



Port Botany Terminal Environmental Management System

**2022 Annual Environmental Management
Report (DA494) &
Annual Compliance Report (DA453)**
Reporting Period: 1 January to 31 December 2022



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

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- 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	23 February 2023	Initial report	Sam Steel	Bruce Guy

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- 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 [Sydney AutoStrad 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 17)
	Name of holder of development consent / project approval:	NSW Ports <i>(Transferred from the former Sydney Ports Corporation)</i>
2	Development consent / project approval:	Patrick Redevelopment, DA 453-12-2002-i (MOD 8)
	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 2022
Annual Review end date:		31 December 2022

I, [Sam Steel](#), 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 2022 to 31 December 2022](#) 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:	Sam Steel
Title of authorised reporting officer:	HSE Manager
Signature of authorised reporting officer:	
Date:	23 Feb 2023

Acronyms and Glossary

Term	Definition
ACCC	Australian Competition & Consumer Commission
ACR	Annual Compliance Report (as per DA453) – included in a combined report with the Annual Environmental Management Report (as per DA494)
AEMR	Annual Environmental Management Report (for DA494) – also includes the Annual Compliance Report (for DA453)
ARMG	Automated Rail Mounted Gantry Crane
AutoStrad	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.
BIRP	Biosecurity Incident Response Plan
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	<ul style="list-style-type: none"> • 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

Term	Definition
OOG	Out of gauge
PB	Port Botany
PBE	Port Botany Expansion
PBCCC	Port Botany Community Consultative Committee
PBROG	Port Botany Rail Optimisation Group
PBRT	Port Botany Road Taskforce
POEO Act	Protection of the Environment Operations Act
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.
SAT	Sydney AutoStrad Terminal
Secretary	Prior to DA 494 MOD 16 the DPE referred to this position/office as Director-General.
SEPP (Three Ports)	Department of Planning, Industry and Environment (NSW). The data represents Height of Building, Land Zoning, Special Provision, Lease Area, Referral Area, Additional Permitted Uses for State Environmental Planning Policy (Three Ports) 2013
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 combined Annual Environmental Management Report (DA494) (AEMR) and Annual Compliance Report (DA453) 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 2022 to 31 December 2022) 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 DA494-11-2003i MOD 17 (19 September 2019)	No
Development Consent DA453-12-2002i MOD 8	No
Environmental Protection Licence No. 6962 (1 September 2020)	Yes
Consent to Discharged Industrial Trade Wastewater No. 24990 (20 May 2019)	Yes
Trade Wastewater Discharge Schedule, Permit No. 40110 (18 April 2019)	Yes

1.2 Non-Compliance

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: <ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> • 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: 2022 AEMR (including ACR) Non-Compliances

Relevant Approval	Cond. #	Condition Description (Summary)	Compliance Status <small>Note 1</small>	Comment	Where addressed in AEMR
DA 453	3.43	All wastes and material generated on the site during construction and operation shall be classified in accordance with the EPA's <i>Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes</i> and be disposed of to a facility that may lawfully accept the waste.	Non-Compliant	<p>Non-compliance from 2020 independent audit: Waste tyres being disposed of from the facility but not being tracked in accordance with the POEO Act and POEO Waste Regulation. The following actions were undertaken during 2022:</p> <p>Sighted email 28/2/2022 from Trelleborg Waste transport company) to EPA cc Patricks requesting advice to create a consignment in the waste locate system to track the tyres.</p> <p>Sighted, email from Trelleborg to Patricks indicating they have contacted EPA on the 7/4/2022 and 5/5/2022 and still waiting on further advice.</p> <p>Sighted correspondence between Trelleborg and Molycop (Waste transport companies) from the 9/1/2023 to the 19/01/2023 indicating that straddle tyres have a tyre serial number which will be recorded and sent to Molycop 360 when straddle tyres for Patricks are sent for disposal.</p> <p>Molycorp is an accredited participant of the TSA (Tyre Stewardship of Australia), and information has been collected as to how the tyres are being processed at end of life.</p> <p>Trelleborg has provided a Scrap Tyre Analysis report recording the tyres serial number</p> <p>It was noted that in accordance with EPA website, tyre consignors, transporters and facilities transporting or receiving waste tyres in NSW weighing more than 200 kilograms, or consisting of 20 or more tyres, in one load must track and report this waste to the EPA using WasteLocate.</p> <p>At the time of this report been prepared, Trelleborg has been unable to use EPA's WasteLocate app to track waste tyres as they are not an authorised tyre receiver. This was identified as a limitation on the system and has been raised with the EPA.</p>	Section 5.2, Section 10.1, Appendix B

Relevant Approval	Cond. #	Condition Description (Summary)	Compliance Status <small>Note 1</small>	Comment	Where addressed in AEMR
DA 494	C2.13	<p>Condition C2.13 states that management of waste must be in accordance with the environment protection licence issued by EPA under the Protection of the Environment Operations Act 1997.</p> <p>Note: This non-compliance arises from the same issue as for DA 494 Condition C2.13A and DA 453 Condition 3.43.</p>	Non-Compliant	<p>Non-compliance from 2020 independent audit: Waste tyres being disposed of from the facility but not being tracked in accordance with the POEO Act and POEO Waste Regulation. The following actions were undertaken during 2022:</p> <p>Sighted email 28/2/2022 from Trelleborg Waste transport company) to EPA cc Patricks requesting advice to create a consignment in the waste locate system to track the tyres.</p> <p>Sighted, email from Trelleborg to Patricks indicating they have contacted EPA on the 7/4/2022 and 5/5/2022 and still waiting on further advice.</p> <p>Sighted correspondence between Trelleborg and Molycop (Waste transport companies) from the 9/1/2023 to the 19/01/2023 indicating that straddle tyres have a tyre serial number which will be recorded and sent to Molycorp 360 when straddle tyres for Patricks are sent for disposal.</p> <p>Molycorp is an accredited participant of the TSA (Tyre Stewardship of Australia), and information has been collected as to how the tyres are being processed at end of life.</p> <p>Trelleborg has provided a Scrap Tyre Analysis report recording the tyres serial number</p> <p>It was noted that in accordance with EPA website, tyre consignors, transporters and facilities transporting or receiving waste tyres in NSW weighing more than 200 kilograms, or consisting of 20 or more tyres, in one load must track and report this waste to the EPA using WasteLocate.</p> <p>At the time of this report been prepared, Trelleborg has been unable to use EPA's WasteLocate app to track waste tyres as they are not an authorised tyre receiver. This was identified as a limitation on the system and has been raised with the EPA.</p>	<p>Section 5.2, Section 10.1, Appendix B</p>

Relevant Approval	Cond. #	Condition Description (Summary)	Compliance Status <small>Note 1</small>	Comment	Where addressed in AEMR
DA 494	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.	Non-Compliant	<p>Non-compliance from 2020 independent audit: Waste tyres being disposed of from the facility but not being tracked in accordance with the POEO Act and POEO Waste Regulation. The following actions were undertaken during 2022:</p> <p>Sighted email 28/2/2022 from Trelleborg Waste transport company) to EPA cc Patricks requesting advice to create a consignment in the waste locate system to track the tyres.</p> <p>Sighted, email from Trelleborg to Patricks indicating they have contacted EPA on the 7/4/2022 and 5/5/2022 and still waiting on further advice.</p> <p>Sighted correspondence between Trelleborg and Molycop (Waste transport companies) from the 9/1/2023 to the 19/01/2023 indicating that straddle tyres have a tyre serial number which will be recorded and sent to Molycorp 360 when straddle tyres for Patricks are sent for disposal.</p> <p>Molycorp is an accredited participant of the TSA (Tyre Stewardship of Australia), and information has been collected as to how the tyres are being processed at end of life.</p> <p>Trelleborg has provided a Scrap Tyre Analysis report recording the tyres serial number</p> <p>It was noted that in accordance with EPA website, tyre consignors, transporters and facilities transporting or receiving waste tyres in NSW weighing more than 200 kilograms, or consisting of 20 or more tyres, in one load must track and report this waste to the EPA using WasteLocate.</p> <p>At the time of this report been prepared, Trelleborg has been unable to use EPA’s WasteLocate app to track waste tyres as they are not an authorised tyre receiver. This was identified as a limitation on the system and has been raised with the EPA.</p>	Section 5.2, Section 10.1, Appendix B

Note 1 – Refer to Table 1.2 for the 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:

Mr. Sam Steel

Health, Safety and Environment Manager

Patrick, Sydney AutoStrad Terminal (Port Botany)

Gate B105A, Penrhyn Road (Inter-Terminal Access Road)

Port Botany NSW 2036

Mobile: 0400 707 353; Email: s.steel@patrick.com.au; Web: <http://www.patrick.com.au/>

2. INTRODUCTION

2.1 Site Location

Patrick’s Sydney AutoStrad Terminal (SAT) is located at Penrhyn Road (Inter Modal Access Road), at the Banksmeadow (NSW 2019) boundary with Port Botany (NSW 2036). Foreshore Road and Botany Road are located to the north and Brotherson Dock to the south. Figure 2.1.1 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 Sydney AutoStrad Terminal at Port Botany

Patrick’s terminal, approximately 45 hectares, was further expanded due to the NSW Port’s (applicant) Port Botany Expansion Project which added a further 18 hectares (The Knuckle) to Patrick’s terminal layout making a total of 63 hectares.

In April 2015, the terminal replaced its manual straddle fleet with automated straddles (AutoStrad) operating within a fenced automated yard.



Figure 2.12: Layout of Patrick’s Sydney AutoStrad Terminal (Port Botany)

2.2 Key Structure Elements

Patrick's SAT 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 – nine (9),
- e) Automated Straddles – 59,
- f) Automated Rail Gantry Cranes – three (3),
- g) Onsite import and export container yard including power units for refrigerated containers,
- h) Onsite empty container handling facility (Cargo Link),
- i) Truck Grids – 23 lanes for discharging or loading containers,
- j) Rail siding length – 750m of approach tracks and 4 x 300m of workable siding (1200m)
- k) Heavy duty pavement and roadways,
- l) Stormwater drainage infrastructure including pumps, pollution control devices, trenching and kerbing,
- m) Light tower foundations – light, radar, and camera poles,
- n) Maintenance – offices, workshop, cleaning bays, refuelling station,
- o) Administration Building and Tower – offices, amenities, facilities (security, first aid, canteen; and
- p) 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 serviced by three Automated Rail Mounted Gantry Cranes (ARMGs) located at the rear of the rail siding. The containers are loaded/unloaded via the ARMGs directly into the automated yard where they are collected and stacked by AutoStrads. Phase 2 of the AutoRail project (part of the approval granted via the SEPP (Three Ports) 2013 process) will see the rail siding and intermediate stacking area (ISA) extended to a total 600m in length.
- 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 nine quay cranes on Brotherson Dock. The cranes load 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 2022 to 31 December 2022), the following changes were made to key structural elements and site operations:

- The AutoRail project continued with the rail siding extended to a total 600m in length. These works will continue in 2023 with the redevelopment of the truck grids and installation of the locomotive shifter.

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 and changes made during reporting period (1 January to 31 December 2022)

No.	Details	Approval Name, Reference Number, Date Approved / Issued, Name of Applicant	Changes made during reporting period
1	Development Consent:	DA494-11-2003-i (MOD 17, 19 September 2019)	No change
	Applicant:	NSW Ports	
	Issued by	Department of Planning, Industry and Environment	
2	Development Consent:	DA453-12-2002-i (MOD 8, 22 May 2014)	No change
	Applicant:	Patrick Stevedores Operations Pty Ltd	
	Issued by	Department of Planning, Industry and Environment	
3	Environmental Protection Licence:	EPL 6962 (Notice of Variation of Licence – (1 Sep 2020)	No change
	Applicant:	Patrick Stevedores Operations Pty Ltd	
	Issued by:	NSW Environment Protection Authority	
4	Consent to Discharge Industrial Trade Wastewater Consent No.:	24990 (20 May 2019)	No change
	Applicant:	Patrick Stevedores Operations Pty Ltd	
	Issued By:	Sydney Water	
5	Trade Wastewater Discharge Schedule, Permit No.:	40110 (18 April 2019)	No change
	Applicant:	Patrick Stevedores Operations Pty Ltd	
	Issued By:	Sydney Water Operations Pty Ltd	

4. OPERATIONS SUMMARY

4.1 Highlights – 2022

- The volume of TEU throughput has steadily increased since 2018, and slightly declined in 2021 before increasing in 2022. Potential causes being recovery from COVID-19 pandemic.
- The proportionate number of truck visits remains consistent in 2018, 2019, an increase in 2020 and then a slight decline in 2021. 2022 saw a slight increase which Patrick expects to increase as the rail extension project completes in Q3 2023.
- The construction of the rail infrastructure to increase rail mode share commenced in 2019. The first phase of the rail project is complete, the second phase of the project is underway and scheduled to be complete Q3 2023.
- The average truck turnaround time for 2022 was higher than the previous year, causal effect attributed to weather events and average yard volume.
- The proportionate number of truck visits during day shift, evening shift and night shift remains consistent over the past 5-years (2018 to 2022).

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 construction of the rail infrastructure commenced in 2019, Phase One was completed in 2021 with Phase Two scheduled to complete Q3 2023.

5. ACTIONS REQUIRED FROM PREVIOUS ANNUAL REVIEW

The table below identifies any actions required as an outcome of the previous annual review (i.e., 2021) 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.

5.1 Actions required from the Annual Review(s) - Completed/Closed

During the annual review, **4 (four)** non-compliance were closed out, refer to Table 5.1 below.

Table 5.1: Actions required from the Annual Review(s) - Completed/Closed

Audit/ Review No.	Source / Reference	Action required from Patrick's previous Annual Reviews (i.e. Independent Audit & AEMR)	Requested By	Action taken by Patrick	Who/ When	
STATUS OF PREVIOUS REVIEWS: ANNUAL REVIEWS FINDINGS – COMPLETED / CLOSED at the IEA: 2022						
IA2020_4	DA 494 C2.14	Condition C2.14 states that 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. Note: This non-compliance largely arises from the same issue as for DA 494 Condition C4.1 and DA 453 Condition 3.52.C3.1	Patrick, Auditor	2022 Audit Finding Update The Process for Notify Pollution Incidents was prepared on the 9 January 2023. This procedure indicates that the HSE Manager is now responsible for taking immediate action to determine if the incident requires notification under section 148 of the POEO Act. Incident classification categories are included, and they aligned with the POEO Act (or DA 494 and DA 453).	Patrick	CLOSED.

Audit/ Review No.	Source / Reference	Action required from Patrick's previous Annual Reviews (i.e. Independent Audit & AEMR)	Requested By	Action taken by Patrick	Who/ When	
STATUS OF PREVIOUS REVIEWS: ANNUAL REVIEWS FINDINGS – COMPLETED / CLOSED at the IEA: 2022						
IA2020_6	DA 494 C4.1	Condition C4.1 states that the Director-General shall be notified of any incident with actual or potential significant off-site impacts on people or the biophysical environment within 12 hours of the Applicant, or other relevant party undertaking the development, becoming aware of the incident. Full written details of the incident shall be provided to the Director-General within seven days of the date on which the incident occurred. The Director-General may require additional measures to be implemented to address the cause or impact of any incident, as it relates to this consent, reported in accordance with this condition, within such period as the Director-General may require.	Patrick, Auditor	<u>2022 Audit Finding Update</u> The Process for Notify Pollution Incidents was prepared on the 9/01/23. This procedure indicates that the HSE Manager is now responsible for taking immediate action to determine if the incident requires notification under section 148 of the POEO Act. Incident classification categories are included, and they aligned with the POEO Act (and DA 494 and DA 453)	Patrick	CLOSED.
IA2020_9	DA 453 3.33	Condition 3.33 states that 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.	Patrick, Auditor	<u>2022 Audit Finding Update</u> The Process for Notify Pollution Incidents was prepared on the 9/01/23. This procedure indicates that the HSE Manager is now responsible for taking immediate action to determine if the incident requires notification under section 148 of the POEO Act. Incident classification categories are included, and they aligned with the POEO Act (and DA 494 and DA 453).	Patrick	CLOSED.

Audit/ Review No.	Source / Reference	Action required from Patrick's previous Annual Reviews (i.e. Independent Audit & AEMR)	Requested By	Action taken by Patrick	Who/ When	
STATUS OF PREVIOUS REVIEWS: ANNUAL REVIEWS FINDINGS – COMPLETED / CLOSED at the IEA: 2022						
IA2021_2	DA 453 7.8	Condition 7.8 requires that 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.	Patrick, Auditor	2022 Audit Finding Update Drums of oil at the oil and grease storage area was properly bunded and photos were submitted on the 21/3/2022 from Patrick Facility Manager to HSE Manager. During this year site inspection, the sighted drums of oil were bunded.	Patrick	CLOSED.

5.2 Actions required from the Annual Review(s) – Remain Open or New

During the 2022 annual review, **two** new observations were made, with **three** non-compliance and **one** observation remaining open, refer to Table 5.2 below.

Of the six (6) actions required there are three (3) areas requiring address, specifically to do with the tracking of waste tyres. Patrick tracks the disposal of its tyres to its supplier; however, the supplier is unable to track this using the EPA’s WasteLocate app due to a limitation with the system. These three non-compliances remain partially closed until the EPA can advise Patrick’s tyre supplier how they can track waste tyres from customers.

Table 5.2: Actions required from previous Annual Reviews – Remain Open or New:

Audit/ Review No.	Cond. No	Action required from Patrick’s previous Annual Reviews (i.e., Independent Audit & AEMR)	Requested By	Action to be taken by Patrick	Who/When	Status
STATUS OF PREVIOUS REVIEWS: ANNUAL REVIEW FINDINGS – REMAIN OPEN OR NEW: (2019, 2020, 2021 & 2022)						
IA2019_3 Observation	DA 453, 5.7	Condition 5.7 Within 6 months of consent being granted and every 6 months thereafter, the Applicant shall submit a report to the EPA containing the following information: (a) A pollutant inventory that qualifies waters discharged from the site. This shall include identification of all water pollutants likely to be discharged from each final stormwater pit on the 11 stormwater lines serving the container handling operation area within the site. The water pollutants shall include but are not limited to: total phenolics, polycyclic aromatic hydrocarbons, oil and grease, total petroleum hydrocarbons, total organic carbon, biochemical oxygen demand, chemical oxygen demand, pH, zinc, copper, lead, cobalt, chromium, manganese, cobalt, nickel and iron.	Patrick, Auditor	2022 Audit Finding The Rail expansion project continued throughout 2022 It is anticipated to be completed in 2023. Action: Modification discussed internally and in brief with NSW Ports and the Department. Patrick has prepared a draft proposed consolidation document. Patrick is now waiting for details of potential major upgrade to rail area which may necessitate modification to approval conditions that could also address this finding in a consolidated manner.	Patrick	OPEN



Audit/ Review No.	Cond. No	Action required from Patrick's previous Annual Reviews (i.e., Independent Audit & AEMR)	Requested By	Action to be taken by Patrick	Who/When	Status
STATUS OF PREVIOUS REVIEWS: ANNUAL REVIEW FINDINGS – REMAIN OPEN OR NEW (2019, 2020, 2021 & 2022)						
IA2020_2 Non-compliance	DA 494, C2.13	Condition C2.13 states that management of waste must be in accordance with the environment protection licence issued by EPA under the Protection of the Environment Operations Act 1997.	Patrick, Auditor	<p><u>2022 Audit Finding Update</u></p> <p>Patrick presented correspondence records with the licensed waste transporter (Trelleborg) indicating that the tyres serial number will be recorded and sent to Molycorp 360 to help track when straddle tyres for Patrick's are sent for disposal.</p> <p>Trelleborg has provided a Scrap Tyre Analysis report recording the tyres serial number. Trelleborg is using Molycorp, which are an accredited participant of the TSA (Tyre Stewardship of Australia), and information has been collected as to how the tyres are being processed at end of life.</p> <p>Unfortunately, at the time of this report been prepared, Trelleborg has not been able to use EPA's WasteLocate app to track waste tyres as they are not an authorised tyre receiver. This was identified as a limitation on the system and has been raised with the EPA.</p> <p><u>Action:</u></p> <p>Obtain advice from EPA regarding the limitations of WasteLocate and inability to track waste tyres using the app.</p>	PBT HSE Manager & Engineering / Maintenance Manager Dec 2023	PARTIALLY CLOSED

Audit/ Review No.	Cond. No	Action required from Patrick's previous Annual Reviews (i.e., Independent Audit & AEMR)	Requested By	Action to be taken by Patrick	Who/When	Status
STATUS OF PREVIOUS REVIEWS: ANNUAL REVIEW FINDINGS – REMAIN OPEN OR NEW (2019, 2020, 2021 & 2023)						
IA2020_3 Non-compliance	DA 494, C2.13A	Condition C2.13A states that 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, Auditor	<p><u>2022 Audit Finding Update</u></p> <p>Patrick presented correspondence records with the licensed waste transporter (Trelleborg) indicating that the tyres serial number will be recorded and sent to Molycorp 360 to help track when straddle tyres for Patrick's are sent for disposal.</p> <p>Trelleborg has provided a Scrap Tyre Analysis report recording the tyres serial number. Trelleborg is using Molycorp, which are an accredited participant of the TSA (Tyre Stewardship of Australia), and information has been collected as to how the tyres are being processed at end of life.</p> <p>Unfortunately, at the time of this report been prepared, Trelleborg has not been able to use EPA's WasteLocate app to track waste tyres as they are not an authorised tyre receiver. This was identified as a limitation on the system and has been raised with the EPA.</p> <p><u>Action:</u></p> <p>Obtain advice from EPA regarding the limitations of WasteLocate and inability to track waste tyres using the app.</p>	PBT HSE Manager & Engineering / Maintenance Manager Dec 2023	PARTIALLY CLOSED



Audit/ Review No.	Cond. No	Action required from Patrick's previous Annual Reviews (i.e., Independent Audit & AEMR)	Requested By	Action to be taken by Patrick	Who/When	Status
STATUS OF PREVIOUS REVIEWS: ANNUAL REVIEW FINDINGS – REMAIN OPEN OR NEW (2019, 2020, 2021 & 2022)						
IA2020_12 Non-compliance	DA 453, C3.43	Condition 3.43 states that 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.	Patrick, Auditor	<p>2022 Audit Finding Update Patrick presented correspondence records with the licensed waste transporter (Trelleborg) indicating that the tyres serial number will be recorded and sent to Molycorp 360 to help track when straddle tyres for Patrick's are sent for disposal.</p> <p>Trelleborg has provided a Scrap Tyre Analysis report recording the tyres serial number. Trelleborg is using Molycorp, which are an accredited participant of the TSA (Tyre Stewardship of Australia), and information has been collected as to how the tyres are being processed at end of life. Unfortunately, at the time of this report been prepared, Trelleborg has not been able to use EPA's WasteLocate app to track waste tyres as they are not an authorised tyre receiver. This was identified as a limitation on the system and has been raised with the EPA.</p> <p>Action: Obtain advice from EPA regarding the limitations of WasteLocate and inability to track waste tyres using the app.</p>	PBT HSE Manager & Engineering / Maintenance Manager Dec 2023	PARTIALLY CLOSED

Audit/ Review No.	Cond. No	Action required from Patrick's previous Annual Reviews (i.e., Independent Audit & AEMR)	Requested By	Action to be taken by Patrick	Who/When	Status
STATUS OF PREVIOUS REVIEWS: ANNUAL REVIEW FINDINGS – REMAIN OPEN OR NEW (2019, 2020, 2021 & 2022)						
IA2022_Obs.01	DA 453 condition 7.19	Signage on Stormwater Drains 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 'H2Oonly'.	Patrick, Auditor	Observation: Signage at some of the stormwater inlets has been faded and requires re-painting. Refer to the site photos in Appendix E (photos 5, 6 and 7). It is recommended that all stormwater drains are inspected, and the signage be repainted accordingly, i.e., 'Clean Rainwater Only' or similar.	PBT Engineering / Maintenance Manager Dec 2023	Open
IA2022_Obs.02	DA 453 condition 7.20	Maintenance of Stormwater Treatment Devices 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.	Patrick, Auditor	Observation: During the site inspection it was noted that accessibility to open/close the drain safe units was not consistent across all units (i.e.: some units required the stormwater grate to be lifted in order to deploy the drain safe mechanism). Refer to photo No. 7 in Appendix E. An inspection should be carried out throughout all the drain safe units to ensure they can be closed promptly in the event of a spill. Repairs should be completed where required.	PBT Engineering / Maintenance Manager Dec 2023	Open

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 2022 Annual Review have also been identified, including detail of actions undertaken and when these were completed (Refer to Section 5 and Appendices A to G).

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	<p>Environmental training commences when new employees and contractors start at the terminal in the form of a Site Induction, which is conducted during their first to two weeks of employment at Patrick.</p> <p>Patrick continues to update the employee, contractor, and visitor inductions to ensure the information remains current, and personnel are provided with information on an ongoing basis.</p> <p>As part of Patrick employee's application for a Maritime Security Identification Card (MSIC) employees are required to complete the terminal's induction.</p>
Trend / key management implications	Employees and contractors are required to complete the induction process every 2-years.
Implemented / proposed management actions	<ul style="list-style-type: none"> - With the Operations Manager roll out environmental training related Toolbox Talks covering key issues such as noise, littering and leaks/spills. - OEMP Reviewed 4th of July 2022

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 2022, there were 49 'environmental' related events, none required reporting to regulatory agencies
Trend / key management implications	Engineering & Maintenance (E&M) Manager having identified controls for key leak sources continues to assign Maintenance personnel to projects to reduce the risk of, and impact from leaks.
Implemented / proposed management actions	<ul style="list-style-type: none"> - Continue to progress with the Engineering / Maintenance Manager, projects to reduce the risk and impact from leaks. - OEMP Reviewed 4th of July 2022

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	<p>The current issue of the OEMP (version 13, 4 July 2022) is available on the Patrick website https://patrick.com.au/about/safety-and-environment/.</p> <p>The annual independent environmental audit for 2022 was carried out by an independent auditor (Derek Low, Steve Fermio, WolfPeak Pty Ltd) approved by the Secretary and conducted on the 11th of January 2023.</p> <p>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.</p> <p>The final audit report has been uploaded onto the DPIE Major Projects website and a copy will be sent to NSW Ports within two weeks of receipt. A copy of the 2022 Independent Environmental Compliance Audit will be located on Patrick's website – https://patrick.com.au/about/safety-and-environment/</p> <p>Internal and external audits of Patrick's environmental management system were carried out in 2022 as per Patrick's Compliance Calendar.</p>
Trend / key management implications	<p>Specific trends identified from the 2022 annual review:</p> <p>TBA</p> <ul style="list-style-type: none"> •
Implemented / proposed management actions	<ul style="list-style-type: none"> - Past Independent Environmental Audits (IEA) have raised the duplication and obsolete conditions in DA453. Modification discussed internally and in brief with NSW Ports and the Department. Patrick has prepared a draft proposed consolidation document. Patrick is now waiting for details of potential major upgrade to rail area which may necessitate modification to approval conditions that could also address this finding in a consolidated manner. The Rail expansion project continued throughout 2022 It is anticipated to be completed in Q32023. - OEMP reviewed 4th of July 2022.

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	<p>The current issue of the ERP (version 14, 31 March 2022) is available on the Patrick website https://patrick.com.au/about/safety-and-environment/.</p> <p>The current issue of the OEMP (version 3, 4 July 2022) is available on the Patrick website https://patrick.com.au/about/safety-and-environment/.</p> <p>Patrick conducted a scheduled drill / exercise to test its Emergency Response Plan (ERP) on the 31/3/2022. The emergency drill scenario was a bomb threat in the maintenance shed.</p>
Trend / key management implications	Nil.
Implemented / proposed management actions	<ul style="list-style-type: none"> - Emergency Response Procedures reviewed 31st of March 2022. - OEMP reviewed 4th of July 2022

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	<p>The current issue of the OEMP (version 3, 4 July 2022) is available on the Patrick website https://patrick.com.au/about/safety-and-environment/.</p> <p>No visible dust emissions were reported to Patrick during 2022.</p> <p>Wharf and road sweeping are routinely carried out on the terminal to reduce build-up of debris and dust.</p> <p>No excavated material is piled on the main body of the terminal.</p>
Trend / key management implications	<p>The overall opportunity for odour and dust generation from operational areas of the Patrick terminal is considered very low.</p> <p>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.</p> <p>Patrick relies on Patrick personnel (employees, contractors, and visitors) and regular environmental inspections to report any odour or build-up of dust/debris on the terminal. These events are investigated and were attributed to terminal activities they are cleaned up. Details are recorded in Patrick's HSE incident/event database (Noggin). If a report is received from a neighbour or a member of the community the event details are entered into the terminal's Public Comment, Inquires & Complaints Register.</p>
Implemented / proposed management actions	Patrick personnel to continue to 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.
Implemented / proposed management actions	- OEMP reviewed 4 th of July 2022.

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 8, 22 May 2014 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	<p>The current issue of the OEMP (version 3, 4 July 2022) is available on the Patrick website https://patrick.com.au/about/safety-and-environment/.</p> <p>During 2022 the four Stormwater Quality Improvement Devices (SQIDs) which drain stormwater from the existing rail siding area to Penrhyn Estuary and located on the neighbouring property leased by Hutchison Ports from NSW Ports, were closed off due to construction work being carried out by the rail extension project. In 2023 these will be reinstated and serviced as per the maintenance schedule.</p>
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Photo 6.6.1: Diesel trans-tanks in bunded area



Photo 6.6.2: Road tanker delivering diesel



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

- Service the four SQIDs (that drain stormwater from the existing rail area to Penrhyn Estuary) as soon arrangements can be made with Hutchison Ports when operations are not being conducted in the area.
- OEMP reviewed (version 3, 4 July 2022), including Section 6.2 – Stormwater Quality Management Plan.
- Modification discussed internally and in brief with NSW Ports and the Department. Patrick has prepared a draft proposed consolidation document. Patrick is now waiting for details of potential major upgrade to rail area which may necessitate modification to approval conditions that could also address this finding in a consolidated manner. The Rail expansion project continued throughout 2022. It is anticipated to be completed Q3 2023.

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	<p>The current issue of the OEMP (version 3, 4 July 2022) is available on the Patrick website https://patrick.com.au/about/safety-and-environment/.</p> <p>Housekeeping inspections are conducted periodically.</p>
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Trend / key management implications	<p>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.</p>
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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	<ul style="list-style-type: none"> - Continue to conduct housekeeping inspections as per the inspection and audit schedule. - OEMP reviewed (version 3, 4 July 2022) including Section 6.3 – Feral Animal Management Plan.
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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	<p>The current issue of the OEMP (version 3,4 July 2022) is available on the Patrick website https://patrick.com.au/about/safety-and-environment/.</p> <p>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.</p> <p>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.</p> <p>Site environmental inspections are conducted at least every three months and include an inspection of waste storage areas.</p> <p>Wastewater diverted to sewer is routinely monitored and tested as per Patrick's Industrial Trade Wastewater Consent (No. 24990, dated 19 May 2019). The Backflow Prevention Devices were last tested by Matic Plumbing (Verifier – 083F5060, approved by Sydney Water) on 11 July 2022.</p> <p>The grease trap is pumped out and cleaned every 26 weeks.</p> <p>Waste tyres are being disposed of from the facility, however the waste tyres are not being tracked in accordance with Protection of the Environment Operations (Waste) Regulation 2014, Clause 76 – Reporting on transportation of waste tyres solely within New South Wales.</p> <p>Trelleborg (Patrick's tyre supplier) has provided a Scrap Tyre Analysis report recording the tyres serial number. Trelleborg is using Molycorp, which are an accredited participant of the TSA (Tyre Stewardship of Australia), and information has been collected as to how the tyres are being processed at end of life. Unfortunately, at the time of this report been prepared, Trelleborg has not been able to use EPA's WasteLocate app to track waste tyres as they are not an authorised tyre receiver. This was identified as a limitation on the system and has been raised with the EPA.</p> <p>Wastewater diverted to sewer is routinely monitored and tested as per Patrick's Industrial Trade Wastewater Consent (No. 24990, dated 20 May 2019). The backflow containment device test (Receipt No. 1186573) was conducted by Matic Plumbing (approved by Sydney Water) on 11 July 2022 and the results forwarded directly to Sydney Water.</p>
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Trend / key management implications	The volume of waste (e.g., waste oil, and oily rags) recycled in 2022 has remained consistent with previous years as the recycling practices carried out by the Maintenance Department remains common practice.
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Photo 6.8.1: Enclosed rubbish bins next to Operations vehicle parking area

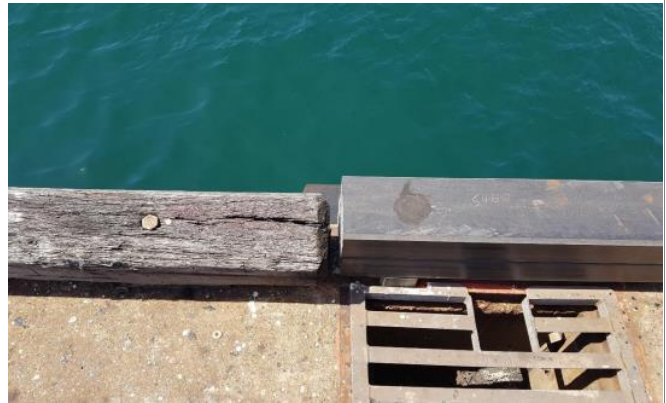


Photo 6.8.2: Wooden stringers (left) being replaced with recycled plastic stringers (right)



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	<ul style="list-style-type: none"> - Patrick will continue to monitor waste volumes using the Waste Register. - EPA assistance/advice on how to effectively track tyres in 2023. - OEMP reviewed (version 3, 4 July 2022), including Section 6.4 – Waste and Wastewater Management Plan.
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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	<p>The current issue of the OEMP (version 13, 4 July 2022) is available on the Patrick website https://patrick.com.au/about/safety-and-environment/.</p> <p>The two development consents cover different berths: Berth 6 (DA 494), and Berths 7, 8 and 9 (DA 453).</p> <p>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.</p> <p>During 2022 routine environmental inspections were conducted of the Operational and Maintenance work areas. The initial environmental inspections of the Maintenance areas identified several opportunities for improvement.</p>
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 banded pallets and grease (due to high viscosity) on wooden pallets



Photo 6.9.2: Flammable liquids cabinet

Implemented / proposed management actions

- Conduct routine environmental inspections, and audit of chemicals and dangerous goods and hazardous chemical storage areas will continue during the next reporting period.
- OEMP reviewed (version 3, 4 July 2022), including 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	<p>The current issue of the OEMP (version 3, 4 July 2022) is available on the Patrick website https://patrick.com.au/about/safety-and-environment/.</p> <p>Noise mitigation is covered in the Site Induction which includes the requirements to minimise noise from operations and cargo handling.</p> <p>During 2022 there were nil 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).</p> <p>Noise monitoring is conducted six-monthly by Rodney Stevens Acoustics. Monitoring conducted in May 2022 and November 2022.</p> <p>Patrick's operational noise for during 2022 is considered to comply with the EPL day, evening, and night-time noise limits.</p> <p>Copies of the 2022 noise monitoring reports have been posted on the Patrick website https://patrick.com.au/about/safety-and-environment/.</p> <p>Copies of the 2022 Public Inquiry, Comment & Complaint Handling Report have been posted on the Patrick website https://patrick.com.au/about/safety-and-environment/.</p>
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Trend / key management implications	There appears to be no significant impact on noise limits and noise emissions from the Patrick terminal during 2022.
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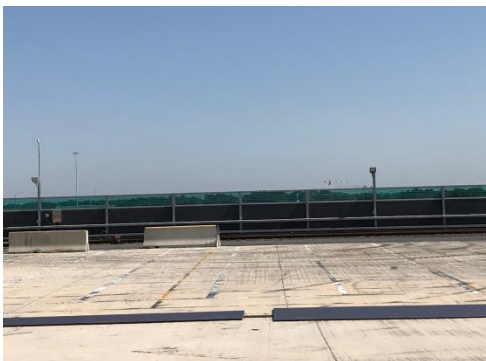


Photo 6.10.1: Noise attenuation wall positioned on the Northern side of the Patrick terminal, between Hutchison's rail siding and the Penrhyn Estuary

Implemented / proposed management actions	<ul style="list-style-type: none">- Noise monitoring will continue to be carried out at 6-monthly intervals as per the conditions of the Patrick Environmental Protection Licence (EPL 6962).- Patrick will provide the Biannual Noise Monitoring Compliance Reports directly to NSW Ports. NSW Ports (with permission from EPA NSW) will report on behalf of Patrick Terminals to facilitate a single point of contact for all noise reporting. NSW Ports have been approved by EPA NSW to provide all noise reports.- OEMP reviewed (version 3, 4 July 2022), including Section 6.6 – Operational Noise Management Plan)
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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	<p>The current issue of the OEMP (version 3 4 July 2022) is available on the Patrick website https://patrick.com.au/about/safety-and-environment/.</p> <p>Patrick redeveloped its Traffic Management Plan (TMP) and is compliant with the requirements of the NSW Ports Port Botany Overarching Traffic Management Plan (March 2020, Version 1).</p>
Trend / key management implications	<p>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.</p> <p>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.</p> <p>By 2045, NSW Ports has set a target of three million TEU per year to be transported by rail i.e., 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.</p> <p>Most of the 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 by 2045</p> <p>Patrick's Traffic Management Plan</p>
Implemented / proposed management actions	- OEMP Reviewed (version 3, 4 July 2022), including 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	<p>The current issue of the OEMP (version 3, 4 July 2022) is available on the Patrick website https://patrick.com.au/about/safety-and-environment/.</p> <p>Patrick has complied with the requirements under the Development Consent (DA-494) and the EIS for crane height, light spill, and bird management.</p> <p>Patrick obtained approval under the Airports (Protection of Airspace) Regulations 1996 (APAR) (Ref: 12/5083) for the intrusion of three Leibherr 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. In 2021 a fourth Leibherr quay crane (CS15) was installed at Berth 6 following approval granted by the Approval was granted by Department of Infrastructure, Transport, Regional Development and Communication on 29 June 2020.</p> <p>During the monitoring period (2022) there were no reported incidents of aviation impacts or aviation requested management of birds.</p>
Trend / key management implications	<p>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.</p> <p>When vessels are not under stevedore operations, the quay crane lights (except the beacon lights) will be switched off to minimise the light glare or distraction to aircraft pilots.</p> <p>Bird Management - Where containers have leaked grain, the grain is swept up as soon as practicable.</p> <p>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.</p>
Implemented / proposed management actions	- OEMP reviewed (version 3 4 July 2022) including Section 6.8 – Aviation Operational Impacts 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	The current issue of the OEMP (version 3, 4 July 2022) is available on the Patrick website https://patrick.com.au/about/safety-and-environment/ .
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Trend / key management implications	<p>During 2022 bird management continued inside the Maintenance workshop where pigeons tend to roost.</p> <p>Patrick personnel are asked 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:</p> <ul style="list-style-type: none"> ▪ 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 toolbox talks; and <p>The design of rooves and guttering of terminal buildings to deny birds the opportunities to roost and make nests.</p>
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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	- OEMP reviewed (version 3 4 July 2022) including Section 6.9 – Bird Hazard Management Plan.
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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	The current issue of the OEMP (version 3, 4 July 2022) is available on the Patrick website https://patrick.com.au/about/safety-and-environment/ .
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Trend / key management implications	<p>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.</p> <p>The terminal has predominately sealed surfaces which are routinely inspected, and repairs carried out as required.</p> <p>Vegetation is routinely managed to ensure road signs and visibility is not impaired.</p>
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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	- OEMP reviewed (version 3 4 July 2022) including Section 6.10 – Vegetation and Land Management Plan.
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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	<p>The current issue of the OEMP (version 3, 3 July 2022) is available on the Patrick website https://patrick.com.au/about/safety-and-environment/.</p> <p><u>2022 – Water Resources Management Plan</u> OEMP revised (version 3) while it does not include a specific <i>Water Resources Management Plan</i> it does include:</p> <ul style="list-style-type: none"> ▪ Stormwater Management Plan (Section 6.2) ▪ Waste and Wastewater Management Plan (Section 6.4) ▪ Energy and Resources Management Plan (Section 6.12) <p>Patrick is monitoring resource consumption include diesel and electricity usage. Annually Scope 1 and Scope 2 carbon emissions are reported to the National Pollution Inventory (NPI), and National Greenhouse and Energy Reporting (NGER).</p>
Trend / key management implications	Fuel usage per TEU was similar in 2022 compared to 2021. Electricity per TEU also remained like 2021 consumption.
Implemented / proposed management actions	<ul style="list-style-type: none"> - Patrick's National Environment Manager is investigating sources to obtain water usage data, so that it can be monitored and tracked. - OEMP reviewed (version 3 4 July 2022) including Section 6.11 – Energy and Resources 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	<p>The current issue of the OEMP (version 3, 4 July 2022) is available on the Patrick website https://patrick.com.au/about/safety-and-environment/.</p> <p>The current issue of the terminal's – Biosecurity Incident Response Procedure (BIRP) is located in the Safety folder: 03- Legal Compliance – 06 – Biosecurity.</p>
Trend / key management implications	Nil Trends
Implemented / proposed management actions	<ul style="list-style-type: none"> - Review the terminal's Biosecurity Incident Response Procedure (BIRP) with the Operations Manager etc. - OEMP reviewed (version 3 4 July 2022) including Section 6.12 – Biosecurity and Customs (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	The current issue of the OEMP (version 3, 4 July 2022) is 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	- OEMP reviewed (version 3 4 July 2022) including 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 of this report (and the OEMP, Section 6.2)
- Waste and Wastewater Management Plan, refer to Section 6.8 of this report (and the OEMP, Section 6.4).

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 DA494 or DA453.

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	<p>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).</p> <p>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 a person appointed by the chairperson and who is not a member of the PBCCC.</p> <p>As part of the meeting agenda Patrick provides updates as required/requested. The Patrick representative at the PBCCC meetings is either the HSE Manager or Operations Manager (or delegate). Patrick's representative attended one of the PBCC meetings held during the reporting period (2021), which because of the COVID-19 pandemic were held online:</p> <ul style="list-style-type: none"> - Port Botany CCC – Meeting No. 34 – 22 February 2022 (Gus May – attendee) - Port Botany CCC – Meeting No. 35 – 24 May 2022 (Gus May – attendee) - Port Botany CCC – Meeting No. 36 – 23 August 2022 (Sam Steel – attendee) - Port Botany CCC – Meeting No. 37 22 November 2022 (Sam Steel – attendee) <p>PB CCC Minutes available on the NSW Ports website: https://www.nswports.com.au/resources-filtered/port-botany-ccc-minutes</p>
Trend / key management implications	No trend / key management implications.
Implemented / proposed management actions	- OEMP reviewed (version3 4 July 2022) including Section 4.7 – Community Consultation Committee.

9.2 Handling Environmental Related Public 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	<p>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.</p> <p>The phone number is displayed on the front fence next to Patrick's Port Botany Terminal Gate B105A adjacent fence and available on Patrick's website: https://patrick.com.au/about/safety-and-environment/</p> <p>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, and details of the findings and actions taken by Patrick are also recorded in Patrick's HSE incident database (Noggin).</p> <p>Each event is entered into Patrick's HSE incident database (Noggin) and relevant correspondence attached. Any complaints received are reported as part of the daily, weekly, and monthly environmental report.</p> <p>During 2022 there were zero (0) public comments, inquiries and complaints received by Patrick or via the EPA and/or NSW Ports (refer to Section 9.3 – Public Comments, Inquiries and Complaints Register of this AEMR).</p> <p>The quarterly Community Feedback Reports are available on Patrick's website: https://patrick.com.au/about/safety-and-environment/</p>
Trend / key management implications	Complaints have remained steady at zero from 2021 to 2022.
Implemented / proposed management actions	- OEMP reviewed (version 3 4 July 2022) including Section 4.6 – Handling Environmental Related Public Inquires, Comments and Complaints.

9.3 Public Comments, Inquiries and Complaints Register

Table 11: Public Comments, Inquiries and Complaints Register: 1 January 2022 to 31 December 2022

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
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10. Independent Environmental Compliance Audit

The 2022 Independent Environmental Compliance Audit (IEA) covers DA494, C4.5 an Annual Independent Environmental Compliance Audit, and DA-453, 6.7 (a three-yearly audit). It was conducted by Derek Low (WolfPeak Pty Ltd) an independent auditor approved by the DPIE Secretary and conducted 11 January 2023.

A copy 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: Audit Findings - Non-Compliance and Corrective Actions for: 2022

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 new findings made against the conditions of DA 494 during the audit.						
DA 453 – Patrick Port Botany Redevelopment Approval						
There were no new findings made against the conditions of DA 453 during the audit.						

11. Incidents during the reporting period

There were in 2022:

- **Events:** 49 x environmental events recorded in the incident reporting management system (Noggin) for tracking purposes. These events were contained within the terminal area and cleaned up without any discharge, material harm, to the environment. (Note: Public comments, inquires or complaints are reported separately, refer to Section 9.)

Table 11.1: Environmental Related Incidents Reported - 2022

Event No.	Date / Incident No.	Area of Impact	Description / Classification	Action Taken	Status
-	-	-	-	-	-

Appendix A: PO Expansion Project – Condition of Approval: DA494-11-2003-i (MOD 17)

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 - Port Botany Expansion CoA 494 (Applicant: Sydney Ports Corporation transferred to NSW Ports), MOD 17 approved 19 September 2019

No.	Condition of Approval 494 (MOD 17, 19 September 2020) - Detail	Evidence 2022	Assessment Rating 2022
SCHEDULE A: OVERALL SCOPE OF DEVELOPMENT WORKS AND GENERAL PROVISIONS			
A1	GENERAL		
	Scope of Development		
	The approved aspects of the development shall be carried out generally in accordance with: <ol style="list-style-type: none"> Development Application DA 494-11-2003-i, lodged with Department on 26 November 2003. Port Botany Expansion: <i>Environmental Impact Statement</i> (ten volumes), prepared by URS Pty Ltd and dated November 2003; <i>Port Botany Expansion Commission of Inquiry – Primary Submission</i> (two volumes), prepared by URS Pty Ltd dated May 2004 <i>Port Botany Expansion Commission of Inquiry – Supplementary Submission to Environmental Impact Statement</i>, prepared by URS Pty Ltd and dated August 2004 <i>Port Botany Expansion Environmental Impact Statement – Supplementary Submission</i> (two volumes), prepared by URS and dated October 2004; modification application MOD-107-9-2006-i, accompanied by <i>Port Botany Expansion, Section 96(1A) Application: Modification of Consent Conditions</i>, prepared by SPC and dated September 2006; modification application MOD-134-11-2006-i, accompanied by <i>Port Botany Expansion, Section 96(1A) Modification – Wharf Structure Design</i>, prepared by SPC and dated November 2006; 	2022 - Status: Compliance with these requirements is verified through this independent audit process, compliance reports etc.	Compliant

No.	Condition of Approval 494 - Detail	Evidence 2022	Assessment Rating 2022
	<p>h) modification application MOD-149-12-2006-i, accompanied by <i>Port Botany Expansion, Section 96(1A) Modification – Application to Modify Conditions B2.9 and B2.22 of the Port Botany Consent</i>, prepared by SPC and dated 1 December 2006;</p> <p>i) modification application MOD-78-9-2007-i, accompanied by <i>Port Botany Expansion – Modification of Conditions C2.20 & C2.25</i>, prepared by SPC, dated July 2007;</p> <p>j) modification application MOD-60-9-2008, accompanied by <i>Port Botany Expansion – Modification of Conditions B2.46 & C2.25</i>, prepared by SPC, dated 27 August 2008;</p> <p>k) modification application MOD-68-12-2008, accompanied by a letter from SPC dated December 2008;</p> <p>l) modification application MOD-08-03-2009, accompanied by a letter from Sydney Ports Corporation dated 16 February 2009 and assessment report titled <i>Port Botany Expansion – Rail Operations Section 96(1A) Modification</i> dated February 2009</p> <p>m) modification application 494-11-2003-I MOD 8, accompanied by an assessment report titled <i>“Port Botany Expansion – Ship Turning Area Dredging Section 96 (1A) Modification</i> dated May 2009;</p> <p>n) modification application DA-494-11-2003-I MOD 9 accompanied by an assessment report titled <i>“Port Botany Expansion – Additional High Spot Dredging off Molineux Point Section 96 (1A) Modification”</i> dated May 2009.</p> <p>o) modification application DA-494-11-2003-I MOD 10, accompanied by an assessment within the letter titled <i>“Port Botany Expansion – Section 96(1A) Modification – Additional Ship Turning Area Dredging”</i> dated 8 July 2009;</p> <p>p) modification application DA-494-11-2003-i MOD 11, accompanied by an assessment report titled <i>“Sydney Port Botany Terminal No. 3 PKG-17.1 Planning Section 75W Modification Operations Building and Maintenance Building”</i> dated 14 September 2011; and</p> <p>q) modification application DA-494-11-2003-i MOD 12, accompanied by an assessment report titled <i>“Sydney Port Botany Terminal No. 3 PKG-17.1 Planning Section 75W Modification to Stormwater First Flush System”</i> dated 15 February 2012 and supplementary advice provided on 6 June 2012 in relation to other proprietary SQID devices; and</p>	<p>Refer to the previous page</p>	<p>---</p>

No.	Condition of Approval 494 - Detail	Evidence 2022	Assessment Rating 2022
	<ul style="list-style-type: none"> 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; v) modification application DA-494-11-2003-i MOD 17, accompanied by letter titled ‘Port Botany Expansion s4.55(1) Modification Application to DA-494-11-2003i – Administrative Update to Conditions of Approval’, prepared by NSW Ports and dated 16 October 2018; and w) the conditions of this consent. <p>Insofar as they relate to the approved development.</p>	<p><i>Refer to previous page</i></p>	<p>Compliant</p>
A1.2	<p>In the event of an inconsistency between:</p> <ul style="list-style-type: none"> 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. 	<p>2022 – Status: This AEMR (and Annual Compliance Report) assesses compliance with these conditions of the consent.</p>	<p>Compliant</p>

No.	Condition of Approval 494 - Detail	Evidence 2022	Assessment Rating 2022
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.	<p><u>Background (do not remove):</u> The Federal EPBC Approval 2002/543 and EPL 6962 remain valid. Sydney Water Trade Waste Consent No. 24990, and Trade Waste Discharge Schedule Permit No. 40110 are current. A few other permits, licences, and approvals, as issued by various government authorities, have been obtained for the operation of the terminal.</p> <p><u>2022 – Status:</u></p> <p>The licences, permits and approvals are listed in Section 2.3 of the OEMP (version 3, 4-Jul-2022) which is available on the Patrick website: https://patrick.com.au/about/safety-and-environment/</p>	Compliant
Port Throughput Capacity Limits			
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.	<p><u>2022 – Status:</u></p> <p>Trade bulletins published on NSW Ports website indicate these limits are being exceeded at present.</p> <p>https://www.nswports.com.au/resources-filtered/trade-reports</p>	Compliant

No.	Condition of Approval 494 - Detail	Evidence 2022	Assessment Rating 2022
SCHEDULE C: TERMINAL OPERATIONS			
C1	GENERAL REQUIREMENTS		
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.	<p>Background (do not remove): Patrick's Sydney AutoStrad Terminal is a port facility/terminal operator moving shipping containers to and from vessels from and to trucks/trains. This AEMR (Annual Compliance Report) has been conducted to assess compliance against these conditions with respect to its own operations.</p> <p>2022 - Status: 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.</p>	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, compliance with the conditions of this Schedule may be undertaken individually by operators, or collectively.	<p>Background (do not remove): Patrick's Sydney AutoStrad Terminal is a port facility/terminal operator moving shipping containers to and from vessels from and to trucks/trains. This AEMR (Annual Compliance Report) has been conducted to assess compliance against these conditions with respect to its own operations.</p> <p>2022 - Status: 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.</p>	Compliant
Interim Uses Port, Maritime and Waterways Related Uses – Hayes Dock Services Area			
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, C3.1, C3.2, C3.3, C4.2, C4.3, C4.4 and C4.5.	<p>Background (do not remove): Patrick's Sydney AutoStrad Terminal does not use or access Hayes Dock Services Area. This condition is not applicable to Patrick's operation.</p> <p>2022 – Status: No change.</p>	Not applicable

No.	Condition of Approval 494 - Detail	Evidence 2022	Assessment Rating 2022
Operation Environment Management Plan – Port, Maritime and Waterway Related Interim Uses Hayes Dock Services Area			
C1.2B	<p>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:</p> <ul style="list-style-type: none"> - Odour and Air Quality; - Noise Management; - Waste Management; - Water and Wastewater Management; - Hazard and Risk Management; - Amenity, including lighting; and - Incident Reporting <p>The OEMP shall also address:</p> <ul style="list-style-type: none"> - 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. <p>Noise management shall include:</p> <ul style="list-style-type: none"> - 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. <p>The plan shall also</p> <ul style="list-style-type: none"> - Identify all statutory obligations that the applicant is required to fulfil in relation to operation of the development, including all consents, licences, approvals and consultations; - Include a description of the roles and responsibilities of all key employees involved in the operation of the development; and - Include overall environmental policies and principles to be applied to the operation of the facility. <p>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.</p>	<p><u>Background (do not remove):</u> Patrick’s terminal does use or access Hayes Dock Services Area. This condition is not applicable to Patrick’s operation.</p> <p><u>2022 – Status:</u> No change.</p>	<p>Not Applicable</p>

No.	Condition of Approval 494 - Detail	Evidence 2022	Assessment Rating 2022
Noise Management Plan – Interim Uses Hayes Dock Area Operation			
C1.2C	The noise management plan shall include, but not necessarily be limited to: <ul style="list-style-type: none"> - 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. 	<u>Background (do not remove):</u> Patrick's terminal does use or access Hayes Dock Services Area. This condition is not applicable to Patrick's operation. <u>2022 – Status:</u> No change.	Not Applicable
Noise Compliance Assessment - Interim Uses Hayes Dock Area Operation			
C1.2D	Noise from the Hayes Dock Service Area must not exceed the $L_{eq(15\text{ minute})}$ 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.	<u>Background (do not remove):</u> Patrick's terminal does use or access Hayes Dock Services Area. This condition is not applicable to Patrick's operation.	Not Applicable
C1.2E	A complaint handling procedure shall be implemented for the Hayes Dock Services 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: <ul style="list-style-type: none"> - 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. 	<u>2022 – Status:</u> No change.	Not Applicable
C12F	Annual reporting on the compliance of the Hayes Dock Services Area within the OEMP shall be conducted annual. The first report for the Hayes Dock Services Area shall be provided to the Department within twelve (12) months from the date of the approval of modification 16, unless otherwise agreed by the Secretary.		Not Applicable

No.	Condition of Approval 494 - Detail	Evidence 2022	Assessment Rating 2021
Operation Environmental Management Plan (OEMP)			
C1.3	<p>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:</p> <ul style="list-style-type: none"> - identify all statutory obligations that the Applicant is required to fulfil in relation to operation of the development, including all consents, licences, approvals and consultations; - describe any relevant staging or phasing of the commencement of operations within the terminal envelope and any relevant timeframes; - clearly outline what aspects of environmental management, monitoring and reporting would be undertaken by the Applicant or jointly with other operators within the terminal area; - include a description of the roles and responsibilities for all key employees involved in the operation of the development; - include overall environment policies and principles to be applied to the operation of the facility; - include specific consideration of measures to address any requirements of DPIE, 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 Secretary. 	<p><u>Background (do not remove):</u> 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)).</p> <p><u>2022 – Status:</u></p> <p>The current ‘Patrick Port Botany Terminal Operation Environmental Management Plan (OEMP) (version 3, 4-Jul-2022) was developed for Patrick terminal operations and is available on the Patrick’s website: https://patrick.com.au/about/safety-and-environment/</p>	Compliant

No.	Condition of Approval 494 - Detail	Evidence 2022	Assessment Rating 2022
Compliance Certification			
C1.4	<p>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.</p> <p>a) commencement of any operations within the terminal area; and b) commencement of each stage or phase of operations.</p>	<p><u>Background (do not remove):</u> 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)).</p> <p><u>2022 – Status:</u> No change.</p>	Compliant
C1.5	<p>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.</p>	<p><u>Background (do not remove):</u> The Department of Planning & Environment (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.</p> <p><u>2022 – Status:</u> No additional information requested during the 2022 calendar year.</p>	Compliant
C2 OPERATIONAL ENVIRONMENTAL PERFORMANCE			
Air Quality Management – Odour			
C2.1	<p>The development shall be undertaken so as not to permit any offensive odour, as defined under section 129 of the <i>Protection of the Environment Operations Act 1997</i>, to be emitted beyond the boundary of the site.</p>	<p><u>2022 Status:</u> Refer to OEMP (version 3, 4-Jul-2023), Section 6.1 – Air Quality Management Plan on Patrick’s website – https://patrick.com.au/about/safety-and-environment/</p> <p>No complaints of odour(s) attributed to Patrick’s Operations were received from the local community during 2022.</p>	Compliant

No.	Condition of Approval 494 - Detail	Evidence 2022	Assessment Rating 2022
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.	<p>Background (do not remove): 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.</p> <p>2022 Status: Refer to OEMP (version 3, 4-Jul-2022), Section 6.1 – Air Quality Management Plan on Patrick’s website - https://patrick.com.au/about/safety-and-environment/</p> <p>The rail extension project, whilst under a separate approval framework (i.e., SEPP (Three Ports) 2013 process; Bayside Council – Certificate, CD2019/349 – 8-Nov-2019), is considered the only activity on site with the potential to generate dust. Mainland Civil has a Constructional Environmental Management Plan (CEMP) which addresses dust management. Inspections are being carried out and include checking on air quality.</p> <p>During 2022, no dust emissions were detected during environmental (air) inspections of the site or reported by the community or external parties to Patrick.</p>	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.	<p>Background (do not remove): All internal roads and truck areas are paved/sealed.</p> <p>2022 – Status: 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.</p>	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.	<p>Background (do not remove): Heavy 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 (as required under NSW Road Laws). External roadways are swept as needed using a street sweeper(s).</p> <p>2022 Status: Refer to OEMP (version 3,4-Jul-2022), Section 6.1 – Air Quality Management Plan on Patrick’s website - https://patrick.com.au/about/safety-and-environment/</p> <p>During 2022, no complaints were received relating to uncovered loads generating and emitting dust.</p>	Compliant

No.	Condition of Approval 494 - Detail	Evidence 2022	Assessment Rating 2022
Noise Management - Operation Noise Management Plan			
C2.5	<p>Prior to the commencement of operations, the Applicant must prepare an Operation Noise Management Plan in consultation with EPA, DPIE, Botany and Randwick Councils. The Plan shall include noise management, mitigation monitoring and reporting to ensure that local acoustic amenity is not adversely impacted. In addition, the Operational Noise Management Plan must:</p> <ul style="list-style-type: none"> - identify general activities that will be carried out and associated noise sources; - assess operation noise impacts at the relevant receivers; - a primary objective of achieving the operational noise limits outlined in this consent; - provide details of overall management methods and procedures that will be implemented to control noise from the development; - 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. 	<p>Background (do not remove): 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)).</p> <p>2022 – Status:</p> <p>Refer to Patrick's OEMP (version 3, 4-Jul-2022), Section 6.6 – Operational Noise Management Plan (ONMP) on Patrick's website - https://patrick.com.au/about/safety-and-environment/</p> <p>Biannual Noise Compliance Monitoring Reports have been prepared in accordance with EPL6962, and completed during the monitoring period:</p> <ul style="list-style-type: none"> • May 2022 • November 2022 <p>Copies of these reports are available on Patrick's website at: https://patrick.com.au/environmental-monitoring/</p>	Compliant

No.	Condition of Approval 494 - Detail	Evidence 2022	Assessment Rating 2022																																															
Noise Management – Noise Limits																																																		
C2.6	<p>Noise from the premises must not exceed the sound pressure level (noise) limits presented in the Table below. Note the limits represent the sound pressure level (noise) contribution, at the nominated receiver locations in the table.</p> <table border="1"> <thead> <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> </thead> <tbody> <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> </tbody> </table> <p>For the purpose of this condition;</p> <ul style="list-style-type: none"> Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and Public Holidays, Evening is defined as the period from 6pm to 10pm Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays 	Most affected residential Location	Day	Evening	Night			L _{Aeq} (15 min)	L _{Aeq} (15 min)	L _{Aeq} (15 min)	L _{Aeq} , 9hrs	L _{Aeq} (1 min)	Chelmsford Avenues	40	40	40	38	53	Dent Street	45	45	45	43	59	Jennings Street	36	36	36	35	55	Botany Road (north of Golf Club)	47	47	47	45	59	Australia Avenue	35	35	35	35	57	Military Road	42	42	42	40	60	<p>Background (do not remove): Patrick did not report a recorded exceedance in the EPA Annual Return 1 April to 31 March of the following, 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.</p> <p><i>It is noted that the noise limits quoted in this condition are equal to or more stringent than those limits in existing EPL6962.</i></p> <p>2022 – Status: Biannual noise monitoring is conducted six-monthly by Rodney Stevens Acoustics. Monitoring conducted in May and November 2022. The reports are available on the Patrick website: http://www.patrick.com.au/environment-monitoring-reporting</p>	Compliant
Most affected residential Location	Day		Evening	Night																																														
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C2.7	<p>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.</p>	<p>Background (do not remove): 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.</p> <p>2022 – Status: This requirement is addressed in the 6-monthly Biannual Noise Compliance Monitoring Reports (May and November 2022) and are available on the Patrick website: http://www.patrick.com.au/environment-monitoring-reporting</p>	Compliant																																															

No.	Condition of Approval 494 - Detail	Evidence 2022	Assessment Rating 2022
C2.8	Noise from the premises is to be measured at 1m from the dwelling façade to determine compliance with the L_{A1} (1 minute) noise level in condition C2.6.	<p>Background (do not remove): This requirement is included in the scope of works for the acoustic noise monitoring reports as per EPL 6962.</p> <p>2022 – Status: The Biannual Noise Monitoring Compliance Reports for 2022 addressed this requirement.</p>	Compliant
C2.9	Where it can be demonstrated that direct measurement of noise from the premises is impractical, the EPA may accept alternative means of determining compliance. See Chapter 11 of the NSW Industrial Noise Policy.	<p>Background (do not remove): Noise monitoring is carried out as per the requirements listed in conditions C2.7 and C2.8 above, and EPL 6962.</p> <p>2022 – Status: The Biannual Noise Monitoring Compliance Reports for 2022 addressed this requirement (i.e., measurement).</p>	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.	<p>Background (do not remove): Noise monitoring is carried out as per the requirements listed and EPL 6962.</p> <p>2022 – Status: The Biannual Noise Monitoring Compliance Reports for 2022 addressed this requirement (i.e., methodology).</p>	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 1.5°C/100m positive lapse rate.	<p>Background (do not remove): This requirement is included in the scope of works for the acoustic noise monitoring reports.</p> <p>2022 – Status: The Biannual Noise Monitoring Compliance Reports for 2022 addressed these requirements (i.e., meteorological conditions).</p>	Compliant

No.	Condition of Approval 494 - Detail	Evidence 2022	Assessment Rating 2022
Operational Traffic Management Plan			
C2.12	<p>Prior to the commencement of terminal operations, the applicant must prepare an Operational Traffic Management Plan in consultation with TfNSW(RMS), DPIE, Botany and Randwick Councils and SSROC. The Applicant shall address the requirements of these organisations in the Plan. The Applicant shall also consult with the Community Consultative Committee in preparation of the Plan. The plan must include, but not be confined to, mitigation measures identified in EIS such as:</p> <ul style="list-style-type: none"> - identification of preferred routes to minimise noise impacts on the surrounding community; - physical and operational measures (including signage) to mitigate noise impacts from vehicles accessing and leaving the terminal; - measures to limit the impact of traffic noise on Foreshore Road and Botany Road; - driver education and information to promote driver habits to minimise noise; and - timetabling, scheduling and details of vehicle booking systems. <p>The plan must be submitted and approved by the Secretary prior to the start of operations.</p>	<p>Background (do not remove): 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.</p> <p>2022 – Status: Refer to OEMP (version 3, 4-Jul-2022), Section 6.7 – Operational Traffic Management Plan on Patrick's website - https://patrick.com.au/about/safety-and-environment/</p>	Compliant

No.	Condition of Approval 494 - Detail	Evidence 2022	Assessment Rating 2022
Waste Management On-Site			
C2.13	Management of waste must be in accordance with the environment protection licence issued by EPA under the <i>Protection of the Environment Operations Act 1997</i> .	<p>Background (do not remove): 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 \ EPL 6269 Conditions A1 and L2 details the scheduled activities for the premises and the types of waste permitted to be received.</p> <p>2022 – Status: Waste management for liquids and solid waste, except for used tyres are being directed to facilities that are permitted to receive these waste types. Refer to OEMP (version 3, 4-Jul-2022), Section 6.4 – Waste and Wastewater Management Plan on Patrick’s website - https://patrick.com.au/about/safety-and-environment/</p> <p>Non-compliance: No evidence is available to demonstrate that waste tyres being tracked in accordance with clause 76 of the <i>Protection of the Environment Operations (Waste) Regulations 2014</i>.</p>	Partially Closed
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 <i>Protection of the Environment Operation (Waste) Regulation 2005</i> and the <i>Waste Classification Guidelines (DECCW 2009)</i> , or any future guideline that may supersede that document. All waste materials removed from the site shall only be directed to a waste management facility lawfully permitted to accept the materials.	<p>2021 – Status: 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 liquid and solid (with the exception of used tyres) waste are maintained in a Waste Register.</p> <p>Non-compliance: No evidence is available to demonstrate that waste tyres being tracked in accordance with clause 76 of the <i>Protection of the Environment Operations (Waste) Regulations 2014</i>.</p>	Partially Closed

No.	Condition of Approval 494 - Detail	Evidence 2022	Assessment Rating 2022
Water and Wastewater Management			
C2.14	Except as may be expressly permitted by a licence under the <i>Protection of the Environment Operations Act 1997</i> in relation to the development, section 120 of that Act (prohibition of the pollution of waters) shall be complied with in connection to the development.	<p>Background (do not remove): No water quality monitoring is required by the EPL (6962) and there are no licenced discharge points.</p> <p>2022 – Status:</p> <ul style="list-style-type: none"> Events: 49x environment events were recorded in Patrick’s incident reporting management system (Noggin) for tracking purposes. Nil (0) of these events were identified as having been in contact with or impacted the environment. 	Compliant
Water and Wastewater Management – Pollutant Concentration Limits			
C2.15	For each monitoring / discharge point or utilisation area, the concentration of any pollutant discharged at that point, or applied to that area, must not exceed concentration limits specified in the relevant environment protection licence.	<p>Background (do not remove): There no licenced discharge points in the EPL.</p> <p>2022 – Status:</p> <p>No change.</p>	Not Applicable

No.	Condition of Approval 494 - Detail	Evidence 2022	Assessment Rating 2022
Hazards and Risk Management – Hayes Dock Interim Uses			
C2.15A	Port, maritime and waterways related uses with in 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.	<p>Background (do not remove): Patrick’s terminal does use or access Hayes Dock Services Area. This condition is not applicable to Patrick’s operation.</p> <p>2021 – Status: No change.</p>	Not Applicable
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 DPIE regarding the use of the new terminal for loading, unloading and storage of dangerous goods of Classes 2.3 and 6.	<p>Background (do not remove): Patrick’s Emergency Response Plan includes the PIRMP (<i>Pollution Incident Response Management Plan</i>). The PIRMP covers the guideline issued by the EPA.</p> <p>2022 - Status: The Emergency Response Plan (ERP) and Emergency Response Procedures (including PIRMP)(version 14, 31-Mar-2022), and OEMP (version 3, 4-Jul-2022), 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.</p> <p>DG movements are managed as per <i>AS3846 – The handling and transport of dangerous goods cargoes in port area</i>.</p> <p>Standard Operating Procedure (SOP) – <i>Storage & Handling of Hazardous Dangerous Goods (PBT_OPS_SOP_04_03)</i>:</p> <ul style="list-style-type: none"> 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. <p>A copy of the current ERP is available on the Patrick website: https://patrick.com.au/about/safety-and-environment/</p>	Compliant

No.	Condition of Approval 494 - Detail	Evidence 2022	Assessment Rating 2022
C2.17	<p>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.</p> <p>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 month reporting, the Applicant shall prepare an updated hazard analysis for the PBE operations. The hazard analysis shall:</p> <ul style="list-style-type: none"> - Be prepared in consultation with the Department; - Be prepared in accordance with <i>Hazardous Industry Planning Paper No. 6, 'Hazard Analysis'</i>; - Assess compliance against the land use safety planning risk criteria (including individual fatality risk, injury/irritation risk and societal risk), as outlined in <i>Hazardous Industry Planning Advisory Paper No. 4, 'Risk Criteria for Land Use Safety Planning'</i>; and - Assess whether the risks from PBE operations will significantly impact on the cumulative risk contour of 1×10^{-6} per annum, contained in Figure 2 of the <i>Port Botany Land Use Safety Study Overview Report 1996</i>, or any other revised land use safety study for the Port that supersedes the 1996 study. <p>The report shall be prepared to the satisfaction of the Secretary.</p> <p>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.</p> <p>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.</p>	<p>Background (do not remove): Clarified with the issue of DA 494 MOD 16, which was superseded by MOD 17 (19 September 2019).</p> <p>2022 – Status:</p> <p>Patrick issued its report of Dangerous Goods throughput for Berth 6 (1-Sep-21 to 31-Aug-22) to NSW Ports (as DA 494 applicant) on 12 September 2022.</p> <p>Refer to Appendix 1 of this report.</p> <p>(Patrick has not received correspondence from NSW Ports re the submission of the Port Botany Expansion (DA-494-11-2003-i) Annual Dangerous Goods Report (1-Sep-21 to 31-Aug-22) to the DPIE.)</p>	<p>Compliant</p>

No.	Condition of Approval 494 - Detail	Evidence 2022	Assessment Rating 2022																														
SCHEDULE 4 – DANGEROUS GOODS REPORTING THRESHOLDS																																	
	<p>Table 1 Dangerous Goods Reporting Threshold</p> <table border="1" data-bbox="259 395 1211 1206"> <thead> <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> </thead> <tbody> <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></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> </tbody> </table> <p>Notes:</p> <ol style="list-style-type: none"> PBE (Port Botany Expansion), numbers are inclusive of all stevedores operating under this consent. 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. 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 May 2017. UN chemical classification, Globalised Harmonised System (GHS) 	DG Class	Basis – Unit Type and number of shipping containers through PBE ^{Note 1} per year containing DG Class		Comments	From 2 te up to 12 te NEQ ^{Note 2}	≥ 12 te NEQ ^{Note 2}	Total Class 1.1 & 1.2	83	63	Number as per PHA (rev. 7) Table 6.8		Containers of packaged material	Tanktainers (Bulk) (<= 20 m ³)		Class 2.3	157	-	Packaged material is total of Class 2.3 as per PHA Table 6.8	Toxic gases DG Class 2.3	-	26	Class 2.3 Tanktainers (bulk) – new figure developed from Technical Note Section 2.5 ^{Note 3}	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	-	1		Class 8 only Hydrogen Fluoride (1051)	11	23	HF numbers as per PHA (rev. 7) Table 6.8	<p>2022 - Status:</p> <p>On 12 September 2022 Patrick reported to NSW Ports the Patrick’s report of Dangerous Goods throughput for Berth 6 (1-Sep-21 to 31-Aug-22) to NSW Ports (as DA 494 applicant).</p> <p>Patrick’s total volume of the specific DG Classes are well below the defined reporting threshold limit as defined in Table 1, Schedule 4 of MOD 17.</p> <ul style="list-style-type: none"> Class 1.1 and 1.2 – 0 containers Class 2.3 - 15 containers Class 8 – 3 container <p>Note: Patrick has not received correspondence from NSW Ports re the cumulative data from Patrick and Hutchison Ports as per Port Botany Expansion (DA-494-11-2003-I, MOD 17) Annual Dangerous Goods Report (1-Sep-21 to 31-Aug-22) to the DPIE.</p>	<p>Compliant</p>
DG Class	Basis – Unit Type and number of shipping containers through PBE ^{Note 1} per year containing DG Class		Comments																														
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No.	Condition of Approval 494 - Detail	Evidence 2022	Assessment Rating 2022
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 <i>Port Botany Land Use Safety Study (1996)</i> .	<p>2022 – Status:</p> <p>As per condition C2.17 above, the Annual Dangerous Goods Report findings concluded the annual threshold limits for this reporting period were not exceeded.</p>	Compliant
C2.19	Not assigned (condition deleted from Development Consent)	---	---
Emergency Incident Management - <i>Emergency Response and Incident Management Plan</i>			
C2.20	<p>The Applicant shall develop an Emergency Response and Incident Management Plan in consultation with EPA, DPIE, Council and the Community Consultative Committee. The Plan must be approved by the Secretary prior to the commencement of operations and shall detail:</p> <ul style="list-style-type: none"> - terminal security and public safety issues; - effective spill containment and management; - effective firefighting capabilities; - effective response to emergencies and critical incidents; and - a single set of emergency procedures, consistent with the existing Port Botany Emergency Plan, should be developed that be scaled as appropriate for any incident or emergency. 	<p>Background (do not remove): 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)).</p> <p>Background (do not remove): Patrick’s Emergency Response Plan includes the PIRMP (<i>Pollution Incident Response Management Plan</i>). The PIRMP covers the guideline issued by the EPA.</p> <p>2022 – Status:</p> <p>The Emergency Response Plan (which includes the PIRMP) (version 14, 31 March 2022) is available on the Patrick website – https://patrick.com.au/about/safety-and-environment/</p>	Compliant
Aviation Operational Impacts - <i>Impact on Aviation Operations at Sydney Airport</i>			
C2.21	The Applicant shall ensure that the location of fixed terminal operating infrastructure adequately takes into account the required lateral separation distances to minimise the interference to Sydney Airport radar and navigational systems.	<p>Background (do not remove): Patrick obtained approval under the <i>Airports (Protection of Airspace) Regulations 1996</i> (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.</p> <p>2022 – Status: No change</p>	Compliant

No.	Condition of Approval 494 - Detail	Evidence 2022	Assessment Rating 2022
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 <i>Airports Act 1999 and Airports (Protection of Airspace) Regulation 1966</i> .	<p><u>Background (do not remove):</u> As per C2.21 above.</p> <p><u>2022 – Status:</u> No change</p>	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.	<p><u>Background (do not remove):</u> Patrick has obtained approval under the <i>Airports (Protection of Airspace) Regulations 1996 (APAR)</i> (Ref: 12/5083) for the intrusion of three (3) 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.</p> <p><u>2022 – Status:</u></p> <p>Patrick has obtained approval under the <i>Airports (Protection of Airspace) Regulations 1996 (APAR)</i> (Ref: 12/5083) for the intrusion of fourth Leibherr cranes [No. 15] into prescribed airspace for Sydney Airport. Approval was granted by Department of Infrastructure, Transport, Regional Development and Communication on 29 June 2020.</p> <p>Section 6.8 of the OEMP addresses potential aviation operational impacts and controls which include monitoring, including light management in service agreements, direction of plant and facility lighting downwards. Available on Patrick’s website https://patrick.com.au/about/safety-and-environment/.</p> <p>No complaints regarding lighting were received during the audit period.</p>	Compliant

No.	Condition of Approval 494 - Detail	Evidence 2022	Assessment Rating 2022
Aviation Operational Impacts - Light Spill			
C2.24	<p>The Applicant shall adopt measures to ensure that there is minimal light spill from ships which may cause distraction, confusion or glare to pilots. These may include:</p> <ul style="list-style-type: none"> - minimising ship board lighting while berthed; - orientating ships in a specific direction; and or - providing temporary shielding on the ship mounted floodlights while docked. 	<p>Background (do not remove): 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.</p> <p>2022 – Status:</p> <p>Section 6.8 of the OEMP addresses potential aviation operational impacts and controls which include monitoring, including light management in service agreements, direction of plant and facility lighting downwards. Available on Patrick's website https://patrick.com.au/about/safety-and-environment/.</p> <p>Additionally, LED lights are being progressively installed throughout the terminal's mobile plant to further reduce light spill.</p> <p>No complaints regarding lighting were received during the audit period.</p>	Compliant
Aviation Operational Impacts - Bird Hazard Management Plan			
C2.25	<p>Prior to operations, the Applicant shall develop a Bird Hazard Management Plan to minimise the attraction of bird species that pose a risk to aircraft movements. The Plan is to be prepared in consultation with the Department of Transport and Regional Services, Sydney Airport Corporation and Botany and Randwick Councils. The Plan must be approved by the Secretary prior to the commencement of operations.</p>	<p>Background (do not remove): 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)).</p> <p>2022 – Status:</p> <p>Refer to OEMP (version 3, 4-Jul-2022), Section 6.9 - Bird Hazard Management Plan available on the Patrick website https://patrick.com.au/about/safety-and-environment/</p>	Compliant

No.	Condition of Approval 494 - Detail	Evidence 2022	Assessment Rating 2022
C3	COMMUNITY INFORMATION, INVOLVEMENT AND CONSULTATION		
Community Information, Involvement and Consultation			
C3.1	<p>The Applicant must meet the following requirements in relation to community consultation and complaints management:</p> <ul style="list-style-type: none"> - all monitoring, management and reporting documents required under the development consent shall be made publicly available; - provide means by which public comments, inquiries and complaints can be received, and ensure that those means are adequately publicised; and - includes details of a register to be kept of all comments, inquiries and complaints received by the above means, including the following register fields: <ol style="list-style-type: none"> i. the date and time, where relevant, of the comment, inquiry or complaint; ii. the means by which the comment, inquiry or complaint was made (telephone, fax, mail, email or in person); iii. any personal details of the commenter, inquirer or complainant that were provide, or if no details were provided, a note to that effect; iv. the nature of the complaint; v. any actions(s) taken by the Applicant in relation to the comment, inquiry or complaint, including any follow-up contact with the commenter, inquirer or complainant; vi. if no action was taken by the Applicant in relation to the comment, inquiry or complaint, the reason(s) why no action was taken; - Provide quarterly reports to the Department and EPA, unless otherwise agreed by the Secretary, outline details of complaints received. 	<p><u>Background (do not remove):</u> A Statement of Compliance, and a Monitoring and Complaints Summary is provided to NSW EPA as part of the Annual Return (OEMP).</p> <p>Contact details and 24/7 enquires and concerns line (Ph. (02) 9394 0308) is available to the public on Patrick’s website: https://patrick.com.au/about/safety-and-environment/</p> <p>Patrick maintains a Complaints Register.</p> <p>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.</p> <p><u>2022 – Status:</u></p> <p>The process for managing public comments, inquiries and complaints is documented in the OEMP (version 3, 2022) and reporting is addressed in the OEMP, Section 4.6.</p> <p>These reports are available on Patrick’s website: https://patrick.com.au/about/safety-and-environment/</p>	Compliant

No.	Condition of Approval 494 - Detail	Evidence 2022	Assessment Rating 2022
Community Consultative Committee			
C3.2	<p>At least 6 months prior to commencement of operations, the Applicant shall establish a Community Consultative Committee to oversee the environmental performance of the development. This committee shall:</p> <p>a) be comprised of:</p> <ul style="list-style-type: none"> • 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; <p>b) be chaired by an independent party approved by the Secretary;</p> <p>c) meet at least four times a year, or as otherwise agreed by the CCC;</p> <p>d) review and provide advice on the environmental performance of the development, including any construction or environmental management plans, monitoring results, audit reports, or complaints; and</p> <p>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</p> <p>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.</p> <p><i>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.</i></p>	<p>Background (do not remove): 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). Patrick provides updates during the meeting as and when required / requested.</p> <p>Port rail noise is included in the agenda as a routine agenda item.</p> <p>2022 – Status:</p> <p>During 2022 four PBCCC meetings were held with Patrick personnel attending all of them during the reporting period. The quarterly meetings were held on:</p> <ul style="list-style-type: none"> • 22 February 2022 • 24 May 2022 • 23 August 2022 • 22 November 2022 <p>Minutes of the PBCCC meetings are available on the NSW Ports website: https://www.nswports.com.au/resources-filtered/port-botany-ccc-minutes</p>	Compliant

No.	Condition of Approval 494 - Detail	Evidence 2022	Assessment Rating 2022
C3.3	<p>The Applicant shall, at its own expense:</p> <ul style="list-style-type: none"> 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. 	<p>Background (do not remove): 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).</p> <p>Representatives are from the community, tenants of the Port Botany Precinct, Local Council, NSW Ports, EPA etc.</p> <p>2022 – Status: Refer to CoA C3.2.</p> <p>Minutes of the PBCCC meetings are available on the NSW Ports website: https://www.nswports.com.au/resources-filtered/port-botany-ccc-minutes</p>	<p>Compliant</p>

No.	Condition of Approval 494 - Detail	Evidence 2022	Assessment Rating 2022
C4	ENVIRONMENTAL MONITORING AND AUDITING		
Incident Reporting			
C4.1	<p>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.</p>	<p>Background (do not remove): No water quality monitoring is required by the EPL (6962) and there are no licenced discharge points.</p> <p>2022 – Status: OEMP (version 3, 4-Jul-2022), Section 4.4 – Environmental Reporting sets out reporting requirements. The Emergency Response Plan (ERP) (version 13, 2022) is available on the Patrick website: https://patrick.com.au/about/safety-and-environment/</p> <ul style="list-style-type: none"> Events: 49x environment events were recorded in Patrick’s incident reporting management system (Noggin) for tracking purposes. Nil (0) of these events were identified as having been in contact with or impacted the environment. 	Compliant

No.	Condition of Approval 494 - Detail	Evidence 2022	Assessment Rating 2022
Annual Environmental Management Report (AEMR)			
C4.2	<p>The Applicant must prepare an Annual Environmental Management Report for the development. The Annual Environmental Management Report must:</p> <ul style="list-style-type: none"> - 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. 	<p>Background (do not remove): 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 3, 2022), Section 4.4 – Environmental Reporting.</p> <p>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.</p> <p>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”, <i>Post-approval requirements for State significant mining developments, October 2015</i>.</p> <p>2022 – Status:</p> <p>The 2021 AMER was submitted on the 28 February 2022.</p> <p>A copy of the submitted 2021 AMER will be uploaded onto Patrick’s website - https://patrick.com.au/about/safety-and-environment/</p>	Compliant
C4.3	Removed – refer to MOD 17.	<p>Background (do not remove): This condition ex MOD 16 was removed from MOD 17 (19 September 2019).</p> <p>2022- Status:</p> <p>No change.</p>	Not Applicable

No.	Condition of Approval 494 - Detail	Evidence 2022	Assessment Rating 2022
Environmental Training			
C4.4	<p>Prior to the commencement of operations an Environmental Training Program shall be developed and implemented to establish a framework in which relevant employees will be trained in environmental management and the operation of plant and equipment, including pollution control equipment, where relevant. The Program shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> a) identification of relevant employment positions associated with the development that have an operational or management role related to environmental performance; b) details of appropriate training requirements for relevant employees; c) a program for training relevant employees in operational and/ or management issues associated with environmental performance; and d) a program to confirm and update environmental training and knowledge during employment of relevant persons. 	<p>2022 – Status: OEMP (version 3, 4-Jul-2022), Section 4.3 – Induction and Training requirements are specified the Environmental Training requirements available on Patrick’s website - https://patrick.com.au/about/safety-and-environment/</p> <p>The employee and contractor induction programs (LMS – Patrick’s-learning management system) includes details on the consent and EPL, environmental responsibilities, spill management, waste, noise, etc. It also includes instruction on the use of drain wardens.</p>	Compliant

No.	Condition of Approval 494 - Detail	Evidence 2022	Assessment Rating 2022
Environmental Auditing			
C4.5	<p>Within one year of the commencement of operations and every year thereafter, the Applicant shall fund a full independent environmental audit. The audit must be undertaken by a suitably qualified person/team approved by the Secretary. The audits would be made publicly available and would:</p> <ul style="list-style-type: none"> - be carried out in accordance with ISO 14010 – Guidelines and General Principles for Environmental Auditing and ISO 14011 – Procedures for Environmental Auditing; - assess compliance with the requirements of this consent, and other licences and approvals that apply to the development; - assess the construction against the predictions made and conclusions drawn in the development application, EIS, additional information and Commission of Inquiry material; and - review the effectiveness of the environmental management of the development, including any environmental impact mitigation works. <p><i>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.</i></p>	<p>Background (do not remove): On 3 October 2017 the DPE approved Wolf Peak Australia Pty Ltd auditors (Steve Fermio and Derek Low) to conduct the independent environmental audits.</p> <p>2022 – Status: The 2022 annual Independent Environmental Compliance Audit was conducted by WolfPeak on the 11 January 2022. A copy of the final audit report was sent to NSW Ports and DPIE and will be available on Patrick’s website: https://patrick.com.au/about/safety-and-environment/</p>	Compliance

Appendix B: Patrick Redevelopment - Condition of Approval: DA 453-12-2002-I (MOD 8)

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), MOD 8 approved 22 May 2014

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
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.	<p><u>Background (do not remove):</u> 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).</p> <p><u>2022 – Status:</u></p> <p>A copy of the current OEMP (version 3, 4-Jul-2022) is available on the Patrick website: https://patrick.com.au/about/safety-and-environment/</p>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
1	General		
	Scope of Development		
1.2	<p>¹ The Applicant shall carry out the development generally in accordance with:</p> <ul style="list-style-type: none"> a. Development application DA-453-12-2002-i by, lodged with the Department on 16 December 2002, accompanied <i>Patrick Port Botany Container Terminal Upgrade, Environmental Impact Statement</i> (three volumes), dated November 2002 and prepared by Parsons Brinckerhoff; b. Additional information provided in respect of development application DA-453-12-2002-i, including: <ul style="list-style-type: none"> i. The letter from Parsons Brinckerhoff to Planning NSW dated 17 April 2003 titled <i>Patrick Port Botany EIS – Response to Hazard and Risk Issues</i>; ii. <i>Upgrade of Port Botany Container Terminal, Revised Noise Assessment</i>, dated May 2003 and prepared by Wilkinson Murray Pty Ltd; iii. <i>Supplementary Avifauna Survey & Assessment of Impacts</i>, dated 26 May 2003 and prepared by AMBS Consulting; iv. The memorandum from Parsons Brinckerhoff dated 30 May 2003 and titled <i>Patrick Water Quality Assessment</i>; v. The amended development application submitted to the Department on 30 May 2003 and associated drawings; vi. The letter from Patrick Terminals to Planning NSW dated 11 June 2003 titled <i>Patrick Port Botany EIS</i>; vii. The memorandum from Fielders Engineers Pty Ltd to Parsons Brinckerhoff dated 20 June 2003 titled <i>Transport NSW’s Comments</i>; viii. The letter from Qest Consulting Group to Parsons Brinckerhoff dated 3 July 2003 titled <i>Preliminary Hazard Analysis for Patrick Stevedores</i>; c. Modification application MOD-56-6-2004-i, lodged with the Department on 28 May 2004 and accompanied by the supplementary document titled <i>Application to Modify Development Consent</i>, dated 19 May 2004; d. Modification application MOD-83-8-2004-i, lodged with the Department on 16 August 2004, accompanied by four plans titled <i>Proposed Staff Amenities</i> (Job No. 0400107, Revision C) numbered 01 to 04 respectively; 	<p>Background (do not remove): Assessment of compliance is made against the consolidated condition approval inclusive of MODS 1-8 and considers the EIS and associated documents.</p> <p>2022 - Status:</p> <p>Compliance with these requirements is verified through Patrick’s Annual Compliance Report (which is part of Patrick’s Annual Environmental Management Report) process, compliance reports and the annual independent environmental compliance audit process.</p> <p>Copies of reports are available on the Patrick website: https://patrick.com.au/about/safety-and-environment/</p>	Compliant

¹ Incorporates EPA General Terms of Approval – A1.1

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
1	General		
	Scope of Development <i>(continued)</i>		
1.2	<ul style="list-style-type: none"> e. Modification application MOD-83-8-2004-i, lodged with the Department on 16 August 2004, accompanied by four plans titled <i>Proposed Staff Amenities</i> (Job No. 0400107, Revision C) numbered 01 to 04 respectively; f. Modification application MOD-156-10-2005-i, lodged with the Department on 6 October 2005, accompanied correspondence dated 6 October 2005 and titled <i>S96(1A) Application: Patrick Corporation – Port Botany Terminal</i> and plan titled <i>Proposed Administration Building</i> (Job No. PDS-06-38, Revision A). g. Modification application MOD-38-3-2006-i, lodged with the Department on 2 March 2006, accompanied correspondence dated 1 March 2006 and titled <i>S96(1A) Application: Patrick Corporation – Port Botany Terminal</i>, and plans titled <i>Proposed Administration Building</i> (Job No. PDS-06-38, Revision D); h. Modification application MOD-38-4-2007-i, lodged with the Department on 11 April 2007, accompanied correspondence dated 10 April 2007 and titled <i>S.96(1A) Application, Patrick Corporation – Port Botany Terminal</i>, and plans titled <i>Proposed Additional Staff Amenities</i> (Job No. PDS-07-81, Issue E); i. Modification application MOD-76-9-2007-i, lodged with the Department on 24 August 2007, accompanied correspondence dated 19 June 2007 and 5 November 2007 titled <i>S.96(1A) Application, Patrick Corporation – Port Botany Terminal</i>, and the following plans: <ul style="list-style-type: none"> i. Proposed <i>Camco Trafficgate</i> (Job No. PDS-07-84, Issue: B, Drg. No.: 01); ii. Proposed <i>Camco Trafficgate</i> (Job No. PDS-07-84, Issue: B, Drg. No.: 02); iii. Proposed <i>Camco Trafficgate</i> (Job No. PDS-07-84, Issue: B, Drg. No.: 01); iv. <i>Truck Portal Gate Frame Arrangement and Details</i> (Project No. SY070313, Dwg No. S5.00, Issue A); v. <i>Train Portal gate Frame Arrangement and Details</i> (Project No. SY070313m Dwg No. S4.00, Issue E) vi. <i>Train Portal Gate Frame Footing Plan and Details</i> (Project No. SY070313, Dwg No. S4.00, Issue D) vii. <i>Structural Notes</i> (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 <i>Section 75W Modification Port Botany Container Terminal Environmental Assessment</i> 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. 	<i>Continued from the previous page</i>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
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.	<u>Background (do not remove):</u> Noted. <u>2022 – Status:</u> No change.	Compliant
1.4	Deleted	<u>Background (do not remove):</u> Noted <u>2022 – Status:</u> No change.	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.	<u>Background (do not remove):</u> Noted. <u>2022 – Status:</u> No change.	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.	<u>Background (do not remove):</u> Noted <u>2022 – Status:</u> No change.	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).	<u>Background (do not remove):</u> Noted <u>2022 – Status:</u> No change.	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.	<u>Background (do not remove):</u> The Department has established the post approval portal for lodgement of all post approval and compliance related documentation. <u>2022 – Status:</u> During the reporting period Patrick used the DPIE portal to upload reports as per the DPIE requirements.	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
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.	<p>Background (do not remove): The Federal EPBC Approval 2002/543 and EPL 6962 remain valid. The Sydney Water consent /permits remain current:</p> <ul style="list-style-type: none"> Discharge Industrial Trade Wastewater Consent No. 24990 Trade Wastewater Discharge Schedule Permit No. 40110 (grease arrestor) <p>2022 – Status: 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 3, 4-Jul-2022) which is available on the Patrick website: https://patrick.com.au/about/safety-and-environment/</p>	Compliant
	Integrated Approvals		
1.8	No works are to commence at the site prior to a Part 3A Permit under the <i>Rivers and Foreshores Improvement Act 1948</i> being obtained from the Waterways Authority and a Licence under the <i>Protection of the Environment Operations Act 1997</i> being obtained from the EPA. A copy of these approvals shall be submitted to the Secretary prior to the issue of the construction certificate by the Principal Certifying Authority.	<p>Background (do not remove): It is noted that the <i>Rivers and Foreshores Improvements Act 1948</i> was repealed in 2008. This legislation relates to the construction phase so is no longer relevant to Patrick operations.</p> <p>2022 – Status: No change.</p>	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.	<p>2022 – Status: OEMP (version 3, 4-Jul-2022), Section 4.3 – Induction and Training requirements are specified the Environmental Training requirements available on Patrick’s website - https://patrick.com.au/about/safety-and-environment/</p> <p>The employee and contractor induction programs (LMS – Patrick’s-learning management system) includes details on the consent and EPL, environmental responsibilities, spill management, waste, noise, etc. It also includes instruction on the use of drain wardens.</p>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
1	General		
	Compliance <i>(Continued)</i>		
1.10	The Applicant shall be responsible for the environmental impacts resulting from the actions of all persons on the site, including any visitors.	<p><u>Background (do not remove):</u> Patrick uses an incident management reporting system (Noggin) to record all types of environmental events.</p> <p><u>2022 – Status:</u></p> <ul style="list-style-type: none"> Events: 49x environment events were recorded in Patrick’s incident reporting management system (Noggin) for tracking purposes. Nil (0) of these events were identified as having been in contact with or impacted the environment. 	Compliant
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.	<u>Background (do not remove):</u> 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.	<p><u>Background (do not remove):</u> 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)).</p> <p><u>2022 – Status:</u></p> <p>No change.</p>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
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.	<u>2022 – Status:</u> The 2021 Annual Environmental Management Report (including the Annual Compliance Report) was submitted to the DPIE on the 26-Mar-2021.	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.	<u>2022 – Status:</u> The 2020 Annual Environmental Management Report (including the Annual Compliance Report) was submitted to the DPIE on the 28-Feb-2022.	Compliant
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 <i>Environmental Planning and Assessment Act 1979</i> provides mechanisms for resolution of disputes between the Department, the Director-General, councils and public authorities.	<u>2022 – Status:</u> During 2022 there were no known disputes in relation to this condition.	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
2	Construction Certification		
2.1	<p>In relation to the construction an occupation of the development, the Applicant shall provide to the Director-General and Council the following:</p> <ul style="list-style-type: none"> (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. 	<p><u>Background (do not remove):</u> Applicable to construction period of the development etc.</p>	<p>Not Applicable</p>
2.2	<p>The Application shall provide all information necessary for the Principal Certifying Authority to determine that the development will comply with:</p> <ul style="list-style-type: none"> (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 <i>Building and Construction Industry Long Service Payments Act 1986</i>. 	<p><u>Background (do not remove):</u> Applicable to construction period of the development etc.</p>	<p>Not Applicable</p>
3	Environmental Performance		
	Demolition		
3.1	<p>All demolition work shall be carried out in accordance with <i>AS2601-2001 The Demolition of Structures</i>.</p>	<p><u>Background (do not remove):</u> Applicable to construction period of the development etc.</p>	<p>Not Applicable</p>

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022																				
Hours of Operation - Construction																							
3.2	² Construction activities associated with the development, including the delivery of material to and from the site, shall only be carried out between the following hours: (a) Between 7:00am and 6:00pm Monday to Friday inclusive; (b) Between 8:00am to 2:00pm Saturdays; and (c) At no time on a Sunday or a public holiday.	<u>Background (do not remove):</u> Applicable to construction period of the development etc.	Not Applicable																				
Hours of Operation - Construction																							
3.2A	Notwithstanding condition 3.2 of this consent, the Applicant may undertake construction of road pavement works required under this consent between 7:00am and 10:00pm Mondays to Fridays' and between 8:00am and 2:00pm on Saturdays. No pavement works shall be conducted on Sundays or public holidays. All pavement works shall be undertaken to strictly comply with the noise limits specified under condition 3.3 of this consent.	<u>Background (do not remove):</u> Applicable to construction period of the development etc.	Not Applicable																				
Noise Limits																							
3.3	³ Noise generated by the development shall not exceed the noise limits presented in the table below, unless otherwise agreed by the Director-General:	<u>Background (do not remove):</u> The noise limits within the EPL are different to those quoted here and in DA494. Note: 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. <u>2022 Status:</u> Noise compliance monitoring was conducted six-monthly by Rodney Stevens Acoustics. Monitoring conducted in May and November 2022 identified some levels above the limits set by the EPA (refer to the Note above). The reports are available on the Patrick website: https://patrick.com.au/about/safety-and-environment/	Compliant																				
	<table border="1"> <thead> <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> </thead> <tbody> <tr> <td>Most affected residential premises</td> <td>55</td> <td>55</td> <td>43</td> <td>55</td> <td>43</td> <td>55</td> </tr> </tbody> </table>	Location	Day		Evening		Night		L _{Aeq} (15 min)	L _{A1} (1 min)	L _{Aeq} (15 min)	L _{A1} (1 min)	L _{Aeq} (15 min)	L _{A1} (1 min)	Most affected residential premises	55	55	43	55	43	55		
Location	Day		Evening		Night																		
	L _{Aeq} (15 min)	L _{A1} (1 min)	L _{Aeq} (15 min)	L _{A1} (1 min)	L _{Aeq} (15 min)	L _{A1} (1 min)																	
Most affected residential premises	55	55	43	55	43	55																	

³ EPA General Terms of Approval – L6.1

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
Noise Assessment Report			
3.4	<p>⁴ For the purpose of condition 3.3 of this consent:</p> <p>(a) Day is defined as the period from 7.00am to 6.00pm Monday to Saturday and 8.00am to 6.00pm Sundays and Public Holidays;</p> <p>(b) Evening is defined as the period from 6.00pm to 10.00pm; and</p> <p>(c) Night is defined as the period from 10.00pm to 7.00am Monday to Saturday and 10.00pm to 8.00am Sundays and Public Holidays.</p>	<p>Background (do not remove): Only applicable to construction period of the development etc.</p> <p>2022 – Status: See CoA 3.3 above.</p>	Compliant
3.5	<p>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:</p> <p>(a) A critical review of all measures capable of achieving a reduction in noise emitted by operation of the facility during and upon completion of the development phase including the timetable for implementation of each measure. The report shall contain sufficient information to justify the claim that all reasonable and feasible noise control measures have been incorporated into the redevelopment of the facility so that the noise limits specified in condition 3.3 of this consent, have been achieved as early as possible prior to that date;</p> <p>(b) A timetable specifying dates by which all reasonable and feasible measures will be implemented as identified in (a) above; and</p> <p>(c) Identification and timetabling of noise control measures to reduce noise from existing plant and equipment.</p>	<p>Background (do not remove): The initial Operational Noise Management Plan (ONMP), dated 15 January 2015 was developed for the site, and is attached to Patrick’s OEMP.</p> <p>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)).</p> <p>2022 – Status: Refer to Patrick’s OEMP (version 3, 4-Jul-2022), Section 6.6 – Operational Noise Management Plan, which is available on Patrick’s website: https://patrick.com.au/about/safety-and-environment/</p>	Compliant
3.6	<p>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 <i>NSW Industrial Noise Policy</i>.</p> <p>The modification factors provided in Section 4 of the <i>NSW Industrial Noise Policy</i> shall be applied to the measured noise levels where applicable.</p>	<p>2022 – Status: Biannual noise monitoring reports were completed for May and November 2022, referred to in condition 3.3 satisfy this requirement. Reports are available on Patrick’s website: https://patrick.com.au/about/safety-and-environment/</p>	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 2022	Assessment Rating 2022
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.	2022 – Status: As above. This requirement is included in the scope of works for the acoustic noise monitoring reports as per the current EPL 6962. The biannual noise compliance monitoring reports are completed for May and November 2022. The noise reports identify this requirement and satisfactorily address it.	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.	2022 – Status: This requirement is included in the scope of works for the acoustic noise monitoring reports as per the current EPL 6962. The biannual noise compliance monitoring reports are completed for May and November 2022. The noise reports identify this requirement and satisfactorily address it.	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.	Background (do not remove): Applicable to construction period of the development etc. 2022 – Status: No change.	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.	Background (do not remove): Applicable to construction period of the development etc. 2022 – Status: No change.	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 2022	Assessment Rating 2022
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.	<u>Background (do not remove):</u> Applicable to construction period of the development etc. <u>2022 – Status:</u> No change.	Not Applicable
3.12	The shoulders of the new boat ramp access road shall be constructed with concrete edge strips.	<u>Background (do not remove):</u> Applicable to construction period of the development etc. <u>2022 – Status:</u> No change.	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.	<u>Background (do not remove):</u> Applicable to construction period of the development etc. <u>2022 – Status:</u> No change.	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.	<u>Background (do not remove):</u> 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)). <u>2022 – Status:</u> Refer to Patrick’s OEMP (version 3, 4-Jul-2022) – Section 6.7, Operational Traffic Management Plan: https://patrick.com.au/about/safety-and-environment/ .	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
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.	<u>Background (do not remove):</u> Applicable to construction period of the development etc. <u>2022 – Status:</u> No change.	Not Applicable
3.15A	All parking associated with construction shall be temporary, provided within construction compounds and located wholly within the site.	<u>Background (do not remove):</u> Applicable to construction period of the development etc. <u>2022 – Status:</u> No change.	Not Applicable
3.15B	The site shall provide a maximum of 333 car parking spaces within two new carparks, of the total number of spaces, at least two shall be for visitors parking and one mobility impaired space provided, located adjacent to building entries and clearly delineated. All car parking, landscaping and bicycle parking shall be provided and designed in accordance with the <i>Port Botany Development Code 2012</i> .	<u>Background (do not remove):</u> Applicable to construction period of the development etc. <u>2022 – Status:</u> No change.	Not Applicable
3.16	The staff and visitor’s carpark shall be designed to comply with <i>AS2890.1 1993 Parking Facilities – Off-Street Car Parking</i> .	<u>Background (do not remove):</u> Applicable to construction period of the development etc. <u>2022 – Status:</u> No change.	Not Applicable
3.17	Disable, visitor and service vehicle parking spaces shall be clearly signposted and designated in accordance with relevant Australian Standards.	<u>Background (do not remove):</u> Disable, visitor and service vehicle parking spaces are clearly signposted and designated. <u>2022 – Status:</u> No change.	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.	<u>Background (do not remove):</u> Applicable to construction period of the development etc. <u>2022 – Status:</u> No change.	Not Applicable

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
3.19	Directional pavement arrows shall be installed on all internal roads.	<p>Background (do not remove): Directional pavement arrows shall be installed on all internal roads.</p> <p>2022 – Status: Patrick periodically review the condition of direction arrows on roadways and scheduled repainting accordingly.</p>	Compliant
3.20	The design of all internal roadways shall be wide enough to accommodate through traffic and turning two-way traffic.	<p>Background (do not remove): Through and turning two-way traffic accommodated.</p> <p>2022 – Status: No change.</p>	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.	<p>Background (do not remove): Applicable to construction period of the development etc.</p> <p>2022 – Status: No change.</p>	Not Applicable
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.	<p>Background (do not remove): On 5 December 2018 Patrick advised DPE of their understanding this condition relates to an iteration of ‘Penrhyn Road’ which no longer exists.</p> <p>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’.</p> <p>Patrick advised this condition was replaced by DA-494 B2.18. DPE replied 7 December 2018 and advised no further questions at this stage.</p> <p>2022 – Status: No complaints relating to parking or queuing were raised during 2022.</p>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
3.23	No parking shall be permitted on the internal roadways outside the designated parking areas.	<p>Background (do not remove): Patrick does not permit parking of vehicles on internal roadways within the terminal.</p> <p>2022 – Status: No change.</p>	Compliant
3.24	All trucks entering the development shall be wholly contained within the site before being required to stop.	<p>Background (do not remove): Trucks entering the site are contained within the site before being required to stop.</p> <p>2022 – Status: No change.</p>	Compliant
3.25	The use of landscaping shall not affect driver sight distance for vehicles entering or exiting the site.	<p>Background (do not remove): Maintenance of landscaping is periodically carried out to ensure sight lines are not affected.</p> <p>2022 – Status: Refer to Patrick’s OEMP (version 3, 4-Jul-2022) – Section 6.10, Vegetation and Land Management Plan. The OEMP is available on Patrick’s website: https://patrick.com.au/about/safety-and-environment/</p>	Compliant
Water Quality Impacts			
Erosion and Sediment Control			
3.26	<p>⁹ The proposed works shall be carried out so that:</p> <p>(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</p> <p>(b) No materials are likely to be carried by natural forces to the bed or shore or into the waters of Botany Bay.</p>	<p>Background (do not remove): Applicable to construction period of the development etc.</p> <p>2022 – Status: No change.</p>	Not Applicable
3.27	<p>¹⁰ Any material that does enter Botany Bay shall be removed immediately.</p>	<p>Background (do not remove): Applicable to construction period of the development etc.</p> <p>2022 – Status: No change.</p>	Not Applicable

⁹ Waterways Authority General Terms of Approval; ¹⁰ Waterways Authority General Terms of Approval

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
3.28	<p>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.</p>	<p>Background (do not remove): Applicable to construction period of the development etc.</p> <p>2022 – Status: No change.</p>	<p>Not Applicable</p>
3.29	<p>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.</p>	<p>Background (do not remove): Applicable to construction period of the development etc.</p> <p>2022 – Status: No change.</p>	<p>Not Applicable</p>
3.30	<p>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.</p>	<p>Background (do not remove): Applicable to construction period of the development etc.</p> <p>2022 – Status: No change.</p>	<p>Not Applicable</p>
3.31	<p>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.</p>	<p>Background (do not remove): Applicable to construction period of the development etc.</p> <p>2022 – Status: No change.</p>	<p>Not Applicable</p>
3.32	<p>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).</p>	<p>Background (do not remove): Applicable to construction period of the development etc.</p> <p>2022 – Status: No change.</p>	<p>Not Applicable</p>

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 2022	Assessment Rating 2022
3	Environmental Performance		
	Pollution of Waters		
3.33	<p>¹⁴ Except as may be expressly provided by a licence issued under the <i>Protection of the Environment Operations Act 1997</i> in relation of the development, section 120 of the <i>Protection of the Environment Operations Act 1997</i> shall be complied with and in connection with the carrying out of the development.</p>	<p>2022 – Status:</p> <p>No water quality monitoring is required by the EPL (6962) and there are no licenced discharge points.</p> <p>Advanced incident reporting protocols in place. Patrick has drafted a ‘Process for Notify Pollution Incidents’ procedure, dated 9/1/2023 which includes a better reporting protocol to better align with the POEO Act. Procedure indicates that the HSE Manager is responsible for taking immediate action to determine if the incident requires notification under section 148 of the POEO Act.</p> <p>In total 49 x environmental events recorded in the incident management systems; none required to be reported to EPA.</p>	Compliant
	Concentration Limits		
3.34	<p>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.</p>	<p>Background (do not remove): 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.</p> <p>No water quality monitoring is required by the EPL 6962 (1 September 2020) and there are no licenced discharge points.</p> <p>2022 – Status: No change.</p>	Not Applicable

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

¹⁵ EPA General Terms of Approval - L 3.1

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022												
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.	<p>Background (do not remove): Refer to condition 3.34 above. No water quality monitoring is required by the EPL (6962) and there are no licenced discharge points.</p> <p>2021 – Status: No change.</p>	Not Applicable												
3.36	<p>¹⁷ To avoid any doubt, this condition does not authorise the discharge or emission of any other pollutants.</p> <p style="text-align: center;">Discharge Location - Point 1</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>Pollutant</th> <th>Unit of Measure</th> <th>100% Concentration Limit</th> </tr> </thead> <tbody> <tr> <td>Oil and Grease</td> <td>mg/L</td> <td>10</td> </tr> <tr> <td>Total Suspended Solids</td> <td>mg/L</td> <td>30</td> </tr> <tr> <td>pH</td> <td>pH</td> <td>6.5 – 8.5</td> </tr> </tbody> </table>	Pollutant	Unit of Measure	100% Concentration Limit	Oil and Grease	mg/L	10	Total Suspended Solids	mg/L	30	pH	pH	6.5 – 8.5	<p>Background (do not remove): This discharge point was made redundant by the construction of the covered Maintenance workshop area. (Note: A Consent to Discharge Industrial Trade Wastewater (No. 24990) is in place with Sydney Water for discharges from this area.)</p> <p>2021 – Status: No change.</p>	Not Applicable
Pollutant	Unit of Measure	100% Concentration Limit													
Oil and Grease	mg/L	10													
Total Suspended Solids	mg/L	30													
pH	pH	6.5 – 8.5													
Acid Sulfate Solids															
3.37	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 recommencing. The management plan shall be prepared in accordance with the NSW Acid Sulfate Soils Manual.	<p>Background (do not remove): Applicable to construction period of the development etc.</p> <p>2022 – Status: No change.</p>	Not Applicable												
3.38	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 <i>Protection of the Environment Operations Act 1997</i> . This condition only applies to the storage, treatment, processing, reprocessing, or disposal; or any waste generated at the premises if it requires an environment protection licence under the <i>Protection of the Environment Operations Act 1997</i> .	<p>2022 – Status: OEMP (version 3, 4-Jul-2022) – Section 6.4, Waste and Wastewater Management Plan is available on the Patrick website. https://patrick.com.au/about/safety-and-environment/ EPL 6962 Condition L2 allows Patrick to receive types of waste at the premises. Records of waste oils and filters, transporters, and waste oil receipt locations are maintained in a Waste Register.</p>	Compliant												

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 2022	Assessment Rating 2022
3.39	²⁰ Except as expressly permitted by a licence issued by the EPA under the <i>Protection of the Environment Operations Act 1997</i> , only the hazardous and/or industrial and/or Group A waste listed below may be generated and/or stored at the premises: (a) waste oil/water, hydrocarbons/water mixtures or emulsions; and (b) grease trap waste.	<p>Background (do not remove): Waste generated from Maintenance activities are classified as J120 waste oil/water, hydrocarbon mixtures or emulsions.</p> <p>2022 – Status: No additional hazardous wastes to those listed in this condition are known to have been generated or stored at the premises during the reporting period. Records are available in the Waste Register.</p>	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.	<p>2021 – Status: Records of waste oil (the main hazardous waste generated from site) indicate the total amount generated for 2021 was approximately 65 tonnes (refer to the Waste Register).</p>	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.	<p>2022 – Status: Records of waste oil (the main hazardous waste generated from site) indicate the total amount generated for 2022 was approximately 71.8 tonnes.</p>	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.	<p>Background (do not remove): Designated waste and recycle collection bins are provided at the Maintenance Workshop / Building, and the Tower / Administration Building.</p> <p>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)).</p> <p>2022 – Status: The Waste and Wastewater Management Plan – refer to Section 6.4 of the OEMP (version 3, 4-Jul-2022) available on the Patrick website: https://patrick.com.au/about/safety-and-environment/</p>	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 2022	Assessment Rating 2022
3.43	All wastes and material generated on the site during construction and operation shall be classified in accordance with the EPA's <i>Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes</i> and be disposed of to a facility that may lawfully accept the waste.	<p>2022 – Status:</p> <p>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 liquid and solid (with the exception of used tyres) waste are maintained in a Waste Register.</p> <p>Non-compliance: No evidence is available to demonstrate that waste tyres being tracked in accordance with clause 76 of the <i>Protection of the Environment Operations (Waste) Regulations 2014</i>. (At the time of this report been prepared, Trelleborg (Patrick's tyre supplier) has been unable to use EPA's WasteLocate app to track waste tyres as they are not an authorised tyre receiver. This was identified as a limitation on the system and has been raised with the EPA.)</p>	Partially Closed
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.	<p>2022 – Status:</p> <p>OEMP (version 3, 4-Jul-2022), Section 4.3 – Induction and Training requirements are specified the Environmental Training requirements available on Patrick's website - https://patrick.com.au/about/safety-and-environment/</p> <p>The employee and contractor induction programs (LMS – Patrick's-learning management system) includes details on the consent and EPL, environmental responsibilities, spill management, waste, noise, etc. Waste tyres are collected by the supplier for recycling.</p>	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.	<p>Background (do not remove): Roadway sweeping along the wharf is conducted routinely; the site is covered in hardstand with minimal landscaped areas; any 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.</p> <p>2022 Status:</p> <p>Refer to OEMP (version 3,4-Jul-2022), Section 6.1 – Air Quality Management Plan on Patrick's website - https://patrick.com.au/about/safety-and-environment/</p> <p>During 2022, no complaints were received relating to uncovered loads generating and emitting dust.</p>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
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.	<p><u>Background (do not remove):</u> Surfaces are paved.</p> <p><u>2022 – Status:</u> See condition 3.45 above.</p>	Compliant
3.47	During construction of the development, the Applicant shall ensure that all vehicles entering or leaving the site, carrying a load that may generate dust, are covered at all times, except during loading and unloading. Any such vehicles shall be covered or enclosed in a manner that will prevent emissions of dust from the vehicle.	<p><u>Background (do not remove):</u> Applicable to construction period of the development etc.</p> <p><u>2022 – Status:</u> No change.</p>	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.	<p><u>Background (do not remove):</u> The details of any mechanical ventilation and/or air conditioning for the development were 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.</p> <p><u>2022 – Status:</u> No change.</p>	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).	<p><u>Background (do not remove):</u> As a reference, during the 1995/1996 period 825 tonnes (average value) of Class 2.3 Dangerous Goods were transited through Port Botany.</p> <p><u>2022 – Status:</u> Refer to Appendix I of this report.</p>	Compliant

²³ EPA General Terms of Approval - O 3.1

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
3.50	<p>At least two months prior to the commencement of the proposed development or within such further period as the Director-General may agree, the Applicant shall prepare and submit for the approval of the Director-General the studies set out under (a) to (d) below.</p> <p>(a) FINAL HAZARD ANALYSIS - A final hazard analysis (FHA) of the proposed development. The analysis should be prepared in accordance with the Department’s Hazardous Industry Planning Advisory Paper No. 6, “Guidelines for Hazard Analysis”;</p> <p>(b) TRANSPORT OF HAZARDOUS MATERIALS -Arrangements covering the transport of hazardous materials including details of routes to be used for the movement of vehicles carrying hazardous materials to or from the proposed development. The study shall be carried out in accordance with the Department’s draft “Route Selection Guidelines”. Suitable routes identified in the study shall be used except where departures are necessary for local deliveries or emergencies. The study shall use the actual and projected dangerous goods movements from 1996/96 to 2016 to and from the site. In this regard particular attention is required to the future Class 2.3 toxic gases quantities, as detailed under condition 3.49 of this consent.</p> <p>(c) EMERGENCY PLAN - A comprehensive emergency plan and detailed emergency procedures for the proposed development. This plan shall include detailed procedures for the safety of all people inside and outside the development who may be at risk from the development. The plan shall be in accordance with the Department’s Department of Infrastructure, Planning and Natural Resources Page 19 of 39 DA-453-12-2002-i Hazardous Industry Planning Advisory Paper No. 1, “Industry Emergency Planning Guidelines”; and</p> <p>(d) SAFETY MANAGEMENT SYSTEM - A document setting out a comprehensive safety management system, covering all operations on-site and associated transport activities involving hazardous materials. The document shall clearly specify all safety related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to procedures. Records shall be kept on-site and shall be available for inspection by the Director-General upon request. The Safety Management System shall be developed in accordance with the Department’s Hazardous Industry Planning Advisory Paper No. 9, “Safety Management”.</p>	<p>Background (do not remove):</p> <p>(a) Sydney Ports Corporation – Port Botany Expansion Preliminary Hazard Analysis, revision 7, 9 June 2004.</p> <p>(b) Port Botany Expansion EIS (Appendix P), Traffic and Landside Transport Study for Proposed Port Botany Expansion (June 2002)</p> <p>(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)).</p> <p>(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.</p> <p>2022 – Status:</p> <p>The Emergency Response Plan (which includes the PIRMP) (version 14, 31 March 2022), and OEMP (version 3, 4-Jul-2022) – Section 4.4 are available on Patrick’s website are available on the Patrick website – https://patrick.com.au/about/safety-and-environment/</p>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
3.51	<p>One month prior to the commencement of operation of the development, the applicant shall submit to the Director-General, a compliance report detailing compliance with conditions 3.49 and 3.50 of this consent, including:</p> <p>(a) dates of study submission, approval, and commencement of operations;</p> <p>(b) actions taken or proposed, to implement recommendations made in the studies; and</p> <p>(c) responses to each requirement imposed by the Director-General under condition 3.54 of this consent.</p>	<p>Background (do not remove): 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)).</p> <p>2022 – Status: No change.</p>	Compliant
Incident Report			
3.52	<p>Within 24 hours of any incident or potential incident with actual or potential significant off-site impacts on people or the biophysical environment, a report shall be supplied to the Department outlining the basic facts. A further detailed report shall be prepared and submitted following investigations of the causes and identification of necessary additional preventive measures. That report must be submitted to the Director-General no later than 14 days after the incident or potential incident. The Applicant shall maintain a register of accidents, incidents and potential incidents. The register shall be made available for inspection at any time by the independent hazard auditor, the Director-General and Council.</p>	<p>2022 – Status:</p> <ul style="list-style-type: none"> Events: 49x environment events were recorded in Patrick's incident reporting management system (Noggin) for tracking purposes. Nil (0) of these events were identified as having been in contact with or impacted the environment. 	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
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.	<p>2022 – Status: Hazard Audit of Patrick Port Botany Terminal, NSW dated 12/10/22 undertaken by Planager.</p> <p>Patrick is awaiting final report to submit to DPIE end of February 2023.</p>	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.	2022 – Status: Director-General did not raise any requests for additional information arising from reports.	Compliant
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.	<p>Background (do not remove): Applicable to construction period of the development etc.</p> <p>2021 – Status: No change.</p>	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.	<p>Background (do not remove): Applicable to construction period of the development etc.</p> <p>2022 – Status: No change.</p>	Not Applicable
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.	<p>2022 – Status: OEMP (version 3, 4-Jul-2022) – Section 6.10, Vegetation and Land Management Plan is available on Patrick's website: https://patrick.com.au/about/safety-and-environment/</p>	Compliant

²⁴ Waterways Authority General Terms of Approval; ²⁵ Waterways Authority General Terms of Approval; ²⁶ Waterways Authority General Terms of Approval

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
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.	<p>2022 – Status: OEMP (version 3, 4-Jul-2022) – Section 6.10, Vegetation and Land Management Plan is available on Patrick’s website: https://patrick.com.au/about/safety-and-environment/</p>	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).	<p>2022 – Status: OEMP (version 3, 4-Jul-2022) – Section 6.10, Vegetation and Land Management Plan is available on Patrick’s website: https://patrick.com.au/about/safety-and-environment/</p>	Compliant
3.60	<p>The Applicant shall install, operate and maintain an irrigation system throughout all landscaped areas. Such a system shall provide full coverage to all landscaped areas with no overspray onto hard surfaces. Details of the irrigation system proposed shall be included in the Vegetation Management Plan required under condition 6.4(b) of this consent. The system shall comply with all relevant Australian Standards.</p> <p>Note: It is recognised that some irrigation is necessary, however, the Applicant is encouraged to reduce the dependence on irrigation by planting trees and shrubs that are endemic to the area and capable of withstanding low levels of water as reflected in condition 3.60 of this consent.</p>	<p>Background (do not remove): There is no irrigation system on site (not has there been). Low water tolerant trees, shrubs and grasses are planted. 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.</p> <p>2022 – Status: Section 6.10, Vegetation and Land Management Plan is available on Patrick’s website: https://patrick.com.au/about/safety-and-environment/</p>	Compliant
3.61	The Applicant must ensure that all external lighting associated with the development is mounted, screened, and directed in such a manner so as not to create a nuisance to surrounding properties or roadways. The lighting shall be the minimum level of illumination necessary and shall comply with AS 4282 1997 - <i>Control of the Obtrusive Effects of Outdoor Lighting</i> .	<p>Background (do not remove): There are no nearby residents, and the site is not located near a public road where lighting may be a nuisance issue.</p> <p>2022 – Status: During 2022 no complaints are known to have been received by Patrick in relation to lighting. Community Complaints Reports are available on Patrick’s website - https://patrick.com.au/about/safety-and-environment/</p>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
Staff Induction			
3.62	<p>The development’s staff induction program shall incorporate special instructions relating to noise control and related “on the job” training, as deemed appropriate. Such training shall ensure that all staff involved in the operation of the terminal’s mobile equipment, such as the straddle carriers, reach stackers and forklift trucks, and the gantry cranes and quay cranes, are aware of the need to ensure the following:</p> <p>(a) The correct placement and/or lowering of containers to minimise potential adverse noise impacts and specifically the control of transient impact noise;</p> <p>(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</p> <p>(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.</p>	<p>Background (do not remove): Employees, contractors and sub-contractors are required to undertake an induction prior to commencing work on site, and at least every 2-years thereafter.</p> <p>2022 – Status: Environmental Training requirements are specified in the OEMP (version 3, 4-Jul-2022) - Section 4.3. The OEMP is available on Patrick’s website: https://patrick.com.au/about/safety-and-environment/</p>	Compliant
Telephone Hotline			
3.63	<p>Prior to the commencement of construction, the Applicant shall establish and list with the telephone company a 24-hour free call complaints contact telephone number. The Applicant shall provide the telephone number to the Department, EPA and Council and written notification shall be given to the surrounding residents.</p> <p>The aim of the complaints line is to enable any member of the action to the complaint within two hours, 24 hours per day for the duration of construction and operation of the development.</p>	<p>Background (do not remove): 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 outside gate (B105A) and on the Patrick website.</p> <p>A call made to the Patrick Concerns and Enquires line is answered by the terminal’s HSE Manager and recorded in the terminal’s Public Comment, Inquires & Complaints Register. The phone number is routinely tested.</p> <p>2022 – Status: Nil complaints were received via the complaints line during the monitoring period. Community Complaints Reports are available on Patrick’s website - https://patrick.com.au/about/safety-and-environment/</p>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
Complaints Register			
3.64	The Applicant shall record details of all complaints received in an up-to-date Complaints Register. The Register shall record, but not necessarily be limited to: <ul style="list-style-type: none"> (a) the date and time of the complaint; (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.	<p>2022 – Status:</p> <p>A Complaints Register is maintained. Patrick’s four 2022 Community Feedback Quarterly Reports are available on its website: https://patrick.com.au/about/safety-and-environment/.</p> <p>The Public Comments, Inquires & Complaints Register (for 2022) is available for inspection and a summary appears in Section 7 of this report.</p>	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	<p>Background (do not remove): Applicable to construction period of the development etc.</p> <p>2021 – Status: No change.</p>	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.	<p>Background (do not remove): Applicable to construction period of the development etc.</p> <p>2022 – Status: No change.</p>	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.	<p>Background (do not remove): Applicable to construction period of the development etc.</p> <p>2022 – Status: No change.</p>	Not Applicable

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
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.	<p>Background (do not remove): Applicable to construction period of the development etc.</p> <p>2022 – Status: No change.</p>	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.	<p>Background (do not remove): Applicable to construction period of the development etc.</p> <p>2022 – Status: No change.</p>	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.	<p>Background (do not remove): Applicable to construction period of the development etc.</p> <p>2022 – Status: No change.</p>	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.	<p>Background (do not remove): Applicable to construction period of the development etc.</p> <p>2022 – Status: No change.</p>	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.	<p>Background (do not remove): Applicable to construction period of the development etc.</p> <p>2022 – Status: No change.</p>	Not Applicable

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
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 <i>Protection of the Environment Operations Act 1997</i> , in relation to the development or in order to comply with the load calculation protocol shall be recorded and retained as set out in conditions 5.2 and 5.3 of this consent.	<p><u>2022 – Status:</u></p> <p>The 2022 biannual noise monitoring was carried out in May and November 2022, referred to in condition 3.3 satisfy this requirement.</p> <p>A copy of the Biannual Noise Monitoring Compliance Reports is available on Patrick’s website: https://patrick.com.au/about/safety-and-environment/</p>	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.	<p><u>2021 – Status:</u></p> <p>The 2022 biannual noise monitoring was carried out in May and November 2022, referred to in condition 3.3 satisfy this requirement.</p> <p>Copies of the Biannual Noise Monitoring Compliance Reports are available on Patrick’s website: https://patrick.com.au/about/safety-and-environment/</p>	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.	<p><u>Background (do not remove):</u> Biannual noise monitoring is carried out in accordance with the current EPL 6962. The monitoring is conducted by an independent acoustics engineer twice a year.</p> <p><u>2022 – Status:</u></p> <p>Separate to the biannual noise monitoring no other monitoring is conducted. A copy of the Biannual Noise Monitoring Compliance Reports is available on Patrick’s website: https://patrick.com.au/about/safety-and-environment/</p>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022																																								
Requirement to Monitor Concentrations of Pollutants Discharged																																											
5.4	<p>The Applicant shall monitor the discharge of pollutants at monitoring location Point 2. The Applicant shall monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in column 1 of the Table below. The Applicant shall use the sampling methods, units of measure, and sample at the frequency, specified in the columns of the Table below.</p> <p>Monitoring Location - Point 2: Water and Land</p> <table border="1" data-bbox="259 572 1339 1034"> <thead> <tr> <th>POLLUTANT</th> <th>UNITS OF MEASURE</th> <th>FREQUENCY</th> <th>SAMPLING METHOD</th> </tr> </thead> <tbody> <tr> <td>Oil and Grease</td> <td>mg/L</td> <td>Special Frequency 1</td> <td>Representative</td> </tr> <tr> <td>Total Suspended Solids</td> <td>mg/L</td> <td>Special Frequency 1</td> <td>Representative</td> </tr> <tr> <td>Turbidity</td> <td>NTU</td> <td>Special Frequency 1</td> <td>Representative</td> </tr> <tr> <td>Chemical Oxygen Demand</td> <td>mg/L</td> <td>Special Frequency 1</td> <td>Representative</td> </tr> <tr> <td>Total Organic Carbon</td> <td>mg/L</td> <td>Special Frequency 1</td> <td>Representative</td> </tr> <tr> <td>Total Petroleum Hydrocarbons</td> <td>mg/L</td> <td>Special Frequency 1</td> <td>Representative</td> </tr> <tr> <td>Lead</td> <td>mg/L</td> <td>Special Frequency 1</td> <td>Representative</td> </tr> <tr> <td>Zinc</td> <td>mg/L</td> <td>Special Frequency 1</td> <td>Representative</td> </tr> <tr> <td>pH</td> <td>pH</td> <td>Special Frequency 1</td> <td>Representative</td> </tr> </tbody> </table> <p>Special Frequency 1 means a sample must be collected and analysed not more than one hour before the commencement of any discharge on any day and a further sample of the wastes being discharged not more than one hour after the commencement of the discharge on that day.</p> <p>Note: The monitoring results collected in compliance with condition 5.4 for Point 2 can be used to determine compliance with the concentration limit specified in Condition 3.36 for discharge from Point 1.</p>	POLLUTANT	UNITS OF MEASURE	FREQUENCY	SAMPLING METHOD	Oil and Grease	mg/L	Special Frequency 1	Representative	Total Suspended Solids	mg/L	Special Frequency 1	Representative	Turbidity	NTU	Special Frequency 1	Representative	Chemical Oxygen Demand	mg/L	Special Frequency 1	Representative	Total Organic Carbon	mg/L	Special Frequency 1	Representative	Total Petroleum Hydrocarbons	mg/L	Special Frequency 1	Representative	Lead	mg/L	Special Frequency 1	Representative	Zinc	mg/L	Special Frequency 1	Representative	pH	pH	Special Frequency 1	Representative	<p>Background (do not remove): 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.</p> <p>Monitoring Location Point 2 was removed from EPL 6962 dated the 31 March 2015.</p> <p>No water quality monitoring is required by the EPL 6962) (1 September 2020) and there are no licenced discharge points.</p> <p>2022 – Status: No change.</p>	<p>Not Applicable</p>
POLLUTANT	UNITS OF MEASURE	FREQUENCY	SAMPLING METHOD																																								
Oil and Grease	mg/L	Special Frequency 1	Representative																																								
Total Suspended Solids	mg/L	Special Frequency 1	Representative																																								
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Zinc	mg/L	Special Frequency 1	Representative																																								
pH	pH	Special Frequency 1	Representative																																								

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
5.5	<p>Monitoring for the concentration of a pollutant emitted to the air required to be conducted by the EPA’s general terms of approval, or a licence under the <i>Protection of the Environment Operations Act 1997</i>, in relation to the development or in order to comply with the load calculation protocol shall be done in accordance with:</p> <p>(a) Any methodology which is required by or under the POEO Act 1997 to be used for the testing of the concentration of the pollutant; or</p> <p>(b) If no such requirement is imposed by or under the POEO Act 1997, any methodology which the general terms of approval or a condition of the licence or the protocol (as the case may be) requires to be used for that testing; or</p> <p>(c) If no such requirement is imposed by or under the POEO Act 1997 or by the general terms of approval or a condition of the licence or the protocol (as the case may be), any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.</p> <p>Note: The <i>Clean Air (Plant and Equipment) Regulation, 1997</i> requires testing for certain purposes to be conducted in accordance with test methods contained in the publication “<i>Approved Methods for the sampling and Analysis of Air Pollutants in NSW</i>”.</p>	<p>Background (do not remove): 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.</p> <p>Monitoring Location Point 2 was removed from EPL 6962 dated the 31 March 2015.</p> <p>No water quality monitoring is required by the EPL 6962 (1 September 2020) and there are no licenced discharge points.</p> <p>2022 – Status: No change</p>	<p>Not Applicable</p>
5.6	<p>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.</p>	<p>Background (do not remove): 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.</p> <p>Monitoring Location Point 2 was removed from EPL 6962 dated the 31 March 2015.</p> <p>No water quality monitoring is required by the EPL 6962 (1 September 2020) and there are no licenced discharge points.</p> <p>2022 – Status: No change</p>	<p>Not Applicable</p>

³² EPA General Terms of Approval – M6.1

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
Water Quality Monitoring and Compliance Reporting			
5.7	<p>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:</p> <p>(a) A pollutant inventory that qualifies waters discharged from the site. This shall include identification of all water pollutants likely to be discharged from each final stormwater pit on the 11 stormwater lines serving the container handling operation area within the site. The water pollutants shall include but are not limited to: total phenolics, polycyclic aromatic hydrocarbons, oil and grease, total petroleum hydrocarbons, total organic carbon, biochemical oxygen demand, chemical oxygen demand, pH, zinc, copper, lead, cobalt, chromium, manganese, cobalt, nickel and iron;</p> <p>(b) Identify all existing and potential sources of water pollutants from the areas that drain into the 11 stormwater lines serving the container handling operation area within the site;</p> <p>(c) Quantify the concentration of pollutant types identified as part of the pollutant inventory as prescribed in subclause (a) of this condition. The quantification of pollutants shall be undertaken by collecting a grab sample within the first hour of a discharge and at hourly intervals after the commencement of that discharge for at least three hours after the initial sample was taken; and</p> <p>(d) A statement of whether identification and quantification of pollutants in stormwater discharges that have been developed in accordance with the water quality objectives as specified in the Water Quality Guidelines for Fresh and Marine Waters published by Australian and New Zealand Environment and Conservation Council.</p>	<p><u>Background (do not remove):</u> 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.</p> <p>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).</p> <p><u>2022 – Status:</u> No change.</p>	<p>Not Applicable</p>

³³ EPA General Terms of Approval – E1.1

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
Noise Monitoring and Compliance Reporting			
5.8	<p>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:</p> <ul style="list-style-type: none"> (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 <p>A statement of what feasible and reasonable additional measures may be implemented to further reduce noise levels below that specified in the licence.</p>	<p>Background (do not remove): The noise limits within the EPL (1 September 2020) are different to those quoted here and in DA494. Biannual noise monitoring is carried out in accordance with the current EPL 6962. The monitoring is conducted by an independent acoustics engineer twice a year.</p> <p>2022 – Status: A copy of the Biannual Noise Monitoring Compliance Reports for May and November 2022 are available on Patrick’s website: https://patrick.com.au/about/safety-and-environment/</p>	Compliant
6 Environmental Management			
Construction Environmental Management Plan (CEMP)			
6.1	<p>The Applicant shall prepare and implement a Construction Environmental Management Plan (CEMP) to outline environmental management practices and procedures to be followed during the construction of the development. The Plan shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> (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; 	<p>Background (do not remove): Applicable to construction period of the development etc.</p> <p>2022 – Status: No change.</p>	Not Applicable

³⁴ EPA General Terms of Approval – E1.1

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
6	Environmental Management		
Construction Environmental Management Plan (CEMP) <i>Continued</i>			
6.1	(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.	<i>Refer to previous page</i>	---
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...:	Background (do not remove): Applicable to construction period of the development etc. 2022 – Status: No change.	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...:	Background (do not remove): Applicable to construction period of the development etc. 2022 – Status: No change.	Not Applicable
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.	Background (do not remove): Applicable to construction period of the development etc. 2022 – Status: No change.	Not Applicable

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
Operational Environmental Management Plan (OEMP or Operational EMP)			
6.3	<p>The Applicant shall prepare and implement an Operation Environmental Management Plan (OEMP) to detail an environmental management framework, practices and procedures to be followed during the operation of the development. The Plan shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> 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. <p>The OEMP shall be submitted for the approval of the Director-General no later than one month prior to the commencement of operation of the development, or within such period as otherwise agreed by the Director-General. Operation shall not commence until written approval has been received from the Director-General. Upon receipt of the Director-General’s approval, the Applicant shall supply a copy of the OEMP to the EPA, Waterways Authority and Council as soon as practicable.</p>	<p>Background (do not remove): 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)).</p> <p>2022 – Status: OEMP (version 3, 4 Jul-2022) was reviewed by NSW Ports and DPIE, and is available on Patrick’s website: https://patrick.com.au/about/safety-and-environment/</p>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
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:	See below	---
Stormwater Management Plan			
6.4a	<p>A Stormwater Management Plan to outline environmental management practices and procedures to be followed during the operation of the development in order to control and manage site drainage and stormwater. The Plan shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> 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. 	<p>Background (do not remove): 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)).</p> <p>2022 – Status: Refer to the current OEMP (version 3, 4-Jul-2022), Section 6.2 – Stormwater Management Plan. The OEMP is available on Patrick’s website: https://patrick.com.au/about/safety-and-environment/</p>	Compliant
Vegetation Management Plan			
6.4b	<p>A Vegetation Management Plan to outline measures to ensure appropriate development and maintenance of landscaping on the site and revegetation in the vicinity of the boat ramp access road. The Plan shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> 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; 	<p>Background (do not remove): 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)).</p> <p>2022 – Status: Refer to the current OEMP (version 3, 4-Jul-2022), Section 6.10 – Vegetation and Land Management Plan. The OEMP is available on Patrick’s website: https://patrick.com.au/about/safety-and-environment/</p>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
6.4b	<ul style="list-style-type: none"> 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. 	<p><i>Refer to 6.4c, on previous page.</i></p>	---
Transport Management Plan			
6.4c	<p>A Transport Management Plan to outline management of traffic conflicts associated with the operation of the development. The Plan shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> 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. 	<p>Background (do not remove): 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)).</p> <p>2022 – Status:</p> <p>Refer to the current OEMP (version 3, 4-Jul-2022), Section 6.7 – Operational Traffic Management Plan. The OEMP is available on Patrick’s website: https://patrick.com.au/about/safety-and-environment/</p>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
Waste Management Plan			
6.4d	<p>A Waste Management Plan to outline measures to manage resource consumption resulting from the operation of the development. The Plan shall meet the requirements of Council, should there be any. The Plan shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> 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. 	<p>Background (do not remove): 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)).</p> <p>2022 – Status: Refer to the current OEMP (version 3, 4-Jul-2022), Section 6.4 – Waste and Wastewater Management Plan. The OEMP is available on Patrick’s website: https://patrick.com.au/about/safety-and-environment/</p>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
Operational Noise Management Plan			
6.4e	<p>An Operational Noise Management Plan to outline measures to minimise impacts from the operation of the development on local noise levels. The Plan shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> 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. 	<p>Background (do not remove): 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)).</p> <p>2022 – Status:</p> <p>Refer to the current OEMP (version 3, 4-Jul-2022), Section 6.6 – Operational Noise Management Plan. The OEMP is available on Patrick’s website: https://patrick.com.au/about/safety-and-environment/</p>	Compliant
6.5	<p>Within three years of the commencement of operation, and at least every three years thereafter, the Applicant shall undertake a formal review of the OEMP required under condition 6.3 of this consent. The review shall ensure that the OEMP is up-to-date and all changes to procedures and practices since the previous review have been fully incorporated into the OEMP. The Applicant shall notify the Director-General of completion of each review, and shall supply a copy of the updated OEMP to the Director-General, EPA, Waterways Authority and Council on request.</p>	<p>Background (do not remove): A finding in the 2017 AEMR states that 4 February 2016 was the date operations commenced at terminal.</p> <p>2022 – Status:</p> <p>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. Last review was conducted on 4 July 2022.</p>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
6	Environmental Management		
	Annual Compliance Report		
6.6	<p>Within twelve months of the date of this consent, and annually thereafter, unless the Director-General directs otherwise, the Applicant shall submit a Compliance Report to the Director-General. The Compliance Report shall:</p> <ul style="list-style-type: none"> (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. 	<p>Background (do not remove): This Annual Environmental Management Report (as per D-494, C4.2) also includes the requirement of this condition to submit an Annual Compliance Report.</p> <p>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.</p> <p>The previous Annual Environmental Management Reports (which also include the Annual Compliance Report) are available on Patrick’s website.</p> <p>2022 – Status:</p> <p>The 2021 AEMR (which includes the Annual Compliance Report) was uploaded onto the Department portal, a copy sent to NSW Ports in February 2022, and a copy uploaded on to the Patrick website: (https://patrick.com.au/about/safety-and-environment/)</p>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
Independent Environmental Audit			
6.7	<p>Within 12 months of commissioning the development and every three years thereafter, unless the Director-General directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit. The Independent Environmental Audit shall:</p> <p>(a) Be conducted by a suitably qualified, experienced, and independent person whose appointment has been endorsed by the Director-General;</p> <p>(b) Be consistent with ISO 14010 – Guidelines and General Principles for Environmental Auditing, and ISO 14011 – Procedures for Environmental Auditing, or updated versions of these guidelines/manuals;</p> <p>(c) Assess the environmental performance of the development, and its effects on the surrounding environment;</p> <p>(d) Assess whether the development is complying with the relevant standards, performance measures, and statutory requirements;</p> <p>(e) Review the adequacy of the Applicant’s Environmental Management Plan, and Environmental Monitoring Program; and, if necessary</p> <p>(f) Recommend measures or actions to improve the environmental performance of the plant, and/or the environmental management and monitoring systems.</p>	<p>Background (do not remove): This Independent Environmental Compliance Audit is required to satisfy:</p> <ul style="list-style-type: none"> • DA 453 - Condition 6.7; • DA 494 – Condition C4.5 <p>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.</p> <p>On 3 October 2017 the DPE approved Wolf Peak Australia Pty Ltd auditors (Steve Fermio and Derek Low) to conduct the independent environmental audits.</p> <p>2022 – Status: The 2022 Independent Environmental Compliance Audit was conducted by Mr. Derek Low, WolfPeak (DPIE approved auditor).</p>	Compliant
6.8	<p>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.</p>	<p>2022 – Status: The final Independent Environment Compliance Audit report is yet to be issued. Once it has it will be uploaded onto the DPIE website, and a copy emailed to NSW Ports, EPA, and Bayside Council within two (2) weeks of receiving the final report.</p> <p>A copy of the audit report 2022 will be made available on Patrick’s website: https://patrick.com.au/about/safety-and-environment/</p>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
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 <i>Protection of the Environment Operations Act 1997</i> in relation to the development. In the return the Applicant shall: <ul style="list-style-type: none"> (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.	<p>Background (do not remove): The Annual Return for the period was submitted via eConnect EPA within the timeframe specified by this condition.</p> <p>2022 – Status: Annual Return submitted to EPA on 11 May 2022. No non-compliances were identified.</p>	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.	<p>2022 – Status: The OEMP (version 3, 4-Jul-2022) and the Biannual Noise Monitoring Compliance Reports for May and November 2022 appear to reference current guidelines and standards. Copies are available on Patrick’s website: https://patrick.com.au/about/safety-and-environment/</p>	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.	<p>2022 – Status: Noted.</p>	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.	<p>2022 – Status: Noted.</p>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
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.	<p>Background (do not remove): There are no occupied buildings adjoining the operational areas of the terminal that would be affected by vibration.</p> <p>2022 – Status: No change.</p>	Compliant
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 <i>Australian Standard AS1940-1993 The Storage and Handling of Flammable and Combustible Liquids</i> .	<p>Background (do not remove): 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. Bunded pallets for storage of waste oil were provided for use in the chemical store in 2020.</p> <p>2022 – Status:</p> <p>Routine site inspection identified consistencies in the storage of chemicals and fuels.</p>	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.	<p>Background (do not remove): Waste oil is collected and stored inside the Maintenance Workshop in designated areas either a bunded area or on a purpose built bunded pallet.</p> <p>2022 – Status:</p> <p>A recent inspection of the area identified consistencies in the storage of waste oils. Liquid waste was being tracked in accordance with the POEO Act and Waste Regulation.</p>	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 <i>AS1940: 1993 The Storage and Handling of Flammable and Combustible Liquids</i> .	<p>Background (do not remove): There are no underground fuel storage tanks located on the site.</p> <p>2022 – Status:</p> <p>Two 65,000 L diesel tanks are in a bunded area behind the Maintenance workshop.</p>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
Fuel Bowers			
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.	2022 – Status: As per 7.6 above.	Compliant
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 banded. The bund (walls and floor) shall be constructed of impervious materials. The bund walls shall be a minimum of 100 mm high and be of a sufficient volume to contain 25% of the maximum volume of liquids likely to be stored within the bund. The bund shall be designed and installed in accordance with <i>AS1940-1993 The Storage and Handling of Flammable and Combustible Liquids</i> .	2022 – Status: The bunding sighted during the inspection comprised permanent fixtures and pallet bunds. Permanent fixtures appeared to comply with AS1940. Pallet bunds are used for storage of 20 – 240L containers of fuels and oils. These containers are in use.	Compliant
Bunding - Tank			
7.9	The area used for the storage of chemicals/liquids in tanks shall be banded. The bund (walls and floor) shall be constructed of impervious materials and shall be of sufficient volume to contain at least 110% of the volume of the tank(s). The bund shall be designed and installed in accordance with <i>AS1940-1993 The Storage and Handling of Flammable and Combustible Liquids</i> .	2022 – Status: Permanent fixtures (bunds) and pallet bunds are used for the storage of chemicals/liquids.	Compliant
Maintenance of Banded Areas			
7.10	Banded areas shall be properly maintained and all spillages and/or wastes within the banded areas cleaned up as soon as practicable and disposed of in a manner that does not pollute waters.	2022 – Status: Permanent fixtures (bunds) and pallet bunds are well maintained.	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.	Background (do not remove): The redesign of the Maintenance workshop bunding as part of the 2013/14 redevelopment included a grated trench drain (“blind” at either end) in the centre of the forecourt between the two workshop bays. The workshop floor slopes to the trench drain where any leaks and spills are collected from. 2022 – Status: No change.	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
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.	<p><u>2022 – Status:</u> Spill kits are available across the site and Maintenance workshop and routinely inspected and stocked.</p>	Compliant
Emergency Spill Response Management Plan			
7.13	<p>The Applicant shall develop an Emergency Response and Incident Management Plan in consultation with the EPA and Council. The Plan must be approved by the Director-General prior to the commencement of operations and shall include the following:</p> <ul style="list-style-type: none"> (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. 	<p><u>Background (do not remove):</u> 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)).</p> <p><u>2022 – Status:</u> The ERP (version 14, 31 March 2022) and the current OEMP (version 3, 4-Jul-2022), Section 4.4 includes incident investigation, are available on the Patrick website - https://patrick.com.au/about/safety-and-environment/</p>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
Automotive / Workshop			
7.14	<p>All servicing, mechanical repairs and detailing shall be conducted in a covered, bunded work area. All work areas, including workshops and lube bays, shall be graded into collection sumps and/or grated drains such that surface effluent generated within the workshop area is directed into a dedicated drainage system and disposed of to sewer in accordance with a Trade Waste Agreement from Sydney Water or collected for reuse/disposal by an EPA licensed waste contractor.</p>	<p>Background (do not remove): As part of the terminal redevelopment the Maintenance Workshop was covered, the floor sealed and graded toward an internal blind trench with pipework going to the trade waste treatment plant prior to discharge to sewer, or to a blind underground tank for collection by a liquid waste contractor. The key chemical storage areas are bunded.</p> <p>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.</p> <p>Spill kits containing absorbent materials are available in the Maintenance Workshop, on the Maintenance Break-down truck, and outside in designated locations.</p> <p>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 discharged 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.</p> <p>2022 – Status: As per above.</p>	Compliant
Storage of Mechanical Parts			
7.15	<p>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.</p>	<p>2022 – Status: Workshop under cover and being used for mechanical repairs, servicing etc. The facility is graded with pipework going to the treatment plant to sewer, or to a blind inground open tank for collection by a liquid waste contractor.</p>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
Spray Painting			
7.16	All spray painting is to be carried out in a spray booth constructed and ventilated in accordance with AS 1668.2-2002 – <i>The Use of Mechanical Ventilation and Air-Conditioning</i> 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.	<p><u>Background (do not remove)</u>: Spray painting was not conducted on site during the reporting period.</p> <p><u>2022 – Status</u>: As per above.</p>	Compliant
Maintenance of Filters			
7.17	All spray booth filters shall be regularly maintained to ensure emissions of air pollutants are minimised.	<p><u>Background (do not remove)</u>: There is no permanent or temporary spray booth on site.</p> <p><u>2022 – Status</u>: As per above.</p>	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.	<p><u>Background (do not remove)</u>: 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 treatment plant i.e., 'Auto Batch Unit'. The second wash bay has not been used since it was installed.</p> <p>The single wash bay in operation is operated under the conditions of Sydney Water's Consent to Discharge Industrial Trade Wastewater No. 24990.</p> <p><u>2022 – Status</u>: A single wash bay is in operation.</p>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
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 ₂ O only'.	<p><u>Background (do not remove):</u> 'Clean Rainwater Only' is painted next to stormwater drains on site.</p> <p><u>2022 Status:</u> As per above.</p>	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.	<p><u>Background (do not remove):</u> Drain wardens, purceptor, SQIDS, and trade waste system are included into the Maintenance scheduling system (Maximo).</p> <p><u>2022 Status:</u> Stormwater drains wardens, purceptors and the trade waste 'AutoBatch Unit' have been routinely maintained throughout the year.</p> <p>Observation: During the site inspection it was noted that accessibility to open/close the drain safe units was not consistent across all units (i.e.: some units required the stormwater grate to be lifted in order to deploy the drain safe mechanism).</p>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
Wastewater Recycling for Vehicle Washing			
7.21	<p>All vehicle washing bays that recycle filtered and treated wastewater for re-use for vehicle washing shall meet the following requirements:</p> <ul style="list-style-type: none"> (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; 	<p>Background (do not remove): 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.</p> <p>At both locations, the stored water is used for the single purpose to flush toilets/urinals.</p> <p>Recycled water has not been used for 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.</p> <p>2022 Status: As per above.</p>	Compliant
Removal Off-Site by an Authorised Liquid Waste Disposal Contractor			
7.21	<ul style="list-style-type: none"> (f) All uncontaminated stormwater/rainwater must be directed to the dedicated stormwater drainage systems; (g) Ensure all contaminants removed from the recycled wastewater are disposed of appropriately; (h) Have an appropriately designed wastewater/recycled water storage tank; (i) All contaminants and gross solids removed from the recycled water are disposed of appropriately; (j) Ensure that the wastewater recycling system is functioning as intended; and (k) Ensure that all wastewater is retained within the recycling system. 	<p><i>Refer to the previous page</i></p>	---

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
7.22	<p>All vehicle washing bays that will have all wastewater removed off site shall meet the following requirements:</p> <ul style="list-style-type: none"> (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. 	<p>Background (do not remove): 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 treatment plant i.e., 'Auto Batch Unit'. The second wash bay has not been used since it was installed.</p> <p>The single bay has grading and bunding, is covered and prevents rain ingress. The treatment plant (and tanks) are sufficiently sized to hold generated waste water.</p> <p>2022 – Status: A single wash bay is in operation.</p>	<p>Complaint</p>

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
7	Requirements of Botany Bay Council		
	Discharge to the Sewer via Appropriate Pre-Treatment		
7.23	<p>All vehicle washing bays that discharge to sewer shall meet the following requirements:</p> <ul style="list-style-type: none"> (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. 	<p>Background (do not remove): 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 treatment plant i.e., 'Auto Batch Unit'. The second wash bay has not been used since it was installed.</p> <p>The single bay has grading and bunding, is covered and prevents rain ingress.</p> <p>The wastewater treatment plant ("AutoBatch" System) includes inground-open tanks (i.e., General Purpose Pit) sufficiently sized to hold generated wastewater.</p> <p>2022 – Status:</p> <p>A single wash bay is in operation.</p>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2022	Assessment Rating 2022
Disposal of Wastewater to Land Incorporating Appropriate Treatment Devices			
7.24	<p>All vehicle washing bays that discharge wastewater shall meet the following requirements:</p> <p>(a) The Applicant shall prove that the environmental conditions of the site are appropriate and provide appropriate professional site assessment information on the presence of environmentally sensitive areas on the building site, in the adjoining areas or within the downstream catchment;</p> <p>(b) Soil characteristics including soil permeability, depth to bedrock/hardpan, depth to high episodic water table, % coarse fragments; electrical conductivity; sodicity, cation exchange capacity, phosphorous absorption and any other Council requirement;</p> <p>(c) Site flood potential, exposure to sun and wind, slope, erosion potential, drainage, plant growth conditions;</p> <p>(d) Buffer distances from permanent surface waters, domestic groundwater wells, other waters, property boundaries, driveways, swimming pools and buildings; and</p> <p>(e) Other site assessment details as required by Council.</p>	<p>Background (do not remove): 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 treatment plant i.e., 'Auto Batch Unit'. The second wash bay has not been used since it was installed.</p> <p>The single bay has grading and bunding, is covered and prevents rain ingress. The treatment plant (and inground/open tanks) is sufficiently sized to hold generated wastewater.</p> <p>There are no discharges to land.</p> <p>Any liquid waste is disposed of by a liquid waste contractor.</p> <p>2022 – Status: No change.</p>	Not Applicable
Energy Efficiency Report			
7.25	<p>An Energy Efficiency Compliance Report shall be prepared within 15 months of the issuing of the occupation certificate. The Report shall certify that energy efficiency measures have been installed and verify that the building's energy performance complies with Councils Energy Efficiency DCP. A copy of the Report shall be made available to Council on request.</p>	<p>Background (do not remove): Patrick submitted the <i>Energy Efficiency Report (March 2020)</i> to the Department on 7 September 2020. The Department advised that it had no comments.</p> <p>2022 – Status: No further action required for this condition.</p>	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 2022	Assessment Rating 2022
Chapter 16 - Hydrology and Water Quality			
16.4.2	Surface Water Quality		
	<p>Dredging and Reclamation</p> <p>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.</p>	<p>2022 – Status:</p> <p>The developed / redeveloped areas are fully surfaced and sealed.</p>	Predicted
	<p>Erosion and Sedimentation</p> <p>Dredged or construction material stockpiles and active construction areas may be subject to erosion and sedimentation from surface runoff.</p>	<p>Background (do not remove): 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.</p> <p>2022 – Status:</p> <p>During 2022 there was no visible dust emissions reported to Patrick.</p>	Predicted

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence 2022	Assessment Rating 2022
Chapter 17 - Groundwater			
17.6.2	Groundwater Quality	<p><u>Background (do not remove):</u> The operational areas of the terminal are fully sealed.</p> <p><u>2022 – Status:</u> Refer to the current OEMP (version 3, 4-Jul-2022) with specific reference to the following sections:</p> <ul style="list-style-type: none"> • Section 6.2 - Stormwater Management Plan • Section 6.4 – Waste and Wastewater Management Plan <p>Available on the Patrick website: https://patrick.com.au/about/safety-and-environment/</p> <p>And standard operating procedure:</p> <ul style="list-style-type: none"> • <i>Storage & Handling of Hazardous / Dangerous Goods (PBT_OPS_SOP_04_03)</i> <p>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.</p> <p>The Stormwater Management Plan further details how Patrick will ensure that any surface pollutants shall be captured and treated to minimise the potential contamination to groundwater or waters.</p>	Predicted

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence 2022	Assessment Rating 2022
Chapter 18 - Geology, Soils and Geotechnical			
18.4.2	Soil Erosion		
	<p>The operations at the new terminal would take place on reclaimed and hard surfaced pavement. There is no requirement for soil removal or disturbance during operation of the terminal. Stormwater collection and treatment systems would be designed to capture surface water runoff from all impervious surfaces. Therefore, the operation of the new terminal is expected to have minimal effects on soil erosion.</p> <p>Soil in the vicinity of facilities outside the new terminal area, such as the proposed railway, boat ramp and car park, would be stabilised and erosion in these areas would be low.</p>	<p>Background (do not remove): Stormwater quality improvement devices (SQIDs) have been installed at the terminal and are operational, and routinely inspected / maintained.</p> <p>2022 – Status: There is no evidence of soil erosion identified in the operational areas.</p>	Predicted
18.4.3	Sediment Contamination		
	<p>Leaks and spills from operations at the new container terminal would be contained by the proposed stormwater detention and treatment system. There is low potential for leaching of contaminants through the hard stand areas. Environmental management measures would be included in the Operational EMP</p>	<p>Background (do not remove): 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)).</p> <p>Stormwater quality improvement devices (SQIDs) have been installed at the terminal and are operational, and routinely inspected / maintained.</p> <p>2022 – Status: Refer to the current OEMP (version 3, 4-Jul-2022) with specific reference to: Section 6.2 – Stormwater Management Plan. The OEMP is available on Patrick’s website – https://patrick.com.au/about/safety-and-environment/</p>	Predicted

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence 2022	Assessment Rating 2022
Chapter 18 - Geology, Soils and Geotechnical			
18.5.2	Operation		
	<p>The operation of the new terminal would have minimal effects on geology, soils and geotechnical issues. Once operational, all terminal activities would be conducted in a manner to prevent soil erosion and contamination from operational activities.</p> <p>A SWMP would be developed as part of an Operational EMP to ensure an adequate standard is applied to sediment control for the operation of new terminal. This plan would also address stormwater management and be prepared in accordance with NSW EPA requirements. The SWMP for operations would be incorporated in the Operational EMP. Management measures would include:</p> <ul style="list-style-type: none"> • 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. 	<p>2022 – Status:</p> <p>Refer to the current OEMP (version 3, 4-Jul-2022) with specific reference to: Section 6.2 – Stormwater Management Plan. The OEMP and the ERP (version 14, 31 March 2021) are available on Patrick’s website -- https://patrick.com.au/about/safety-and-environment/</p>	Predicted
Chapter 19 – Aquatic Ecology			
19.6.1	Potential Physical, Chemical and Biological Stressors		
	<p>Noise, Vibration and Light</p> <p>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.</p>	<p>Background (do not remove): The level of vibrations at Patrick would be similar with the types of activities conducted at the adjacent container terminals.</p> <p>2022 – Status:</p> <p>Patrick’s operations have not directly resulted in any increase of vessels in the Port Botany area.</p>	Predicted

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19.6.1	Potential Physical, Chemical and Biological Stressors <i>Continued</i>		
	<p>Introduced Species</p> <p>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:</p> <p><i>Caulerpa taxifolia</i> presently occurring along Foreshore Beach.</p>	<p>Background (do not remove): In the most recent <i>Port Botany Long-term Seagrass Monitoring (2018)</i> the invasive alga <i>Caulerpa taxifolia</i> was not mentioned beyond noting if it was present in the Foreshore Beach or Penrhyn Estuary area.</p> <p>The most recent 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</p> <p>Penrhyn Estuary rehabilitation website: https://www.portauthoritynsw.com.au/environment/environmental-management/penrhyn-estuary-rehabilitation/</p> <p>2022 – Status: No change.</p>	Predicted
19.6.2	<p>Management of the possible spread of <i>Caulerpa Taxifolia</i> would form part of a Construction and Operational EMP.</p>	<p>Background (do not remove): The management and monitoring of <i>Caulerpa taxifolia</i> 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</p> <p>The management of <i>Caulerpa taxifolia</i> is not included in the Patrick OEMP as Patrick has limited control over activities outside of the terminal boundaries.</p> <p>2022 – Status: No change.</p>	Predicted
19.7.2	Marine Mammals		
	<p>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.</p>	<p>Background (do not remove): 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.</p> <p>Patrick’s OEMP does not include a Marine Management Plan.</p> <p>2022 – Status: No change.</p>	Predicted

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence 2022	Assessment Rating 2022
Chapter 19 – Aquatic Ecology			
19.7.4	Monitoring and Feedback		
	<p>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:</p> <p>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.</p> <p>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.</p> <p>The occurrence and persistence of nuisance algae within Penrhyn Estuary as a result of nutrients from the catchments of Floodvale and Springvale Drains would be monitored to enable an appropriate management response. Finally, organisms utilising the compensatory seagrass beds would be monitored to evaluate diversity and abundance. It is suggested that a good indicator of this would be fish and mobile invertebrates (e.g. prawns) which can be readily collected using standard sampling procedures (e.g. seine nets).</p>	<p>Background (do not remove): 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.</p> <p>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/</p> <p>The results of the Port Botany Post Construction Environmental Monitoring is detailed in the “<i>End of Project Report</i>” 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</p> <p>Patrick’s OEMP does not include monitoring aquatic ecology.</p> <p>2022 – Status: No change.</p>	<p>Predicted</p>

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Chapter 20 - Terrestrial Ecology			
20.8.4	Habitat Enhancement		
	<p>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.</p>	<p>Background (do not remove): 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.</p> <p>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/</p> <p>2022 – Status: No change.</p>	Predicted
	<p>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.</p>	<p>Background (do not remove): 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.</p> <p>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/</p> <p>2022 – Status: No change.</p>	Predicted

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence 2022	Assessment Rating 2022
Chapter - 20 Terrestrial Ecology			
20.8.4	Habitat Enhancement		
	<p>Control of Feral Animals The following two measures would assist in the control of feral animals at Penrhyn Estuary, these include:</p> <ul style="list-style-type: none"> • 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. <p>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.</p>	<p>2022 – Status: Patrick’s current OEMP (version 3, 4-Jul-2022), 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.</p> <p>The current OEMP (version 2, 5-Jul-2019) includes a Bird Management Plan, Section 6.9 - Bird Hazard Management Plan: https://patrick.com.au/about/safety-and-environment/</p> <p>Any feral animals found on site are managed by contractors. A Feral Animal Management Plan (FAMP) is included in the OEMP (version 3, 4-Jul-2022), Section 6.3 – Feral Animal Management Plan. The OEMP is available on Patrick’s website - https://patrick.com.au/about/safety-and-environment/</p>	Predicted
20.10	Conclusion		
	<p>Key impacts from the proposal on the 23 shore bird and one seabird species considered as regular or occasional visitors to Penrhyn Estuary could include disturbance to feeding and roosting from a change in lighting regime, increased movement, noise from construction and operation of the port (and associated infrastructure such as railway lines) and potential entry/exit flyway barriers due to the enclosure of Penrhyn Estuary.</p>	<p>Background (do not remove): The results of the Shorebird Monitoring Program - Port Botany Post-Construction Environmental Monitoring, i.e., Shore Bird Reports</p> <ul style="list-style-type: none"> • 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 <p>Located on the Port Authority of New South Wales (formerly SPC) website: https://www.portauthoritynsw.com.au/sustainability-and-environment/penrhyn-estuary-rehabilitation/</p> <p>2022 – Status: No change.</p>	Predicted

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence 2022	Assessment Rating 2022
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.	<p>Background (do not remove): 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.</p> <p>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</p> <p>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 (approved via the SEPP (Three Ports) 2013 process), 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.</p> <p>2022 – Status: No change</p>	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.	<p>Background (do not remove): The initial ONMP (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 to Patrick's operations.</p> <p>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.</p> <p>2022 – Status: Biannual noise monitoring is conducted six-monthly by Rodney Stevens Acoustics. Monitoring conducted in May and November 2022 identified some levels above the limits set by the EPA (EPL 6962). The noise emissions received at the designated locations have been estimated via calculation. Biannual Noise Monitoring Compliance Reports are available on the Patrick website: https://patrick.com.au/about/safety-and-environment/</p>	Predicted

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence 2022	Assessment Rating 2022
Chapter 22 - Noise			
22.5.2	Operation		
	<p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>Complaints - Complaints would be assessed and responded to in a quick and efficient manner.</p> <p>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.</p>	<p>Background (do not remove): 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)).</p> <p>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.</p> <p>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.</p> <p>Quay crane alarms for the movement of vessel hatch / deck lids have been standardised and positioned to be directing towards the ground.</p> <p>2022 – Status:</p> <p>Patrick responds to all public comments, inquiries and complaints received – refer to this AEMR, section 9.3 - Public Comments, Inquiries and Complaints Register; and Patrick’s OEMP section 4.6 (version 3, 4-Jul-2022), is available on Patrick’s website – https://patrick.com.au/about/safety-and-environment/</p> <p style="text-align: right;"><i>Continued</i></p>	Predicted

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence 2022	Assessment Rating 2022
Chapter 22 - Noise			
	<p>The Noise Management Plan would also contain the option for shore power to be provided to ships in the future.</p> <p>A Traffic Noise Management Plan would be developed for the new terminal. This plan would consider traffic route selection, traffic clustering and traffic rescheduling.</p>	<p>Patrick’s Operational Noise Management Plan, Section 6.6 of the OEMP (version 3, 4-Jul-2022) refers to identifying opportunities to reduce operational noise include, but not necessarily limited to, section of equipment, engineering noise controls and shore-based power. The OEMP is available on Patrick’s website: https://patrick.com.au/about/safety-and-environment/</p> <p>Patrick’s OEMP (version 3, 2022), Section 6.7 – Operational Traffic Management Plan - located on Patrick’s website: https://patrick.com.au/about/safety-and-environment/</p> <p>2022 – Status: No change.</p>	Predicted
Chapter 23 - Air Quality			
23.8.2	Operation		
	<p>Notwithstanding the fact that the proposed expansion is shown to result in acceptable impacts, the new terminal would be designed and constructed such that it could support the use of alternative energy for ships at berth (i.e. shore power), should ships be able to accept such power in the future. This would reduce ship emissions in the local area.</p>	<p>Background (do not remove): 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.</p> <p>2022 – Status: No change.</p>	Partially Predicted

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence 2022	Assessment Rating 2022
Chapter 24 - Cultural Heritage			
24.8	Assessment of Impacts During Operation		
	<p>During the operational phase of the Port Botany Expansion there would be no impacts on Aboriginal, European or maritime heritage resources in the primary or secondary study area</p>	<p>Background (do not remove): 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 of the site there were no heritage impacts reported.</p> <p>2021 – Status:</p> <p>Rail expansion project (approved via the SEPP (Three Ports) 2013) - during construction / redevelopment no heritage impacts reported as being found.</p>	Predicted
Chapter 25 - Visual Impact Assessment			
25.5	Mitigation Measures		
	<p>Quay Crane specification – quay cranes for the new terminal would be approximately 50 m high.</p> <p>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.</p> <p>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.</p>	<p>Background (do not remove): Maximum height of the Patrick quay cranes as per approval under the <i>Airports (Protection of Airspace) Regulations 1996</i> (APAR) (Ref: 12/5083; and F20/697-15) for the intrusion of four quay cranes into prescribed airspace for Sydney Airport.</p> <p>Quay Crane Specification: Approval for three cranes (No. 12, 13 & 14) were granted by Flysafe Aerodrome Precincts, Aviation and Airports Division of the Department of Infrastructure and Transport on 12 December 2012. The fourth Leibherr crane (No. 15). approved by the Department of Infrastructure, Transport, Regional Development and Communication on 29 June 2020 is installed at Berth 6.</p> <p>Container stacking height: at Patrick’s terminal will be no more than 3 high (as controlled by the RTCS software programming).</p> <p>Noise attenuation wall: This 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.</p> <p>2022 – Status:</p> <p>Refer to Patrick’s OEMP (version 3, 4-Jul-2022), Section 6.6 - Operational Noise Management Plan. The OEMP is available on Patrick’s website - https://patrick.com.au/about/safety-and-environment/</p>	Predicted

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence 2022	Assessment Rating 2022
Chapter 26 - Social Impact Assessment			
26.5.5	Waste		
	<p>Operation</p> <p>A Waste Management Plan (WMP) would be prepared and implemented by the terminal operator(s) as part of the Operational EMP for the new terminal and would include initiatives for sustainable waste management.</p> <p>All waste discharged by ships at the new terminal would be managed through established waste management practices.</p>	<p><u>Background (do not remove):</u> 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)).</p> <p><u>2022 – Status:</u></p> <p>Refer to the current OEMP (version 3, 4-Jul-2022), Section 6.4 – Waste and Wastewater Management Plan: https://patrick.com.au/about/safety-and-environment/</p>	Predicted
Chapter 28 – Preliminary Hazard Analysis			
28.10.1	Mitigation Measures		
	<p>The following mitigation measures would be implemented to manage the hazards and risks described above:</p> <ol style="list-style-type: none"> i. containers with dangerous goods would be handled and transported in accordance with the <i>Australian Standard 3846 (1998): The Handling and Transport of Dangerous Goods in Port Areas</i> and the <i>NSW Dangerous Goods (General) Regulation 1999</i>; 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; 	<p><u>2022 – Status:</u></p> <p>Mitigation measures include, but are not limited to:</p> <ol style="list-style-type: none"> i. Standard Operating Procedure - <i>Storage & Handling of Hazardous / Dangerous Goods (PBT_OPS_SOP_04_03)</i> 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 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 2022	Assessment Rating 2022
Chapter 28 – Preliminary Hazard Analysis			
28.10.1	Mitigation Measures <i>(continued)</i>	<ul style="list-style-type: none"> vi. During 2021, 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 40-20). 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 Purceptors, 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)). <p>2022 Status: The current OEMP (version 3, 4-Jul-2022 and the ERP (version 14, 31 March 2022) are available on Patrick’s website - https://patrick.com.au/about/safety-and-environment/</p>	Predicted

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence 2022	Assessment Rating 2022
Chapter 29 - Bird Hazard			
29.3.3	Operation		
	<p>Sealed surfaces often provide ideal roost sites for large numbers of birds especially Silver Gulls. Bitumen surfaces provide a warm surface for roosting and are particularly attractive where areas are not subject to regular disturbance. These undisturbed open spaces have the potential to attract significant numbers of birds to the site, thereby potentially increasing the risk of bird strike at Sydney Airport.</p> <p>Areas illuminated at night are also likely to attract birds, especially Silver Gulls, as they provide a secure roosting environment and attract insects which birds feed upon.</p> <p>The additional port land may provide large areas of suitable roosting habitat for the Silver Gull. Flat surfaces of buildings, such as roofs, may provide suitable places for Silver Gulls to roost. Openings and ledges may provide roosting and nesting habitat for Feral Pigeons, Common Starlings, Common Mynas and other bird species associated with buildings.</p> <p>The pavements and buildings associated with the new terminal have the potential to attract significant numbers of birds to the site, thereby potentially increasing the risk of bird strike at Sydney Airport. It is therefore important to initiate deterrent strategies.</p>	<p>Background (do not remove): 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)).</p> <p>2022 – Status: Refer to the current OEMP (version 3, 4-Jul-2022), Section 6.9 - Bird Hazard Management Plan: https://patrick.com.au/about/safety-and-environment/</p>	Predicted
29.4	Mitigation Measures		
	<p>A Bird Hazard Management Plan would be prepared for the construction and operation of the Port Botany Expansion to reduce the risk of increasing bird hazards arising from the proposal. The plan would be incorporated in the Construction and Operational EMP and would include:</p> <ul style="list-style-type: none"> • 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. 	<p>Background (do not remove): 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)).</p> <p>2022 – Status: Refer to the current OEMP (version 3, 4-Jul-2022), Section 6.9 - Bird Hazard Management Plan: https://patrick.com.au/about/safety-and-environment/</p>	Predicted

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence 2022	Assessment Rating 2022
Chapter 30 - Operational Aviation Issues			
30.4.2	Assessment of Impacts – Operation		
	<p>Air Space There would be no fixed or mobile structures in the new terminal that would intrude into the OLS.</p> <p>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:</p> <ul style="list-style-type: none"> • 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. 	<p>Background (do not remove): Maximum height of the Patrick quay cranes of 107.1 m as per approval under the <i>Airports (Protection of Airspace) Regulations 1996</i> (APAR) (Ref: 12/5083) for the intrusion of three quay cranes into prescribed airspace for Sydney Airport.</p> <p>Approval for three cranes (No. 12, 13 & 14) were granted by Flysafe Aerodrome Precincts, Aviation and Airports Division of the Department of Infrastructure and Transport on 12 December 2012. An additional Leibherr crane (No. 15), approved by the Department of Infrastructure, Transport, Regional Development and Communication on 29 June 2020, is installed at Berth 6 (closest to Sydney Airport).</p> <p>Patrick’s terminal lighting has been designed and installed to comply with the requirements of the Development Consent (see Development Consent clauses C2.23 and C2.24 above) Quay Cranes are fitted with obstruction lights which operate on a 24/7 basis.</p> <p>The terminal (including the buildings and roads) utilises energy efficient lighting, and the windows of the new buildings are tinted.</p> <p>2022 – Status: No change</p>	Predicted

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence 2022	Assessment Rating 2022
Chapter 30 - Operational Aviation Issues			
30.5.2	Mitigation Measures – Light Spill		
	<ul style="list-style-type: none"> 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. 	<p>Background (do not remove): 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.</p> <p>When vessels are not under stevedore operations, the Quay Crane lights (except the beacon lights) will be switched off to minimise the light glare or distraction to aeroplane pilots.</p> <p>2022 – Status: No change.</p>	Predicted
Chapter 32 - Emergency and Incident Management			
32.1	Introduction		
	<p>The future operator(s) of the new terminal, with advice from Sydney Ports Corporation, would prepare an ERIMP to manage these potential emergencies prior to the new terminal commencing operations. The purpose of the ERIMP would be to provide an organised and practised response to incidents and emergency situations to protect employees, the public and the environment.</p>	<p>Background (do not remove): 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)).</p> <p>2022 – Status: The current OEMP (version 3, 4 July 2022 and the ERP (version 13, 31-Mar-2022) are available on Patrick’s website - https://patrick.com.au/about/safety-and-environment/</p>	Predicted

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence 2022	Assessment Rating 2022
Chapter 32 - Emergency and Incident Management			
32.2.4	Specific Sub-Plans		
	<p>Spill Containment and Management</p> <p>The proposed new terminal would be equipped with emergency response equipment typically comprising absorbent materials, absorbent pads to block drainage points and protective equipment consisting of gloves, rubber boots, eye protection etc.</p>	<p><u>2022 – Status:</u></p> <p>Spill Kits are situated in key locations around the terminal including the Maintenance Workshop.</p> <p>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.</p> <p>Spill Trailer - located on the quay line with a Mafi ITV attached, from this location the spill trailer can be more easily deployed.</p>	Predicted
Chapter 33 - Water and Wastewater			
33.2	Water Usage		
33.2.1	<p>Operation</p> <p>Water used for operational activities that do not require potable water, would be sourced from treated surface water runoff stored in two 10,000 L tanks at the northern end of the new terminal. Operational reuse of this water would include maintenance activities, wash down and irrigation.</p>	<p><u>Background (do not remove):</u> Patrick installed rainwater collection and storage tanks:</p> <ul style="list-style-type: none"> • 2 x 10,000 litre tanks alongside the Maintenance Workshop; and • 2 x 10,000 litre tanks alongside Tower/Administration building. <p>At both locations, the stored water is used for the single purpose to flush toilets/urinals.</p> <p><u>2022 – Status:</u></p> <p>No change.</p>	Predicted

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence 2022	Assessment Rating 2022
Chapter 33 - Water and Wastewater			
33.3	Wastewater		
33.3.2	<p>Operation</p> <p>All trade waste generated during the operation of the new terminal would discharge to the Sydney Water Corporation sewerage system under a Trade Waste Agreement. The Trade Waste Agreement would determine the level of treatment required prior to discharge.</p> <p>All areas where wash down or maintenance activities are to be undertaken would be bunded and provided with sump pits, grit traps and oil/water separators. This would also be the case for any additional bunded storage areas, such as those used for refuelling and fuel storage. Water collected in these areas would be tested and disposed to the sewerage system, or if unsuitable for disposal to sewer would be disposed offsite by a licensed waste disposal contractor.</p>	<p>Background (do not remove): Sydney Waters Consent to Discharge Industrial Trade Wastewater (No. 24990) was issued to Patrick on 20 May 2019. Routine monitoring and testing are carried out by a 3rd party and the results reported to Sydney Water and Patrick.</p> <p>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.</p> <p>2022 – Status: No change</p>	Predicted
33.5	Water and Wastewater Management		
33.5	<p>The following mitigation measures would be adopted for the proposed Port Botany Expansion:</p> <ul style="list-style-type: none"> • 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. 	<p>Background (do not remove): Patrick installed 10,000 litre water collection and storage:</p> <ul style="list-style-type: none"> • 2 x tanks alongside the Maintenance Workshop; and • 2 x tanks adjacent to the Tower/Administration building. <p>At both locations, the stored water is used for the single purpose to flush toilets / urinals.</p> <p>Dual-flushing toilets and minimal flow shower heads have been installed. 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, 20 May 2019).</p> <p>The OEMP (version 3, 4-Jul-2022) includes section 6.11 - Energy and Resource Management Plan. The OEMP is available on Patrick’s website - https://patrick.com.au/about/safety-and-environment/.</p> <p>2022 – Status: No change.</p>	Predicted

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence 2022	Assessment Rating 2022
Chapter 34 - Waste			
34.4	Waste Management and Disposal		
34.4.2	<p>Operational Waste</p> <p>An Operational WMP would be developed and implemented for the new terminal in accordance with the requirements of the <i>Waste Avoidance and Resource Recovery Act 2001</i>, the <i>Protection of the Environment Operations Act 1997</i>, the EPA's <i>Environmental Guidelines: Assessment, Classification & Management of Liquid & Non-Liquid Wastes</i> (1999), the <i>Botany Bay DCP 29</i> and the <i>National Minimisation and Recycling Strategy</i>. The plan would be incorporated into the Operational EMP for the terminal.</p> <p>Domestic Waste</p> <p>Recycling facilities would be provided at the new terminal and in public recreation areas to maximise recycling of waste materials such as plastic and glass bottles/containers, aluminium cans and paper/cardboard. Separate bins would be provided for food waste and fish remains from fish cleaning facilities in the public recreation area. All domestic waste would be collected on a regular basis and transported off site for disposal to a licensed landfill or recycling facility as appropriate. Litter bins would be designed in accordance with the bird hazard guidelines.</p> <p>Maintenance Material</p> <p>Waste oils and fluids from maintenance activities may be classified under the POEO Act as being Hazardous, Industrial or Group A Waste. The management of these substances may need to be regulated by an EPA Environment Protection Licence which would be obtained by the terminal operator(s). It is expected that these materials would be collected and stored in proprietary facilities and either be reused onsite or removed by a licensed waste contractor. Scrap metal, used parts, components and machinery would be recycled where practicable.</p>	<p>Background (do not remove): 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.</p> <p>2022 – Status:</p> <p>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.</p> <p>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 where possible. Scrap metal, used parts, components and machinery are recycled where practicable.</p> <p>Hazardous Waste Transport - Hazardous waste is removed from site using licensed contractors with the applicable waste transport certificates maintained.</p> <p>Refer to OEMP (version 3, 4-Jul-2022), Section 6.4 – Waste and Wastewater Management Plan on Patrick’s website - https://patrick.com.au/about/safety-and-environment/</p> <p>Environmental inspections are routinely carried out at least on a quarterly basis, waste storage areas are part of the inspection.</p> <p>The volume and type of waste generated and removed from the site is recorded in the terminal’s Waste Register.</p>	Predicted

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence 2022	Assessment Rating 2022																		
Chapter 35 - Energy																					
35.3	Operational Phase The estimated annual energy consumption over the operational life of the project is presented in Table 35.2:	<p>Background (do not remove): 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.</p> <p>2022 – Status: No change.</p>	Predicted																		
	<table border="1"> <thead> <tr> <th></th> <th>2010</th> <th>2015</th> <th>2020</th> <th>2025</th> </tr> </thead> <tbody> <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> </tbody> </table>				2010	2015	2020	2025	Projected Throughput (TEUs)	320,000	800,000	1,000,000	1,200,000	Estimated consumption of electricity (MWh)	10,000	17,000	21,000	25,000	Estimated consumption of diesel fuel (litres)	1,462,400	3,656,000
	2010	2015	2020	2025																	
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Estimated consumption of diesel fuel (litres)	1,462,400	3,656,000	4,570,000	5,484,000																	
35.4	Energy Conservation and Management A key component of achieving energy conservation would be the development of an Energy Management Action Plan. This plan would be included as part of the Construction and Operational EMPs.	<p>Background (do not remove): Energy Management Plan was included as part of the Construction EMP and OEMP.</p> <p>2022 – Status: OEMP (version 3 – 4-Jul-2022) section 6.11 Energy and Resources Management Plan is available on Patrick’s website - https://patrick.com.au/about/safety-and-environment/</p>	Predicted																		
35.4.2	Operational Phase The following mitigation measures would be implemented during site operations and would be detailed in the Operational EMP to achieve energy efficiencies: <ul style="list-style-type: none"> • Energy Efficient Design • Energy Efficient Equipment • Energy Efficient Work Scheduling and Practice 	<p>Background (do not remove): Patrick 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).</p> <p>The Auto Straddles are powered using diesel and electricity and replaced manually operated straddles which were solely fuelled by diesel.</p> <p>2022 – Status: No change.</p>	Predicted																		

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 2022	Assessment Rating 2022
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.	<p><u>Background (do not remove)</u>: 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.</p> <p><u>2021 – Status</u>: No change.</p>	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.	<p><u>Background (do not remove)</u>: 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.</p> <p><u>2022 – Status</u>: No change.</p>	Compliant

Annexure 1 Item	EPBC - Approval Requirement	Evidence 2022	Assessment Rating 2022
3	<p>The person taking the action must be prepare and submit for the Minister’s approval a habitat enhancement plan for Penrhyn Estuary to manage impacts on listed migratory bird species during the construction and operation of the new port facilities at Port Botany. The plan must address the matters listed below and state the environmental objectives, performance criteria, monitoring, reporting, corrective action, responsibility and timing for each of these matters:</p> <ul style="list-style-type: none"> 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. <p>The action must not commence until the plan has been approved. The approved plan must be implemented.</p>	<p>Background (do not remove): Penrhyn Estuary Habitat Enhancement Plan (PEHEP), March 2007, was implemented by Sydney Ports Corporation prior to the construction of “the Knuckle” (Port Botany Expansion) at Patrick’s Terminal.</p> <p>Ongoing monitoring and reporting in accordance with the PEHEP (March 2007) can be found on the Port Authority of New South Wales (formerly SPC) website: https://www.portauthoritynsw.com.au/sustainability-and-environment/penrhyn-estuary-rehabilitation/</p> <p>2022 – Status: No change.</p>	Compliant
4	<p>Should the person taking the action wish to amend or change the habitat enhancement plan approved under paragraph 3, a revised version of the plan must be submitted to the Minister for approval. If the Minister approves such a revised plan, the plan must be implemented in place of the plan as originally approved.</p>	<p>Background (do not remove): Not relevant to Patrick operations – no revisions have been made by NSW Ports to the initial PEHEP, the same revision is available (March 2007).</p> <p>2022 – Status: No change.</p>	Compliant
5	<p>If the Minister believes that it is necessary or desirable for the better protection of the environment to do so, the Minister may request the person taking the action to make specified revisions to a plan or plans approved pursuant to paragraphs 3 or 4, and to submit the revised plan for the Minister’s approval. The person taking the action must comply with any such request. If the Minister approves a revised plan pursuant to this condition, the person taking the action must implement that plan instead of the plan as originally approved.</p>	<p>Background (do not remove): Patrick has not received any request from the Minister to make any revisions to the plans.</p> <p>2022 – Status: No change.</p>	Compliant

Annexure 1 Item	EPBC - Approval Requirement	Evidence 2022	Assessment Rating 2022
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.	<p>Background (do not remove): 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.</p> <p>https://www.portauthoritynsw.com.au/sustainability-and-environment/penrhyn-estuary-rehabilitation/</p> <p>2022 – Status: No change.</p>	Compliant
7	After construction of the new port facilities at Port Botany has been completed, and every five years thereafter or as otherwise agreed by the Minister, the person taking the action must ensure that an independent audit of compliance with the conditions of approval for the new port facilities at Port Botany, and the effectiveness of measures to mitigate impacts on listed migratory bird species, is carried out. The independent auditor must be accredited by the Quality Society of Australasia, or such other similar body as the Minister may notify in writing. The audit criteria must be agreed by the Minister within six months of the fifth anniversary of completion of construction of the new port facilities at Port Botany, and within 6-months of every 5 th anniversary thereafter.	<p>Background (do not remove): 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.</p> <p>2022 – Status: No change.</p>	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.	<p>Background (do not remove): Responsibility of NSW Ports Port Authority NSW.</p> <p>2022 – Status: No change.</p>	Compliant
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.	<p>Background (do not remove): 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).</p> <p>Not relevant to Patrick’s operations.</p> <p>2022 – Status: No change.</p>	Not Applicable

Appendix E: Environmental Protection Licence – EPL 6962 (issued 1 September 2020)

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 (dated: 1 September 2020)

Condition No.	EPL 6962 Conditions - Detail	Evidence 2022	Assessment Rating 2022												
1	Administrative Conditions														
A1	What the licence authorises and regulates														
A1.1	<p>This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.</p> <p>Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.</p> <table border="1"> <thead> <tr> <th>Schedule Activity</th> <th>Fee Based Activity</th> <th>Scale</th> </tr> </thead> <tbody> <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> </tbody> </table>	Schedule Activity	Fee Based Activity	Scale	Chemical Storage	General chemicals storage	0-5000 kL storage capacity	Waste storage	Waste storage – hazardous, restricted solid, liquid, clinical and related waste and asbestos waste	Any listed waste type stored	Waste storage	Waste storage – other types of waste	Any other types of waste stored	<p><u>2022 – Status:</u> No change.</p>	Compliant
Schedule Activity	Fee Based Activity	Scale													
Chemical Storage	General chemicals storage	0-5000 kL storage capacity													
Waste storage	Waste storage – hazardous, restricted solid, liquid, clinical and related waste and asbestos waste	Any listed waste type stored													
Waste storage	Waste storage – other types of waste	Any other types of waste stored													
A2.2	<p>The licence applies to the following premises:</p> <p>Patrick Port Botany Container Terminal, Penrhyn Road, Banksmeadow NSW 2019 (LOT 202 DP 1183399, LOT 203 DP 1183399)</p>	<p><u>2022 – Status:</u> No change.</p>	Compliant												

Condition No.	EPL 6962 Conditions - Detail	Evidence 2022	Assessment Rating 2022
A3	Other activities		
A3.1	This licence applies to all other activities carried on at the premises, including: <ul style="list-style-type: none"> Ancillary Activities: Shipping Facilities 	<u>2022 – Status:</u> No change	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: <ol style="list-style-type: none"> the applications for any licences (including former pollution control approvals) which this licence replaces under the <i>Protection of the Environment Operations (Savings and Transitional) Regulation 1998</i>; and the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence. 	<u>2022 – Status:</u> No change.	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 <i>Protection of the Environment Operations Act 1997</i> .	<u>2022 – Status:</u> In total 49 x environmental events recorded in the incident management systems; none required to be reported to EPA. None of the incidents within the register indicated a breach of s120 of the POEO Act.	Compliant

Condition No.	EPL 6962 Conditions - Detail	Evidence 2022	Assessment Rating 2022																				
L2	Waste																						
L2.1	<p>The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled “Waste” and meeting the definition, if any, in the column titled “Description” in the table below.</p> <p>Any waste received at the premises must only be used for the activities referred to in relation to that waste in the column titled “Activity” in the table below. Any waste received at the premises is subject to those limits or conditions, if any, referred to in relation to that waste contained in the column titled “Other Limits” in the table below. This condition does not limit any other conditions in this licence.</p> <table border="1" data-bbox="320 655 1319 1291"> <thead> <tr> <th>Code</th> <th>Waste</th> <th>Description</th> <th>Activity</th> <th>Other Limits</th> </tr> </thead> <tbody> <tr> <td>NA</td> <td>Any waste type over the threshold of Schedule 1 of 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 <i>Protection of the Environment Operations (Waste) Regulation 2014</i></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 <i>Protection of the Environment Operations Act 1997</i>, as in force from time to time</td> <td>-</td> <td>NA</td> </tr> </tbody> </table>	Code	Waste	Description	Activity	Other Limits	NA	Any waste type over the threshold of Schedule 1 of the POEO Act that is not otherwise listed in this table		Waste storage		NA	General or Specific exempted waste	Waste that meets all the conditions of a resource recovery exemption under Clause 92 of the <i>Protection of the Environment Operations (Waste) Regulation 2014</i>	As specified in each particular resource recovery exemption	NA	NA	Waste	Any waste received on site that is below licensing thresholds in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i> , as in force from time to time	-	NA	<p>Background (do not remove): Containers received on the terminal, may include hazardous waste cargo which will be managed on a case by case basis.</p> <p>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.</p> <p>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.</p> <p>Once approvals have been received (via email), the shipping line / agent will work with Patrick to make the necessary arrangements for the waste to be received into the terminal and loaded onto the designated vessel within the agreed dwell times etc.</p> <p>2022 – Status: No change.</p>	Complaint
Code	Waste	Description	Activity	Other Limits																			
NA	Any waste type over the threshold of Schedule 1 of the POEO Act that is not otherwise listed in this table		Waste storage																				
NA	General or Specific exempted waste	Waste that meets all the conditions of a resource recovery exemption under Clause 92 of the <i>Protection of the Environment Operations (Waste) Regulation 2014</i>	As specified in each particular resource recovery exemption	NA																			
NA	Waste	Any waste received on site that is below licensing thresholds in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i> , as in force from time to time	-	NA																			

Condition No.	EPL 6962 Conditions - Detail	Evidence 2022	Assessment Rating 2022
L2.2	Waste must not be stored on the premises in quantities exceeding any licensing threshold under Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i> , except for the purposes of transfer through the premises' shipping facilities.	<p><u>Background (do not remove):</u> Noted.</p> <p><u>2022 – Status:</u> No change.</p>	Complaint
L2.3	<p>If any waste in quantities above licensing thresholds listed under Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i> is</p> <p>(a) predicted to be stored on the premises for more than 7 days, or</p> <p>(b) has been stored on the premises for more than 7 days; then</p> <p>The licensee must provide a written notification to the EPA that includes the following information, where available:</p> <ol style="list-style-type: none"> 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. 	<p><u>Background (do not remove):</u> Noted.</p> <p><u>2022 – Status:</u> No change.</p>	Compliant
L2.4	<p>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).</p> <p>b) Notifications must be provided to the EPA via email at metro.regulation@epa.nsw.gov.au</p> <p>Note: The export, transit and import of hazardous wastes (as defined under the <i>Hazardous Waste (Regulations of Exports and Imports) Act 1989</i>) is subject to regulation by the Commonwealth Government.</p> <p>For further information, please see the Commonwealth Government's website at: https://www.environment.gov.au/protection/hazardous-waste</p>	<p><u>Background (do not remove):</u> Noted.</p> <p><u>2022 – Status:</u> No change.</p>	Compliant

Condition No.	EPL 6962 Conditions - Detail	Evidence 2022	Assessment Rating 2022																																							
3	Limit Conditions																																									
L3	Noise Limits																																									
L3.1	<p>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.</p> <table border="1"> <thead> <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> </thead> <tbody> <tr> <td>Chelmsford Avenue</td> <td>40</td> <td>40</td> <td>40</td> <td>38</td> </tr> <tr> <td>Dent Street</td> <td>45</td> <td>43</td> <td>43</td> <td>43</td> </tr> <tr> <td>Jennings Street</td> <td>36</td> <td>36</td> <td>36</td> <td>35</td> </tr> <tr> <td>Botany Road</td> <td>47</td> <td>43</td> <td>43</td> <td>45</td> </tr> <tr> <td>Australia Avenue</td> <td>35</td> <td>35</td> <td>35</td> <td>35</td> </tr> <tr> <td>Military Road</td> <td>42</td> <td>42</td> <td>42</td> <td>40</td> </tr> </tbody> </table> <p>L_{Aeq} = equivalent continuous (energy average) A-weighted sound pressure level</p>	Most affected residential Location	Day	Evening	Night		L _{Aeq} (15 min)	L _{Aeq} (15 min)	L _{Aeq} (15 min)	L _{Aeq} , 9hrs	Chelmsford Avenue	40	40	40	38	Dent Street	45	43	43	43	Jennings Street	36	36	36	35	Botany Road	47	43	43	45	Australia Avenue	35	35	35	35	Military Road	42	42	42	40	<p>Background (do not remove): Biannual noise monitoring is carried out in accordance with the conditions detailed in the current EPL 6962. The monitoring is conducted by an independent acoustics engineer twice a year.</p> <p>2022 – Status: Refer to the current OEMP (version 3, 4-Jul-2022), Section 6.6 – Operational Noise Management Plan. The OEMP is available on Patrick’s website: https://patrick.com.au/about/safety-and-environment/</p> <p>A copy of the Biannual Noise Monitoring Compliance Reports for May and November 2022 are available on Patrick’s website: https://patrick.com.au/about/safety-and-environment/</p>	Compliant
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Condition No.	EPL 6962 Conditions - Detail	Evidence 2022	Assessment Rating 2022														
L3.2	<p>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.</p> <table border="1" data-bbox="315 437 1037 751"> <thead> <tr> <th data-bbox="315 437 831 480">Most affected residential locations</th> <th data-bbox="831 437 1037 480">Night LA1 (1min)</th> </tr> </thead> <tbody> <tr> <td data-bbox="315 480 831 523">Chelmsford Avenue</td> <td data-bbox="831 480 1037 523">53</td> </tr> <tr> <td data-bbox="315 523 831 566">Dent Street</td> <td data-bbox="831 523 1037 566">55</td> </tr> <tr> <td data-bbox="315 566 831 609">Jennings Street</td> <td data-bbox="831 566 1037 609">55</td> </tr> <tr> <td data-bbox="315 609 831 652">Botany Road (North Golf Course)</td> <td data-bbox="831 609 1037 652">55</td> </tr> <tr> <td data-bbox="315 652 831 695">Australia Avenue</td> <td data-bbox="831 652 1037 695">55</td> </tr> <tr> <td data-bbox="315 695 831 738">Military Road</td> <td data-bbox="831 695 1037 738">55</td> </tr> </tbody> </table> <p>LA1 = A-weighted sound pressure level exceeded for 1% of the time</p>	Most affected residential locations	Night LA1 (1min)	Chelmsford Avenue	53	Dent Street	55	Jennings Street	55	Botany Road (North Golf Course)	55	Australia Avenue	55	Military Road	55	<p>Background (do not remove): Biannual noise monitoring is carried out in accordance with the conditions detailed in the current EPL 6962. The monitoring is conducted by an independent acoustics engineer twice a year.</p> <p>2022 – Status:</p> <p>Refer to the current OEMP (version 3, 4-Jul-2022), Section 6.6 – Operational Noise Management Plan. The OEMP is available on Patrick’s website: https://patrick.com.au/about/safety-and-environment/</p> <p>A copy of the Biannual Noise Monitoring Compliance Reports for May and November 2022 are available on Patrick’s website: https://patrick.com.au/about/safety-and-environment/</p>	Compliant
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L3.3	<p>For the purposes of Conditions L3.1 and L3.2:</p> <ul style="list-style-type: none"> - <i>Day</i> is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and Public Holidays. - <i>Evening</i> is defined as the period from 6pm to 10pm on any day. - <i>Night</i> is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays. 	<p>Background (do not remove): Biannual noise monitoring is carried out in accordance with the conditions detailed in the current EPL 6962. The monitoring is conducted by an independent acoustics engineer twice a year.</p> <p>Copies of the Biannual Noise Monitoring Compliance Reports are provided to the NSW EPA (and DPIE and NSW Ports).</p> <p>2021 – Status:</p> <p>A copy of the Biannual Noise Monitoring Compliance Reports for May and November 2021 are available on Patrick’s website: https://patrick.com.au/about/safety-and-environment/</p>	Compliant														

Condition No.	EPL 6962 Conditions - Detail	Evidence 2022	Assessment Rating 2022
L3.4	For the purposes of Condition L3.1, noise from the premises must be measured or computed at the most affected point on or within the residential boundary.	<p>Background (do not remove): Biannual noise monitoring is carried out in accordance with the conditions detailed in the current EPL 6962. The monitoring is conducted by an independent acoustics engineer twice a year.</p> <p>As part of biannual noise monitoring 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 in the biannual report.</p> <p>2022 – Status: A copy of the Biannual Noise Monitoring Compliance Reports for May and November 2022 are available on Patrick’s website: https://patrick.com.au/about/safety-and-environment/</p>	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.	<p>Background (do not remove): Biannual noise monitoring is carried out in accordance with the conditions detailed in current EPL 6962. The monitoring is conducted by an independent acoustics engineer twice a year.</p> <p>2022 – Status: A copy of the Biannual Noise Monitoring Compliance Reports for May and November 2022 are available on Patrick’s website: https://patrick.com.au/about/safety-and-environment/</p>	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.	<p>Background (do not remove): Biannual noise monitoring is carried out in accordance with the conditions detailed in current EPL 6962. The monitoring is conducted by an independent acoustics engineer twice a year.</p> <p>2022 – Status: A copy of the Biannual Noise Monitoring Compliance Reports for May and November 2022 are available on Patrick’s website: https://patrick.com.au/about/safety-and-environment/</p>	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.	<p>Background (do not remove): Biannual noise monitoring is carried out in accordance with the conditions detailed in current EPL 6962. The monitoring is conducted by an independent acoustics engineer twice a year.</p> <p>2022 – Status: A copy of the Biannual Noise Monitoring Compliance Reports for May and November 2022 are available on Patrick’s website: https://patrick.com.au/about/safety-and-environment/</p>	Compliant

Condition No.	EPL 6962 Conditions - Detail	Evidence 2022	Assessment Rating 2022
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.	<p>Background (do not remove): The terminal's Landside Manager is responsible for implementing <i>Standard Operating Procedure - Storage & Handling of Hazardous/Dangerous Goods (PBT_OPS_SOP_04_03)</i>. The Port Authority of NSW - DGs Unit conducts regular routine random inspections / audits.</p> <p>The process for collecting, storing and disposing of waste oil is:</p> <ul style="list-style-type: none"> • 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 Bay and South Bay. • 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 in the Maintenance workshop for used oil filters. <p>2022 – Status: No change.</p>	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.	<p>Background (do not remove): 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, SQIDs) are included.</p> <p>2022 – Status: No change.</p>	Compliant

Condition No.	EPL 6962 Conditions - Detail	Evidence 2022	Assessment Rating 2022
O3	Dust		
O3.1	The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.	<p>Background (do not remove): Roadway sweeping along the wharf is conducted routinely; the site is covered in hardstand with minimal landscaped areas; any 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.</p> <p>2022 Status: Refer to OEMP (version 3,4-Jul-2022), Section 6.1 – Air Quality Management Plan on Patrick’s website - https://patrick.com.au/about/safety-and-environment/ During 2022, no complaints were received relating to the generating and emitting dust.</p>	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.	<p>Background (do not remove): Waste classified as J120 (waste oil/water, hydrocarbons) is generated via the wastewater treatment process in the Maintenance workshop.</p> <p>A Waste Register is maintained. Patrick uses the tax invoice provided by the licensed contractor to identify waste type (classification) and quantity.</p> <p>Patrick receives a copy of the Waste Transport Certificate with the invoice. Dockets from licenced waste contractors (e.g., Veolia and Cleanaway) are maintained on site.</p> <p>2022 – Status: The process for waste classification and management is outlined in the current OEMP (version 3, 4-Jul-2022), Section 6.4 – Waste and Wastewater Management Plan. A copy is available on the Patrick website - https://patrick.com.au/about/safety-and-environment/</p>	Compliant
O4.2	The licensee must ensure that waste identified for recycling is stored separately from other waste.	<p>Background (do not remove): 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.</p> <p>2022 – Status: No change.</p>	Compliant

Condition No.	EPL 6962 Conditions - Detail	Evidence 2022	Assessment Rating 2022
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.	<p>2022 – Status: Noise monitoring is the only monitoring required by the applicable EPL (1 September 2020). Compliance with noise monitoring has been addressed in Conditions L3.1 to L3.7 above.</p>	Compliant
M1.2	<p>All records required to be kept by this licence must be:</p> <ul style="list-style-type: none"> 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. 	<p>2022 – Status: Monitoring records are maintained in report format provided by Rodney Stevens Acoustics (independent acoustics engineers). Biannual Noise Monitoring Compliance Reports are available for May and November 2022 on Patrick’s website - https://patrick.com.au/about/safety-and-environment/.</p>	Compliant
M1.3	<p>The following records must be kept in respect of any samples required to be collected for the purposes of this licence:</p> <ul style="list-style-type: none"> 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. 	<p>2022 – Status: Noise monitoring data is recorded by Rodney Stevens Acoustics. The Noise Monitoring reports comply with this condition. Biannual Noise Monitoring Compliance Reports are available for May and November 2022 on Patrick’s website - https://patrick.com.au/about/safety-and-environment/.</p>	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.	<p>2022 – Status: The process for managing complaints is documented in the OEMP (version 3, 2022), Section 4.6 – Handling Environmental Related Public Inquires, Comments and Complaints. on Patrick’s website - https://patrick.com.au/about/safety-and-environment/. A register for recording of complaints / feedback from the community has been included in this AEMR (2022), refer to Section 9.3 of this report (Public Comments, Inquiries & Complaints Register). A community feedback (complaints) report is issued each quarter and available on the Patrick’s website - https://patrick.com.au/about/safety-and-environment/.</p>	Compliant

Condition No.	EPL 6962 Conditions - Detail	Evidence 2022	Assessment Rating 2022
M2	Recording of pollution complaints <i>(Continued)</i>		
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.	2022 – Status: The process for managing complaints is documented in the OEMP (version 3, 2022), Section 4.6 – Handling Environmental Related Public Inquires, Comments and Complaints. on Patrick’s website - https://patrick.com.au/about/safety-and-environment/ . A register for recording of complaints / feedback from the community has been included in this AEMR (2022), refer to Section 9.3 of this report (Public Comments, Inquiries & Complaints Register). A community feedback (complaints) report is issued each quarter in 2021 and available on the Patrick’s website - https://patrick.com.au/about/safety-and-environment/ .	Compliant
M2.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	2022 – Status: The process for managing complaints is documented in the OEMP (version 3, 4-Jul-2022), Section 4.6 – Handling Environmental Related Public Inquires, Comments and Complaints, details the retention period for complaint records. The OEMP is available on the Patrick website - https://patrick.com.au/about/safety-and-environment/ .	Compliant
M2.4	The record must be produced to any authorised officer of the EPA who asks to see them.	2022 – Status: A community feedback (complaints) report is issued each quarter and available on the Patrick’s website - https://patrick.com.au/about/safety-and-environment/ . A copy is sent to the EPA.	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.	2022 – Status: Patrick has a designated telephone number for reporting complaints i.e. (02) 9394 0308 which is diverted to the HSE Manager’s mobile phone ensuring 24 hours 7 days a week cover.	Compliant

Condition No.	EPL 6962 Conditions - Detail	Evidence 2022	Assessment Rating 2022
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.	<p>2022 – Status:</p> <p>Patrick has a designated telephone number for reporting complaints i.e. (02) 9394 0308 which is diverted to the HSE Manager’s mobile phone ensuring 24 hours 7 days a week cover.</p>	Compliant
M3.3	The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.	<p>Background (do not remove): The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.</p> <p>2022 – Status:</p> <p>No change.</p>	Compliant
6	Reporting Conditions		
R1	Annual returns documents		
R1.1	<p>The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:</p> <ol style="list-style-type: none"> 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. <p>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.</p>	<p>Background (do not remove): 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).</p> <p>2022 – Status:</p> <p>The Annual Return for the period (1 April 2021 to 31 March 2022) was submitted to the EPA via eConnect EPA on the 11 May 2022, within the 60 days specified by this condition.</p>	Compliant
R1.2	An Annual Return must be prepared in respect of each reporting period, except as provided below.	<p>2022 – Status:</p> <p>The Annual Return for the period (1 April 2021 to 31 March 2022) was submitted to the EPA via eConnect EPA on the 11 May 2022, within the 60 days specified by this condition.</p>	Compliant

Condition No.	EPL 6962 Conditions - Detail	Evidence 2022	Assessment Rating 2022
R1.3	<p>Where this licence is transferred from the licensee to a new licensee:</p> <ul style="list-style-type: none"> 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. 	<p>Background (do not remove): Patrick continues to be the EPA Licensee. The signatories have changed over time this does not affect compliance with this condition.</p> <p>2022 – Status: No change.</p>	Compliant
R1.4	<p>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:</p> <ul style="list-style-type: none"> 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. 	<p>Background (do not remove): This licence has not been surrendered by the licensee or revoked by the EPA or Minister. It is duly noted the licensee must prepare Annual Return in respect of the period commencing on the first day of the reporting period and ending on the date as per this condition.</p> <p>2022 – Status: No change.</p>	Compliant
R1.5	<p>The Annual Return for the reporting period must be supplied to the EPA via eConnect 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').</p>	<p>2022 – Status Patrick lodged the 2021 Annual Return via eConnect EPA within the 60 days reporting period (i.e., 11 May 2021).</p>	Compliant
R1.6	<p>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.</p>	<p>Background (do not remove): Patrick completes Annual Returns for the site and records dating from 2005/2006 are available on the Patrick computer drive.</p> <p>2022 – Status: No change.</p>	Compliant

Condition No.	EPL 6962 Conditions - Detail	Evidence 2022	Assessment Rating 2022
R1.7	<p>Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:</p> <p>a) the licence holder; or</p> <p>b) by a person approved in writing by the EPA to sign on behalf of the licence holder.</p> <p>Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.</p> <p>Note: An application to transfer a licence must be made in the approved form for this purpose.</p>	<p>Background (do not remove): Each year the Statement of Compliance is certified, and the Monitoring and Complaints Summary signed by the licence holder in the Annual Return for the reporting period.</p> <p>2022 – Status: No change.</p>	Compliant
R2 Notification of environmental harm			
R2.1	<p>Notifications must be made by telephoning the Environment Line service on 131 555.</p>	<p>Background (do not remove): Notifications to the EPA are made using the NSW EPA Pollution Incident Reporting Line – Ph. 131 555.</p> <p>2022 – Status: No change.</p>	Compliant
R2.2	<p>The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.</p> <p>Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.</p>	<p>Background (do not remove): Written details of the notification to the EPA within 7 days of the date on which the incident occurred.</p> <p>2022 – Status: The OEMP (version 3, 4 July 2022), Section 4.4 – Environmental Reporting sets out reporting requirements. The OEMP (version 3, 4-Jul-2022, and the Emergency Response Plan (ERP) (version 14, 31 March 2022) are available on Patrick’s website: https://patrick.com.au/about/safety-and-environment/.</p>	Compliant

Condition No.	EPL 6962 Conditions - Detail	Evidence 2022	Assessment Rating 2022
R3	Written report		
R3.1	<p>Where an authorised officer of the EPA suspects on reasonable grounds that:</p> <p>a) where this licence applies to premises, an event has occurred at the premises; or</p> <p>b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.</p>	<p><u>Background (do not remove):</u> Written reports have been provided to the NSW EPA either by Patrick or on request.</p> <p><u>2022 – Status:</u> No change.</p>	Compliant
R3.2	<p>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.</p>	<p><u>Background (do not remove):</u> Written reports have been provided to the NSW EPA either by Patrick or on request.</p> <p><u>2022 – Status:</u> No change.</p>	Compliant

Condition No.	EPL 6962 Conditions - Detail	Evidence 2022	Assessment Rating 2022
R3.3	The request may require a report which includes any or all of the following information: <ul style="list-style-type: none"> 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. 	<p>Background (do not remove): Written reports have been provided to the NSW EPA either by Patrick or on request.</p> <p>2022 – Status: No change.</p>	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.	<p>Background (do not remove): Written reports have been provided to the NSW EPA either by Patrick or on request.</p> <p>2022 – Status: No change.</p>	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.	<p>Background (do not remove): A copy of EPL 6962 is available on the Patrick's website: https://patrick.com.au/environmental-monitoring/</p> <p>2022 – Status: No change.</p>	Compliant

Condition No.	EPL 6962 Conditions - Detail	Evidence 2022	Assessment Rating 2022															
G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it.	<p>Background (do not remove): A copy of EPL 6962 is available on the Patrick's website: https://patrick.com.au/environmental-monitoring/</p> <p>2022 – Status: No change.</p>	Compliant															
G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.	<p>Background (do not remove): A copy of EPL 6962 is available on the Patrick's website: https://patrick.com.au/environmental-monitoring/</p> <p>2022 – Status: No change.</p>	Compliant															
G2	Other general conditions																	
G2.1	<p>Completed Pollution Studies and Reduction Programs (PRPs)</p> <table border="1"> <thead> <tr> <th>PRP</th> <th>Description</th> <th>Completed Date</th> </tr> </thead> <tbody> <tr> <td>Submit detailed report proposing options and a pre</td> <td>Submit to the EPA a detailed report proposing options and a preferred option to prevent pollution of waters from activities undertaken on the site.</td> <td>15-Oct-01</td> </tr> <tr> <td>Stormwater Risk Assessment</td> <td>To identify any potential risks to stormwater or local marine receiving environments posed by operation of the premises and provide recommendations for addressing any such identified risks.</td> <td>01-Apr-13</td> </tr> <tr> <td>Stormwater Improvement Action Plan</td> <td>Prepare a plan detailing the actions and timeframes that will be undertaken by the licensee to improve the quality of stormwater discharges to meet licence conditions.</td> <td>23-May-13</td> </tr> <tr> <td>Stormwater Improvement</td> <td>Provide a report outlining the stormwater improvements undertaken by the licensee.</td> <td>31-Dec-13</td> </tr> </tbody> </table>	PRP	Description	Completed Date	Submit detailed report proposing options and a pre	Submit to the EPA a detailed report proposing options and a preferred option to prevent pollution of waters from activities undertaken on the site.	15-Oct-01	Stormwater Risk Assessment	To identify any potential risks to stormwater or local marine receiving environments posed by operation of the premises and provide recommendations for addressing any such identified risks.	01-Apr-13	Stormwater Improvement Action Plan	Prepare a plan detailing the actions and timeframes that will be undertaken by the licensee to improve the quality of stormwater discharges to meet licence conditions.	23-May-13	Stormwater Improvement	Provide a report outlining the stormwater improvements undertaken by the licensee.	31-Dec-13	<p>Background (do not remove): 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).</p> <p>Details of the studies and programs have been previously submitted to the EPA.</p> <p>2022 – Status: No change.</p>	Compliant
PRP	Description	Completed Date																
Submit detailed report proposing options and a pre	Submit to the EPA a detailed report proposing options and a preferred option to prevent pollution of waters from activities undertaken on the site.	15-Oct-01																
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Stormwater Improvement	Provide a report outlining the stormwater improvements undertaken by the licensee.	31-Dec-13																

Condition No.	EPL 6962 Conditions - Detail	Evidence 2022	Assessment Rating 2022
8	Special Conditions		
E1	Noise Monitoring and Compliance Reporting		
E1.1	<p>The licensee must undertake noise monitoring as follows:</p> <ul style="list-style-type: none"> 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. 	<p>Background (do not remove): Noise Monitoring Reports (Rodney Stevens Acoustics) reference EPL Condition E1 (Page 6). Conditions E1.1 and E1.2 are also referenced in the noise monitoring report (Section 3 EPL (Noise)).</p> <p>The Port Botany Container Terminal Expansion Noise Assessment (2003) is also referenced in the Noise Monitoring Compliance Reports.</p> <p>2022 – Status: Biannual Noise Monitoring Compliance Reports are available for May and November 2022 on Patrick’s website - https://patrick.com.au/about/safety-and-environment/.</p>	Compliant
E1.2	<p>Every 6 months after the commencement of operations of the new extension - Lot 202, DP 1183399, the Licensee must undertake a periodic noise monitoring program consisting of the attended and unattended monitoring and provide a report within one month after the completion of the monitoring to the EPA's Manager, Sydney Industry at PO Box 668 Parramatta NSW 2124 containing the following information:</p> <ul style="list-style-type: none"> 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. 	<p>Background (do not remove): Biannual noise monitoring is carried out by an independent acoustics engineer every 6-months per reference EPL Condition E1 (Page 6). Conditions E1.1 and E1.2 are also referenced in the noise monitoring report (Section 3 EPL (Noise)).</p> <p>2022 – Status: Biannual Noise Monitoring Compliance Reports for May and November 2022 are available on Patrick’s website - https://patrick.com.au/about/safety-and-environment/.</p>	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 20 May 2019)

No.	TW Consent 24990 Conditions - Detail	Evidence 2022	Assessment Rating 2022
SCHEDULE 1 - Trade Wastewater which May be Discharged			
1	Trade wastewater substances		
	<p>(a) The Customer may discharge trade wastewater into the Sewer in a manner whereby the substance characteristics of the trade wastewater are of a type and discharged at a rate, level or concentration equal to or less than that described in this schedule.</p> <p>(b) The Customer must not discharge trade wastewater into the Sewer in a manner whereby the trade wastewater discharged;</p> <p>i. contains, possesses or produces a substance characteristic not provided in, or which may be determined as being contrary to that described in this schedule.</p> <p>ii. is at or of a rate, level, or concentration not provided in, or which may be determined as being contrary to, that described in this schedule.</p> <ul style="list-style-type: none"> • <u>BOD</u>: LTADM: 15kg/day; MDM: 27kg/day; Standard: [blank] • <u>Suspended Solids</u>: LTADM: 1.4kg/day; MDM: 4.8kg/day; Standard: 600kg/day • <u>Grease</u>: LTADM: 0.8kg/day; MDM: 3.5kg/day; Standard: 110kg/day • <u>Petroleum Hydrocarbons Flammable (C6-C9)</u>: LTADM: [blank]; MDM: [blank]; Standard: 10kg/day • <u>Volatile Halocarbons</u>: LTADM: [blank]; MDM: [blank]; Standard: 1kg/day 	<p>2022 – Status: For the management of trade waste at the site, refer to OEMP (version 3, 4-Jul-2022), Section 6.4 – Waste and Wastewater Management Plan on Patrick's website - https://patrick.com.au/about/safety-and-environment/</p> <p>Chain of Custody (CoC) records from the third party engaged by Sydney Water are available. Samples were submitted for the analysis of the parameters required by the consent. Laboratory Certificates of Analysis area also available for review.</p>	Compliant

No.	TW Consent 24990 Conditions - Detail	Evidence 2022	Assessment Rating 2022
	<p>RECONCILIATION PROCEDURES:</p> <p>LONG TERM AVERAGE DAILY MASS:</p> <p>The Long Term Average Daily Mass is a 12 month arithmetic average of ALL daily mass discharges as calculated for each composite sample. The Daily Mass discharges is to be calculated for each of the above substances and checked against the Long Term Average Daily Mass (kg/day) on the basis of average concentrations of substances discharges (mg/L) over any 24 hour period as determined from composite samples, obtained by either the Customer (in accordance with Schedule 2) or Sydney Water, or a combination of sample results by both.</p> <p>This average concentration (mg/L) is to be multiplied by the total discharge (kL) as recorded by the Customer's discharge flow meter over the 24 hour period in order to calculate the Daily Mass of substances discharged (kg). Exceeding the Long Term Average Daily Mass does not constitute a Breach.</p>	<p>2022 – Status:</p> <p>Eurofins ((Environmental Testing Australia Pty Ltd) (approved by Sydney Water) is engaged by Patrick, 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.</p>	<p>Compliant</p>
	<p>ACCEPTANCE STANDARD:</p> <p>The Composite Sample Concentration is to be determined for each of the above substances and checked against the above Acceptance Standard (mg/L) for each sample obtained. Exceeding the Acceptance Standard constitutes a Breach and will also incur an increased Quality Charge as detailed in Schedule 3.</p> <p>The Discrete Sample Concentration is to be determined for each of the substances identified at Schedule 2, 2(b) and checked against the above Acceptance Standard (mg/L) for each sample obtained. Exceeding the Acceptance Standard constitutes a Breach.</p>	<p>2022 – Status:</p> <p>Conducted by the Eurofins (approved by Sydney Water, engaged by Patrick to manage trade waste sampling, collection and testing etc) e.g. laboratory reports.</p>	<p>Compliant</p>
	<p>MAXIMIM DAILY MASS:</p> <p>The Daily Mass discharged is to be calculated for each of the above substances and checked against the above Maximum Daily Mass (kg/day) on the basis of average concentrations of substances discharged (mg/L) over any 24 hour period as determined from composite samples, obtained by either the Customer (in accordance with Schedule 2) or Sydney Water, or a combination of sample results by both.</p> <p>This average concentration (mg/L) is to be multiplied by the total discharge (kL) as recorded by the Customer's discharge flow meter over the 24 hour period in order to calculate the Daily Mass of substances discharged (kg). Exceeding the Maximum Daily Mass constitutes a Breach.</p>	<p>2022 – Status:</p> <p>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.</p>	<p>Compliant</p>

No.	TW Consent 24990 Conditions - Detail	Evidence 2022	Assessment Rating 2022												
2	The trade wastewater discharge must at all times have the following properties														
	<table border="1"> <tr> <td data-bbox="264 371 510 419">Temperature:</td> <td data-bbox="510 371 1487 419">Not to exceed 38 degrees Celsius.</td> </tr> <tr> <td data-bbox="264 419 510 467">Colour:</td> <td data-bbox="510 419 1487 467">Determined on a system specific basis.</td> </tr> <tr> <td data-bbox="264 467 510 499">pH:</td> <td data-bbox="510 467 1487 499">Within the range 7.0 -10.0.</td> </tr> <tr> <td data-bbox="264 499 510 547">Fibrous material:</td> <td data-bbox="510 499 1487 547">None which could cause an obstruction to Sydney Water’s sewerage system.</td> </tr> <tr> <td data-bbox="264 547 510 627">Gross solids (other than faecal):</td> <td data-bbox="510 547 1487 627">A maximum linear dimension of less than 20 mm, a maximum cross section dimension of 6 mm and a quiescent settling velocity of less than 3 m/h.</td> </tr> <tr> <td data-bbox="264 627 510 754">Flammability:</td> <td data-bbox="510 627 1487 754">Where flammable and/or explosive substances may be present, the Customer must demonstrate to the satisfaction of Sydney Water that there is no possibility of explosions or fires occurring in the sewerage system. The flammability of the discharge must never exceed 5% of the Lower Explosive Limit (LEL) at 25 degrees Celsius.</td> </tr> </table>	Temperature:	Not to exceed 38 degrees Celsius.	Colour:	Determined on a system specific basis.	pH:	Within the range 7.0 -10.0.	Fibrous material:	None which could cause an obstruction to Sydney Water’s sewerage system.	Gross solids (other than faecal):	A maximum linear dimension of less than 20 mm, a maximum cross section dimension of 6 mm and a quiescent settling velocity of less than 3 m/h.	Flammability:	Where flammable and/or explosive substances may be present, the Customer must demonstrate to the satisfaction of Sydney Water that there is no possibility of explosions or fires occurring in the sewerage system. The flammability of the discharge must never exceed 5% of the Lower Explosive Limit (LEL) at 25 degrees Celsius.	<p>2022 – Status: Conducted by Eurofins (approved by Sydney Water, engaged by Patrick to manage trade waste sampling, collection and testing etc) e.g., laboratory reports.</p>	Compliant
Temperature:	Not to exceed 38 degrees Celsius.														
Colour:	Determined on a system specific basis.														
pH:	Within the range 7.0 -10.0.														
Fibrous material:	None which could cause an obstruction to Sydney Water’s sewerage system.														
Gross solids (other than faecal):	A maximum linear dimension of less than 20 mm, a maximum cross section dimension of 6 mm and a quiescent settling velocity of less than 3 m/h.														
Flammability:	Where flammable and/or explosive substances may be present, the Customer must demonstrate to the satisfaction of Sydney Water that there is no possibility of explosions or fires occurring in the sewerage system. The flammability of the discharge must never exceed 5% of the Lower Explosive Limit (LEL) at 25 degrees Celsius.														
3	Rate of discharge of waste to sewer:														
	(a) Instantaneous maximum rate of gravitated discharge 1.00 litres per second (b) Maximum daily discharge 50 kilolitres (c) Average daily discharge 23 kilolitres	<p>2022 – Status: No change.</p>	Compliant												
	RECONCILIATION PROCEDURE: The data obtained from applying these procedures is to be checked by the interface of a chart recorder to the Customer’s flow metering equipment, or by the installation of flow metering equipment by Sydney Water, for a minimum of 7 days.	<p>2022 – Status: No change.</p>	Compliant												
SCHEDULE 2 – Sampling, Analysis, Flow Rates and Volume Determination															
1	The Customer must provide and make available for the purpose of sampling and analysis:														
	(a) Sampling point located at pre-treatment discharge excluding 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.	<p>Background (do not remove): Location of sampling point and automatic sampler as specified by Sydney Water.</p> <p>2022 – Status: No change.</p>	Compliant												

No.	TW Consent 24990 Conditions - Detail	Evidence 2022	Assessment Rating 2022
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: <ol style="list-style-type: none"> i. over one full production day by combining equal volumes taken at 1 kilolitre intervals. The volumes are to be such that at least 5,000 millilitres are obtained over the full day. The reading of the Flowmeter meter is to be obtained at the commencement and conclusion of the sampling day. ii. On 7 June 2019 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. 	<u>2022 – Status:</u> 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: <ul style="list-style-type: none"> • <u>pH</u>: at the start and finish of each sample day • <u>Petroleum Hydrocarbons Flammable (C6-C9)</u>: at the finish of each sample day • <u>Volatile Hydrocarbons</u>: at the finish of each sample day 	<u>2022 – Status:</u> 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: <ul style="list-style-type: none"> • Biological Oxygen Demand (BOD) • Suspended Solids (SS) • Grease 	<u>2022 – Status:</u> 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.	<u>2022 – Status:</u> Eurofins sends a copy of the results directly to Sydney Water, and Patrick.	Compliant
	(e) All data requested on the sample analysis report must be provided.	<u>2022 – Status:</u> Eurofins monitoring results report includes data requested by Sydney Water's Trade Waste Consent.	Compliant

No.	TW Consent 24990 Conditions - Detail	Evidence 2022	Assessment Rating 2022
	<p>(f) Sydney Water must be notified in writing within 7 days of:</p> <ul style="list-style-type: none"> i. any failure to obtain samples in accordance with the provisions of Schedule 2; or ii. any loss of any analytical data. <p>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.</p>	<p>Background (do not remove): Eurofins reports directly to Sydney Water any failure to obtain samples or loss of any analytical data.</p> <p>2022 – Status: No change.</p>	Compliant
3	Volume of Wastewater Discharged, Flow Metering System		
	<p>The volume of wastewater discharged must be obtained from the reading of the total flow on the Customer's flow metering system.</p> <p>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.</p>	<p>Background (do not remove): 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.</p> <p>2022 – Status: No change.</p>	Compliant
	<p>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.</p>	<p>Background (do not remove): The flow meter system is scheduled for annual calibration in the Engineering & Maintenance scheduling system, Maximo.</p> <p>2022 – Status: The flowmeter (MAGFLO) was calibrated by Matic Plumbing Services (Vertifier – 083F5060) on the 12 July 2022.</p>	Compliant
	<p>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:</p> <p>Average of the waste discharges, registered for the four weeks before and/or after the failure to record.</p>	<p>Background (do not remove): 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.</p> <p>2022 – Status: No change.</p>	Compliant

No.	TW Consent 24990 Conditions - Detail	Evidence 2022	Assessment Rating 2022
SCHEDULE 3 - Payments			
	Refer to Page 8 to 10 of the current consent for details.	<u>2022 – Status:</u> No change.	Compliant
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 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 Environment Protection Authority.	<p><u>Background (do not remove):</u> 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)).</p> <p><u>2022 – Status:</u> Refer to OEMP (version 3, 4-Jul-2022), Section 6.4 – Waste and Wastewater Management Plan on Patrick’s website - https://patrick.com.au/about/safety-and-environment/</p> <p>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.</p>	Compliant
3	Other Requirements		
	<p>(a) A Backflow Containment Device must be installed and maintained at the water meter outlet/property boundary in line with Sydney Water’s Responsibilities of Connected Customers Policy.</p> <p>(b) Backflow individual/zone protection is required on any tap located within 5m of the trade waste apparatus.</p>	<p><u>Background (do not remove):</u> A Backflow Protection (a sealed unit) Device is in place and tested annually by a plumbing contractor approved by Sydney Water and the results forwarded directly to Sydney Water.</p> <p><u>2022 – Status:</u> The Backflow Protection (a sealed unit) Device is in place and tested annually by Matic Plumbing Services Pty Ltd (Licence No. 106335c), approved by Sydney Water. The backflow containment device test (Receipt No. 1186573) was conducted on 12 July 2022 and the results forwarded directly to Sydney Water.</p> <p>Water taps located within 5 m of the trade waste system are being checked for a backflow valve.</p>	Compliant

No.	TW Consent 24990 Conditions - Detail	Evidence 2022	Assessment Rating 2022
SCHEDULE 5 – Apparatus, Plant and Equipment			
1	Existing		
	1 x 1,000 Litre batch tank 1 x 1,000 Litre line transfer tank 1 x 40 Litre caustic tank with Low Level Alarm 1 x Auto Batch 500 with Indexing belt and filter paper roll 1 x 200,000 Litre holding tank with pumps 1 x Danfos magnetic (Magflo) meter 1x Sample point	<u>2022 – Status:</u> The apparatus, plant and equipment listed is present and operational.	Compliant
SCHEDULE 6 – Special Conditions			
Proposed			
	N/A	<u>2022 – Status:</u> No change.	Not Applicable
1	Dangerous Discharges		
	<p>In this Schedule, the term 'may pose a danger to the environment, the Sewer or workers at a sewage treatment plant':</p> <p>(a) means an occurrence whereby matter is discharged to the Sewer which either alone or in conjunction with other matter discharged cannot be adequately treated or may cause corrosion or a lockage, explosion or the production of dangerous gases in the Sewer or may adversely affect the operation of a sewer or sewage treatment plant; and</p> <p>(b) includes, but not so as to restrict the generality of paragraph (a), matter or substances, which is or are:</p> <ul style="list-style-type: none"> i. toxic or corrosive; ii. petroleum hydrocarbons; iii. heavy metals; iv. volatile solvents; v. phenolic compounds; vi. organic compounds. 	<p><u>Background (do not remove):</u> 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)).</p> <p><u>2022 – Status:</u></p> <p>Refer to OEMP (version 3, 4-Jul-2022), Section 6.4 – Waste and Wastewater Management Plan on Patrick’s website - https://patrick.com.au/about/safety-and-environment/</p> <p>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.</p>	Compliant

No.	TW Consent 24990 Conditions - Detail	Evidence 2022	Assessment Rating 2022
2	Unintended Discharges		
	<p>(a) For purposes of avoiding unintended discharges to the Sewer or the stormwater drainage system, all matter and substances on the Premises must be processed, handled, moved and stored in a proper and efficient manner.</p>	<p>Background (do not remove): Spill kits are readily available with absorbent material to reduce the risk of entering sewer or the stormwater drainage system. Drain wardens are in key stormwater drains so that in an event of a spill/leak they can be turned from open to closed.</p> <p>2022 – Status: During 2022 spill kits were inspected on a routine basis and restocked; and drain wardens were routinely inspected as per scheduled in Maintenance’s scheduling system (Maximo).</p>	Compliant
	<p>(b) Any substance on the Premises which, if discharged to the Sewer, may pose a danger to the environment, the Sewer or workers at a sewage treatment plant or may harm any sewage treatment process must be handled, moved and stored in areas where leaks, spillages or overflows cannot drain by gravity or by automated or other mechanical means to the Sewer or the stormwater drainage system.</p>	<p>Background (do not remove): 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 in key stormwater drains so that in an event of a spill/leak they can be turned from open to closed.</p> <p>2022 – Status: During 2022 drain wardens were routinely inspected as per scheduled in Maintenance’s scheduling system (Maximo).</p>	Compliant
3	Notification		
	<p>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 sewage treatment plant the Customer must immediately notify:</p> <p>(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 (d) Sydney Water Emergency Services TEL: 13 20 90</p>	Noted.	Compliant

No.	TW Consent 24990 Conditions - Detail	Evidence 2022	Assessment Rating 2022
4	Provision of Safe Access		
	<p>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.</p> <p>Sydney Water employees must also comply with the Customer's safety policies and procedures and any directions from the Customer's staff while on the Customer's site.</p>	<p>2022 – Status: 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.</p>	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	<p>2022 – Status: No change.</p>	Compliant
SCHEDULE 8 – Notices and Communication Addresses			
	Nil conditions	<p>2022 – Status: No change.</p>	Compliant
SCHEDULE 9 – Authorised Officers			
	Nil conditions	<p>2022 – Status: No change.</p>	Compliant
SCHEDULE 10 – Nominated Representatives			
	Nil conditions	<p>2022 – Status: No change.</p>	Compliant

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 (18 April 2019) for the site canteen

No.	Trade Wastewater Discharge Schedule, Permit 40110 - Detail	Evidence 2022	Assessment Rating 2022
	Item 2		
	Business Activities: (generating trade waste) undertaken at the Premises		
	(AA32) – Patrick’s staff canteen → 200 KL/year	<u>2022 – Status:</u> 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	<u>2022 – Status:</u> 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	<u>2022 – Status:</u> No change.	Compliant

No.	Trade Wastewater Discharge Schedule, Permit 40110 - Detail	Evidence 2022	Assessment Rating 2022																
Item 6																			
Discharge Point at the premises:																			
	[Blank]	<u>2022 – Status:</u> No change.	Compliant																
Item 7																			
Sampling Point: (where the quality of the wastewater may be checked)																			
	[Blank]	<u>2022 – Status:</u> No change.	Compliant																
Item 8																			
General Requirements for ALL trade wastewater discharged into sewer.																			
	<table border="1"> <thead> <tr> <th>CHARACTERISTICS</th> <th>REQUIREMENT</th> </tr> </thead> <tbody> <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> </tbody> </table>	CHARACTERISTICS	REQUIREMENT	Temperature	Not more than 38 Degrees Celsius	Colour	Not noticeable when diluted 100 times in clear water	Flammables	None to be discharged to sewer	pH	Between pH 7 (neutral) and pH 10 (alkaline)	Fibrous Material	None which could block our sewer	Solid Matter	Not longer the 20 millimetres, must not settle faster than 3 metres in an hour	Discrete Oil	None to be discharged to water	<u>2022 – Status:</u> No change.	Compliant
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Not Applicable																			
	[Blank]	<u>2022 – Status:</u> No change.	Compliant																

No.	Trade Wastewater Discharge Schedule, Permit 40110 - Detail	Evidence 2022	Assessment Rating 2022						
Item 10									
Cleaning Requirements for the equipment at the premises.									
	<table border="1"> <thead> <tr> <th data-bbox="277 419 658 459">Item</th> <th data-bbox="658 419 1149 459">Requirement</th> </tr> </thead> <tbody> <tr> <td data-bbox="277 459 658 598">(PIT DETAILS)</td> <td data-bbox="658 459 1149 598">Must be serviced in accordance with wastesafe system, by a contractor; licenced by the Environment Protection Authority [EPA]</td> </tr> <tr> <td data-bbox="277 598 658 702">PIT 1 BOAT TYPE GREASE TRAP – NEW – 2,000 LITRES</td> <td data-bbox="658 598 1149 702">You need to have your grease trap pumped out and cleaned every 26 weeks commencing on 01/12/19</td> </tr> </tbody> </table>	Item	Requirement	(PIT DETAILS)	Must be serviced in accordance with wastesafe system, by a contractor; licenced by the Environment Protection Authority [EPA]	PIT 1 BOAT TYPE GREASE TRAP – NEW – 2,000 LITRES	You need to have your grease trap pumped out and cleaned every 26 weeks commencing on 01/12/19	<p><u>2022 – Status:</u> Pit 1 – Boat Type Grease Trap: This was pumped out and cleaned every 26 weeks during 2022.</p>	Compliant
Item	Requirement								
(PIT DETAILS)	Must be serviced in accordance with wastesafe system, by a contractor; licenced by the Environment Protection Authority [EPA]								
PIT 1 BOAT TYPE GREASE TRAP – NEW – 2,000 LITRES	You need to have your grease trap pumped out and cleaned every 26 weeks commencing on 01/12/19								
Item 11									
Extra Requirements:									
	<p>N/A</p> <p>Backflow Prevention Containment Policy:</p> <ol style="list-style-type: none"> Backflow Containment Device must be installed and maintained at the water meter outlet / property boundary in line with Sydney Water’s Backflow Policy. Backflow individual/zone protection is required on any tap located within 5m of the trade waste apparatus. 	<p><u>2022 – Status:</u></p> <p>The Backflow Protection (a sealed unit) Device is in place and tested annually by Matic Plumbing Services Pty Ltd (Licence No. 106335c), approved by Sydney Water.</p> <p>The backflow containment device test (Receipt No. 1186573) was conducted on 12 July 2022 and the results forwarded directly to Sydney Water.</p> <p>There is one water tap located within 5m of the Grease Arrestor, however it is connected to the recycle water from the water harvest tank – not town water supply.</p>	Compliant						

No.	Trade Wastewater Discharge Schedule, Permit 40110 - Detail	Evidence 2022	Assessment Rating 2022																		
Item 12																					
What Sydney Water will charge you?																					
	<table border="1"> <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>	Type of Charge	Amount		Permit Fee	\$158.12				Commencement Date	Trade Wastewater Quality Charge	\$475.00 per year	1/04/19	# Wastesafe administration charge	\$112.48 per pit per year		(*) 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.			<p><u>2022 – Status:</u> No change.</p>	Compliant
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Item 13																					
Contact:																					
	BUSINESS CUSTOMER SERVICES PHONE: 9616 2485 EMAIL: businesscustomres@sydneywater.com.au WEB: www.sdydneywater.com.au	<p><u>2022 – Status:</u> No change.</p>	Compliant																		

Appendix H: Management of Key Performance Areas

Table H: Key Performance Areas, Indicators, Goals and Results: 1 January 2022 to 31 December 2022

Key Performance Area	Key Performance Indicator	KPI Goals	2022 Results
Air Quality	Dust and odour complaints expressed as the number of community complaints per 100,000 TEU	Zero per 100,000 TEU	0 (Nil)
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 (Nil)
	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 (Nil)
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 (Nil)
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 (Nil)
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 (Nil)
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	0 (Nil)
	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 (Nil)

Note 1 – DA 494, MOD 16 was used as this condition remained current.

Key Performance Area	Key Performance Indicator	KPI Goals 2022	2022 Results (estimated)
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	0.001 m ³ / TEU Recycled 0.0003 m ³ / 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	0.069 L / TEU Recycled, TBA
Native and feral animal management	The number of shorebird management events per 100,000 TEU	Zero per 100,000 TEU	0 (Nil)
	The number of feral animal management events per 100,000 TEU	Zero per 100,000 TEU	0 (Nil)
Water	The amount of potable water (including potable water supplied to other businesses) used per TEU, expressed in kilolitres per TEU*	TBA	TBA ^{Note 1}
Energy	Fuel consumption expressed in litres per TEU*	TBA	5.01 L / TEU
	Electricity Consumption expressed in kilowatt hours per TEU*	TBA	13.9 kWh / TEU
	Carbon emissions expressed in kilograms of CO₂ emitted per TEU*	TBA	0.024 t CO ₂ -e/TEU

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

Note 1 – Not reported NSW Ports has this data.

Appendix I: Dangerous Goods Movements through Berth 6

Table I: DA 494, C2.17: Schedule 4 - Dangerous Goods Reporting Thresholds: DG containers through Patrick (Berth 6): 1 September 2021 to 31 August 2022

Table 1 - Dangerous Goods Report Threshold		Patrick Port Botany, Berth 6: Period, 1-Sep-21 to 31-Aug-22				
Source: Port Botany Expansion DA-494, MOD 17, 19 September 2019 - Table 1 provided in Schedule 4 - Dangerous Goods Reporting Thresholds						
DG Class	DG Class Description	Basis - Unit Type and number of shipping containers through PBE ^{Note 1} per year containing DG Class				Comments ex DA-494-11-2003-I MOD 17, 19-Sep-19, Condition 2.17
		From 2 te up to 12 te NEQ ^{Note 2}		Greater than or equal to 12 te NEQ ^{Note 2}		
		Limit	Actual (Berth 6)	Limit	Actual (Berth 6)	
1	Total Class 1.1 and 1.2	83	0	63	0	Number as per PHA (rev7) Table 6.8
NOTE - DIFFERENT SIZES TO THOSE ABOVE						
		Containers of packaged material		Tanktainers (Bulk) (<= 20 m ³)		Comments ex DA-494-11-2003-I MOD 17, 19-Sep-19, Condition 2.17
		Limit	Actual (Berth 6)	Limit	Actual (Berth 6)	
2	Class 2.3	157	15	---	---	Packaged material is total of Class 2.3 as per PHA Table 6.8
	Toxic Gases, DG Class 2.3	---		26	0	Class 2.3 Tanktainers (bulk) - new figure developed from Technical Note Section 2.5 ^{Note 3}
	Very Toxic Gases, DG Class 2.3 substances including - Chlorine (UN 1017), Sulphur Dioxide (UN 1079) and Methyl Bromide (UN 1062) 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	3	23	0	HF Numbers as per PHA (rev7) Table 6.8
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					
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 May 2017					
4	UN chemical classification, Globalised Harmonised System (GHS)					

Issued: 9 September 2022