

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



CONTENTS

EXECUTIVE SUMMARY	3
1.0 AUDIT DETAILS	4
1.1 Purpose	4
1.2 Background	4
1.3 Audit Objectives, Criteria & Scope.....	5
1.4 Auditor, Process & Methodology.....	5
1.5 Auditees and Participation	5
2.0 SUMMARY OF AUDIT FINDINGS.....	6
2.1 Non-Compliance.....	6
2.2 Opportunities for Improvement.....	6
2.3 Previous audit findings	7
APPENDIX: Audit Checklist / Findings	8

Document Information	
Document Reference:	Independent Annual Environmental Audit no. 6
Audit Organisation:	QEM Consulting Pty Ltd
Auditor & Author	Larry Weiss
Qualifications	Exemplar EMS Auditor Certification 12355 exp. April'15
Date of Audit	8-9 th December 2014
Report date:	23 rd December 2014

EXECUTIVE SUMMARY

An Independent Environmental Audit was conducted of the Enfield Intermodal Logistics Centre (ILC) to assess compliance with approved Environmental Management Plans and Compliance Program implementation required under Planning Conditions of Approval (CoAs). The audit assessed both NSW Ports and the Hutchison Ports Australia (tenant) Construction Environmental Management Plans (CEMP's), as well as the NSW Ports Operational Environmental Management Plan (OEMP) and the Compliance Program.

Minor works indicated in the approved Staging Plan had already been completed at the time of the audit. Nonetheless, systems of control required by respective CEMP's, supported by the respective Contractors Management Systems were evidenced, these appearing to demonstrate appropriate control and mitigation of environment and community impacts. Audits and inspections had been undertaken by NSW Ports, Hutchison Ports Australia (HLA) and their contractors to verify required controls and identify the need for rectification if so required. A Superintendence and Audit program established by HLA was both regular, robust and comprehensive. There were reportedly no significant incidents and relevant noise complaints associated with these works.

Operational activities had not yet commenced as yet, with the HLA works nearing completion for the Intermodal Terminal (IMT) and establishment of the NSW Ports Cosgrove Road entrance to enable future operations. An OEMP had been approved by the Department of Planning and Environment (DP&E) the week prior to this Independent Audit, with many of the obligations only relevant when the facility was either in use or had reached planned logistical/vehicle movements, for example traffic monitoring. Nonetheless, applicable activities such as maintenance of site grounds / landscaping and the Ecological Habitat Area were being undertaken, with routine contracts in place.

Seven (7) Improvement Requests were raised, including provision and/or verification of training to maintenance personnel associated with the frog habitat area; planning & formalising routine monitoring inspections; and establishing a system to formally identify and address corrective maintenance requirements. The latter manifested itself in several housekeeping issues sighted on the day, including a washed-out boundary sediment control remaining after a prior rain event, this having the potential to become a future Approvals non-compliance and/or a minor pollution incident if not rectified.

As per previous audits, the Compliance Program and Register continued to be updated and maintained, with no non-compliances recorded.

In conclusion, the audit determined that there was a high degree of awareness and/or compliance with Planning Approvals and Statement of Commitments, this continuing for pre-operational construction works undertaking during the year. Systems were being developed and improved for the site operational phase, with the findings of this report indicative of the current but understandable stage of system immaturity. However, based on NSW Ports' demonstrated prior commitment and performance, ongoing system development, implementation and improvement would be expected.

1.0 AUDIT DETAILS

1.1 Purpose

An 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 independent environmental auditing, at least annually unless otherwise directed, with outcomes of compliance tracking to be made available on a public website per 5.4 d).

1.2 Background

Sydney Ports Corporation (SPC) was the original Proponent for the Intermodal Logistics Centre (ILC) at Enfield. In 2013, the New South Wales government privatised related infrastructure, with NSW Ports assuming this responsibility.

Project Approval (the Approval) for the ILC Project was issued by the NSW Minister for Planning on 5 September 2007. Several Modifications to the Approval conditions were made by the Minister between October 2008 and November 2013, the last being Modification 8. The Enfield ILC (project) will be used 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. Whilst development was being progressed for and/or by the tenants, the ILC had substantially completed operational components including:

- An Intermodal Terminal or IMT for the loading and unloading of containers between road and rail and short term storage of containers;
- Pre-works for a Light Industrial and Commercial (LIC) area;
- A second access point on Cosgrove Road, restricted to north inbound and outbound traffic.

According to the approved Staging Report, planned minor and ongoing works to be undertaken by NSW Ports and tenants was still to include:

- Erection of warehousing for the packing and unpacking of containers and short-term storage of cargo;
- Development of the LIC area complementary to operations at the ILC, this area interfacing with existing adjacent users along Cosgrove Road;
- Completion of the Community and Ecological Area in the southern precinct for ecological enhancement and community opportunities.

1.3 Audit Objectives, Criteria & Scope

The audit objective was to assess compliance with:

- Environmental mitigation measures stated in Construction Environmental Management Plans (CEMP's) used for minor works;
- Environmental management protocols and controls stated in the Operational Environmental Management Plan (OEMP) for the ILC;
- Relevant Project Approval conditions and statement of commitments contained in the NSW Planning Approval of 5 September 2007 and subsequent Section 75 Modification Applications 1 to 8.

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. Closed construction and/or upcoming operational related CoA's were not considered. 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 Auditor, Process & Methodology

The on-site audit was conducted by Larry Weiss, of QEM Consulting Pty Ltd on 8th & 9th December 2014, comprising a site inspection and verification of Planning Obligations and selected EMP requirements. 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, WestLink M7 and Sydney Water.

The audit assessed both NSW Ports and 1st tenant, Hutchison Ports Australia (HLA)

The audit assessed a sample of applicable management systems, controls, mitigation measures and compliance verification systems as defined in the EMP's and related documentation. The audit was undertaken in accordance with *ISO 19011:2002 – Guidelines for Quality and/or Environmental Management Systems Auditing*.

1.5 Auditees and Participation

The following persons were interviewed during the audit:

Name	Organisation	Position
John Ieroklis	HLA	Environment Manager
Trevor Delaney	Delaney Civil	Construction Manager
Matthew Fahey	NSW Ports	Site Development Manager
Roland Marshall	NSW Ports	Project Manager
Alison Wedgwood	NSW Ports	Environment & Sustainability Co-ordinator

2.0 SUMMARY OF AUDIT FINDINGS

Findings requiring action are summarised below, with NSW Ports' actions in response to these findings to be assessed at the next Independent Environmental Audit.

The Audit Checklist / Findings Tables provided in the Appendix provides details of evidence assessed or provided in support of compliance.

The findings are divided into three categories, namely '**Compliant**', '**Non Compliance**' or '**Opportunity for Improvement**'.

In this report, "Non-compliance" indicates that the criteria (condition, commitment or Management Plan obligation) have not been consistently and substantially satisfied on the basis of the evidence available.

Where an observation made during the audit could lead to an improvement in management processes or potential non-compliance if not attended to in a timely manner, this has been classified as an "Opportunity for Improvement".

A "Compliant" status indicates satisfaction with defined criteria either definitively or predominantly, the latter allowing scope for moment in time lapses which have been or can be rectified in a reasonable timeframe to minimise actual or potential risk. Compliant findings are detailed in the Appendix.

2.1 Non-Compliance

Whilst a moment-in-time potential non-compliance was observed during this audit pertaining to a failed site boundary sediment control, evidence of demonstrated compliance over the preceding period appearing to indicate that was an isolated issue.

2.2 Opportunities for Improvement

Audit Findings presenting opportunities for improvement are summarised below:

Green and Golden Bell Frog (GGBF) awareness training

The NSW Ports OEMP at 2.5.2 requires Maintenance personnel undertaking work within the Frog Habitat Creation Area to be trained by the Consulting Herpetologist.

- Systems in place do not verify that all personnel are indeed trained, and whilst inductions are provided, the OEMP or related procedures should clarify if supervisor training alone is adequate and what records should be available to demonstrate GGBF awareness plus systems of control to prevent maintenance personnel working in the precinct without supervision or training.

Site monitoring and inspections

The NSW Ports OEMP at 2.5 Compliance Auditing requires internal site inspections of the ILC site, and 3.3 Environmental Aspects & Sub-Plans defines monitoring requirements for aspects such as Heritage (maintenance inspections), Fauna & Flora (visual inspection for weeds and pests) and Waste (litter inspections of common areas). Also, the frequency of these required maintenance inspections or activities was embedded in the annexes of the lengthy OEMP document, with limited visibility to ensure consistent implementation.

- There were no system or program in place ensure that planned NSW Ports monitoring (maintenance and housekeeping inspections) were undertaken at defined frequencies;
- Formal records of preventive maintenance or housekeeping inspections should be maintained to demonstrate conformance;
- It is suggested that routine maintenance activities by contract service providers or specialists be undertaken based on risk to ensure compliance with Sub-Plan controls and mitigation measures.

Corrective maintenance

A number of housekeeping or maintenance issues observed during this independent audit appeared to indicate that corrective maintenance to rectify identified breakdowns, damage and compromised ILC assets, infrastructure or environmental controls was not entirely effective and/or timely.

- There were no system in place to raise Corrective Maintenance Requests to ensure that required rectification was prioritised and indeed undertaken;
- Formal records of corrective maintenance undertaken should be maintained to demonstrate conformance;
- It is requested that records of identified issues noted in the Appendix to this report be retained to demonstrate timely corrective action.

Corrective Action systems should be utilised to investigate root causes of the above-mentioned as well as documenting required actions and timeframes to completion. The next Independent Environmental Audit should assess the effectiveness and timeliness of these actions.

2.3 Previous audit findings

There were no findings raised at the last Independent Environmental Audit requiring verification.

Report Prepared By:



Larry Weiss

Date: December 2014




APPENDIX: Audit Checklist / Findings



ITEM	REFERENCE	VERIFICATION / REQUIREMENT	EVIDENCE OF IMPLEMENTATION (as at December 2014)	COMPLIANCE Yes/No
Hutchison Logistics Australia (HLA)				
HLA CEMP: Management & Administration				
1.	CEMP 6.0	<p>Roles & Responsibilities. Are the following functions' provided as specified for construction projects:</p> <ul style="list-style-type: none"> ➢ Project Manager / Engineer ➢ HSEQ Officer? 	A Staff Project Manager was involved for the works, and HSEQ function was provided by specialist Contractor / Consultant	Y
2.		<p>Is a Site Supervisor provided to:</p> <ul style="list-style-type: none"> ➢ Ensure CEMP measures are implemented and maintained ➢ Assess sub-contractors compliance, including inspections? 	Delaney Civils (contractor) was actively involved as a Supervisor, with a Superintendent (Mott Macdonald) assessing compliance.	Y
3.	CEMP 7.0	<p>Training, Awareness & Competence. Are records available for:</p> <ul style="list-style-type: none"> ➢ Project / Site Inductions ➢ Daily pre-start toolbox talks? 	Delaney Civils had been given the NSW Ports Site Induction, which included environmental material such as Green & Golden Bell Frog (GGBF) awareness. In turn, Delaney Civils had used their Induction Forms to record some 121 inductions for their works.	Y
4.		<p>Does induction/training cover the following:</p> <ul style="list-style-type: none"> ➢ Site environmental rules; ➢ Emergency procedures and response (e.g. spill clean-up etc.); ➢ Basic understanding of their legal obligation; ➢ Traffic Handbook provision? 	Delaney Civils Daily pre-start records addressed siltation controls etc. Yes, generally.	Y

HLA CEMP: Risk identification & Mitigation				
5.	CEMP 5.1	Environmental Risk Assessment. Are Environmental Aspects & Impacts identified in Appendix 2 appropriate to current works and known to Site and Subcontractor supervisors?	Although works being completed, photographs and related evidence confirmed the adequacy of identified risks and controls e.g. sediment fencing, refuelling inside the existing warehouse utilising a sealed surface etc.	Y
6.		Subcontractors. Does the CEMP define or reference the process used to select subcontractors based on their environmental credentials and performance?	HLA indicated that environment was a consideration in the tender process, with Delaney Civils also selected on the basis of their RMS accreditation.	Y
7.	CEMP 5.3	Environment Control Maps. Are ECM's produced and available for current works?	Site Layout Plan indicating sediment fencing served as an ECM.	Y
8.	CEMP 5.4	Plant & Equipment. Is Plant & Equipment controlled as specified e.g. <ul style="list-style-type: none"> ➢ Re-fuelled and washed-down in designated areas ➢ Fitted with sound attenuation devices ➢ Assessed as maintained 	Refuelling at been control as indicated above Not all vehicles at been equipped with Quackers, but fortunately there had been no noise complaints Assessed Hired Plant Inspection Reports e.g. Roller of 30/6/14, plus Delaney Civils had their own mechanic attend to issues.	Noted
9.	CEMP10.0	Community engagement. Is the Community notified, where relevant, of construction works?	Yes, refer NSW Ports section further	Y
10.		Is a Project Communications database used?	Ditto above	Y
11.		Has HLA attended any Enfield ILC Community Liaison / Coordination Committee meetings?	Yes, HLA Environment Manager attended some meetings.	Y
12.		Have there been any enquiries, issues and/or complaints for the works? Are complaints recorded on the Complaints Register?	Reportedly none. HLA were aware of the NSW Ports Complaints Register and the process to be followed.	Y

HLA CEMP: Monitoring & Improvement				
13.	CEMP Appendix 7	<p>Environmental Monitoring. Are records maintained of specific monitoring defined in Management Sub-Plans for:</p> <ul style="list-style-type: none"> ➤ Noise ➤ Waste & Recycling ➤ Air Quality 	<p><u>Noise.</u> Some formal noise measured had taken place by the Superintendent using an "application" and as recorded on daily Mott MacDonald Inspection Reports. Most equipment was of relatively low noise impact anyway, including soil compaction and concrete pouring, with work mostly taking place during the week and rarely on Saturdays. The concrete slab demolition appeared to be the only high noise generating activity.</p> <p><u>Waste & Recycling.</u> Delaney Civils Waste Register was available reflecting concrete and steel recycling, with general waste managed by Veolia.</p> <p><u>Any Quality.</u> Dust nuisance was monitored through site inspections (below)</p>	Y
14.	CEMP 2.8	<p>Inspections. Are HLA and/or contractor inspections taking place as implied by the various Appended Management Plans</p>	<p>HLA had not conducted any inspections, reliant on Delaney Civils using their Inspection Report which covered erosion control, stockpile management etc.</p> <p>Files evidenced weekly inspections from 25/8/14 to 3/11/14.</p>	Y
15.		<p>Has the Site Inspection checklist such as the example provided in Appendix 10 used?</p>	<p>No, but the Delaney Civils checklist included similar topics appropriate to the works.</p>	Y
16.		<p>Are identified issues rectified within commensurate timeframes?</p>	<p>Given the relatively small site, issues were dealt with immediately but also confirmed through monthly Environment Inspection Checklist / Reports.</p>	Y

17.	CEMP 12.1	Auditing. Have Monthly CEMP audits conducted?	Regular and thorough Audits had been conducted by HLA service providers including Mott Macdonald and EP Risk Management, with details and photographs evidencing minor issues such as un-bunded subcontractor oil drums, evidence of minor fuel leaks on sealed surfaces etc.	Y
18.	CEMP 11.0	Non-conformance, Corrective & Preventive action. <ul style="list-style-type: none"> ➤ Has the HLA Project Manager raised any Non-Conformance Report in conjunction with the HSEQ Compliance Officer for any environmental / community / planning issues? ➤ Are NCR's documented in the project tracking software, Project Centre or equivalent? ➤ Are identified issues rectified within commensurate timeframes? 	<ul style="list-style-type: none"> ➤ No, but as below ➤ Issues identified through audits were managed and tracked through the iTWOcx project management database and also through Close out Reports from one audit to the next e.g. Audit of 24 September verified 19 August 2014 Audit findings. ➤ Some issues took a while to close, however these were mostly administrative in nature and did not present any actual or potential environmental risk or impact. 	Y Note
19.	CEMP 8.0	Incident Management. Are incidents reported on the HLA Incident Report and controlled through a Register?	No incidents occurred, but HLA Incident Management Forms and Register (comprehensive spreadsheet) was available and used at other HLA business sites when necessary.	Y
20.		As applicable, are incidents reported to Stakeholders including, EPA, Planning and NSW Ports?	Not necessary, as indicated above.	Y

HLA CEMP Practical Implementation (Delaney Civil Works).				
21.	CEMP	<p>Were works being controlled through mitigation measures specified in the HLA Risk assessment?</p>	<p>Works according to the Staging Report were practically complete at the time of this Independent Environmental Audit. These Stage 5 Intermodal Terminal or IMT works completed included:</p> <ul style="list-style-type: none"> ➤ Pavement works in Services Area. ➤ Drivers Amenities building & gatehouse ➤ Services connections - power, communications, water and sewer ➤ Line marking & light tower installation (work in progress below)  <p>Plus IMT facilities photographed below:</p>	Y
22.			<p>Refuelling Station:</p>  <p>Associated spill collection sump:</p> 	Y

23.	CEMP	Works as completed	<p>Vehicle Wash Station:</p> 	Y
24.			<p>Container Wash Bay:</p> 	Y
25.	CEMP	<p>Were works being controlled through mitigation measures specified in the HLA ECM? E.g.</p> <ul style="list-style-type: none"> ➤ erosion and the sediment control 	<p>Inspection and Audit reports appeared to demonstrate that mitigation measures were in place and effective, photographic evidence such as the following being available:</p>	Y
HLA CEMP: Planning obligations				
26.	CEMP	<p>Are supporting records available to demonstrate HLA obligations in the Compliance Tracking Program? For example:</p> <ul style="list-style-type: none"> ➤ 2.3 On-site Traffic Management ➤ 2.15 Approved Working Hours 	<p>Inspection Reports and the absence of complaints demonstrated compliance with Conditions of Approval as applicable and appropriate to the works concerned.</p>	Y


NSW Ports				
NSW Ports: EMP Management & Administration				
27.	CEMP 2.5	<p>Roles & Responsibilities. Are the following functions' involved in construction projects:</p> <ul style="list-style-type: none"> ➤ SPEM ➤ Logistics & Corporate Affairs Manager 	<p>The Corporate Logistics & Corporate Affairs Manager and the Environment Manager had supported the works, with on-site Project Manager directly involved with the works.</p>	Y
28.	OEMP 2.3	<p>Are other resources provided e.g.:</p> <ul style="list-style-type: none"> ➤ Site Manager ➤ Site Co-ordinator ➤ Environment & Sustainability Co-ordinator? 	<p>A Site Manager and Site Co-ordinator are directly responsible for day-to-day site operations. The Corporate Environment & Sustainability Co-ordinator actively supports site.</p>	Y
29.	CEMP 2.10	<p>Training, Awareness & Competence. Are construction related records available for:</p> <ul style="list-style-type: none"> ➤ Project / Site Inductions ➤ Toolbox talks ➤ Pre-start meetings? 	<p>Site inductions were routinely provided (refer 30 below). Christie Civils had also provided a number of formal pre-start briefings e.g. 15/9 (Bell Frog awareness), 24/9 (dust and road cleaning), 17/10 (sediment controls) & 18/11 (maintenance of controls post heavy rain). Dr White correspondence also sighted of 8/9/14 pertaining to required GGBF protocols.</p>	Y
30.	OEMP 2.5.2	<p>Do Site inductions typically include:</p> <ul style="list-style-type: none"> ➤ Key issues relating to the Enfield ILC Project and existing environment; ➤ ILC Sensitive Area Map (Appendix D) ➤ Location and protection of contaminated material retained on site including capped areas and containment cells ➤ Key environmental issues, location of sensitive areas and nearest sensitive receivers; ➤ Incident reporting procedures; ➤ Environmental protection offences and penalties, and duty to notify of environmental harm; and ➤ Roles and responsibilities relating to environmental management for the Project? 	<p>Records of site inductions were maintained, although material was very safety focussed, but did generally cover OEMP requirements (alongside although some topics could be better described in upcoming updates e.g. Sensitive Area Map.</p> <p>Christie Civils had been inducted during August, they in turn developed an induction pack for their workers, the material included dust, run-off, noise and the GGBF.</p> <p>Around 24 inductions were delivered according to records sighted.</p>	<p>Y</p> <p>Note</p> <p>Y</p>

31.	OEMP 2.5.2	<p>Training, Awareness & Competence. Are personnel undertaking maintenance activities within the defined Green and Golden Bell Frog Habitat Creation Area appropriately trained by NSW Ports Consulting Herpetologist?</p>	<p>Dragonfly Environmental continued to provide regular maintenance services of the Habitat Creation Area. Records available included meeting minutes between NSW Ports Herpetology Arthur White (Biosphere Environmental Services), Dragonfly and NSW Ports regarding frog pond maintenance requirements. Both the NSW Ports Site Manager and Site Co-ordinator had undertaken training earlier on in 2014.</p>	Y
32.			<p>It was thought that originally trained Dragonfly supervisors still attended site, but the status of other maintenance operative training was unknown in the absence of the former. <u>Induction</u> records were generated for a recent attendance, however this was not training by the herpetologist stated in the OEMP, noting also that the associated questionnaire was predominantly safety-related and did not reinforce any knowledge required on the GGBF.</p>	Improve
33.	OEMP 2.8	<p>Information and Consultation. Are the following quarterly meetings being held:</p> <ul style="list-style-type: none"> ➤ Road Transport Coordination Group ➤ Enfield ILC Community Liaison Committee 	<p>Transport and Community meetings had taken place, as indicated by Meeting Minutes on the NSW Ports/ILC website. Four (4) Community meetings and two (2) Transport meetings had been undertaken in 2014. Minutes of the August RTCC meeting indicated discussions parking, Operational Transport Management Plan etc.</p>	Y
34.	SoC 18 & 38	<p>Community consultation and engagement. Is there a Consultation Plan available to define notification and other arrangements during construction?</p>	<p>Yes, available on website. As required by approvals, consultation had taken place regarding the Tarpaulin Shed and related entities protection, as well as the development of the Southern Ecological/Community Area. Flyers had been letterboxed, advertisements placed in local papers and input sought from Councils. Approximately 15 responses for each had been received to date, this being a relatively small percentage. Feedback, especially pertaining to the Heritage Items were disparate, including a sentiment to remove the shed.</p>	Y

35.	CEMP 2.6 OEMP 2.4	Are enquiries, issues and complaints recorded in the Complaints Register for works and operations?	No complaints were made directly related to the Christie Civil works. The Complaints Register (Spreadsheet) reflected 3 other complaints/enquiries, 2 relating to train noise (not applicable at the current phase of operation) and an enquiry about minor vegetation clearing thought to be of the Habitat Area which was mistaken with the Christie Civil works area.	Y
NSW Ports EMP Risk identification & Mitigation				
36.	EMP's 3.1 Appendix F	Environmental Risk Assessment. Are Environmental Aspects & Impacts identified in Appendix F appropriate to current works and operations and known to supervisory personnel?	Although current works had been completed, photographs taken (such as a water cart in operation near the Mount Enfield stockpile) and related documentary evidence confirmed the adequacy of identified risks and controls. Christie Civils' Hazard Identification & Risk Assessments also addressed issues such as noise and dust. Whilst Quackers had not been used over total reversing beepers, sequencing of operation and the workflow minimising reversing had mitigated this potential issue, no noise complaints been forthcoming as indicated above. (It was noted that SoC's stated "where practical").	Y
37.		Subcontractor engagement. Does the CEMP define or reference the process used to select subcontractors based on their environmental credentials and performance?	NSW Ports indicated that environmental performance was a consideration in the RFO process, with Christie Civil performing satisfactorily with previous works for the ILC as well as their 3 rd Party ISO 14001 Certification with SAI Global.	Y



38.	OEMP 2.2	Tenant Management. Have tenants submitted OEMP's as required?	NSW Ports Overarching OEMP revision 3 dated 7/11/14 had been approved by DP&E on 2/12/14, the week before <u>this</u> audit. The process for review of tenant OEMP's was in its infancy, however HLA and submitted their OEMP and this was intended to be updated and aligned with the recently approved NSW Ports OEMP.	Y
39.		Have related verification checklists being provided and verified as implemented?	No. Alternative process used the Staging Report and Compliance Tracking Register used as verification tool.	Y
40.	CEMP 3.2	Environmental Work Method Statement (EWMS). Have EWMS's been developed and used for prior and current works? Do EWMS's used aligned with the format provided in 3.2.1, and/or use the sample provided in Appendix E?	Work Method Statements were seen to be customised and used e.g. General Excavation and Demolition. WMS's had been provided by Christie Civil, these generally aligning with the format provided in Appendix E.	Y
NSW Ports EMPs: Monitoring & Improvement				
41.	CEMP 2.7	Environmental Monitoring (construction). Has any environmental monitoring or testing taken place for prior all current works, from a Planning obligation, Sub-Plan specification or initiated based on risk? For example : ➢ Noise ➢ Waste disposal ➢ Fauna & flora surveys (SoC 13)	<u>Noise.</u> No formal noise measurement had been specified in the Mitigation Measures are documented in the CEMP, due to this not being triggered based on risk for the construction works conducted by Christie Civil. <u>Waste & Recycling.</u> No waste had been disposed of of-site, with contaminated spoil incorporated in the Mount Enfield (permanent) stockpile <u>Fauna & Flora.</u> NSW Ports Herpetology Arthur White (Biosphere Environmental Services) had formally conducted GGBF Clearance Surveys on the nights of 2 nd and 4 th August 2014 prior to primary earthworks in Area W alongside Cosgrove Road commencing, this formally reported on 4/9/14	Y


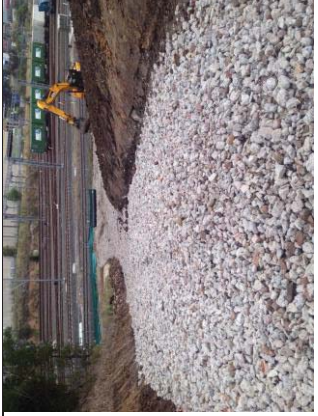
42.	OEMP 3.3	Environmental Monitoring (operations) <i>Has monitoring been undertaken as required and as applicable at the current time, this specified in CoA's & Sub-plans, as indicated below:</i>	Mostly yes as indicated below	Y
43.	OEMP (CoA 2.34)	<u>Heritage</u> ➤ Inspect heritage items and maintain as per the monitoring schedule outlined in the Heritage Interpretation Plan and Strategy including the Pillar Water Tank & Tarpaulin Shed	Both items were identified in the NSW Ports Heritage Register. Maintenance activities included replacement of roof sheeting damaged by storms, otherwise: <u>NSW Ports Compliance Tracking Register updated for the last period as at 19/09/14 stated: "Tarp Factory has been retained and protected in accordance with the requirements in the HIPS"</u>	Y
44.	OEMP (CoA 3.6) (CoA 3.7)	<u>Traffic</u> ➤ Traffic and Capacity Monitoring Programme (CoA 3.6) refer to Appendix G ➤ Traffic Auditing (CoA 3.7) refer to Appendix G	A precinct committee was planned to address traffic management, including monitoring when operations were truly underway. <u>NSW Ports Compliance Tracking Report updated for the last period as at 19/09/14 stated: "Operations yet to be commenced. The detail design has made allowance for the future compliance by tenants with CoA 3.6a) and b). Pits and conduits for CCTV and communications systems have been included in the design for future traffic control within the project site and at entrance points. The requirements of this condition will need to be addressed in NSW Ports and Tenants OEMPs"</u>	Y
45.	OEMP (CoA 6.5)	<u>Noise</u> ➤ Noise monitoring/auditing at designated points in accordance with approvals (refer to Appendix H) ➤ Investigative monitoring of noise in response to specific complaints.	Given the absence of routine traffic movements, noise monitoring and/or investigations had not commenced. Consultation and preparatory documentation is indicated below: <u>NSW Ports Compliance Tracking Report updated for the last period as at 19/09/14 stated:</u> <u>"NSW Ports OEMP + HLA OEMP & Noise Management Plan was submitted to DPE on 02/9/014, including response letters to Strathfield and Bankstown Councils"</u>	Y

46.	OEMP (SoC 19)	<p><u>Air quality</u></p> <ul style="list-style-type: none"> ➤ Visual inspection of works and equipment to verify that control measures are in place and functioning correctly ➤ Visual assessment of dust levels when working in unsealed areas ➤ Airborne fibre monitoring in accordance with legislative requirements if undertaking asbestos removal work 	<ul style="list-style-type: none"> ➤ The possibility of operational and/or general site dust generation at the time of <u>this</u> audit seems limited. ➤ Sighted Airsafe Report dated 11/11/14 reflecting 5 samples from perimeter fences being analysed (and proving compliant) during the Christie Civil construction works when asbestos was being removed (see barricades and photograph below) 	Y
47.	OEMP (CoA 2.40) (CoA 2.41)	<p><u>Waste</u></p> <ul style="list-style-type: none"> ➤ Waste classification/characterisation testing to meet EPA requirements ➤ Inspection of on-site wastewater treatment and sewerage infrastructure 	<ul style="list-style-type: none"> ➤ Not necessary for the period, industrial Ferric Chloride based liquid (refer Incident further) had been amalgamated with Mount Enfield asbestos containing material. ➤ Wastewater treatment was not fully utilised, and was subject to Defects Liabilities inspections at <u>this</u> stage 	Y
48.			<p>WorkCover Asbestos Removal Licences were sighted for Christie (AD 211094 expiry August 2017, non-friable class B) and ATS Australasian Technical Services (AD 202389 expiry August 2018, class A)</p>	Y

49.	CEMP 2.8	Inspections. Are routine inspections taking place, at a frequency determined by risk?	<u>Construction.</u> Christie Civil had routinely conducted inspections during their works e.g. 24/10, 4/10, 9/11, 11/11, 18/11 & 24/11.	Y
50.	OEMP 2.2 & 2.5		<u>Operations</u> Whilst a Site Supervisor was permanently located at the ILC, no formal general site housekeeping inspections were being recorded (refer also to Item 65)	Improve
51.		Are the Site Inspection Checklist templates provided in Appendix E's used?	Site Inspection Checklist Template not used by Christie Civil who had used their own form. Otherwise, a modified Appendix E checklist had been used by NSW Ports for their construction inspection of 10/11/14 including earthworks (regrading and removal of excess material to Mount Enfield), airborne asbestos monitoring and filtering of a ferric chloride leak from an underground source.	Y
52.		Are identified issues rectified within commensurate timeframes?	Not many issues have been raised by Christie Civil, but these appear to be resolved. No issues had been raised by NSW Ports to date.	Y
53.	CEMP 2.9	Auditing. Are any CEMP audits conducted, other than the annual (Independent Environment Audit) identified in 2.8.1?	Christie Civil had been audited on site during October by their 3 rd Party Certification Body SAI Global, with the audit report reflecting numerous documentation available and used, sandbags used on exterior drains and flirtation fences placed around the site boundary etc. Findings were more administrative in nature the only improvement noted being securing of Spray Paint. NSW Ports had not undertaken any operational (tenant related) audits as yet, however this seemed appropriate based on risks and other verification mechanisms observed during <u>this</u> audit.	Y


54.	OEMP 2.5	Are there records of audits undertaken by the tenants?	Not as yet.		Y
55.	CEMP 2.11	Incident Management. Are construction related incidents formally recorded on an Incident Report or equivalent?	An Incident Register was being used, reflecting 2 small fuel spills of 30/9 and 10/11, both contained, and that below: During recent 2014 construction activities, Christie works caused a red coloured liquid to bubble from the earthworks. This was analysed to contain high levels of Aluminium and Ferric Chloride. There was no reported off-site discharges to the nearby stormwater, sandbags were used to initially filter the liquid and a sump was constructed to contain same.		Y
57.	OEMP 2.7	Incident Management. Are operational related incidents formally recorded on an Incident Report or equivalent?	An operational incident of 13/10 had involved a fuel tank rupture of a delivery vehicle, the incident response reported to have prevented the substance entry to nearby drain.		Y
58.	CoA 7.1	As applicable, are incidents reported to Stakeholders including, EPA, Planning and Council?	None of the above-mentioned were significant and/or reportable to the DP&E or other required regulators and stakeholders		Y
59.	CEMP OEMP 2.5.2	Non-conformance, Corrective & Preventive action Is a Non-conformance Register used to formally record and managing non-conformances and corrective / preventive actions?	Construction works related issues identified through inspections were managed through the Christie Civils PR Meeting with these also tracked to closure e.g. HIDRA item no. 4 of 17/10/14, reflected as updated and closed on 28/10/14.		Y
60.		Are results of environmental monitoring programs made available via the NSW Ports website and provided to the Enfield Community Liaison Committee (CLC) as committed to Council in response to their submission on the OEMP?	Not necessary as yet e.g. operational noise. HLA were reportedly publishing monitoring on their website.		Y

NSW Ports: CEMP & OEMP Practical Implementation (Delaney Civil Works & Site Operations & Maintenance)				
61.	CEMP 3.3	<p>Environment Sub plans. Are Sub Plans appended to the CEMP and/or Protocols contained within 3.3 applicable and used?</p> <p>Environment Sensitive Area Map Is the SAM current, available for current works and operations?</p>	<p>Appeared to be implemented as appropriate, as indicated in <u>this</u> report as indicated by records of inspection and monitoring sighted</p>	Y
62.	CEMP 2.3 OEMP 3.2		<p>Initial Construction works indicated in the Staging Report were mostly complete at the time of <u>this</u> Independent Environmental Audit, with no activity on the day. These prior works undertaken in Stage 8 (Light Industrial & Commercial Area) and Stage 9 (Southern Precinct) and had included:</p> <ul style="list-style-type: none"> • Driveway construction to connect to Cosgrove Road • Minor demolition and levelling of LIC area • Stockpiling of spoil (including contaminated material) at Mount Enfield (also known as Stockpile No 4) in accordance with Modification No 5 • Southern precinct access track / pathway 	Y
63.		Works progression	<p>Refer works photographs from NSW Ports files below:</p> <p>Area W LIC works</p>   <p>Sediment pond decommissioning</p> <p>(Siltation fencing evidenced along Cosgrove Road in both cases)</p>	Y

64.	Works continued	Southern precinct access track / pathway		Y
65.		Siltation fence along railway line		Y
66.	Environmental Monitoring (operations) Has monitoring been undertaken as required and as applicable at the current time as specified in CoA's, the OEMP and related Sub-plans, as summarised below:	Formal monitoring programs had not been implemented as yet, as indicated below:		Improve
67.	<u>Water management</u> ➤ Inspection of detention basins as per the program outlined in Appendix I ➤ Inspection of erosion and sediment control measures ➤ Inspection & cleaning of Gross Pollutant Traps (GPTs)	➤ Detention basins aquatic and filtering vegetation was observed to have taken since planting and water levels on the day appeared to indicate satisfactory performance to design intent. ➤ In general, inspections were informal with no records demonstrating ongoing compliance and maintenance		Y Refer Item 77

68.		<p>Fauna & flora</p> <ul style="list-style-type: none"> ➤ Visual inspection and surveys of GGBF habitats as outlined in the LEAMP (Appendix I) ➤ Visual inspections of vegetated/ecological areas for weed and pest incursions and vegetation health as outlined in the LEAMP (Appendix I) ➤ Predator inspections during the landscaping and revegetation phase of the works. ➤ If the incidence of birds likely to attack GGBF, notably ibis and heron, increases as a result of the revegetation, bird deterrent methods may need to be used to prevent predation of any potential GGBF in the FHCA. 	<ul style="list-style-type: none"> ➤ Again, no formally recorded inspections of general site and Ecological Area were available. 	<p>Improve as above</p>
69.		<p>Maintenance Management. Are formal processes in place to ensure implementation of OEMP required <u>maintenance</u>, as well as the numerous “operate & maintain” obligations required by numerous Planning CoA’s?</p>	<p>Maintenance contracts were in place with the service providers, including Waratah Environmental Services (mowing, weeding and litter removal) and Dragonfly (frog pond precinct), sighting records of their monthly attendance.</p>	<p>Y</p>
70.		<p>Maintenance Management. Are formal records available to demonstrate preventive and corrective <u>maintenance</u> activities?</p>	<p>Some but not all Maintenance & Service providers provided records of maintenance undertaken e.g. Dragonfly Report dated November 2014.</p>	<p>Y</p>
71.			<p>Corrective maintenance records were informal, including emails to HLA regarding weeds Area A, repair of Tarpaulin roof and repair of a vandalised (cut) fence.</p>	<p>Improve</p>
72.		<p>Maintenance Management. Does site housekeeping demonstrate the effectiveness of maintenance programs?</p>	<p>At the time of the audit, there was some evidence of landscape maintenance in selected areas of the site.</p>	<p>Y</p>

73.		<p>In general, there were a number of examples of site maintenance not being entirely effective, with issues such as the following noted:</p> <ul style="list-style-type: none"> a) Empty Container Storage Basin (ESCB) outlet drain blocked, leading to ponding in said area b) Leaf litter and sediment around stormwater drain outside NSW Ports site office c) Weeds evident in a number of areas including those newly landscaped doing major construction works d) Washout alongside Cosgrove Road after preceding weeks' daily rainfall events (Refer 77 further) 	Improve
NSW Ports: Planning obligations (Construction & Operational)			
74.	<p>CoA 1.3A</p> <p>Staged delivery of project The Proponent may construct and/or operate the project in stages with commensurate staging of compliance with the conditions of this approval. Where the project is to be staged, the Proponent shall submit details of the staging to the Director-General, including details of how compliance with the conditions of this approval will be met.</p>	<p>NSW Ports Compliance Tracking Register updated for the last period as at 19/09/14 stated: <i>"Enfield ILC Staging Report V2.0 (10 March 2014) approved by DP&I on 27 March 2013"</i></p> <p>Sighted the above Staging Report used to plan the apportioning of the remaining commitments and operational responsibilities for future ILC stages</p>	Y
75.	<p>1.2</p> <p>In the event of an inconsistency between: a) the conditions of this approval and any document listed from condition 1.1a) to 1.1o) 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 1.1o) inclusive, the most recent document shall prevail to the extent of the inconsistency</p>	<p>NSW Ports Compliance Tracking Register updated for the last period as at 19/09/14 stated: <i>"No inconsistencies identified"</i></p>	Y

76.	1.6 – 1.8	<p>Warehouse Limitations: Warehousing and Distribution - Dangerous Goods & Warehouse Design (Text omitted for brevity purposes)</p> <p>Parking. The Proponent shall investigate, in consultation with Strathfield Municipal Council, opportunities to install 4-hour parking restrictions along the full length of Wentworth Avenue to discourage the parking of trailers on the approach to the site. Should such measures be found to be feasible and agreed by Council, the Proponent shall arrange to have parking restrictions in place prior to the commencement of operation of the project.</p>	<p><u>This</u> audit and the Compliance Tracking Register noted that Warehouse related infrastructure had not been progressed as yet.</p>	Y
77.	2.6		<p><u>NSW Ports Compliance Tracking Register updated for the last period</u> as at 19/09/14 stated: <i>“At RTCG Meeting No. 4 SMC supported the introduction of 4-hour parking limits subject to formal approval of the Strathfield Local Traffic Committee. Letter sent to SMC 06.02.2014 requesting the introduction of parking limits be raised at next Traffic Committee meeting.”</i></p>	Y
78.	2.28	<p>Pollution of waters. Except as may be expressively provided under an Environment Protection Licence applicable to the project, the Proponent shall comply with section 120 of the Protection of the Environment Operations Act 1997 which prohibits the pollution of waters.</p>	<p>Washout alongside Cosgrove Road after the preceding weeks' daily rainfall events was observed on the day of <u>this</u> audit (below). Turbid waters may have or could potentially enter the stormwater drain (shown):</p>  <p>Noted – records of control maintenance during construction and/or the absence of related incidents appeared to indicate this was an isolated, not systemic issue and therefore deemed by the Independent Auditor to be a potential non-compliance.</p>	<p>Potentially N</p>

				Improve
79.	SoC 26	<p>Manage Water Quality Runoff to Waterways Water quality management devices on site will be monitored and maintained at regular intervals to ensure they are functioning as expected.</p> <p>Contamination Certification Prior to the commencement of construction works associated with the project that may disturb contaminated areas of the site, the Proponent shall submit to the Director-General a Site Audit Statement(s), prepared by an accredited Site Auditor under the Contaminated Land Management Act 1997, verifying that the area of the site on which construction is to be undertaken has been or can be remediated to a standard consistent with the intended land use. A final Site Audit Statement(s), prepared by an accredited Site Auditor, 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 site(s).</p>	<p>The inspection and corrective maintenance programs appeared to be deficient in this incident or situation above.</p>	
80.	2.43		<p>Previous independent audits had documented the progression of contamination existing at the site. It was noted that a number of Site Audit Statements were published on the website.</p> <p><u>NSW Ports Compliance Tracking Register updated for the last period as at 19/09/14 stated:</u> <i>"Final SASs being progressively obtained. SASs for Lot 42 (Norfolk/Roberts Rd), IMT, ECSA & Cell A in Lot 15 have been issued by Site Auditor"</i></p>	Y
81.	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; 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". 	<p>The Compliance Tracking Program (August 2008) continued to define the established process and components such as annual reports and annual independent audits (<u>this audit</u>) per CoA 4.1c.</p> <p>In support hereof a Compliance Tracking Register (Spreadsheet) was being used to track compliance with Conditions of Approvals and Statement of Commitments, this being updated quarterly. This Compliance Tracking Register stated 10/9/14 was sampled during <u>this audit</u>, some comments extracted as evidence of undertakings.</p> <p>NSW Ports indicated however that a new Compliance Tracking Program was envisaged to better cater for the operational phase of the ILC.</p>	Y

82.	CoA 5.4	<p>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.</p> <p>Prior to the commencement of operation of the project, the Proponent shall nominate a suitably qualified and experienced Environmental Representative(s) for the approval of the Director-General.</p>	<p>A dedicated page for the provision of electronic information & documents required by this condition for the ILC at Enfield project is provided at: http://www.nswportsbotany.com.au/projects-and-planning/ilc-at-enfield/</p> <p>This included recent Mod 8 approval of 27 November 2013.</p>	Y
83.	6.1	<p>Prior to commencement of site preparation or construction works, 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>NSW Ports Compliance Tracking Register updated for the last period as at 19/09/14 stated: <i>“Operations yet to commence. ER role to be detailed in relevant OEMPs”</i></p>	Y
84.	6.2	<p>Prior to commencement of operations, 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>NSW Ports Overarching CEMP v2 dated 3rd March 2014 covering minor works beyond was approved by DP&E on 30th March 2014.</p> <p>HLA CEMP rev F dated 30th April 2014 was available and the subject of <u>this independent environmental audit.</u></p>	Y
85.	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>An Overarching OEMP rev3 dated 7/11/14 was available, addressing comments by DP&E. This document formed the basis of <u>this independent environmental audit.</u></p>	Y