class 2.3 as per PHA Table 6.8
	Toxic Gases, DG 2.3	---		26	1	Class 2.3 Tank-tainers (bulk) – new figure developed from Technical Note Section 2.5 [Note 3]
	Very Toxic Gases, DG Class 2.3 substances including, Chlorine (UN1017), Sulphur Dioxide (UN1079), Methyl Bromide (UN1062), or Any Class 2.3 substance meeting GHS [Note 4] Acute Toxicity Category 1	---		1	0	---
8	Class 8 only Hydrogen Fluoride (UN 1052)	11	0	13	0	HF numbers as per PHA (rev 7) Table 6.8

[Note 1] – PBE (Port Botany Expansion) number are inclusive of all stevedores operating under this consent i.e. Patrick and Hutchison (SICTL)

[Note 2] – Contents weight can be used to assign container numbers to a Net Explosive Quantity (NEQ) range. 1 te NEQ can be assumed to equal 1.

[Note 3] – 21137-TN-001 Rev 0 22 May 2017

[Note 4] – UN chemical classification, Globalised Harmonised System (GHS)