

**INDEPENDENT ENVIRONMENTAL
COMPLIANCE AUDIT
INTERMODAL LOGISTICS CENTRE –
ENFIELD, NSW**



Frog protection area viewed from Mount Enfield

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| Document Information | |
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| Document Reference: | Independent Annual Environmental Audit no. 9 |
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| Qualifications | Exemplar EMS Auditor Certification 12355 exp. April'19 |
| Date of Audit | 24 th November 2017 |
| Report date: | 19 th December 2017 |

EXECUTIVE SUMMARY

An Independent Environmental Audit was conducted of the Enfield Intermodal Logistics Centre (ILC) to assess compliance with the Conditions of Planning Approval 05_0147 by NSW Ports, ILC tenants and contractors as outlined in the Annual Compliance Report. Audit objectives also included an assessment of the implementation of relevant NSW Ports and tenants Environmental Management Plans and procedures for the ILC as well as the effectiveness of environmental mitigation measures, controls and strategies.

From an operational perspective, the audit determined there was good commitment and awareness of planning obligations and related requirements pertaining to noise, traffic and ecological values by both NSW Ports and anchor intermodal terminal (IMT) tenant, Aurizon. Mitigation measures and controls specified and/or referenced by Operational Environmental Management Plans (OEMPs) were being implemented and appeared effective in delivering project compliance and related performance outcomes. Since the last audit, the heritage interpretation walk atop Mount Enfield had been opened to the public and throughput-triggered noise and traffic audits had been undertaken as required by Planning Approvals. In general, these independent audits reported satisfactory performance and in some cases better results than predicted. Progress has also been made on Site Audit Statements around contamination remediation.

Actions in response to previous audit findings or by regulatory authorities such as the Department of Planning & Environment (DP&E) had been addressed, with the exception of improvement opportunities requested of minor tenant, Swift Transport. These pertained to a truck driver education program around the non-use of local streets, as well as chemical storage practices. Lapses by truck drivers and chemical risks continued, and as a result, these previous findings were escalated to become non-compliances.

Lastly, from a Planning Approval perspective, the site continued to be supported by both NSW Ports and Aurizon environmental functions. This audit concurred with the compliance statements in the October 2017 Compliance Tracking Report submitted to DP&E, which indicated two (2) administrative non-compliances, in slightly late submission of the noise and traffic audit reports. Regarding the 2 additional non-compliances raised during this audit, NSW Ports evidenced some progress in working with Swift prior to completion of the audit report, which was good.

In conclusion, more frequent on-site surveillance of smaller less sophisticated tenants is recommended. Additionally, it is suggested that some Planning Conditions that were closed should be reopened, given potential changes to the future use and/or operations of the site.

1.0 AUDIT DETAILS

1.1 Purpose

This independent environmental audit was conducted to confirm environmental compliance with the Department of Planning and Environment (DP&E) Conditions of Approval (CoA) for the Intermodal Logistics Centre (ILC) at Enfield.

CoA 4.1 required Sydney Ports Corporation (now privatised NSW Ports) to develop and implement a Compliance Tracking Program to track and report on compliance with all CoA's. In particular, 4.1 c) requires a program of at least annual independent environmental audits.

1.2 Background

Project Approval (the Approval) for the ILC Project was issued by the NSW Minister for Planning on 5 September 2007, with several Modifications to the Planning Approval conditions subsequently approved by the Minister. The Enfield ILC (project) was intended for the transfer and storage of container freight to and from Port Botany, packing and unpacking of containers within the proposed warehouses and storage of empty containers for later re-use or for return to the Port.

The ILC site is located at Strathfield South, approximately 15 km by road from the Sydney CBD and 18 km by rail from Port Botany. The site covers an area of around 60 ha extending approximately from the intersection of the Hume Highway and Roberts Road in the north to the intersection of Punchbowl Road and Cosgrove Road in the south. Operational components included:

- Loading and unloading of containers onto trains and trucks;
- Road and rail freight operations;
- Packing and unpacking of containers and short-term storage of cargo in warehouse areas;
- Diesel storage and refuelling;
- Operation and maintenance of the ILC site by NSW Ports, including Heritage values and the Southern Ecological Area.

1.3 Audit Objectives, Criteria & Scope

As stated in section 2.3 of the NSW Ports Compliance Tracking Program v3.0 dated 10 November 2017, the audit objective was to assess:

- compliance with the Conditions of Planning Approval by NSW Ports and ILC tenants and contractors as outlined in the Annual Compliance Report;
- implementation of relevant NSW Ports and tenants environmental management plans and procedures for the ILC including Site Management Plans relating to contaminated areas of the site;
- effectiveness of environmental mitigation measures, controls and strategies and recommendations for improvements;
- internal audits undertaken by ILC tenants; and
- Actions in response to previous audit findings and non-compliances identified during as part of the Compliance Tracking Program or by regulatory authorities.

Audit criteria included relevant Project Approval conditions and statement of commitments documented in the NSW Planning Approval dated 5 September 2007 and subsequent Section 75W Modification Applications 1, 2, 4, 5, 6, 8, 11 and 12.

The scope of the audit was limited to implementation of obligations, commitments and environmental practices either at the time of the audit or in the preceding period. Also, asbestos management was not assessed in detail, given the engagement of an independent Site Auditor accredited under the Contaminated Land Management Act to advise and certify remediation and land end-use classification.

1.4 Audit Process & Methodology

The audit comprised a desktop review and on-site audit conducted by Larry Weiss, of QEM Consulting Pty Ltd on 21st and 24th November 2017 respectively. The latter comprised site inspections of tenant operations and Mt Enfield plus verification of a sample of Planning Obligations plus commitments defined in the Environmental Management Plans and requiring implementation by NSW Ports and selected tenants. Larry Weiss is an Exemplar Global accredited EMS auditor (Certificate No 12355) and a Member of Engineers Australia (938517). He specialises in a range of audits including certification, surveillance, compliance, voluntary and independent, the latter on behalf of Infrastructure Proponents including Transport for NSW, WestConnex and Sydney Water.

The audit assessed a sample of applicable management systems, controls, mitigation measures and compliance verification systems as defined in the OEMP's and related documentation. The audit was undertaken in accordance with AS / NZS / ISO 19011:2014 – Guidelines for Auditing Management Systems.

1.5 Auditees and Participation

The following persons were interviewed during the audit:

| Name | Organisation | Position |
|-----------------|--------------|---|
| Matthew Fahey | NSW Ports | Site Development Manager |
| Ian Henderson | NSW Ports | Site Co-ordinator |
| Trevor Brown | NSW Ports | Environment Manager |
| Alison Wedgwood | NSW Ports | Environment & Sustainability Co-ordinator |
| Bill Gitsham | Aurizon | Area Manager |
| Mark Harris | Aurizon | Environmental Representative |
| Heath Anderson | Aurizon | Environmental Co-ordinator |
| Cam Vu | Aurizon | Team Administrator |
| Geoff DeSantis | Swift | Performance & Compliance Manager |

1.6 Audit disclaimer

This report does not purport to be a definitive confirmation of compliance or otherwise, and it should not be construed that plans, procedures, controls and mitigation measures are effective or consistently implemented. Due to the sampling nature of an audit as described by ISO 19011 or related standards and guidelines, any issues, non-compliances or improvements may not have been detected or identified. This does not imply that issues do exist, or the project could be significantly non-compliant or vice-versa.

2.0 SUMMARY OF AUDIT FINDINGS

2.1 General

Findings requiring action are summarised below, supported by Audit Checklist / Verification Tables provided in the Appendices which provide details of evidence assessed or provided in support of compliance assessment.

The findings are divided into three categories, namely '**Compliant**', '**Non Compliance**' and '**Improvement Request**'. In this report, "Non-compliance" or NC indicates that the criteria (condition, commitment or Management Plan obligation) have not been consistently and substantially satisfied on the basis of the evidence available. If an observation made during the audit presents a potential risk or may result in future non-compliance or adverse environment or community impact this is classified as an "Improvement Request" or IR. Lastly, a "Compliant" or C status indicates satisfaction with defined criteria either definitively or predominantly, the latter allowing scope for moment in time lapses which have been rectified in a reasonable timeframe to minimise actual or potential risk.

2.2 Previous audit findings

Two (2) of the four (4) previous Audit Findings were verified as being satisfactory progressed and were deemed to be closed, one of each being actioned by NSW Ports and Aurizon (IMT tenant) respectively. The remaining two (2) 2016 findings requiring action by Swift (tenant) had not been addressed, and with weaknesses observed to perpetuate were escalated to non-compliances. Refer to Appendix 1 and 2 for further details.

2.3 Non-Compliances

In addition to the administrative non-compliances (slightly delayed submissions to DP&E) reported by NSW Ports in their Compliance Tracking submission dated November 2017, two (2) additional non-compliances were raised this audit as a result of ongoing weaknesses in Swift operations. Details are described in the Appendices, being summarised as follows:

- NC 1. Documented systems and required use of authorised heavy vehicle trucking routes were not routinely implemented, promoted and verified by Swift so as to ensure compliance with Planning Approvals.

Contravention of a non-authorised route was observed during the audit, and previously identified weakness in obligations to provide a driver education program had not been addressed since the 2016 IEA (Independent Environmental Audit).

- NC 2. Storage of chemicals and potentially contaminating hydrocarbon liquids by Swift did not comply with industry practice required by Planning Commitments, so as to minimise the risk of surface water, soil and groundwater contamination.

Non-use of splash pallets or other suitable bunding arrangements observed as a weakness during the 2016 IEA had not been addressed, with outside storage locations and increased quantities posing an increased risk.

2.4 Improvement Requests

The following Audit Findings require formal improvement and may become non-compliances if not addressed in a timely manner or routinely implemented:

IR 1. Waste Disposal records evidencing lawful reprocessing and/or disposal of materials leaving site were not readily available to the Swift Compliance Manager to demonstrate compliance with Planning Approvals.

It was thought that wastes were confined to oils which were being recycled, however this arrangement and disposal of other wastes was unknown.

IR 2. Housekeeping (litter and silt) of the Swift tenant site required improvement to minimise off-site impacts, and comply with Control Measures defined in the Swift Operational Environmental Management Plan.

IR 3. Revision or update of the Swift Operational Environmental Management Plan had not been undertaken after the first 12 months of operation as specified in s2.8, or as a result of audit findings.

At the least it is suggested that the OEMP:

- describes cradle to grave waste tracking record filing arrangements (raised during this IEA);*
- Section 3.3.4 describes chemical storage arrangements and controls in more detail, rather than "chemicals and fuels will be stored appropriately" (both a 2016 and 2017 IEA findings).*

2.5 Recommendations

As required by the NSW Ports Compliance Tracking Program, recommended improvement(s) may be warranted as a result of assessing the effectiveness of environmental mitigation measures, controls and strategies during the Independent Environmental Audit, these being that:

R 1. Corrective Actions and Compliance Reports undertaken and/or compiled by Swift are verified in situ to assure the adequacy and reliability of implemented actions and/or information supplied, as well as through ongoing physical surveillance to ensure that identified issues and weaknesses are effective and sustainably implemented;

R 2. Some Planning Conditions that were previously closed should be reopened, given potential changes to the future use and/or operations of the site.

Report Prepared By:



Larry Weiss
December 2017

APPENDIX 1: Previous Audit Findings / Actions

| ITEM | REFERENCE | PRIOR AUDIT FINDING | VERIFICATION OF ACTION IMPLEMENTATION | COMPLIANCE STATUS |
|------|----------------------------|---|---|--|
| 1. | IEA Dec'16 CoA 6.5 b i) | <p><u>Driver education program</u> Swift Transport (tenant) processes did not effectively address Planning Approval 6.5 b i) requiring a vehicle driver education program to ensure that heavy vehicle drivers comply with Planning Approvals, particularly the use of designated vehicle routes. It was noted that:</p> <ul style="list-style-type: none"> • Induction material used was predominantly safety focused and did not address community impacts such as noise, or truck movements needing to be confined to designated routes. • Attachment 3 of the Transport Management Plan indicated authorised truck routes and areas where heavy vehicles were not permitted, however this was not formally communicated to drivers. | <p>Induction material had not been updated in the last year to reflect the prior Independent Environment Audit finding.</p> <p>Post the on-site 2017 audit report completion, NSW Ports supplied a revised (undated) Swift Powerpoint Driver Induction Package covering environmental information on sensitive areas, complaints, incident management and appropriate truck driver routes.</p> <p>Contravention of a non-authorized route was observed during <u>this</u> audit though (refer to Appendix 2 section 3.2 for details).</p> <p>As a result of the above-mentioned, it was concluded that the required driver education program per Planning Approval CoA 6.5 b i) had not been effectively implemented warranting a non-compliant status for the last reporting year.</p> | Non-compliant (REMAINS OPEN) |

| ITEM | REFERENCE | PRIOR AUDIT FINDING | VERIFICATION OF ACTION IMPLEMENTATION | COMPLIANCE STATUS |
|------|--------------------------------|--|---|--|
| 2. | IEA Dec'16 SoC 19 SoC 23 | <u>Chemical & Spill Management</u> Swift Transport (tenant) required improvement in the management of chemicals and related fuel spills to comply with Statements of Commitments 19, 23 & 24 noting several minor incidents to date, including 2 new minor leaks on the day. Additionally, it is suggested that 105L drums of oil (as with any other chemicals) should be stored on splash pallets or equivalent. | The frequency of spills had not diminished according to the Swift Hazard/Action Register all being contained on site though with the exception of some off-site fruit juice tracking which had voluntarily been reported to the EPA for advice. Splash pallets had not been procured and/or used, with a number of 205L waste all drums stored inappropriately posing some risk of loss of containment and potential to reach stormwater drains. Referred to Appendix 2 of <u>this</u> Independent Environment Audit Report for further details. It was noted however that site stormwater detention basins would probably mitigate off-site discharge unless a significant rainfall event had recently taken place. | Non-compliant (REMAINS OPEN) |
| 3. | IEA Dec'16 CoA 3.6 | <u>Traffic Monitoring and Auditing</u> NSW Ports still needed to implement components of their TCMP, including traffic counters at specified suburban street locations; plus surveys of trucking types, routes utilised and arrival times. CoA 3.6 required this within 12 months of commencement of operations or sooner if 50,000 TEU had occurred | IMT volumes of 50,000 TEU were triggered early 2017, resulting in a traffic survey and audit being conducted in June 2017 by Transport & Urban Planning Pty Ltd with report entitled "Traffic Monitoring Program Report and Traffic Audit" dated August 2017 on record, further details covered in Appendix 2 of <u>this</u> Independent Environment Audit Report | Compliant (CLOSED) |
| 4. | IEA Dec'16 CoA 6.5 b ii) | <u>Traffic Movement Scheduling</u> Aurizon OEMP requirements for scheduling to be utilised in distributing terminal demand evenly to prevent the influx of trucks as far as reasonably practicable during peak periods was somewhat informal – CoA 6.5 b ii) requires movement scheduling where practical, to reduce local road network impacts during sensitive time periods. | Aurizon had documented and implemented a scheduling process utilising their A2B system which included preloading the prior day, staggering driver roster start times in 30 minute increments and controlling movements through the terminal gatehouse and boom-gate. The recent Traffic Monitoring report (above) confirmed implementation of this staggered approach with no obvious bottlenecks during peak periods. | Compliant (CLOSED) |

APPENDIX 2: Audit Checklist / Findings

| ITEM | REFERENCE | COMPLIANCE REQUIREMENT | EVIDENCE OF IMPLEMENTATION | COMPLIANCE STATUS |
|---|----------------|--|--|-------------------|
| 1.0 NSW PORTS obligations | | | | |
| 1.1 PLANNING APPROVAL requirements | | | | |
| 1. | CoA 1.2 | In the event of an inconsistency between: a) the conditions of this approval and any document listed from condition 1.1a) to r) inclusive, the conditions of this approval shall prevail to the extent of the inconsistency; and b) any of the documents listed from condition 1.1a) to 1.1r) inclusive, the most recent document shall prevail to the extent of the inconsistency | No inconsistencies noted according to <u>NSWP Compliance Tracking Report #10 for the period ending October 2017</u> and resulting from Auditee response and evidence sampled during <u>this</u> audit. | C |
| 2. | CoA 1.7 | No warehouse is permitted to undertake packaging, repackaging or decanting of dangerous goods unless and until the Proponent has submitted a risk assessment of such operations for the approval of the Director-General. Any such risk assessment shall be undertaken in accordance with Hazardous Industry Planning Advisory Paper No. 6 - Guidelines for Hazard Analysis (DUAP, 1997) and Multi-Level Risk Assessment (DUAP, 1997). | Confirmed as yet to commence. Also, Aurizon DG's are moved same day from road to rail in a controlled manner. | C |
| 3. | CoAs1.9 – 1.11 | Warehouse & Distribution limitations, including 6 new warehouses, Dangerous Goods, Warehouse Design. Light Industrial / Commercial Area limitations, including construction 4 precincts and Dangerous Goods. <i>(Text omitted for brevity purposes)</i> | Concur with <u>NSWP Compliance Tracking Report #10 for the period ending October 2017</u> : <i>“yet to commence”</i> | C |

| ITEM | REFERENCE | COMPLIANCE REQUIREMENT | EVIDENCE OF IMPLEMENTATION | COMPLIANCE STATUS |
|------|-----------|---|---|-------------------|
| 4. | CoA 1.11A | Toll Lease Area - the proponent shall ensure that operations in the former Toll lease area (also known as Area G) are generally consistent with former operations. | <p>Operations in Area G (the former Toll Lease) by tenant (SWIFT) continued since January 2016 which included container handling and storage, plus truck and staff parking. Concur with <u>NSWP Compliance Tracking Report #10 for the period ending October 2017</u>: that this was consistent with former operations.</p> <p>These activities and summary of the leased Area G are defined and depicted in Swift OEMP as addressed in section 3 of <u>this</u> checklist</p> | C |
| 5. | CoA 1.12 | The Proponent 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 Proponent to obtain, renew or comply with such licences, permits or approvals. The Proponent shall ensure that a copy of this approval and all relevant environmental approvals are available on the site at all times during the project. | <p>In the absence of the contrary and/or review of tenant information, concur with <u>NSWP Compliance Tracking Report #10 for the period ending October 2017</u> that:</p> <p><i>“relevant environmental approvals/permits/licences are listed in OEMPs”</i></p> | C |
| 6. | CoA 1.15 | The Proponent may subdivide the land generally in accordance with the subdivision plan DWG: 120225SUB-7 included at Appendix 1 of this approval. However, prior to obtaining a subdivision certificate, the Proponent shall prepare and submit to the Director-General a final subdivision plan for the land. The final subdivision plan shall be generally consistent with the plan included at Appendix 1 of this approval (including the number of lots, the proposed use of each lot, and lot sizes). | <p>Acknowledge <u>NSWP Compliance Tracking Report #10 for the period ending October 2017</u> about subdivision plan submissions on 19/2/15 and response from DPE received 26/2/15 et al.</p> <ul style="list-style-type: none"> ➤ Whilst no subsequent progress had been made on subdivision, the potential exists as in recent Modification 14 for this to change. Therefore, although “Compliant” it is suggested that this Planning Approval Condition be reinstated as an OPEN, not Closed obligation. | C |

| ITEM | REFERENCE | COMPLIANCE REQUIREMENT | EVIDENCE OF IMPLEMENTATION | COMPLIANCE STATUS |
|------|-----------|---|---|-------------------|
| 7. | CoA 2.12 | The Proponent shall establish and maintain for the life of the project, unless otherwise agreed by the Director-General, a Road Transport Coordination Group to oversee and coordinate the management of traffic and road issues associated with and affected by the project. The Group shall include representatives of the Proponent, the Department, the RTA, Strathfield Municipal Council and Bankstown City Council, and shall operate in accordance with terms of reference agreed by those parties at the first meeting(s) of the Group. The Proponent shall bear the full cost of administering the Group. | RTCG meetings were ongoing, with 24 held to date. Sighted meetings of 8th May 2017 and 21 August 2017 on NSW Ports website. Representatives included NSW Ports and tenants, plus Strathfield and Canterbury / Bankstown City Councils. The RMS were mostly an apology, and the DPE did not appear to attend. | C |
| 8. | CoA 2.16 | Variations to Approved Working Hours. The hours of site preparation and construction activities specified under condition 2.15 of this approval may be varied with the prior written approval of the Director-General. Any request to alter the hours of construction specified under condition 2.15 shall be: a) considered on a case-by-case basis; b) accompanied by details of the nature and need for activities to be conducted during the varied construction hours; and c) Accompanied by sufficient information for the Director-General to reasonably determine that activities undertaken during the varied construction hours will not adversely impact on the acoustic amenity of receptors in the vicinity of the site. | Sighted evidence as follows of rail siding works outside the approved times as receiving approval from DPE: <ul style="list-style-type: none"> DPE Approval for OOHW rec'd 12.05.2017 for works over weekends 13/14 May and 20/21 May DPE Approval for OOHW rec'd 31.05.2017 for works over weekend 3rd + 4th June 2017 | C |
| 9. | 2.19 | To avoid any doubt, the Proponent shall ensure that locomotives located on the site associated with operation of the project do not cause an exceedance of the noise limits specified under condition 2.17 of this approval. This shall include where necessary measures to mitigate and manage noise associated with locomotive idling and any shunting operations on the site. | Aurizon surveillance information, noise surveys and absence of complaints evidenced further in this report demonstrated compliance achievements. Aurizon also indicated regulatory requirements per ARTC's EPL 3124 and Sydney Trains EPL 12008. | C |

| ITEM | REFERENCE | COMPLIANCE REQUIREMENT | EVIDENCE OF IMPLEMENTATION | COMPLIANCE STATUS |
|------|-----------|---|--|-------------------|
| 10. | CoA 2.43 | Site Audit Statements A Final Site Audit Statement certifying that the contaminated areas have been remediated to a standard consistent with the intended land use is to be submitted to the Director-General prior to operation of the remediated sites. | This obligation appears to be progressing with information available on the NSW Ports website and assessed by DPE. Noted <u>NSWP Compliance Tracking Report #10 for the period ending October 2017</u> stating that SASs will be submitted to DPE prior to operations occurring within remaining lots and that construction works on Lot 12 rail sidings were validated as evidenced by Coffey Report dated 29/8/17 with interim advice letter from accredited Site Auditor dated 22/10/17 submitted by NSW Ports on 27 th October 2017. | C |
| 11. | CoA 3.3 | Noise Emission Performance Program. Within 90 days of the project reaching annual throughput of 50,000 TEU, 150,000 TEU and 250,000 TEU, and within 30 days of commencement of operations in Empty Container Storage Area A, or as may be directed or agreed by the Director-General, and during a period in which the project is operating under normal operating conditions, the Proponent shall undertake a program to confirm the noise emission performance of the project. | SLR Noise Audit Report dated 9 November 2017 was sighted reviewed reflecting monitoring undertaken in August 2017 given the 1 st trigger of 50,000 TEU. The report addressed CoA 2.17 Table 3 Maximum Allowable Noise Contributions, with most assessments being below criterion. As required by Recommendations required by CoA 3.3 d) and as a result of reviewing Complaints per CoA 3.3 j), including a few recent complaints from the residents in the Belfield area, located approximately 800 m east of the ILC, about night-time noise potentially emanating from the ILC, the report concluded that: <i>Although measures indicated compliance, further investigation (noise measurement) is recommended in the Belfield area to confirm source and noise level of these events. Also, if the ILC is determined as the source of the events and there are exceedances, feasible and reasonable mitigation measures should be considered.</i> | C |

| ITEM | REFERENCE | COMPLIANCE REQUIREMENT | EVIDENCE OF IMPLEMENTATION | COMPLIANCE STATUS |
|------|-----------|--|--|-------------------|
| 12. | CoA 3.3 | <p>Noise Emission Performance Program, cont'd: The program shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> a) noise monitoring, consistent with the guidelines provided in the New South Wales Industrial Noise Policy (EPA, 2000), to assess compliance with condition 2.17 of this consent; b) methodologies, locations and frequencies for noise monitoring; c) identification of monitoring sites at which pre- and post-project development noise levels can be ascertained; d) details of any complaints received in relation to noise generated by the project; e) an assessment of night-time use of audible alarm systems; f) an assessment of the effectiveness of stacked empty containers as acoustic barriers in Empty Container Storage Area A; g) details of any noise mitigation measures and timetables for implementation; h) a statement of whether the site is in compliance with the noise limits outlined in condition 2.17; and i) Recommendations and timetables for implementation for any reasonable and feasible additional measures to ensure compliance with the relevant noise-related conditions of this approval. | The report very clearly addressed applicable CoA's including 3.3 sub conditions a) to j), these referenced from Table 1 contained therein. | C |
| 13. | CoA 3.4 | <p>Noise Performance Report. Within 28 days of conducting the noise monitoring referred to under condition 3.3 of this approval, the Proponent shall provide the Director-General with a copy of the report.</p> | <p><u>NSWP Compliance Tracking Report #10 for the period ending October 2017</u> deemed this Condition to be Non-Compliant., given that: <i>the noise audit report was submitted to DPE on 14 November 2017. NSW Ports was unable to meet the 28 day timeframe for submission of the report after completion of noise monitoring due to the length of time required to validate and interpret unattended noise logging data and to prepare a suitable noise model confirming ILC noise contributions at receptors which are impacted by noise from multiple sources.</i></p> | NC |

| ITEM | REFERENCE | COMPLIANCE REQUIREMENT | EVIDENCE OF IMPLEMENTATION | COMPLIANCE STATUS |
|------|-----------|--|---|-------------------|
| 14. | CoA 3.5 | Additional Noise Management. Following consideration of the outcomes of the noise audits referred to under conditions 3.3 and 3.4 of this approval, the Director-General may require the Proponent to implement additional noise mitigation, monitoring or management measures to address noise associated with the project. | NSW Ports noted that there had been no response from the DG to above submission at the time | |
| 15. | CoA 3.6 | The Proponent shall develop and implement a Traffic and Capacity Monitoring Program to monitor the throughput and traffic generation of the project. The Program shall include, but not necessarily be limited to: <ol style="list-style-type: none"> provisions for monitoring the throughput of the project; provisions for representative monitoring the traffic generation of the project, with reference to traffic generation as a function of project throughput, type of road transport employed, hours of traffic movements and intended road traffic destinations provisions for periodic monitoring of traffic movements generated by the project in the surrounding road network, with a particular focus on the residential areas of Greenacre to the west of the project, generally between Roberts Road, Boronia Road and the Hume Highway, and principal road transport routes to and from the site; and A framework for recording and reporting the outcomes of the Program and a system for considering data generated through the Program. | Predominantly addressed by the Survey and Audit indicated in CoA 3.7 below, as well as through Truck Surveys undertaken by tenants, as noted in sections 2.0 and 3.0 further in <u>this</u> report. <ul style="list-style-type: none"> ➤ Suggest that this Condition and requirements of the NSW Ports Overarching Operational Traffic Management Plan be assessed in detail next Independent Environmental Audit should operations in the forthcoming year not trigger another Traffic Audit per CoA 3.7. | C |
| 16. | CoA 3.7 | Within 90 days of the project reaching annual throughput of 50,000 TEU, 150,000 TEU and 250,000 TEU, or as may be directed or agreed by the Director-General, and during a period in which the project is operating under normal operating conditions, a Traffic Audit of the project shall be undertaken by | Transport & Urban Planning Pty Ltd report entitled "Traffic Monitoring Program Report and Traffic Audit" dated August 2017 was sighted reflecting traffic surveys and an audit being undertaken in May / June 2017 after the 90 day / 1 st trigger of 50,000 TEU. | C |


| ITEM | REFERENCE | COMPLIANCE REQUIREMENT | EVIDENCE OF IMPLEMENTATION | COMPLIANCE STATUS |
|------|-----------|---|---|-------------------|
| | | <p>an independent qualified person(s) approved by the Director-General, the Audit shall include, but not be limited to:</p> <ul style="list-style-type: none"> a) assessment of the traffic performance of the project against the predictions made in the documents referred to under condition 1.1 of this approval; b) consideration of the results of the Traffic and Capacity Monitoring Program required under condition 3.6 of this approval; c) consideration of the effectiveness of the traffic management measures implemented by the Proponent and the measures required under this approval; d) consideration of traffic-related issues raised by the RTA, Bankstown City Council and Strathfield Municipal Council; e) consideration of the traffic-related complaints recorded in accordance with condition 5.3 of this approval; f) Findings and recommendations with respect to the traffic performance of the project and any additional measures that may be required to manage traffic associated with the project. | <p>In addition to the above-mentioned, the <u>NSWP Compliance Tracking Report #10 for the period ending October 2017</u> at section 1.6.1, Table 2 summarised the inputs and outcomes of this independent survey, in particular compliance with addressed applicable CoA's including 3.7 sub conditions a) to f) (alongside this column) concluding <i>generally satisfactory outcomes, there are no additional traffic management measures recommended at this time.</i></p> | |
| 17. | CoA 3.8 | <p>Within 28 days of conducting the traffic audit referred to under condition 3.7 of this approval, the Proponent shall provide the Director-General with a copy of the audit report.</p> | <p><u>NSWP Compliance Tracking Report #10 for the period ending October 2017</u> deemed this Condition to be Non-Compliant., given that: <i>the audit report was submitted (late) to DPE on 14 November 2017.</i></p> | NC |
| 18. | CoA 4.1 | <p>The Proponent shall develop and implement a Compliance Tracking Program to track compliance with the requirements of this approval. The Program shall include, but not necessarily limited to:</p> <ul style="list-style-type: none"> a) provisions for periodic review of the compliance status of the project approvals; b) provisions for periodic reporting of compliance status to the Director-General; | <p><u>This</u> audit has been undertaken as required by CoA 4.1 c). A NSW Ports Compliance Tracking Register (Spreadsheet) continued to be used to routinely track compliance with Conditions of Approvals and Statement of Commitments.</p> <p>Similar tracking tables had been implemented by Aurizon.</p> <p>P.T.O</p> | C |

| ITEM | REFERENCE | COMPLIANCE REQUIREMENT | EVIDENCE OF IMPLEMENTATION | COMPLIANCE STATUS |
|------|-----------|---|--|-------------------|
| | | c) a program for independent environmental auditing at least annually...and d) Mechanisms for rectifying any non-compliance identified during environmental auditing or review of compliance”. | Noted and sighted correspondence in support of <u>NSWP Compliance Tracking Report #10 for the period ending October 2017</u> indicating that the 2016 Annual Environmental Audit was submitted to DPE on 13 Feb 2017, with response from the Department received 19 June 2017. NSW Ports addressed matters raised in the letter on 25 July 2017, and as a result of the Departments requests, the timing for Compliance Tracking Reporting was moved to November to coincide with the environmental audit. This audit utilised the abovementioned CTP and sighted the Enfield ILC Compliance Tracking Program V0.3 dated 10 November 2017, there being no reason to question the statements made therein based on the information sighted and sampled during <u>this audit</u> (additional identified non-compliances by a tenant excluded). | |
| 19. | CoA 5.3 | The Proponent shall record details of all complaints received through the means listed under condition 5.2 of this approval in an up-to-date Complaints Register . The Complaints Register shall be made available for inspection by the D-G upon request. | Use of a NSW Ports Environmental Complaint Register continued, reflecting investigation and response to 5 noise related complaints in the last period. Tenant Registers sighted supported the abovementioned. | C |
| 20. | CoA 5.4 | The Proponent shall establish and maintain a new website, or dedicated pages within its existing website for the provision of electronic information associated with the project. The Proponent shall publish and maintain up-to-date information on this website or dedicated pages including, but not necessarily limited to copies of documents referred to under condition 1.1 of this approval, copies of strategy, plan, program and audit required under this approval; and outcomes of compliance tracking in accordance with condition 4.1 of this approval. | A dedicated page for the provision of electronic information & documents required by this condition for the ILC at Enfield project was provided at updated website page: https://www.nswports.com.au/community-and-environment-hub/project-compliance/enfield/ Apart from Compliance reports and Site Audit Statements, copies of current LEAMP, OEMP and OTMP were also available. | C |

| ITEM | REFERENCE | COMPLIANCE REQUIREMENT | EVIDENCE OF IMPLEMENTATION | COMPLIANCE STATUS |
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| 21. | CoA 7.1 & 7.2 | The Proponent shall maintain a register of accidents, incidents and potential incidents with actual or potential significant off-site impacts on people or the biophysical environment notified to the D-G. | NSWP were maintaining an incident register (as were tenants), these sighted with all incidents minor in nature and therefore not required to be notified to DG. | C |
| 1.2 MANAGEMENT PLAN implementation, including risk mitigation | | | | |
| 22. | 2.13 | Control of Plant and Equipment Noise Emissions. The Proponent shall minimize noise emissions from plant and equipment operated on the site by installing and maintaining, wherever practicable, efficient silencers, low-noise mufflers (residential standard) and by replacing reversing alarms with alternative silent measures, such as flashing lights (subject to occupational health and safety requirements). | Appeared compliant for all vehicles and tenancies were observed to use low-noise mufflers and non-tonal reverse alarms. The Security company (Sun) was also utilised to log noise observations after hours doing their rounds, with a view to pinpointing and/or investigating complaints (covered further in this report). This condition was also addressed in the noise audit per CoA 3.3 and 3.4. | C |
| 23. | CoA 2.30 | Stockpile Management. All stockpiled construction materials shall be adequately located, stabilised and maintained to prevent erosion or dispersal of the materials. | Stockpiles associated with the rail sidings works in 2017 were assessed and confirmed as being adequately stabilised in the contamination validation process with details provided in the interim validation report by Coffey dated 29/8/17. Sighted stabilised stockpiles SP1, SP2 and SP3 on the day of the audit. | C |
| 24. | CoA 2.34 | Tarpaulin Factory. Any proposal to destroy, modify, redevelop, relocate or otherwise physically affect the Tarpaulin Factory, except for agreed stabilisation works, shall be the subject of further assessment and approval in accordance with the EP&A Act 1979. | The audit observed that the Tarp Factory has been maintained and protected in accordance with the requirements in the HIPS. Noted per the <u>NSWP Compliance Tracking Report #10 for the period ending October 2017</u> that a separate Planning Approval was being sought to re-develop the site. | C |

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| 25. | CoA 2.48 | <p>GGBF Management Actions. The Proponent shall implement all of the relevant actions for the site recommended in the Management Plan for the Green and Golden Bell Frog Key Population at Greenacre (DECC, May 2007), being:</p> <ul style="list-style-type: none"> a) creation of overwintering habitat as part of the two-hectare improved foraging habitat at the southern end of the site; b) provision of linkages to the former RailCorp ponds; and c) Restrictions on the use of herbicides in known frog habitat and attainment of water quality standards for water discharged from the site. | <p>Maintenance of the Frog Habitat Creation Area continued to be undertaken by a specialist service provider Dragonfly Environment, with detail report of action dated October 2017 sighted. Their report also reflected recommendations by Dr White (Biosphere Environmental Consultants), who had conducted a frog survey on 14/12/2016, commenting that the frog area was underutilised due to ponds having no water or little water in them. Dragonfly's report indicated manual weeding, given no herbicide being allowed.</p> <p>The cover page of this report shows a photograph of the area.</p> | C |
| 26. | CoA 6.2 | <p>Prior to the commencement of site preparation works or construction of the project, the Proponent shall prepare and submit for the approval of the Director-General a Construction Environmental Management Plan to detail an environmental management framework, practices and procedures to be followed during site preparation and construction of the project</p> | <p>Whilst construction works were generally undertaken in accordance with the NSW Ports Overarching CEMP, works associated with Modification No. 12 for the main civil earthwork component of the extension of two existing rail sidings were undertaken by contractor Delaney Civil utilising their Construction Project Management Plan dated February 2017. This Management Plan had been reviewed by NSW Ports site management, with information indicating their surveillance hereof. Given contamination risks, these works appeared to be well controlled through attendance by specialist consultants, reports of which are mentioned elsewhere in this report.</p> | C |
| 27. | CoA 6.4 | <p>Prior to commencement of operations, the Proponent shall prepare and submit for the approval of the Director-General an Operation Environmental Management Plan (OEMP) to detail an environmental management framework, practices and procedures to be followed during the operation of the project.</p> | <p>NSW Ports OEMP v4 dated 30/08/2016 continued to be implemented, both by NSW Ports for their obligations, and also through tenant OEMP's addressed later in this report. Examples of the former included inductions and training required by 2.5.3, this also including Delaney Civil and Rhomberg Rail involved in the construction project above.</p> | C |

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| 28. | | | Sighted the Induction Package, Induction Register and the assessment quiz used subsequently. Otherwise, implementation continued to be evidenced through routine maintenance activities conducted by service providers, with additional operational activities achieved through routine inspections covered in section 1.3 further. This also included activities pertaining to the Landscape & Ecological Area Management Plan v2.0 dated August 2016 appended to this OEMP | C |
| 29. | SoC 39 | Environmental Reporting. During operation, environmental performance and progress will be incorporated as necessary into the respective corporate environmental reporting of Sydney Ports and the site operators. The reports would ensure relevant authorities have access to important environmental information relating to the new facility. Any shortcomings in environmental performance identified by the reporting process would be addressed by updating the EMPs. | Through monthly Business Reports to the Board, and Annual Report 2017 under Enfield Logistics Centre, under Ports and Liaison. The <u>NSWP Compliance Tracking Report #10</u> of CoA 4.1 above did evidence reporting of environmental performance alluded to by SoC 39, but there was no evidence of any shortcomings leading to update of EMP's. <ul style="list-style-type: none"> ➤ It is suggested that reviews of environmental performance either through report compilation or so-called management reviews, allude to actions to update EMPs when necessary. <p>Aurizon reported through Compliance Tracking Reports such as that dated 20 November 2017.</p> | C |
| 1.3 PERFORMANCE MONITORING, incl. effectiveness and improvement | | | | |
| 30. | OEMP 3.3 | Site Environmental Monitoring & Inspections (operations) - maintenance and inspection process of monitoring required by the OEMP and related Plans. | MEX prompted inspections continued, using the following forms which prompts the checking of controls and areas: <ul style="list-style-type: none"> • General Inspection Report • Landscape Inspection Report • Building Inspection Report (Tarpaulin Shed) | C |

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| 31. | OEMP 3.3 Tables | <p>Controls, mitigation measures and activities undertaken to ensure operation, maintenance and management of the site management in accordance with Section 3.3 <u>Control Measure</u> requirements including:</p> <ul style="list-style-type: none"> ➤ Air Quality, Table 6 ➤ Stormwater, Table 7 | <p>The areas of the ILC not managed by tenants but rather by NSW Ports presented well with minimal evidence of weeds and progressive weed eradication / revegetation noted at Mount Enfield.</p> <p>Other control measures were observed to be implemented in accordance with section 3.3 tables e.g.</p> <ul style="list-style-type: none"> • Vegetated stockpiles as alluded to by the construction works described in CoA above • Correspondence around dust suppression, mist sprays, water carts, covered loads and air monitoring etc. for these rail siding works • Records of sediment basin and drain inspections. | C |
| 32. | | | <p>Heritage interpretive actions displayed along the Mount Enfield public walk.</p>  | C |

| ITEM | REFERENCE | COMPLIANCE REQUIREMENT | EVIDENCE OF IMPLEMENTATION | COMPLIANCE STATUS |
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| 2.0 IMT TENANT (AURIZON) obligations | | | | |
| 2.1 PLANNING APPROVAL requirements | | | | |
| 33. | CoAs: CoA 6.4 CoA 6.5(b) CoA 6.5(a) | Documents available to manage risk, as prescribed by Planning Conditions: <ul style="list-style-type: none"> Operational Environmental Management Plan (OEMP) Operational Traffic Management Plan Operational Noise Management Plan | <ul style="list-style-type: none"> Final draft dated 4 May 2016 Rev 1, March 2016 Revision 2 dated 2/05/2016 | C |
| 34. | CoA 2.32 | Waste Water Disposal. All machinery wash down waters and amenities wastewater shall be directed to sewer (subject to Sydney Water Corporation approval), or to an appropriately licensed liquid waste disposal facility. | <p><u>Aurizon ER Audit Report #3 dated 10 March 2017</u> reported trackable wastes required to be removed from site has been black sludge from the Stormceptor which was removed on the 13/2/17, with required details shown on the receipt received from the waste contractor:</p> <ul style="list-style-type: none"> Classification: (J120 – Waste oil/hydrocarbons) Amount: 3700L Transporter: Tox Free Australia. Receiver: Tox Free – South Windsor CA No.: 2C00128685 | C |
| 35. | CoA 2.39 | Disposal of Waste Materials - all waste materials removed from the site shall only be directed to a waste management facility lawfully permitted to accept the materials. | As above | C |


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| 2.2 MANAGEMENT PLAN implementation, including risk mitigation | | | | |
| 36. | OEMP 2.7.1 & 2.7.2 | Site Specific induction records maintained including that of truck drivers, and addressing Management of Environmental Aspects and "Control Measures" for: <ul style="list-style-type: none"> • Water Quality and Stormwater • Waste • Etc. | Site Induction Folder continued to be maintained, reflecting hardcopy records of inductions using FRM-006-PRO-005 plus <u>Aurizon ER Audit Report #5 dated 13 September 2017</u> and previous quarterly reports indicated this was routinely implemented | C |
| 37. | CoA 5.3 OEMP 2.8 | Details of all complaints received recorded in an up-to-date Complaints Register | A Complaint Management System was in use and Enfield ILC Snapshot Report reflecting no recorded complaints for the IMT confirmed by <u>Aurizon ER Audit Report #5 dated 13 September 2017</u> and previous quarterly reports indicated this was routinely implemented | C |
| 38. | OEMP 2.8 CoA 7.2 | Emergency Response and Incident Management – any environmental and pollution incidents recorded, in turn reported immediately to the NSW Ports' Site Manager (Enfield ILC). | There were a few minor or insignificant incidents recorded in the corporate Aurizon database e.g. <i>SHEM incident 875094 dated 18th June 2017 re a 20-40L leak of Gramoxone Liquid Herbicide observed from a container. None of the product reached the ground. Emergency Services were called and the container placed in the site's DG bunded area. The incident, was appropriately reported, investigated, closed out and documented in Aurizon's SHEM Event online system</i> | C |


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| 39. | CoA 7.1 | The Proponent shall notify the Director-General of any incident with actual or potential significant off-Site impacts on people or the biophysical environment as soon as practicable after the occurrence of the incident. | Not required, all being minor in nature. | C |
| 40. | CoA 6.5(a) ONMP: ON 2 ON 5 ON 9 | Noise and Vibration - Operational Noise Management Plan (ONMP) compliant with CoA 6.5(a) and implemented? E.g. <ul style="list-style-type: none"> • Locomotive idling • Restrictive rail Infrastructure maintenance hours • Triggers for noise monitoring such as regulatory request and substantial changes to operational intensity • | <u>Aurizon ER Audit Report #5 dated 13 September 2017</u> reflected ongoing compliance with the number of noise related requirements. In particular this report reflected observation on the day of locomotive shutdown, and subsequent start-up. | C |
| 41. | OEMP 3.5 SW 2 SW 3 SW 5 | Water Quality and Stormwater Management - implementation of controls including: <ul style="list-style-type: none"> • Wash down and other water treatment • Fuel Storage • Spill Response • Direct Locomotive refuelling | <u>Aurizon ER Audit Report #5 dated 13 September 2017</u> reflected ongoing compliance with the number of water related requirements, for example <i>Contractors (EnviroConcepts) are engaged to undertake a variety of monitoring and maintenance tasks at the Container Wash Bay (involving the WWRS), Quarantine Wash Bay and other water quality devices which are completed at weekly, monthly, 3 monthly, 6 monthly and annual intervals.</i> <i>Records of maintenance inspections completed in July (10th, 21st and 27th) and August (2nd and 10th) were sighted as were Water Quality monitoring records for the 7th June and 10th, 14th and 25th August 2017.</i> | C |

| ITEM | REFERENCE | COMPLIANCE REQUIREMENT | EVIDENCE OF IMPLEMENTATION | COMPLIANCE STATUS |
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| 42. | | | Refuelling tankers on wait and wastewater infrastructure were briefly inspected during <u>this</u> Independent Environmental Audit, with controls appearing to be in place as required, and associated infrastructure and yard clean and kept. Temporary storage of Dangerous Goods prior to reload in continued to be undertaken in an open remote sealed area i.e. Bay 14 | C |
| 43. | SoC 36 | An Incident Management Plan (ERIMP) would be prepared to ensure incidents are handled promptly and safely. The ERIMP would outline the appropriate emergency response equipment that would be provided, the mandatory training requirements, the emergency response procedure and the responsibilities of site operators. | An Enfield Emergency Response Plan dated May 2015 had been documented, with emergency equipment available such as spill kits and oil spill containment boom. The <u>Aurizon ER Audit Report #5 dated 13 September 2017</u> reported that all on-site staff have completed the required DG training. An all-weather HAZMAT box has been installed and the following documents are placed inside. 1. Enfield Site Emergency Response Plan 2. SAA/SNZ HB 76:2010 Dangerous Goods Initial ERG 3. Enfield Site Manifest. | C |
| 44. | OEMP 2.8.1 | Emergency Response and Incident Management – any environmental and pollution incidents recorded, and in turn reported immediately to the NSW Ports' Site Manager (Enfield ILC) | Minor incidents noted as above, there being no incidents that required reporting to DPE. NSW Ports were well informed of these nonetheless. | C |
| 45. | CoA 6.5(b) OTMP: OT 16 et al | Road Traffic & Transport - CoA 6.5(b) required Operational Traffic Management Plan (OTMP) known and implemented, including: <ul style="list-style-type: none"> Scheduling, including peak period avoidance Traffic and Capacity Monitoring Program Truck Route Survey implementation | Compliance evidenced through Appendix 1 of this report, as well as through the NSW Ports Traffic Survey covered above. Sighted assessment of local traffic impacts Truck Route Surveys forms completed by drivers over a 2 week period. | C |

| ITEM | REFERENCE | COMPLIANCE REQUIREMENT | EVIDENCE OF IMPLEMENTATION | COMPLIANCE STATUS |
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| 2.3 PERFORMANCE MONITORING , incl. effectiveness and improvement | | | | |
| 46. | OEMP Annexure 3 | Environmental Reporting & Auditing – have monthly environmental inspections taken place? | Formal monthly environmental inspections continued with completed checklist/forms sighted. Inspections also included Vehicle Pre-starts checks conducted by operators, these including functionality of non-tonal reverse alarms. | C |
| 47. | | Environmental Reporting & Auditing – have routine environmental audits taken place. | The Environmental Representative appointed per CoA 6.1 based in Queensland had conducted 4 quarterly ER audits in the last year, the audits being very thorough and emphasising good compliance generally. The ER Audit Report #5 dated 13 September 2017 and predecessor #4 dated 22 May 2017 informed <u>this</u> audit, with additional and claimed evidence verified. | C |
| 48. | | Effective action to identified issues, complaints and incidents? | SHEM alluded to above and use of the corporate “Engage” system to track and manage corrective actions (such as a February 2017 audit finding) were deemed effective. At operating level, sighted a Toolbox Talk of 1/9/2017 about incomplete spill kits, both these being incorrectly used for waste. | C |
| 49. | NSW Ports CTP 2.1 | Periodic review of compliance with the Conditions of the Project Approval undertaken by ILC tenants per NSW Ports Compliance Tracking Program s2.1 in support of obligation to submit an Annual Compliance Tracking Report to DP&E? | Compliance Tracking Report dated 20 November 2017 was sighted. | C |
| 50. | NSW Ports CTP 2.3 | The Independent Environmental Auditor (IEA) to assess the effectiveness of environmental mitigation measures, controls and strategies and recommend improvements as required by NSW Ports Compliance Tracking Program s2.3 requirements. | Evidence of systems and compliance and improvement by Aurizon appeared to indicate that measures were effective, there being no recommendations from <u>this</u> audit. | C |

| ITEM | REFERENCE | COMPLIANCE REQUIREMENT | EVIDENCE OF IMPLEMENTATION | COMPLIANCE STATUS |
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| 3.0 SUB-TENANT (SWIFT) obligations | | | | |
| 3.1 PLANNING APPROVAL requirements | | | | |
| 51. | CoA 6.4 CoA 6.5(b) CoA 6.5(a) | Documents available to manage risk per Planning Conditions: <ul style="list-style-type: none"> Operational Environmental Management Plan Operational Traffic Management Plan Operational Noise Management Plan | Unchanged since last audit: <ul style="list-style-type: none"> OEMP Final draft dated 30/8/2016 Transport Management Plan, final version dated 23/9/2016 Included in OEMP | C |
| 52. | CoA 2.39 | Disposal of Waste Materials - all waste materials removed from the site shall only be directed to a waste management facility lawfully permitted to accept the materials. | Waste oil was reportedly sent to recycling upon sufficient quantities being accumulated, the interim storage thereof being an issue or risk as reported further. The final destination of this waste to a recycler or lawful disposal facility could not be demonstrated, with accounting records not sighted or verified by the Swift Performance & Compliance Manager. | IR |
| 53. | SoC 19 | The Operational Environmental Management Plan (OEMP) to guide operational activities including: <ul style="list-style-type: none"> Chemicals storage and handling | OEMP 3.3.4 does not provide adequate guidance based on ongoing chemical issues (raised as a non-compliance below) only describing that <i>“chemicals and fuels will be stored appropriately”</i> | IR |
| 3.2 MANAGEMENT PLAN implementation, including risk mitigation | | | | |
| 54. | OEMP 2.7 | Site Specific induction records maintained including that of truck drivers, demonstrating implementation of the driver education program: | <u>Opportunity for Improvement raised Dec'16 remained:</u> <i>Truck Driver inductions were being undertaken and recorded, but the focus was predominantly Work Health & Safety. Material used for inductions did not address community impacts such as noise, or truck movements being confined to designated routes. Whilst Attachment 3 of the Transport Management plan indicated authorised truck routes and areas where heavy vehicles were not permitted, this information was not formally communicated to drivers concerned.</i> | Refer NC below |

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| 55. | | | <p><u>Post site audit note:</u> NSW Ports supplied a revised (undated) Swift Powerpoint Driver Induction Package covering environmental information on sensitive areas, complaints, incident management and appropriate truck driver routes.</p> | C |
| 56. | CoA 6.5 b i) | Implementation of the Operational Traffic Management Plan CoA 6.5 requirement (b) (i) requirement for a driver education program to ensure that heavy vehicles comply with the requirements of this approval and the commitments made, particularly with respect to heavy vehicle routes. | <p>Whilst the physical design of the ILC was such the Turnout Drive Gate site exit in a north easterly direction onto Cosgrove Road forced movements in a northerly direction towards Hume Highway (southern route along Cosgrove prohibited) a truck driver was observed to be contravening this requirement by performing a 180° turn at the nearest roundabout with Pilcher Street and proceeding in a southerly direction, as evidenced below:</p>  <p>Whilst this was a single recorded observation, another truck of unconfirmed loading point was also observed, plus there were some comments noted in other forums of similar instances - this therefore raised as a Non-Compliance, as well as the fact that the prior weakness in the driver education program required by Planning Approval CoA 6.5 b i), had not been actioned since the last Independent Environmental Audit of December 2016.</p> | NC |

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| 57. | SoC 23 | Operations to be managed to ensure potentially contaminating materials are stored and handled in an appropriate manner, according to relevant Australian Standards, to minimise future contamination risk to surface water, soils and groundwater. | <p><u>Opportunity for Improvement raised Dec'16 remained:</u> <i>Several oil drums were not be installed on splash pallets.</i></p> <p><u>November 2017 Audit noted:</u> Splash pallets had not been procured and/or used, with a number of 205L waste oil drums stored inappropriately atop containers posing some risk for loss of containment and potential to reach stormwater drains:</p>  | NC |
| 58. | OEMP 3. 3.3 | <p>Management of Environmental Aspects - implementation of tabulated "Control Measures" for:</p> <ul style="list-style-type: none"> • Water Quality and Stormwater • Waste • Etc. | <p>Spill kits were available, and apart from chemical storage risks noted below, there was also room for improvement in housekeeping noted on the day e.g.</p> <ul style="list-style-type: none"> • The hardstand site surface was quite dusty and silt and leaf-litter would eventually end up in drains if not swept • Waste bins were not being used for litter with beverage containers and similar waste being deposited in flower boxes in the carpark | IR |

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| 59. | OEMP 2.9 & 2.4 | Awareness, and/or implementation of processes for: <ul style="list-style-type: none"> Environmental incidents Complaints, including use of Appendix C register | A Hazard/Accident register continued to be used to capture incidents with 6 minor incidents recorded for 2017 (same number in 2016). A Complaints Register was available with a number of afterhours noise complaints mid-year which were being investigated and addressed by NSW Ports. At the time of audit, the last recorded complaint was on 13/9/17. | C |
| 60. | OEMP 2.9 CoA 7.1 | Emergency Response and Incident Management – any environmental and pollution incidents recorded, in turn reported immediately to the NSW Ports' Site Manager (Enfield ILC). The Proponent shall notify the Director-General of any incident with actual or potential significant off-Site impacts on people or the biophysical environment as soon as practicable after the occurrence of the incident. | Prior minor incidents were noted as above and communicated to NSW Ports through Aurizon as required. Records and/or discussions appeared to confirm that there had been no off-site incidence of significance. A fruit juice, transportation bladder had caused some minor tracking on the public road during August 2017, but Swift had voluntarily report this to the EPA, who advised accordingly. | C |
| 3.3 PERFORMANCE MONITORING , incl. effectiveness and improvement | | | | |
| 61. | Swift OEMP 2.5 & Appendix D | Environmental Reporting & Auditing – have monthly environmental inspections taken place? | Formal monthly environmental inspections continued with completed checklist/forms sighted e.g. 29/9, 2/11. The latter reflected a minor oil spill being reported to NSW Ports and low spill equipment stock being actioned. | C |
| 62. | | Effective action to identified issues, complaints and incidents? | As a result of a number of afterhours noise complaints mid-year (investigated and communicated by NSW Ports to Swift) toolbox talks were held (sighted) as well as related communications posted on Noticeboards. The last complaint recorded was logged on 13/9/17 which might seem to indicate that actions taken (such as extra effort to stack containers more gently) had contributed to improved outcomes. | C |

| ITEM | REFERENCE | COMPLIANCE REQUIREMENT | EVIDENCE OF IMPLEMENTATION | COMPLIANCE STATUS |
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| 63. | NSW Ports OEMP App. A | Truck Route Surveys implemented to confirm adherence with designated routes? | Truck Route Surveys to assess driver compliance in the surrounding neighbourhood designated routes were implemented by Swift. | C |
| 64. | NSW Ports CTP 2.1 | Periodic review of compliance with the Conditions of the Project Approval undertaken by ILC tenants per NSW Ports Compliance Tracking Program s2.1 in support of obligation to submit an Annual Compliance Tracking Report to DP&E? | Per sub-let agreement, Monthly Compliance Reports using an Aurizon Checklist were completed by Swift e.g. 29/9, 2/11 | C |
| 65. | NSW Ports CTP 2.3 | The Independent Environmental Auditor (IEA) to assess the effectiveness of environmental mitigation measures, controls and strategies and recommend improvements as required by NSW Ports Compliance Tracking Program s2.3 requirements. | Reviews, inspections and corrective action did not appear to be entirely effective, given previous IEA findings not been satisfactorily addressed. Also, it was noted that Monthly Compliance Reports above had confirmed that "waste tracking records were kept on file", but this was not the case as identified above, raised as an IR resulting from this Independent Environmental Audit dated November 2017. | Refer section 2.5 of this report |