

INDEPENDENT AUDIT REPORT

Enfield Intermodal – Development Approval 05_0147

FEBRUARY 2022

Authorisation

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Date:	8 February 2022	Date:	8 February 2022

Document Revision History

Revision	Date	Details
0.1	21/01/2022	Draft for review
1.0	07/02/2022	Section 3.5 updated to include details of Notice to Furnish Information and Records.

Report Name: Enfield Intermodal Logistics Centre Independent Audit 2021

Project No.: 388

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EXECUTIVE SUMMARY

NSW Ports are responsible for the development of the Enfield Intermodal Logistics Centre (Enfield ILC). The Enfield ILC Development Consent 05_0147 (DC 05_147) was granted by the NSW Minister for Planning on 5 September 2007, subject to a number of Conditions of Consent (CoCs). The Consent has been subject to 14 Modifications (three of which were withdrawn) since 2007.

The objective of this Independent Audit is to satisfy CoC 4.1 of DC 05_0147 and NSW Port's Enfield ILC Operational Environmental Management Plan (OEMP) requiring annual, independent auditing in accordance with ISO 19011:2002 - *Guidelines for Quality and/ or Environmental Management Systems Auditing*. The Independent Audit seeks to verify compliance with the relevant CoCs and assess the effectiveness of the operational environmental management on the Project.

This Audit Report presents the findings from the Independent Audit of Enfield ILC operations for the period from 8 November 2020 to 7 December 2021 (the audit period). The on-site audit activities took place on 7 December 2021. Investigation and review of Project related files, records and documentation that acts as evidence of compliance (or otherwise) with a requirement occurred prior to and after the on-site audit activities.

Ongoing operation of the intermodal terminal continued during the audit period and a project to provide sustainable water management at the frog habitat area was completed. No construction activities occurred during the audit period.

The 2021 frog impact survey and assessment notes that maintenance works have proceeded well in the frog habitat area and that the area is much more suitable for occupancy by the GGBF than at any time over the last fifteen years.

The overall outcome of the Independent Audit was positive concerning compliance with the requirements of DC 05_0147. Relevant environmental and compliance monitoring records were being collected and reported as required to provide verification of compliance to statutory requirements and the broader Project environmental requirements. Compliance records were generally available at the time of the site inspection and interviews; however, the Auditor notes that requests for information (RFIs) prior to, during and following the audit were slow to be provided, and in some cases were not provided within the requested timeframe.

Four findings from the previous Independent Audit remained open during the audit period and eight were closed. Open findings from the 2020 Independent Audit should be reviewed and addressed prior to the 2022 Independent Audit. In summary:

- A total of 103 CoCs assessed.
- A total of 45 CoCs were found to be compliant.
- One CoC was found to be non-compliant. This concerned the late submission of the 2021 Compliance Tracking Report.
- A total of 56 CoCs were identified as not triggered.
- Four observations were identified concerning the CoC's. These concerned:

- the storage of stockpiled tyres at the Swift site.
- the storage of three Intermediate Bulk Containers (IBCs) without secondary containment and four waste oil drums with secondary containment over a prolonged period of time at the Swift site.
- the lack of provision of linkages from the frog ponds to the former RailCorp ponds.
- evidence of whether activities required by the Traffic and Capacity Monitoring program had been conducted during the audit period was not available for review.

In addition, the scope of the audit included a review of the adequacy of the strategies, plans and programs required under DC 05_0147. The findings of the adequacy review of management plans are presented in Section 3 and Appendix B. In summary:

- Two non-conformances were identified concerning the overarching Operational Environmental Management Plan. It is acknowledged that COVID-19 restrictions interrupted site activities during the audit period; however, the non-conformances concerned:
 - lack of evidence of site visits to tenant facilities based on the level of risk; and
 - lack of evidence of quarterly environmental inspections.

In addition, two observations were identified as follows:

- the Green and Golden Bell Frog, Frog Protection Plan, June 2009 and the Green and Golden Bell Frog Management Plan, March 2010, Rev 4 had not been reviewed or updated for ten years.
- a repeat observation from the previous Independent Audit concerning weed growth on Mount Enfield, noting that weed management was conducted during the audit period at Mt Enfield.
- Six non-conformances were identified concerning the LINX Operational Environmental Management Plan. These concerned:
 - a spill kit at the ACFS site was observed to contain rubbish.
 - tins of paint and a 20 Litre container of solvent were observed without secondary containment at the ACFS site.
 - two general waste bins were observed to be overflowing at the ACFS site.
 - the location of off-site waste disposal facilities was not known by LINX staff when questioned. It is noted that the waste bins observed during the site inspection were from known waste carriers.
 - minor volume of container wash water was observed to be flowing outside of a site boundary gate at the ACFS site.

- sediment and an empty paint tin were observed in a surface water channel at the ACFS site.

In addition, one observation was identified concerning the LINX Operational Environmental Management Plan. This concerned the lack of evidence a maintenance schedule (e.g. periodic inspection, pumping out regime) for the fuel containment pit located at the ACFS site.

Detailed findings are presented in Section 3, along with actions taken by the Project team to address the findings.

The Auditor would like to thank the auditees from NSW Ports and the Enfield ILC tenants for their cooperation and assistance during the Independent Audit.

1. INTRODUCTION

1.1 Project overview

NSW Ports are responsible for the development of the Enfield Intermodal Logistics Centre (Enfield ILC). The Enfield ILC Development Consent 05_0147 (DC 05_147) was granted by the NSW Minister for Planning on 5 September 2007, subject to a number of Conditions of Consent (CoCs). The Consent has been subject to 14 Modifications (three of which were withdrawn) since 2007.

The Enfield ILC is being developed and operated as a key logistics hub to support Sydney's growing container transport needs. The Enfield ILC (the Project) (Figure 1) includes, but is not limited to:

- An intermodal terminal for the loading and unloading of containers between road and rail and the short-term storage of containers;
- Rail sidings, railway lines and associated works connected to the existing freight line;
- Warehousing for the packing and unpacking of containers and the short-term storage of cargo;
- Empty container storage areas and facilities;
- Light industrial/commercial area fronting Cosgrove Road complementary to operations at the site;
- Access, internal roads, administration buildings, diesel and LPG storage and fuelling facilities, container washdown area, vehicle maintenance shed, and installation of site services (all utilities, stormwater and sewerage); and
- Southern Ecological Area (SEA) including Green and Golden Bell Frog (GGBF) ponds and habitat, heritage items and vegetated area.

The Project site is located within Strathfield South on the land generally bound by Cosgrove Road to the east, Punchbowl Road to the south, the Enfield Marshalling Yards to the west and Roberts Road to the north. The Enfield ILC is approximately 15 kilometers (km) from the Sydney Central Business District by road and 18 km from Port Botany by rail. It covers an area of approximately 60 Hectares (ha) and is approximately 0.5 km in width and over 2 km in length.

LINX Cargo Care Group (LINX) is responsible for operations within a section of the Enfield ILC and operate under an agreement with NSW Ports. Therefore, LINX are subject to the environmental management requirements prescribed by NSW Ports under the relevant conditions of the Project Approval 05_0147 issued to NSW Ports on 5 September 2007 pursuant to the *Environmental Planning and Assessment Act 1979*.

The scope of activities conducted by sub-tenants includes the fuel storage and dispensing facility; container logistic operations and warehousing. Locomotive operations, tanker refuelling and fumigation activities are conducted by LINX contractors. The site operates 24 hours a day, seven days a week.

The container and plant washdown facility and water treatment plant and the quarantine container wash bay at the ACFS Port Logistics (ACFS) site were not in operation at the time of the site inspection. No new tenants have commenced on site since the previous audit. There has been no change to operations since the last audit.



Figure 1 Enfield ILC Layout (Enfield ILC Overarching CEMP 2020, NSW Ports)

1.2 Approval requirements

DC 05_147 CoC 4.1 requires the development and implementation of a Compliance Tracking Program which includes the undertaking of annual independent environmental audits in accordance with ISO 19011:2002 - *Guidelines for Quality and/ or Environmental Management Systems Auditing*.

1.3 The audit team

Although not a requirement for the Project, the Audit Team meet the industry standard as 'suitably qualified, experienced and independent auditors' in accordance with the Department's *Independent Auditor Post Approval Requirements 2020 (IAPAR 2020)*. The Audit Team comprised:

- Nick Ballard (Lead Auditor): Exemplar Global Certified Environmental Lead Auditor (Certificate No 129713).
- Derek Low (Auditor Lead): Master of Environmental Engineering Management, Exemplar Global Certified Principal Environmental Auditor (Certificate No 114283).

1.4 Audit scope

The audited period is defined as November 2020 to December 2021. Section 2.3 of the approved Compliance Tracking Program defines the scope of the Independent Audit (IA) as the assessment of:

- Compliance with the DC 05_0147 by NSW Ports and Enfield ILC tenants and contractors as outlined in the Annual Compliance Report
- Implementation of relevant NSW Ports and tenant's environmental management plans and procedures
- Effectiveness of environmental mitigation measures, controls and strategies and recommendations for improvements
- Internal audits undertaken by Enfield ILC tenants; and
- Actions in response to previous audit findings and non-compliances identified as part of the Compliance Tracking Program or by regulatory authorities.

Ongoing operation of the intermodal terminal continued during the audit period and a project to provide sustainable water management at the frog habitat area was completed. No construction activities occurred during the audit period.

This Independent Audit scope also includes auditing of:

- NSW Port's compliance with the DC 05_0147
- Response to the 2020 Independent Audit findings; and
- Select mitigation measures from the NSW Port's and LINX OEMPs.

2. AUDIT METHODOLOGY

2.1 Audit process overview

The Independent Audit was conducted in a manner consistent with AS/NZS ISO 19011. An overview of the audit activities, as specified in AS/NZS ISO 19011, is presented in Figure 2. Although the IAPAR 2020 is not a requirement of the Independent Audit, the Auditor applied standards from the IAPAR 2020 where relevant.

2.2 Audit process detail

2.2.1 Audit initiation and scope development

Prior to the commencement of the audit the following tasks were completed:

- Establish initial contact with the Auditee
- Confirm the Audit Team
- Confirm the audit purpose, scope and criteria.

2.2.2 Preparing audit activities

The Auditor performed a document review, prepared an audit plan, and prepared work documents (audit checklists) and distributed to the Project team in preparation for the Independent Audit.

The primary documents reviewed prior to and after the site visit included:

- DC 05_147
- Enfield ILC Overarching Operational Environmental Management Plan Enfield Intermodal Logistics Centre NSW Ports (July 2020 Version 6)
- Enfield ILC Overarching Operational Traffic Management Plan – Enfield Intermodal Logistics Centre | NSW Ports | July 2020 | Version 4
- Enfield ILC Landscape and Ecological Area Management Plan Enfield Intermodal Logistics Centre NSW Ports (August 2020 Version 3)
- LINX Enfield Intermodal Terminal Operational Environmental Management Plan (September 2020 Version 04)
- The other documents listed as evidence within Appendices A and B.

2.2.3 Site personnel involvement

The on-site audit activities took place on 7 December 2021.

The names of personnel interviewed during the audit are provided in Table 1.

Table 1: Name and position of personnel interviewed during the audit

Name	Position	Company
Bryan Beudeker	Environment Manager	NSW Ports
Mark Goodall	Facility Manager	NSW Ports
Geoff De Santis	Personnel & Compliance Manager	SWIFT Transport
Frank Andriano	East Coast Rail Manager	LINX
Josephine Ngan	Health and Safety Manager	LINX
Eshoo Dirou	Operations Supervisor	LINX

2.2.4 Meetings

Opening and closing meetings were held with the Auditor and Project personnel. The attendance sheet can be found in Appendix C.

During the opening meeting the objectives and scope of the Independent Audit, the resources required and methodology to be applied were discussed. At the closing meeting, preliminary audit findings were presented, preliminary recommendations (as appropriate) were made, and any post-audit actions were confirmed.

2.2.5 Interviews

The Auditor conducted interviews during the site inspection with key personnel involved in Project delivery, including those with responsibility for environmental management, to assist with verifying the compliance status of the development. All other communication was conducted remotely, which included detailed requests for information and auditee responses to the requests.

2.2.6 Site inspection

The on-site audit activities took place on 7 December 2021. The on-site audit activities included an inspection of the site and work activities. Photographs are presented in Appendix D.

2.2.7 Document review

The Independent Audit included investigation and review of Project files, records and documentation that acts as evidence of compliance (or otherwise) with a compliance requirement. The documents sighted are included within Appendices A and B.

2.2.8 Generating audit findings

Independent Audit findings were based on verifiable evidence. The evidence included:

- Relevant records, documents and reports
- Interviews of relevant site personnel
- Photographs
- Figures and plans; and
- Site inspections of relevant locations, activities and processes.

2.2.9 Compliance evaluation

The Auditor determined the compliance status of each compliance requirement in the CoC Audit Table, using the descriptors from Table 2 of the IAPAR 2020, being:

Status	Description
Compliant	The Auditor has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with within the scope of the audit.
Non-compliant	The Auditor has determined that one or more specific elements of the conditions or requirements have not been complied with within the scope of the audit.
Not Triggered	A requirement has an activation or timing trigger that has not been met at the time when the audit is undertaken, therefore an assessment of compliance is not relevant.

Observations were also be made to provide context, identify opportunities for improvement or highlight positive initiatives.

In addition to the above, the following terms are used to describe conformance with the management plan or process, where these are not related to a compliance requirement from the CoCs:

Status	Description
Conformant	The Auditor has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been conformed with within the scope of the audit.
Non-conformant	The Auditor has determined that one or more specific elements of the requirements have not been conformed with within the scope of the audit.
Not Triggered	A requirement has an activation or timing trigger that has not been met at the time when the audit is undertaken, therefore an assessment of conformance is not relevant.

2.2.10 Evaluation of post approval documentation

The Auditor assessed whether post approval documents:

- Have been developed in accordance with the CoCs and all other environmental licences and approvals applicable to the Project (if any) and their content is adequate; and
- Have been implemented in accordance with the CoCs and all other environmental licences and approvals applicable to the Project (if any).

The adequacy of post approval documents was determined on the basis of whether:

- There are any non-compliances resulting from the implementation of the document; and
- Whether there are any opportunities for improvement.

2.2.11 Completing the audit

This Report has been distributed to the proponent to check factual matters and for input into actions in response to findings (where relevant). The Auditor retained the right to make findings or recommendations based on the facts presented.

3. AUDIT FINDINGS

3.1 Approvals and documents audited and evidence sighted

The documents audited comprised the conditions from Schedule 2 of DC 05_147 CoC 6.2, applicable to the works being undertaken, and selected mitigation measures and commitments from the following plans:

- Enfield ILC Overarching Operational Environmental Management Plan Enfield Intermodal Logistics Centre NSW Ports (July 2020 Version 6)
- Enfield ILC Overarching Operational Traffic Management Plan – Enfield Intermodal Logistics Centre | NSW Ports | July 2020 | Version 4
- Enfield ILC Landscape and Ecological Area Management Plan Enfield Intermodal Logistics Centre NSW Ports (August 2020 Version 3)
- LINX Enfield Intermodal Terminal Operational Environmental Management Plan (September 2020 Version 04).

The evidence sighted against each requirement is detailed within Appendices A and B.

3.2 Previous Independent Audit findings

The status of the previous Independent Audit findings are presented in Table 2.

Table 2: 2020 Independent Audit findings

Item	Ref.	Type	Details of Item	Proposed or Completed Action	By Whom and by When	Status 2020	Status 2021
1	CoC 2.3A	Observation	<p>CoC 2.3A states that the Proponent must prepare a Work Place Travel Plan to the satisfaction of the Planning Secretary prior to the issue of any Occupation Certificate for any warehouse permitted as part of the approval of DC 05_0147 MOD 14. The Proponent must ensure that the Work Place Travel Plan (as revised from time to time) is implemented for the life of the Project.</p> <p>The feasibility of mode share (public transport and active transport) specified within the Work Place Travel Plan is constrained as these travel methods are underserved by the responsible parties (TfNSW, Council).</p>	Auditee to consider the feasibility of this requirement and whether it can be complied with. If this cannot be complied with then the auditee should amend the Work Place Travel Plan to set out realistic targets, and have the updated Plan approved by DPIE.	NSW Ports Prior to 2021 audit.	OPEN	OPEN
2	CoC 2.27	Observation	<p>CoC 2.27 states that the Proponent shall ensure that all vehicles and equipment directly associated with site preparation and construction works (as distinct from passenger vehicles) pass through a wheel wash prior to leaving the site.</p> <p>CoC 2.29 states that soil and water management controls shall be employed to minimise soil erosion and the discharge of sediment and other pollutants to lands and/or waters during site preparation and construction activities, in accordance with Landcom's Managing Urban Stormwater: Soils and Construction.</p> <p>This condition should be removed, noting requirement of CoA 2.29.</p>	Should further Modifications be required for DC 05_147 the Auditee could consider including the removal of this element from CoC 2.27.	NNSW Ports Prior to 2021 audit.	OPEN	OPEN
3	CoC 2.31 and 2.48 (c)	Observation	<p>CoC 2.31 states that the Proponent shall construct and maintain stormwater detention basins on the site, generally consistent with the basin sizes/ locations presented in the document referred to under conditions 1.1m) and 1.1n) of this approval. Opportunities to reuse stormwater from detention basins for ecological areas or for site operations shall be investigated during detailed design of the project, and where practicable, the Proponent shall utilise collected water preferentially to external potable water supplies for operational activities on the site, subject to testing to confirm the suitability of collected water quality.</p> <p>CoC 2.48 states that the Proponent shall implement all of the relevant actions for the site recommended in the <i>Management Plan for the Green and Golden Bell Frog Key Population at Greenacre</i> (DECC, May 2007), being:</p> <p>(c) restrictions on the use of herbicides in known frog habitat and attainment of water quality standards for water discharged from the site.</p> <p>These actions shall be incorporated within both the Construction Environmental Management Plan (refer to condition 6.2) and the Operation Environmental Management Plan (refer to condition 6.4) as relevant, including provisions for monitoring the outcomes of these actions and periodically reporting outcomes to OEH at a frequency agreed with OEH.</p> <p>The Auditees identified an issue with the stormwater connections from the basins and the ecological areas which prevent the ponds from filling as intended. A project is being implemented to enable water storage and redirection to the frog ponds (which was not functioning prior to the audit). It is understood the works (involving installation of pumps on level switches, holding tanks and pipework) were to be completed in 2020.</p>	Complete the stormwater storage and redirection works.	NSW Ports 30/04/21	OPEN	CLOSED The project to enable water storage and redirection to the GGBF ponds was completed during the audit period.
4	CoC 2.40	Observation	<p>CoC 2.40 states that the Proponent shall ensure that all liquid and / or non-liquid waste generated, stored on the site or disposed of, is assessed and classified in accordance with the Waste Classification Guidelines (EPA, 2014).</p> <p>The Swift site has a large amount of materials and waste streams (tyres, containers, packaging and the like) held on site for no apparent reason. The Swift skips were observed to be at capacity preventing staff from being able to suitably dispose of waste generated on site. It is understood that the bins were due for collection the day after the audit (and occurs on a set frequency). It appears as though either the frequency of collection, or the size of the bins (or both) are not adequate.</p>	Implement improved housekeeping, and adequate waste storage and collection regime.	Swift 30/04/21	OPEN	CLOSED

Item	Ref.	Type	Details of Item	Proposed or Completed Action	By Whom and by When	Status 2020	Status 2021
5	CoC 2.48A (f)	Observation	<p>CoC 2.48 states that the Proponent shall implement the mitigation measures identified in Section 7.1 of the <i>ILC at Enfield Impact Assessment on Green and Golden Bell Frogs: Addition of Fill Material to Mt Enfield</i> (Biosphere Environmental Consultants Pty Ltd, 2011), supplementary letter of advice dated 10 January 2018 (Biosphere Consultants Pty Ltd, 2011), and the following:</p> <p>(f) the installation of an exclusion fence to help prevent frogs from entering the operational areas;</p> <p>The fencing of the frog ponds was recently upgraded. It was observed during the site inspection that sections of the fence had not been keyed in correctly.</p>	Maintenance to be undertaken on frog fencing to meet exclusion fencing requirements.	NSW Ports 30/03/21	OPEN	CLOSED Fencing observed to be keyed into the ground
6	CoC 2.50 (c)	Observation	<p>CoC 2.50 states that The Proponent shall store and handle all dangerous goods (not being unopened, containerised goods), as defined by the Australian Dangerous Goods Code, strictly in accordance with:</p> <p>c) the DECC's Environment Protection Manual Technical Bulletin <i>Bundling and Spill Management</i>.</p> <p>In the event of an inconsistency between the requirements listed from a) to c) above, the most stringent requirement shall prevail to the extent of the inconsistency.</p> <p>Spandex and Swift (minor warehouse tenants) had vessels stored on temporary bunds that were stacked in a manner that could result in a spill beyond the bund. It is understood that these materials were not listed as Dangerous Goods.</p>	Maintenance to be undertaken on chemical bunds to meet CoC 2.50 requirements.	Spandex, Swift / NSW Ports 30/03/21	OPEN	CLOSED
7	CoC 6.3 (d)	Observation	<p>CoC 6.3 states that as part of the Construction Environmental Management Plan for the project, required under condition 6.2 of this approval, the Proponent shall prepare and implement the following Management Plans:</p> <p>d) a Landscape and Ecological Area Management Plan to detail how the site will be landscaped and maintained. The Plan shall be generally consistent with the Landscape Masterplan presented in the document referred to under condition 1.1b) of this approval and shall include, but not necessarily be limited to:</p> <p>i) provision for the use of locally-endemic native species for landscaping the site;</p> <p>ii) consideration of landscaping locations and densities to maximise visual screening of the project from residential receptors and public open space;</p> <p>iii) measures to maximise the retention of locally-endemic native species existing on the site, and removal of weeds and non-indigenous vegetation; and</p> <p>iv) measures for the enhancement, revegetation and on-going management of the Ecological Area on the site, including measures to provide suitable habitat for <i>Litoria Aurea</i>;</p> <p>Substantial weed growth was observed on the day of the site inspection at Mount Enfield. Ongoing removal of weeds and non-indigenous vegetation is not effective at Mount Enfield due to access limitations. Evidence provided by NSW Ports demonstrates that weed control activities were undertaken in December 2020, which provides temporary management of weed growth at Mount Enfield.</p>	Design a program of works for effective, long-term landscape maintenance of Mount Enfield.	NSW Ports Prior to 2021 audit	OPEN	OPEN Substantial weed growth remained at Mt Enfield.
8	CoC 6.4	Observation	<p>CoC 6.4 requires that, prior to the commencement of operation of the project, the Proponent shall prepare and submit for the approval of the Planning Secretary an Operation Environmental Management Plan (OEMP) to detail an environmental management framework, practices and procedures to be followed during the operation of the project. The Plan shall be consistent with the Department's <i>Guideline for the Preparation of Environmental Management Plans</i> (DIPNR 2004), and shall include, but not necessarily be limited to the information prescribed by the condition.</p> <p>The Auditor observes that the OEMPs for minor warehouse tenants at the intermodal (such as Mapei and Spandex) are overly complex and not appropriate for the scale and intensity of their operations, or for the potential risks they pose. It is the Auditors position that:</p> <ul style="list-style-type: none"> • These tenants do not have sufficient capacity and capability to understand and implement the commitments in full; and • The nature of their activities is such that implementation of the commitments from their OEMPs (or failure to do so) has little influence on changing their risk profiles. 	NSW Ports to commence engagement with the Department and the minor warehouse tenants to pursue an approach to environmental management that is more functional (and effective) than requiring precinct specific OEMPs to be developed, approved by the Department, and implemented by each warehouse tenant.	NSW Ports Prior to 2021 audit	OPEN	OPEN

Item	Ref.	Type	Details of Item	Proposed or Completed Action	By Whom and by When	Status 2020	Status 2021
9	NSW Ports OEMP Section 2.2	Non-conformance	<p>OEMP Section 2.2 states that ILC Tenants will include internal environmental inspection checklists and procedures as part of the OEMP. ILC Tenants will be required to maintain records of their on-site inspection records and make these available to NSW Ports at any time.</p> <p>There is no evidence available to demonstrate that tenants other than LINX are conducting internal environmental checks. The auditees note that tenants could not provide records and that they have self assigned an action to develop and implement an inspection regime for warehouse tenants not currently meeting this requirement.</p>	Auditee to complete self-assigned action to develop and implement an inspection regime for warehouse tenants not currently meeting this requirement.	NSW Ports Prior to 2021 audit.	OPEN	OPEN LINX conducting inspection of tenants on a monthly basis.
10	NSW Ports OEMP Section 3.2	Observation	<p>OEMP Section 3.2 states that environmentally sensitive areas within the ILC include those that could provide or have been created to provide habitat for the endangered Green and Golden Bell Frog (<i>Litoria aurea</i>), areas that contain items of heritage interest or value, or areas set aside for ecological/potential community uses.</p> <p>The environmentally sensitive areas on the ILC site are located in the Southern Ecological Area (refer to Appendix C ILC Sensitive Area Map) and include:</p> <ul style="list-style-type: none"> The Frog Habitat Creation Area (including Frog Ponds) located near Coxs Creek The Tarpaulin Shed (land subleased to tenant); The Pillar Water Tank (land subleased to tenant); and Native grasses and woodland communities on Mount Enfield and surrounds. <p>Where activities are occurring in, or may otherwise impact on, environmentally sensitive areas this will need to be communicated to personnel and contractors as part of their site induction training and in contractor contracts.</p> <p>Whilst the environmental sensitivity of the habitat area is communicated to personnel, there was no evidence of this being included in contractor contracts as stated in this commitment.</p>	Auditee to include habitat sensitivity in new contracts and during existing contract variation.	NSW Ports When new contracts are developed/ existing contracts are being varied.	OPEN	CLOSED
11	LINX OEMP Section 5.1.1	Non-conformance	<p>Section 5.1.1 states that LINX will ensure that the activities of the sub-tenants are conducted in accordance with this OEMP. This will be achieved by, among other things:</p> <ul style="list-style-type: none"> Supply of CoA, NPOEMP, LINX OEMP and sub-plans to each sub-tenant. Agreement from sub-tenant that they are aware of and will comply with all requirements (signed contract). <p>There was no evidence available to demonstrate that LINX sub-tenants were provided copies of the Consent, or that the sub-tenant had provided written agreement to comply with that consent. The LINX Enfield Intermodal Logistics Centre Compliance Audit Report dated 08/10/20 submitted to DPIE on 27/11/20 identified a self-determined, non-conformance for this requirement that sub-tenants have not been provided the CoC. This is planned to be rectified.</p>	Issue the consent to sub-tenants and obtained signed written agreement that they will comply with the terms of the consent (relevant to their operations).	LINX When new contracts are developed / existing contracts are being varied.	OPEN	CLOSED No new tenants or variations to existing contracts during the audit period were reported.
12	LINX OEMP Section 5.6.6	Non-conformance	<p>Section 5.6.6 states that spill response training, including use of spill kits must be conducted for all site personnel, including sub-tenants and routine contractors.</p> <p>Spill response training has been initiated; however, only around 10 people have completed the training. There are many more than 10 site personnel, including sub-tenants and routine contractors. Another round is scheduled for February and March 2021.</p>	Deliver spill response training to all site personnel, including sub-tenants and routine contractors as stated in this requirement.	LINX 30/06/21	OPEN	CLOSED Spill response training was provided to tenants during the audit period.

3.3 Non-compliance, Observations and Actions

This Section, including Table 3, presents the compliance status with the CoC and conformance status with the OEMP, from this Independent Audit. Recommended actions in response to each of the findings are also presented. Detailed findings against each requirement are presented in Appendices A and B. In summary:

- A total of 103 CoCs assessed.
- A total of 45 CoCs were found to be compliant.
- One CoC was found to be non-compliant. This concerned the late submission of the 2021 Compliance Tracking Report.
- A total of 56 CoCs were identified as not triggered.
- Four observations were identified concerning the CoC's. These concerned:
 - the storage of stockpiled tyres at the Swift site.
 - the storage of three Intermediate Bulk Containers (IBCs) without secondary containment and four waste oil drums with secondary containment over a prolonged period of time at the Swift site.
 - the lack of provision of linkages from the frog ponds to the former RailCorp ponds.
 - evidence of whether activities required by the Traffic and Capacity Monitoring program had been conducted during the audit period was not available for review.

In addition, the scope of the audit included a review of the adequacy of the strategies, plans and programs required under DC 05_0147. The findings of the adequacy review of management plans are presented in Section 3 and Appendix B. In summary:

- Two non-conformances were identified concerning the overarching Operational Environmental Management Plan. It is acknowledged that COVID-19 restrictions interrupted site activities during the audit period; however, the non-conformances concerned:
 - lack of evidence of site visits to tenant facilities based on the level of risk; and
 - lack of evidence of quarterly environmental inspections.

In addition, two observations were identified as follows:

- the Green and Golden Bell Frog, Frog Protection Plan, June 2009 and the Green and Golden Bell Frog Management Plan, March 2010, Rev 4 had not been reviewed or updated for ten years.
- a repeat observation from the previous Independent Audit concerning weed growth on Mount Enfield, noting that weed management was conducted during the audit period at Mt Enfield.

- Six non-conformances were identified concerning the LINX Operational Environmental Management Plan. These concerned:
 - a spill kit at the ACFS site was observed to contain rubbish.
 - tins of paint containing hydrocarbons and a 20 Litre container of solvent were observed without secondary containment at the ACFS site.
 - two general waste bins were observed to be overflowing at the ACFS site.
 - the location of off-site waste disposal facilities was not known by LINX staff when questioned. It is noted that the waste bins observed during the site inspection were from known waste carriers.
 - minor volume of container wash water was observed to be flowing outside of a site boundary gate at the ACFS site.
 - sediment and an empty paint tin were observed in a surface water channel at the ACFS site.

One observation was identified concerning the LINX Operational Environmental Management Plan. This concerned the lack of evidence a maintenance schedule (e.g. periodic inspection, pumping regime) for the fuel containment pit located at the ACFS site.

Table 3: 2021 Independent Audit findings

Item	Ref.	Type	Requirement and Finding	Proposed or Completed Action	By Whom and by When	Status 2021
IA4_01	CoC 4.1	Non-compliant	<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 against the requirements of this approval; b) provisions for periodic reporting of compliance status to the Planning Secretary; c) a program for independent environmental auditing at least annually, or as otherwise agreed by the Planning Secretary, in accordance with <i>ISO 19011:2002 - Guidelines for Quality and/ or Environmental Management Systems Auditing</i>; and mechanisms for rectifying any non-compliance identified during environmental auditing or review of compliance. <p>The 2021 Compliance Tracking Report had not been submitted to the Department at the time of the 7 December 2021 site inspection. Section 2.2 of the Compliance Tracking Program requires that Compliance Tracking Reporting to be submitted to the Department in November each year.</p>	<p>The 2021 Compliance Tracking Report should be submitted as soon as possible.</p> <p>Future Compliance Tracking Reports should be submitted in accordance with the Compliance Tracking Program.</p>	<p>NSW Ports Prior to the 2022 Independent Audit</p>	OPEN
IA4_02	CoC 2.39	Observation	<p>All waste materials removed from the site shall only be directed to a waste management facility lawfully permitted to accept the materials.</p> <p>Tyres were observed to be stockpiled at the Swift site awaiting collection. The Environment Manager in response to an RFI request from the Auditor reported that the tyres were removed on 8 December 2021. Confirmation of the disposal of the tyres to an appropriately licensed facilities was not available to the Auditor for review.</p>	<p>Confirm that the tyres have been disposed to a waste management facility lawfully permitted to accept the material.</p>	<p>NSW Ports / Swift Prior to the 2022 Independent Audit</p>	OPEN
IA4_03	CoC 2.40	Observation	<p>The Proponent shall ensure that all liquid and/ or non-liquid waste generated, stored on the site or disposed of, is assessed and classified in accordance with the Waste Classification Guidelines (EPA, 2014).</p> <p>Three Intermediate Bulk Containers without secondary containment and four 250 Litre steel waste oil drums on a spill pallet were observed in overgrown vegetation at the Swift site. The Environment Manager in response to an RFI request from the Auditor reported that arrangements were being made to remove the IBCs and drums in January 2022. Confirmation of the disposal of these items to appropriately licensed facilities was not available to the Auditor for review.</p>	<p>Confirm that containers have been disposed to a waste management facility lawfully permitted to accept the material.</p>	<p>NSW Ports / Swift Prior to the 2022 Independent Audit</p>	OPEN
IA4_04	CoC 2.48	Observation	<p>The Proponent shall implement all of the relevant actions for the site recommended in the <i>Management Plan for the Green and Golden Bell Frog Key Population at Greenacre</i> (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>These actions shall be incorporated within both the Construction Environmental Management Plan (refer to condition 6.2) and the Operation Environmental Management Plan (refer to condition 6.4) as relevant, including provisions for monitoring the outcomes of these actions and periodically reporting outcomes to OEH at a frequency agreed with OEH.</p> <p>A compliance report for the LEAMP prepared in October 2021 identified that CoC 2.48(b), the provision of linkages from the former Railcorp ponds, was non-compliant as a strategy was in the process of being developed.</p>	<p>Implement provisions for linkages to the former Railcorp ponds once the strategy has been prepared.</p>	<p>NSW Ports Prior to the 2022 Independent Audit</p>	OPEN

Item	Ref.	Type	Requirement and Finding	Proposed or Completed Action	By Whom and by When	Status 2021
IA4_05	CoC 3.6	Observation	<p>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:</p> <ul style="list-style-type: none"> a) provisions for monitoring the throughput of the project; b) 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; c) 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 <p>a framework for recording and reporting the outcomes of the Program and a system for considering data generated through the Program.</p> <p>Evidence on whether activities required by the Traffic and Capacity Monitoring program had been conducted during the audit period was not available for review.</p>	Confirm and provide evidence that the Traffic and Capacity Monitoring Program had been implemented during the audit period.	Prior to the 2022 Independent Audit	OPEN
IA4_06	NSW Ports OEMP, Section 2.2	Non-conformant	<p>NSW Ports will periodically undertake site visits to tenant facilities based on the level of risk associated with their operations to verify that inspection records are being maintained and environmental actions and mitigation measures are effectively implemented. The checklist template used by NSW Ports for inspection and auditing of tenant operations is included in Appendix D.</p> <p>It is acknowledged that COVID-19 restrictions interrupted regular site activities during the audit period; however, no evidence of site visits to tenant facilities based on the level of risk was available for review when requested.</p>	Ensure that site visits to tenant facilities based on the level of risk are conducted in accordance with OEMP requirements.	Prior to the 2022 Independent Audit	OPEN
IA4_07	NSW Ports OEMP, Section 2.6	Non-conformant	<p>Environmental inspections of the Enfield site will be undertaken on a quarterly basis by the HSE Team to review compliance with operational site documentation. Such site inspections would identify any corrective / preventative actions required and responsibility and timeline for completion. These actions would be monitored to ensure that they are closed out in the required time frame.</p> <p>It is acknowledged that COVID-19 restrictions interrupted site activities during the audit period; however, no evidence of quarterly environmental inspections were available for review when requested.</p>	Ensure that environmental inspections are conducted in accordance with OEMP requirements.	Prior to the 2022 Independent Audit	OPEN
IA4_08	NSW Ports OEMP, Section 3.2	Observation	<p>Environmentally sensitive areas within the ILC include those that could provide or have been created to provide habitat for the endangered Green and Golden Bell Frog (<i>Litoria aurea</i>), areas that contain items of heritage interest or value, or areas set aside for ecological/potential community uses.</p> <p>The environmentally sensitive areas on the ILC site are located in the Southern Ecological Area (refer to Appendix C ILC Sensitive Area Map) and include:</p> <ul style="list-style-type: none"> • The Frog Habitat Creation Area (including Frog Ponds) located near Coxs Creek • The Tarpaulin Shed (land subleased to tenant); • The Pillar Water Tank (land subleased to tenant); and • Native grasses and woodland communities on Mount Enfield and surrounds. <p>Where activities are occurring in, or may otherwise impact on, environmentally sensitive areas this will need to be communicated to personnel and contractors as part of their site induction training and in contractor contracts.</p> <p>The Green and Golden Bell Frog, Frog Protection Plan, June 2009 and the Green and Golden Bell Frog Management Plan, March 2010, Rev 4 had not been reviewed or updated for nearly ten years.</p>	Conduct a review of the Green and Golden Bell Frog, Frog Protection Plan, June 2009, Rev 3 and the Green and Golden Bell Frog Management Plan, March 2010, Rev 4 to verify if there is duplication with the requirements specified in the OEMP and the LEAMP. Update as required.	Prior to the 2022 Independent Audit	OPEN
IA4_09	NSW Ports OEMP, Section 3.3.6, FF4	Observation	<p>Flora and Fauna – Table 8</p> <ul style="list-style-type: none"> • To control noxious weeds (e.g. bitou bush, lantana) and terrestrial pest species on ILC land; • Undertake weed control in accordance with the requirements of the Noxious Weeds Act. <p>Weed growth was observed on Mount Enfield during the site inspection. Ongoing removal of weeds and non-indigenous vegetation is not effective at Mount Enfield due to access limitations. Evidence provided by NSW Ports demonstrates that weed control activities were undertaken in 2021, which provides temporary management of weed growth at Mount Enfield.</p>	Review weed control activities to determine if there are opportunities for improvement. Design a program of works for effective, long-term landscape maintenance of Mount Enfield.	Prior to the 2022 Independent Audit	OPEN

Item	Ref.	Type	Requirement and Finding	Proposed or Completed Action	By Whom and by When	Status 2021
IA4_10	LINX OEMP, Section 5.6.5	Non-conformant	<p>Spill kits shall be maintained in all areas where there is a potential for a spill (including but not limited to refuelling and wash bay areas) from freight operations, maintenance and operation of mobile equipment/ Spill kits shall include:</p> <ul style="list-style-type: none"> • Particulate absorbent material • Absorbent pads/ Absorbent booms • Gloves and protective eyewear • Drain covers • Spades / brooms • Disposal bags <p>One spill kit adjacent to the waste bins at the ACFS site was observed to contain rubbish. A LINX site inspection conducted the day prior to the audit did not identify an issue with the spill kit at the ACFS site.</p>	Staff conducting inspections should be aware of the requirements of the management plan(s).	Prior to the 2022 Independent Audit	OPEN
IA4_11	LINX OEMP, Section 5.7.2	Non-conformant	<p>ALL fuels, oil and chemicals must be stored in approved, designated bunded areas. Temporary storage must be bunded at all times.</p> <p>A 20L container of solvent as well as a number of 20 L paint tins were observed without secondary containment at the container repair area of the ACFS site. The paint tins were at various random locations around the repair area and pictograms on the paint tins indicated that the paint contained hydrocarbons. A LINX site inspection conducted the day prior to the audit did not identify an issue with housekeeping at the ACFS site.</p>	Staff conducting inspections should be aware of the requirements of the management plan(s).	Prior to the 2022 Independent Audit	OPEN
IA4_12	LINX OEMP, Section 5.9.3	Non-conformant	<p>Skips are not to be overfilled</p> <p>Two overflowing general waste bins were observed at the ACFS site preventing staff from being able to suitably dispose of waste generated on site. A LINX site inspection had been conducted the day prior to the audit site inspection that indicated there were no issues with waste management on the ACFS site.</p>	Waste storage and collection should be improved at the ACFS site. Staff conducting inspections should be aware of the requirements of the management plan(s).	Prior to the 2022 Independent Audit	OPEN
IA4_13	LINX OEMP, Section 5.9.7	Non-conformant	<p>All wastes are to be transported by a licensed waste transporter and only disposed of at an appropriately licensed waste management facility or premises lawfully permitted to accept the materials as per the requirements of New South Wales waste legislation.</p> <p>Waste bins from known waste carriers were observed at the LINX site during the site inspection; however, the location of off-site disposal facilities was not known when auditees were questioned. The LINX 2021 compliance report (Ardent, 2021) also noted an opportunity for improvement concerning the management of licenced waste contractors.</p>	Implement the recommendations of the LINX 2021 compliance report concerning waste management.	Prior to the 2022 Independent Audit	OPEN
IA4_14	LINX OEMP, Section 5.1.2	Non-conformant	<p>Environmental Training Requirements</p> <p>No washdown of equipment (except in ACFS wash bay area). Minor volume of water from container cleaning was observed to be discharging outside of the ACFS site boundary gateway during the site inspection. Containers were observed to be washed down away from a dedicated wash-down slab.</p>	Container washdown to be conducted in dedicated area(s) on-site.	Prior to the 2022 Independent Audit	OPEN
IA4_15	LINX OEMP, Appendix E	Non-conformant	<p>LINX Enfield Site Inspection Checklist Template</p> <p>Site: Is there excessive build-up of dirt and debris or litter across the area? Sediment as well as an empty paint tin were observed in a surface water channel at the 'EnviroConcepts' wastewater recycling system (WWRS) area at the ACFS site. A LINX site inspection had been conducted the day prior to the audit site inspection that indicated there were no issues with housekeeping at the ACFS site. The LINX 2021 compliance report (Ardent, 2021) also noted an opportunity for improvement concerning the addition of a map showing drain locations for site inspections.</p>	Staff conducting inspections should be aware of the requirements of the management plan(s).	Prior to the 2022 Independent Audit	OPEN

Item	Ref.	Type	Requirement and Finding	Proposed or Completed Action	By Whom and by When	Status 2021
IA4_16	LINX OEMP, Section 6.2.3	Observation	<p>Permanent Fuel Storage Facilities</p> <p>Captured material is collected in a containment pit and treated, in line, by a 'SPEL Stormceptor' system. Treated water is discharged to the internal stormwater system; and</p> <p>Waste sludge material is captured in a holding tank for periodic removal and off-site disposal at a suitably licensed facility via vacuum truck.</p> <p>A maintenance schedule (e.g. periodic inspection, pumping out regime) for the fuel containment pit located in the ACFS tenancy was requested by the Auditor but none was available for review. It was not known when the containment pit was last emptied.</p>	Confirm if a maintenance schedule for the containment pit exists. If not, develop and implement a maintenance program and maintain pump out records for the fuel containment pit in the ACFS tenancy.	Prior to the 2022 Independent Audit	OPEN

3.4 Adequacy of Environmental Management Plans, sub-plans and post approval documents

The adequacy of post approval documents must be determined on the basis of whether:

- There are any non-compliances resulting from the implementation of the document; and
- Whether there are any opportunities for improvement.

A review was conducted of the:

- Enfield ILC Overarching Operational Environmental Management Plan Enfield Intermodal Logistics Centre NSW Ports (July 2020 Version 6).
- Overarching Operational Traffic Management Plan – Enfield Intermodal Logistics Centre NSW Ports (July 2020 Version 4).
- Enfield ILC Landscape and Ecological Area Management Plan Enfield Intermodal Logistics Centre NSW Ports (August 2020 Version 3).
- Green and Golden Bell Frog, Frog Protection Plan, Intermodal Logistics Centre at Enfield (June 2009, Revision 3).
- Intermodal Logistics Centre at Enfield, Green and Golden Bell Frog Management Plan (March 2010, Revision 4).
- Green and Golden Bell Frog Management & Maintenance Reports (October, November 2021)
- LINX Enfield Intermodal Terminal Operational Environmental Management Plan (September 2020 Version 04).

Other than the observations identified in Table 3, the documents are adequate.

Refer to the previous Independent Audit finding for CoC 6.4, in Table 2. This finding remains open and the Auditor concurs with the position on the appropriateness of environmental management plans for small warehouse tenants. Open findings from the 2020 Independent Audit should be reviewed and addressed prior to the 2022 Independent Audit.

3.5 Summary of notices from agencies

A Notice to Furnish Information and Records was issued by the Department to NSW Ports on 13 October 2021. The Notice, issued under section 9.22 of the *Environmental Planning and Assessment Act 1979*, concerned several non-compliances and observations associated with the CoC's and OEMP that were identified in the 2020 IA. The Department required NSW Ports provide the requested information by 27 October 2021. NSW Ports provided a response and requested information to the Department on 21 December 2021. In their response to the Department, NSW Ports also make reference to a Show Cause Notice issued on 9 December 2021; however, no further information concerning the Show Cause Notice as available at the time of preparing this Report.

At the time of preparing this Report and to the Auditor's knowledge, the Department had not responded to NSW Ports concerning the information provided to address the requirements of the Notice to Furnish Information and Records.

3.6 Other matters considered relevant by the Auditor or DPIE

The Auditor has no matters considered relevant, other than those identified in Sections 3.2 – 3.5, and 3.7 – 3.8.

The Auditor is not aware of any compliance matters that were raised by the Department during the auditing period.

3.7 Complaints

In accordance with DC 05_147 Schedule 2 CoC 5.2 and 5.3, a complaints register is maintained and available for inspection by the Planning Secretary upon request.

One noise complaint was logged in the complaints register during the audit period. The issue was raised by a Council Ranger and then brought to the notice of NSW Ports. The complaint originated from numerous residents and related to container and handling; however, it could not be determined if the noise originated from the ILC.

3.8 Incidents

No incidents with actual or potential significant off-site impacts on people or the biophysical environment were recorded for the audit period.

4. CONCLUSIONS

The overall outcome of the Independent Audit was positive. Compliance records were available at the time of the site inspection and interviews with NSW Ports and their tenants; however, the Auditor notes that requests for information (RFIs) prior to, during and following the audit were slow to be provided, and in some cases requested evidence was not provided.

Ongoing operation of the intermodal terminal continued during the audit period and a project to provide sustainable water management at the frog habitat area was completed. No construction activities occurred during the audit period.

Four findings from the previous Independent Audit remained open during the audit period and eight were closed.

The overall outcome of the Independent Audit was positive concerning compliance with the requirements of DC 05_0147. Compliance records were available at the time of the site inspection and interviews with NSW Ports and their tenants; however, the Auditor notes that RFIs prior to, during and following the audit were slow to be provided, and in some cases were not provided within the requested timeframe.

In summary:

- A total of 103 CoCs assessed.
- A total of 45 CoCs were found to be compliant.
- One CoC was found to be non-compliant. This concerned the late submission of the 2021 Compliance Tracking Report.
- A total of 56 CoCs were identified as not triggered.
- Four observations were identified concerning the CoC's. These concerned:
 - the storage of stockpiled tyres at the Swift site.
 - the storage of three Intermediate Bulk Containers (IBCs) without secondary containment and four waste oil drums with secondary containment over a prolonged period of time at the Swift site.
 - the lack of provision of linkages from the frog ponds to the former RailCorp ponds.
 - evidence of whether activities required by the Traffic and Capacity Monitoring program had been conducted during the audit period was not available for review.

In addition, the scope of the audit included a review of the adequacy of the strategies, plans and programs required under DC 05_0147. The findings of the adequacy review of management plans are presented in Section 3 and Appendix B. In summary:

- Two non-conformances were identified concerning the overarching Operational Environmental Management Plan. It is acknowledged that COVID-19 restrictions

interrupted site activities during the audit period; however, the non-conformances concerned:

- lack of evidence of site visits to tenant facilities based on the level of risk; and
- lack of evidence of quarterly environmental inspections.

In addition, two observations were identified as follows:

- the Green and Golden Bell Frog, Frog Protection Plan, June 2009 and the Green and Golden Bell Frog Management Plan, March 2010, Rev 4 had not been reviewed or updated for ten years.
- a repeat observation from the previous Independent Audit concerning weed growth on Mount Enfield, noting that weed management was conducted during the audit period at Mt Enfield.
- Six non-conformances were identified concerning the LINX Operational Environmental Management Plan. These concerned:
 - a spill kit at the ACFS site was observed to contain rubbish.
 - tins of paint containing hydrocarbons and a 20 Litre container of solvent were observed without secondary containment at the ACFS site.
 - two general waste bins were observed to be overflowing at the ACFS site.
 - the location of off-site waste disposal facilities was not known by LINX staff when questioned. It is noted that the waste bins observed during the site inspection were from known waste carriers.
 - minor volume of container wash water was observed to be flowing outside of a site boundary gate at the ACFS site.
 - sediment and an empty paint tin were observed in a surface water channel at the ACFS site.

One observation was identified concerning the LINX Operational Environmental Management Plan. This concerned the lack of evidence a maintenance schedule (e.g. periodic inspection, pumping regime) for the fuel containment pit located at the ACFS site.

Detailed findings are presented in Section 3, along with actions taken by the Project team to address the findings.

The Auditor would like to thank the auditees from NSW Ports and the Enfield ILC tenants for their cooperation and assistance during the Independent Audit.

Limitations

This Document has been provided by WolfPeak Pty Ltd (WolfPeak) to the Client and is subject to the following limitations:

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APPENDIX A – DC 05_147 CONDITIONS OF CONSENT INCLUDING MODIFICATIONS 1 TO 14.

Unique ID	Condition	Evidence	Findings and Recommendations	Compliance Status
1. ADMINISTRATIVE CONDITIONS				
Terms of Approval				
1.1	<p>The Proponent shall carry out the project generally in accordance with the:</p> <ul style="list-style-type: none"> a) Major Projects Application 05_0147; b) <i>Environmental Assessment: Intermodal Logistics Centre at Enfield</i>, dated October 2005 and prepared by Sinclair Knight Merz (SKM); c) response to submissions and revised Statement of Commitments detailed in <i>Intermodal Logistics Centre: Preferred Project Report</i> prepared by Sinclair Knight Merz Pty Ltd, dated June 2006; d) additional information provided by Sinclair Knight Merz Pty Ltd to the Department titled <i>Project Changes – Enfield ILC</i> and dated 14 July 2007; e) additional information provided by Sinclair Knight Merz Pty Ltd to the Department titled <i>Light Industrial and Commercial Area – Enfield ILC</i> and dated 6 August 2007; f) letter from Sydney Ports Corporation titled <i>Project Approval Modification Application Intermodal Logistics Centre at Enfield</i>, Sydney Ports Corporation (undated) and received 28 August 2008; g) letter from Sydney Ports Corporation titled <i>Project Approval Modification Application Intermodal Logistics Centre at Enfield</i>, Sydney Ports Corporation and dated 5 February 2009; h) <i>Intermodal Logistics Centre at Enfield Modification Application ILC-E-PT3A REV A</i>, Sydney Ports Corporation and dated 31 August 2009; i) <i>Intermodal Logistics Centre at Enfield, Modification Application 05_0147 – Project Adjustments. Response to Stakeholders Submissions</i> (Revision A), prepared by Sydney Ports Corporation and dated November 2009; j) <i>Intermodal Logistics Centre at Enfield, Modification Application 05_0147 – Project Adjustments. Supporting Information to Modification Application</i>, prepared by Sydney Ports Corporation and dated 26 March 2010; k) <i>Intermodal Logistics Centre at Enfield, Modification Application 05_0147 – On Site Management of Unsuitable Engineering Fill</i>, prepared by Sydney Ports Corporation and dated May 2011; l) <i>Intermodal Logistics Centre at Enfield Modification Application No. 5 On Site Management of Unsuitable Engineering Fill Response to Submissions</i>, prepared by Sydney Ports Corporation and dated August 2011; and m) <i>Intermodal Logistics Centre at Enfield, Modification Application No.6 Early Contractor Involvement Detailed Design Adjustments and Subdivision</i>, prepared by Sydney Ports and dated April 2012; n) <i>Intermodal Logistics Centre at Enfield, Modification Application No.6 ECI Detailed Design Adjustments and Subdivision</i>, prepared by Sydney Ports and dated July 2012; o) <i>Intermodal Logistics Centre: Enfield Modification Application No 8, Subdivision – Changes and Amendments</i>, prepared by NSW Ports and dated 2 September 2013; p) <i>Addendum Assessment Report, Modification No.8 to Major Project MP 05_0147 – Intermodal Logistics Centre (ILC) at Enfield: Subdivision Changes and Amendments</i>, prepared by NSW Ports and dated 19 September 2013; q) <i>Environmental Assessment – Modification Application No. 11 – Additional warehouse</i> prepared by TfA Project group dated September 2016 and supporting information dated 6 December 2016 and 23 December 2016; r) <i>Environmental Assessment – Modification Application No. 12 – Extension of Existing Rail Sidings and Administration Office Expansion</i> prepared by TfA Project Group dated November 2016 and supporting Noise Impact Assessment prepared by SLR Consulting dated 3 November 2016; s) <i>Environmental Assessment – Modification Application No. 13 – 127 Cosgrove Road, South Strathfield</i>, prepared by LJB Urban Planning dated August 2017; and the associated Remediation Action Plan (RAP), 127 Cosgrove Road, South Strathfield, NSW, Flower Power Group, prepared by ZOIC, February 2017; Green and Golden Bell Frog Conservation Measures Tarpaulin Shed Site Enfield, prepared by Biosphere Environmental Consultants, 27 November 2016; and email titled RE: Enfield Intermodal Logistics Centre MOD 13, prepared by LJB Urban Planning Pty Limited, dated 28 May 2018; t) <i>Environmental Assessment – Modification No. 14 – Modification of Built Form and operational parameters</i> prepared by Urbis dated January 2018, and Enfield ILC, Strathfield South MP 05_0147 MOD14 – Response to Submissions submitted by Goodman on 8 June 2018; and u) the conditions of this approval 	<p>Evidence referred to elsewhere in the Audit Table, and appendix B and C.</p>	<p>The operations of the intermodal has largely remained unchanged from previous audit periods. Precinct H construction has been completed. The proponent has demonstrated that the relevant plans and approvals have been obtained during the audit period and that project plans, strategies and protocols have been implemented.</p> <p>The scale of operations has not exceeded that predicted in the EIS and associated documents. The project boundaries remain unchanged.</p> <p>The degree of compliance with the conditions of approval is evidence of adherence to project requirements.</p>	Compliant

Unique ID	Condition	Evidence	Findings and Recommendations	Compliance Status
1.2	In the event of an inconsistency between: <ul style="list-style-type: none"> a) the conditions of this approval and any document listed from condition 1.1a) to 1.1t) 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 1.1t) inclusive, the most recent document shall prevail to the extent of the inconsistency. 	MP05_0147 - Conditions of Approval (incorporating MODS 1, 2, 4, 5, 6, 8, 11, 12, 13, 14). The documents listed in condition 1.1a) to 1.1t)	This audit assess compliance with the conditions of approval (including modifications 1, 2, 4, 5, 6, 8, 11, 12, 13, 14). The auditor notes that these conditions prevail. No inconsistencies have been identified by the proponent or by the auditor during this audit.	Compliant
1.2A	Notwithstanding condition 1.2, in relation to the construction and operation of the development approved under DA 2016/132 at 127 Cosgrove Road, in the event of any inconsistency between the conditions of this approval and the conditions of consent for DA 2016/132, the conditions of consent for DA 2016/132 shall prevail.	Enfield ILC Compliance Tracking Annual Report 2020, November 2020, Version 1 DA 2016/132, Strathfield Council	The auditee has not identified any inconsistencies. A separate application for the Fit out and use of the former tarpaulin shed was refused by Strathfield Council then approved by the Land Environment Court in 2017. The site has not been disturbed by NSW Ports	Not Triggered
1.2B	Subject to condition 1.2C, despite any other provision of this approval, the approval does not impose any obligations on a person merely because that person is carrying out the development approved under DA 2016/132 at 127 Cosgrove Road.	Enfield ILC Compliance Tracking Annual Report 2020, November 2020, Version 1 DA 2016/132, Strathfield Council	A separate application for the Fit out and use of the former tarpaulin shed was refused by Strathfield Council then approved by the Land Environment Court in 2017. The site has not been disturbed by NSW Ports	Not Triggered.
1.2C	A person who is remediating land and (in the course of so doing) is transferring material from the land identified as Part Lot 19 DP1183316 and outlined in red on drawing SENP154B is subject to obligations under this approval in relation to that work – and if condition 1.2B would otherwise apply – that person’s obligations under this project approval cease when a site audit statement is submitted under condition 2.43A.	Enfield ILC Compliance Tracking Annual Report 2020, November 2020, Version 1 DA 2016/132, Strathfield Council	A separate application for the Fit out and use of the former tarpaulin shed was refused by Strathfield Council then approved by the Land Environment Court in 2017. The site has not been disturbed by NSW Ports	Not Triggered.
1.3	The Proponent shall comply with any reasonable requirement(s) of the Planning Secretary arising from the Department’s assessment of: <ul style="list-style-type: none"> a) any reports, plans or correspondence that are submitted in accordance with this approval; and b) the implementation of any actions or measures contained in these reports, plans or correspondence. 	Interview with Auditees 07/12/21 DPIE post approval portal lodgment, GHD, 26/11/20 Letter DPIE to NSW Ports, 05/03/19 Letter DPIE to NSW Ports, 19/02/19 Letter DPIE to NSW Ports, 28/02/20	Whilst the Department approved several documents since February 2019, there have been no directions during the audit period.	Not Triggered
1.3A	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 Planning Secretary, including details of how compliance with the conditions of this approval will be met.	Interview with Auditees 07/12/21 Site Inspection 07/12/21 Enfield Intermodal Logistics Centre Staging Report July 2019 Letter – DPIE to NSW Ports, Approval of updated Staging Report, as required under Condition 1.3A, 27/01/21	EA Staging Report was approved by the Department in 2014. An updated Staging Report was prepared in 2019 which addresses the requirements of this condition. A letter from the Department to NSW Ports dated 27 January 2021 confirmed it was satisfied the report addressed the requirements of CoA 1.3A.	Compliant

Unique ID	Condition	Evidence	Findings and Recommendations	Compliance Status														
1.3B	<p>With the approval of the Planning Secretary, the Proponent may:</p> <ul style="list-style-type: none"> a) prepare and submit any strategy, plan or program required by this approval on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program); b) combine any strategy, plan or program required by this approval (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and c) update any strategy, plan or program required by this approval (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development). <p>If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this approval.</p> <p>If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.</p>	<p>Enfield ILC Overarching Operational Environmental Management Plan Enfield Intermodal Logistics Centre NSW Ports July 2020 Version 6</p> <p>LINX Enfield Intermodal Terminal Operational Environmental Management Plan, September 2019</p> <p>Mapei Australia, Operational Environmental Management Plan, Precinct H – Warehouse H1, January 2020, Rev 1.0</p> <p>Marinucci, Operational Environmental Management Plan, Precinct H – Warehouse H3, January 2020, Rev 1.0</p> <p>Sydney Food & Packaging, Operational Environmental Management Plan, Precinct H – Warehouse 2, January 2020, Rev 1.0</p> <p>Letter DPIE to NSW Ports, 28/02/20</p>	<p>The plans developed or in operation during the audit period were not staged. Each were either approved prior to the audit period, or approved by the Department during the audit period.</p> <p>The updates to the NSW Ports overarching OEMP were deemed not to require further approval from the Department due to the changes being minor and administrative.</p>	Compliant														
Limits of Approval																		
1.4	This approval shall lapse five years after the date on which it is granted, unless the works the subject of this approval are physically and substantially commenced on or before that time.	Site Inspection 07/12/21	The Project was operational at the time of the audit.	Compliant														
Capacity Limits and Staging																		
1.5	<p>The project shall be limited to a maximum throughput of 300,000 TEU per annum, for the rail to intermodal terminal interface and warehousing interface.</p> <p>Note: For the avoidance of doubt, this does not include internal TEU movements.</p>	Interview with Auditees 07/12/21 RFI Register Response – The HOLD doc: 8881371	Total Rail to Intermodal Container throughput (TEU) for FY21 was 68,457.	Compliant														
1.6	<p>The Proponent is permitted to construct and operate warehouses across six precincts on the site (A, C, D, E, F and H) associated with the project, generally in accordance with the documents referred to under condition 1.1 t). Warehouses are permitted to be used for freight handling, packing/re-packing, storage and distribution, and for activities ancillary to these uses. Each warehouse shall not exceed a height of 13.7 metres at its highest point (excluding minor ancillary structures such as communications equipment, air conditioning units, or solar panning), and shall be limited to a footprint no greater than the relevant area specified in Table 1 below.</p> <p align="center">Table 1 - Maximum Gross Lettable Area (per precinct)</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>Warehouse</th> <th>Maximum Gross Lettable Area (m²)</th> </tr> </thead> <tbody> <tr> <td>A</td> <td align="center">62,600</td> </tr> <tr> <td>C</td> <td align="center">10,487</td> </tr> <tr> <td>D</td> <td align="center">11,460</td> </tr> <tr> <td>E</td> <td align="center">7,604</td> </tr> <tr> <td>F</td> <td align="center">9,620</td> </tr> <tr> <td>H</td> <td align="center">16,475</td> </tr> </tbody> </table>	Warehouse	Maximum Gross Lettable Area (m ²)	A	62,600	C	10,487	D	11,460	E	7,604	F	9,620	H	16,475	Site Inspection 07/12/21	No construction activities occurred during the audit period. The only remaining areas to be developed at the time of the audit are Precinct A, B E and I.	Compliant
Warehouse	Maximum Gross Lettable Area (m ²)																	
A	62,600																	
C	10,487																	
D	11,460																	
E	7,604																	
F	9,620																	
H	16,475																	
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 Planning Secretary. Any such risk assessment shall be undertaken in accordance with <i>Hazardous Industry Planning Advisory Paper No. 6 - Guidelines for Hazard Analysis (DUAP, 1997)</i> and <i>Multi-Level Risk Assessment (DUAP, 1997)</i> .	Site Inspection 07/12/21 Interview with Auditees 07/12/21 Arden, Environmental Compliance Audit Report 2021, LINX Enfield Terminal, 21/09/21, Ref: LCC-004	<p>The tenants have no need for DG packing and unpacking. LINX is 100% logistics and does not pack / unpack. These containers are throughput only.</p> <p>No packaging, repackaging or decanting of dangerous goods (or indications of such) were observed during the inspection.</p> <p>The only dangerous goods are what comes through as packages (Swift).</p> <p>Evidence of compliance reports from tenants other than LINX was requested by the Auditor; however, no evidence was provided.</p>	Compliant														

Unique ID	Condition	Evidence	Findings and Recommendations	Compliance Status				
1.8	<p>Prior to the commencement of construction of each warehouse, the Proponent shall submit final designs for the warehouse to the Planning Secretary, demonstrating that the warehouse is generally consistent with:</p> <ul style="list-style-type: none"> a) the warehouse designs and layouts presented in the documents referred to under condition 1.1t) of this approval; b) the design specifications detailed under condition 1.6 of this approval; c) the findings and recommendations of any approved risk assessment undertaken in accordance with condition 1.7 of this approval; and d) the general principles presented in the Strathfield Consolidated Development Control Plan 2005 (in particular, that component of the Plan formerly being Development Control Plan No. 27 – Industrial Development). <p>Note: nothing in this condition relieves the Proponent from any other obligation in the Environmental Planning and Assessment Act 1979 with regard to building design and certification, including compliance with the Building Code of Australia.</p>	Letter – DPIE to NSW Ports, Approval of Amended Tenant Signage Locations for Warehouse F2, 15/04/21	Sighted a letter from the Department to NSW Ports dated 15 April 2021 approving amended tenant signage locations for warehouse F2.	Compliant				
Light Industrial/Commercial Area								
1.9	<p>The Proponent is permitted to construct and operate a light industrial/ commercial area comprising one precinct associated with the project, generally in accordance with the documents referred to under condition 1.1t). The light industrial/ commercial area shall only be permitted to operate for the purpose of development associated with, or ancillary to the intermodal terminal, empty container storage areas and related warehousing, or otherwise consistent with the general principles of the Strathfield Consolidated Development Control Plan 2005 (in particular, that component of the Plan formerly being Development Control Plan No. 27 – Industrial Development).</p> <p>Each building within the light industrial/commercial area shall not exceed a height of 13.7 metres at its highest point (excluding minor ancillary structures such as communications equipment, air conditioning units, or solar panelling), with the gross floor area for the precinct limited to no greater than the relevant area specified in Table 2 below.</p> <p>Table 2 - Maximum Precinct Gross Floor Areas</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>Light Industrial/ Commercial Precinct</th> <th>Maximum Gross Lettable Area (m²)</th> </tr> </thead> <tbody> <tr> <td align="center">B</td> <td align="center">7,384</td> </tr> </tbody> </table>	Light Industrial/ Commercial Precinct	Maximum Gross Lettable Area (m ²)	B	7,384	Enfield Intermodal Logistics Centre Staging Report July 2019 Site Inspection 07/12/21 Interview with Auditees 07/12/21	The development of Light Industrial/Commercial Area relates to an area near Precinct A. this has not been developed during the audit period.	Not Triggered
Light Industrial/ Commercial Precinct	Maximum Gross Lettable Area (m ²)							
B	7,384							
1.10	<p>No component of the light industrial/ commercial area is permitted to store, handle or transfer dangerous goods above the thresholds specified in <i>Applying SEPP 33</i> (DUAP, 1994) (ie characterisation of such development as "potentially hazardous development" as defined under <i>State Environmental Planning Policy No. 33 – Hazardous and Offensive Development</i>), unless and until the Proponent has submitted a Hazard Analysis for the approval Planning Secretary. The Hazard Analysis shall be prepared in accordance with <i>Hazardous Industry Planning Advisory Paper No. 6 - Guidelines for Hazard Analysis</i> (DUAP, 1997) and <i>Multi-Level Risk Assessment</i> (DUAP, 1997). Operation of each relevant component of the light industrial/ commercial area shall not operate until the Planning Secretary's approval of the applicable Hazard Analysis has been issued (if required under this condition).</p>	Enfield Intermodal Logistics Centre Staging Report July 2019 Site Inspection 07/12/21 Interview with Auditees 07/12/21	The development of Light Industrial/Commercial Area relates to an area near Precinct A. this has not been developed during the audit period.	Not Triggered				
1.11	<p>Prior to the commencement of construction within each precinct of the light industrial/ commercial area, the Proponent shall submit final designs and layouts for the precinct to the Planning Secretary, demonstrating that the precinct is generally consistent with:</p> <ul style="list-style-type: none"> a) the designs and layouts presented in the document referred to under conditions 1.1t) of this approval; b) the design specifications detailed under condition 1.9 of this approval; and c) the general principles presented in the Strathfield Consolidated Development Control Plan 2005 (in particular, that component of the Plan formerly being Development Control Plan No. 27 – Industrial Development). <p>Note: nothing in this condition relieves the Proponent from any other obligation in the Environmental Planning and Assessment Act 1979 with regard to building design and certification, including compliance with the Building Code of Australia.</p>	Enfield Intermodal Logistics Centre Staging Report July 2019 Site Inspection 07/12/21 Interview with Auditees 07/12/21	The development of Light Industrial/Commercial Area relates to an area near Precinct A. This has not been developed during the audit period.	Not Triggered				

Unique ID	Condition	Evidence	Findings and Recommendations	Compliance Status
Toll Lease Area				
1.11A	The Proponent shall ensure that operations in the former Toll lease area (also known as Precinct D) are generally consistent with former operations.	Email to/ from NSW Ports and Swift, 01/12/20 Environmental Assessment: Intermodal Logistics Centre at Enfield, SKM, October 2005 Intermodal Logistics Centre at Enfield, Modification Application No.6 Early Contractor Involvement Detailed Design Adjustments and Subdivision, Sydney Ports, April 2012 Intermodal Logistics Centre at Enfield, Modification Application No.6 ECI Detailed Design Adjustments and Subdivision, Sydney Ports, July 2012	No changes occurred during the current audit period. Ports demonstrated that an assessment occurs where a request to change operations comes from the tenant (Swift). This includes check of planning matters and continued use in line with this condition. Section 14.2.2 of the EA and the Modification 6 application identify the existing site usage as a transport and logistics yard.	Compliant
Statutory Requirements				
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.	This Approval AQIS registration number N3237 Australian Govt fumigation certificates (various individual) FAH fumigations SOP / SWMS / HIRAC	The approval has been modified on 14 occasions to ensure it is maintained and up to date. LINX hold the required licences and permits for its fumigation process.	Compliant
Water Authority Compliance Certificate				
1.13	An application shall be made to Sydney Water for a Certificate under Part 6, Division 9, section 73 of the <i>Sydney Water Act 1994</i> (Compliance Certificate). The application must be made through an authorised Water Servicing Coordinator.	-	This falls outside of the current audit period.	Not Triggered
1.14	The section 73 Compliance Certificate must be obtained from Sydney Water Corporation and submitted to the Principal Certifying Authority prior to issue of a subdivision certificate, and show that the development has met the detailed requirements of Sydney Water Corporation.	-	This falls outside of the current audit period.	Not Triggered
Subdivision and Easements				
1.15	The Proponent may subdivide the land generally in accordance with the subdivision plan EILC MP04 (B) included at Appendix 1 of this approval. However, prior to obtaining a subdivision certificate, the Proponent shall prepare and submit to the Planning Secretary 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).	Interview with Auditees 07/12/21	No subdivisions occurred during the audit period.	Not Triggered
1.16	Land uses and operations within each lot shall be consistent with the approved project as described in conditions 1.1a) to 1.1t) and meet the requirements of this approval.	LINX Enfield Intermodal Terminal Operational Environmental Management Plan, Rev 4, 21/09/2020 Site Inspection 07/12/21	The land use remained unchanged. Operations of Precinct H were approved by the Department in 2020.	Compliant
1.17	Prior to the issuing of the subdivision certificate, the Proponent shall ensure that each lot is connected to services, drainage and utilities.	-	This falls outside of the current audit period.	Not Triggered
1.18	Easements for services, drainage, maintenance or any other encumbrances and indemnities required for joint or reciprocal use of part or all of the proposed lots as a consequence of the subdivision of the site, shall be created over those lots pursuant to the <i>Conveyancing Act 1919</i> .	-	This falls outside of the current audit period.	Not Triggered
1.19	Documentary evidence of the proposed easements shall be provided to, and be to the satisfaction of the relevant certifying authority. Note: Any easements in the subdivision plan must nominate Strathfield Council or other relevant authority as the authority to release, vary or modify the easement. The form of the easement must be in accordance with Council's standard recitals for terms of easements, or the standard form of easements accepted by NSW Land and Property Information.	-	This falls outside of the current audit period.	Not Triggered

Unique ID	Condition	Evidence	Findings and Recommendations	Compliance Status
1.20	Prior to occupation and/or operation, the Proponent shall provide to the relevant certifying authority evidence that all matters required to be registered on title, including easements required by this approval and any approvals or consents, have been lodged for registration or registered at the NSW Land and Property Information.	-	This falls outside of the current audit period.	Not Triggered
2. SPECIFIC ENVIRONMENTAL CONDITIONS				
Traffic and Transport Impacts				
2.1	The Proponent shall provide a shuttle bus service between Strathfield train station and the site during peak construction works, and shall encourage construction employees to utilise public transport rather than private transport to the site.	-	This falls outside of the current audit period.	Not Triggered
2.2	The Proponent shall provide a manual and/ or technological solution to control the frequency of articulated and B-double vehicles utilising the Cosgrove Road entrance to the site during morning and afternoon peak periods.	Overarching Operational Traffic Management Plan – Enfield Intermodal Logistics Centre NSW Ports July 2020 Version 4 Site Inspection 07/12/21	Approved access is presented in the OTAMP and training is provided. A left hand slip lane is in place to prevent movements from the site southbound onto Cosgrove Road. Signage is in place. The project to install road furniture to prevent incoming HVs left from Cosgrove Road was still to be determined. Once approved NSW Ports would seek to complete these works under this approval.	Compliant
Intermodal Operations				
2.2A	<p>The proponent is to provide an Intermodal Freight Transportation Report, prepared by an independent qualified person(s) approved by the Planning Secretary.</p> <p>The purpose of the Intermodal Freight Transportation Report is to detail how the Proponent is working to increase the modal share of rail, and is to include the following:</p> <ol style="list-style-type: none"> the number of twenty-foot equivalent shipping containers despatched and received during the period; modal splits of container volumes (in TEUs), provided by the warehouse operators and/or the intermodal operators, moved in/out of the project by: <ol style="list-style-type: none"> rail-to-truck/truck-to-rail, and truck-to-truck; representative vehicle origins and destinations, based on data from the warehouse operators and/or the intermodal operators; d) review of recorded actual traffic generation against the traffic model referred in, and the findings of, the report titled <i>Traffic Impact Assessment Enfield Intermodal Logistics Centre; Cosgrove Road, Enfield MOD 14 Ref: 0440r03v5</i> (Ason Group, 26 February 2018); e) a constraints and opportunities analysis to assist with identifying measures to increasing the modal split of container movements via rail-to- truck/truck-to-rail; and f) a future forecast outlining expected TEU volume despatched and received on rail, demonstrating how the Proponent is using the opportunities identified above, subject to the constraints identified, to assist with switching the main mode of transport for container TEUs to rail. <p>The report is to be submitted throughout operation of the project, with the first report to be submitted one year after the commencement of operation of the first warehouse/s permitted as part of the approval of MP 05_0147 MOD 14, unless otherwise agreed by the Planning Secretary. Subsequent reports will be completed and submitted to the Planning Secretary on a two-yearly basis, or as otherwise agreed.</p> <p>Note: Subject to condition 1.3B, the requirements of this condition are in addition to the requirements of the Traffic and Capacity Monitoring Program and the Traffic Audit required under conditions 3.6-3.9, and the Proponent may elect to address the requirements of any of those conditions in a consolidated document.</p>	<p>DPIE Post Approval Portal lodgment, GHD, 26/11/20</p> <p>Letter DPIE to NSW Ports, 05/03/19 GHD, Intermodal Freight Transportation Report, November 2020</p> <p>Letter – DPIE to NSW Ports, Enfield Intermodal Logistics Centre (MP05_0147) Acknowledgment of the Enfield Intermodal Freight Transportation 2020 Report as required under Conditions 2.2A and 2.2B, 29/04/21</p> <p>Email – NSW Ports to DPIE, Enfield ILC Freight Report Letter, 24/01/22 @13:08hrs</p>	<p>The independent qualified person was approved in March 2019.</p> <p>The FY20 was the first time this condition was triggered. Table 3.1 of the report includes the results from the each of the requirements to be captured. Each requirement a) – f) is presented in the report.</p> <p>A letter from the Department to NSW Ports dated 29 April 2021 acknowledged that the required information had been provided to address the requirements of CoA 2.2A and 2.2B. The letter noted that in order to fully satisfy the requirements of CoA, the Department requested that by 16 May 2021 a review of recorded actual traffic generation against the traffic model referred in, and the findings of, the report titled Traffic Impact Assessment Enfield Intermodal Logistics Centre; Cosgrove Road, Enfield MOD 14 be conducted and submitted. The review had not been submitted at the time of the audit. An email from NSW Ports to the Department dated 24 January 2022 put forward the following points for consideration for the review of recorded actual traffic generation against the traffic model:</p> <ul style="list-style-type: none"> A review may not be possible given the report covers the FY20 period and the data used in the report is for the number of containers moved not the number of trips; The FY20 report in its current format be accepted by DPIE; and Future reports use a different methodology, agreed with DPIE, to capture the data so an actual comparison v the traffic model can be provided. <p>No response from the Department to these suggestions was available at the time of preparing this Report.</p>	Compliant
2.2B	<p>A framework for recording and reporting on the data required for the report required under condition 2.2A is to be prepared by an independent qualified person(s) approved by the Planning Secretary, and submitted to the Planning Secretary for approval three months prior to the commencement of operation of any warehouse permitted as part of the approval of MP 05_0147 MOD 14.</p> <p>The Proponent shall prepare the report required under condition 2.2A in accordance with the framework for recording and reporting approved by the Planning Secretary under this condition from time to time.</p>	- Letter DPIE to NSW Ports, 10/09/19	This falls outside of the current audit period. The framework was approved in September 2019.	Not Triggered

Unique ID	Condition	Evidence	Findings and Recommendations	Compliance Status
2.2C	The Proponent is to comply with any reasonable additional operation traffic management measures as directed by the Planning Secretary in consultation with Transport for NSW and RMS following review of any Intermodal Freight Transportation report, Traffic and Capacity Monitoring Program, or Traffic Audit.	Interview with Auditees 07/12/21	There have been no directions from the Planning Secretary.	Not Triggered
On-Site Traffic Management and Parking				
2.3	<p>The Proponent shall design, construct and maintain all internal road works, including the associated 816 parking facilities and loading bays for operational areas associated with the ILC, warehouses and light industrial/commercial uses, to meet or exceed the following requirements:</p> <ul style="list-style-type: none"> a) compliance with the provisions of relevant Australian Standards, RMS standards and guidelines; b) installation of clear signage to demarcate all vehicle movements within the site; c) provision of directional pavement arrows on all internal roads, and line-marking and signage to indicate designated truck routes and bays; d) internal roadways wide enough to accommodate through traffic and turning two way traffic; e) design of site ingress and egress points to ensure that vehicles enter and leave the site in a forward direction; f) installation and maintenance of any landscaping on the site so as not to affect driver sight distance for vehicles entering and exiting the site; and g) clear demarcation of all visitor, disabled, ambulance and service vehicle parking areas. 	Site Inspection 07/12/21	<p>The design and construction of this infrastructure falls outside of the current audit period.</p> <p>The parking, traffic and access arrangements remain unchanged from the previous audit period.</p> <p>The arrangements were observed to be well maintained with signage, markings, suitable widths of carriageway and lanes, suitable ingress and egress, landscaping, parking and so forth. Clear demarcations were available to visitors (including the auditor). No issues.</p>	Compliant
2.3A	The Proponent must prepare a Work Place Travel Plan to the satisfaction of the Planning Secretary prior to the issue of any Occupation Certificate for any warehouse permitted as part of the approval of MP 05_0147 MOD 14. The Proponent must ensure that the Work Place Travel Plan (as revised from time to time) is implemented for the life of the Project.	Interview with Auditees 07/12/21 WolfPeak, Independent Audit Report Enfield Intermodal, 15 February 2021, Rev 1	<p>The Department approved the Workplace Travel Plan on 28 September 2020.</p> <p>As per the previous IA Report it is noted that the feasibility of mode share (public transport and active transport) is constrained as these travel methods are underserved by the responsible parties (TfNSW, Council).</p>	Compliant
Local Area Traffic Management				
2.4	<p>Prior to the commencement of operation of the project, the Proponent shall develop and implement, in consultation with the RMS, Strathfield Municipal Council and Canterbury Bankstown Council, the following measures to prevent the movement of heavy vehicles through residential areas of Greenacre to the west of the project, generally between Roberts Road, Boronia Road and the Hume Highway:</p> <ul style="list-style-type: none"> a) physical measures to discourage through-traffic across Roberts Road at the intersection of Norfolk Road, with the aim of preventing heavy vehicles leaving the project from directly accessing residential areas, and reducing the desirability of rat-running through those residential areas; b) closure of the median strip on the Hume Highway at Como Road, to prevent heavy vehicles turning right into residential areas on the way to the project; c) traffic calming measures on Rawson Road to reduce the desirability of heavy vehicles travelling along this route between the Hume Highway and the project; d) stop signs on Noble Avenue at the intersections of Chiswick Road and Northcote Road to reduce the desirability of vehicles rat-running in a north-south direction through residential areas; and e) imposition of load limits on Karuah Street and Valencia Street to prevent heavy vehicles lawfully using this route as a by-pass around Boronia Road. 	-	This falls outside of the current audit period.	Not Triggered
2.5	<p>Prior to the commencement of operation of the project, the Proponent shall consult with the State Transit Authority, and relevant bus operators, with the aim of relocating bus routes currently following Roberts Road. Should relocation of these bus routes be agreed between the parties, the Proponent shall install physical measures to prevent through-traffic across Roberts Road at the intersection of Norfolk Road. Any such road works shall be undertaken in consultation with, and to meet the requirements of, the RMS.</p> <p>Notwithstanding condition 2.4b) of this approval, should physical measures be implemented on Roberts Road at the intersection of Norfolk Road, the Proponent shall review the need for closure of the median strip on Hume Highway at Como Road in consultation with RMS, and if agreed by the RMS, no longer be required to implement those works.</p>	-	This falls outside of the current audit period.	Not Triggered

Unique ID	Condition	Evidence	Findings and Recommendations	Compliance Status
2.6	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.	-	This falls outside of the current audit period.	Not Triggered
2.6A	Before the commencement of construction of any warehouse sharing a boundary with public infrastructure and permitted as part of the approval of MP 05_0147 MOD 14, the Applicant must: (a) consult with the applicable authority to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure; (b) prepare a dilapidation report identifying the condition of all public infrastructure that shares a boundary with the site (including roads, gutters and footpaths); and (c) submit a copy of the dilapidation report to the Planning Secretary and Council.	Interview with Auditees 07/12/21 Site Inspection 07/12/21	The last development commenced construction prior to the current audit period.	Not Triggered
2.6B	Unless the Applicant and the applicable authority agree otherwise, the Applicant must: (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development. Note: This condition does not apply to any damage to roads caused as a result of general road usage	Interview with Auditees 07/12/21	There have been no instances of damage or relocation of public infrastructure during the audit period.	Not Triggered
Regional Traffic Management				
2.7	Prior to the commencement of operation of the project, the Proponent shall upgrade the intersection of Roberts Road and Norfolk Road, as agreed with the RMS and in accordance with relevant RMS standards. The upgrade works shall comprise: a) upgrade of the intersection to accommodate 19-metre semi-trailer and 25-metre B-double swept paths in accordance with relevant RMS guidelines and AUSTRROADS standards; b) extension of the Roberts Road northbound right-turn bay to 150 metres; c) provision of a southbound slip lane into Norfolk Road; d) provision of a diamond phasing operation on Norfolk Road to ensure right-turn movements can be carried out in a controlled and safe environment; e) reconfiguration of Norfolk Road east to provide a right-turn bay, with the right turn bays in Norfolk Road facing each other; f) provision of three lanes for exiting traffic (including the right-turn bay) from Norfolk Road east by widening the intersection to the north; and g) median island works on Roberts Road to achieve the necessary turning path on entry and exit to and from Norfolk Road.	-	This falls outside of the current audit period.	Not Triggered
2.8	Prior to the commencement of operation of the project, the Proponent shall validate that the intersection of Norfolk Road and Wentworth Street, and the intersection of Cosgrove Road and the Hume Highway can accommodate 19-metre semi-trailer and 25-metre B-double swept paths in accordance with relevant RMS guidelines and AUSTRROADS standards. Where necessary, the Proponent shall arrange for the upgrade of these intersections to accommodate 19-metre semi-trailer and 25-metre Bdouble swept paths, in consultation with and to the satisfaction of the RMS. All upgrade works shall be completed prior to the commencement of operation of the project, unless otherwise agreed by the RMS.	-	This falls outside of the current audit period.	Not Triggered
2.9	Prior to the commencement of operation of the project, the Proponent shall validate that the pavement of Wentworth Street and Norfolk Road, between Roberts Road and the access point for the site is of a standard suitable for 19-metre semi-trailer and 25-metre B-double vehicles. Where necessary, the Proponent shall arrange for the upgrade of the pavement of these roads to a standard suitable for 19-metre semitrailer and 25-metre B-double vehicles in consultation with and to the satisfaction of the RMS. All upgrade works shall be completed prior to the commencement of operation of the project, unless otherwise agreed by the RMS.	-	This falls outside of the current audit period.	Not Triggered
2.10	The Proponent shall investigate, and where feasible implement, measures at the intersection of Norfolk Road and Roberts Road to give priority (increased "green time") to vehicles turning right from Norfolk Road into Roberts Road, in preference to vehicles turning left at that intersection. In considering options for such priority movements, the Proponent shall consult with the RMS, Strathfield Municipal Council and Canterbury Bankstown Council.	-	This falls outside of the current audit period.	Not Triggered

Unique ID	Condition	Evidence	Findings and Recommendations	Compliance Status
Rail and Road Infrastructure on RailCorp Land				
2.11	<p>Prior to the commencement of any works associated with the construction of connections to the existing freight rail network and the road bridge over the New Enfield Marshalling Yards, the Proponent shall consult with RailCorp to reach agreement on the detailed design and operational aspects of the rail and road infrastructure component of the project on RailCorp land. Design details shall include, but not be limited to:</p> <ul style="list-style-type: none"> a) the length of trains the rail facilities will be able to accept; b) track layouts; c) methods to be implemented to remove the remains of the former bridge abutment to allow for the rail connection; d) position and clearance of proposed rail tracks; e) position and clearance of the main railway line; f) works required to Wentworth Street to link with the new road bridge; g) position and clearance requirements of the marshalling yard tracks, internal access roads, turnouts and overhead structures in relation to the proposed road bridge; and h) measures to treat any safety issues associated with the proposed new connections or road bridge. <p>All works associated with rail and road infrastructure on RailCorp land shall be undertaken in accordance with the agreement reached with RailCorp.</p>	-	This falls outside of the current audit period.	Not Triggered
Coordination and Management of Transport Issues				
2.12	<p>The Proponent shall establish and maintain for the life of the project, unless otherwise agreed by the Planning Secretary, 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 RMS, Strathfield Municipal Council and Canterbury Bankstown 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.</p>	<p>Interview with Auditees 07/12/21 NSW Ports Response to RFI – RFI Register</p>	<p>The Environment Manager reported that two RTCG meetings were held in FY21. Meeting No. 35 - 22 June 2021 (Minutes The HOLD doc no. 8466265). Meeting No. 36 - 18 October 2021 (Minutes The HOLD doc. no. 8848336).</p>	Compliant
Noise Impacts				
2.13	<p>The Proponent shall minimise noise emissions from plant and equipment operated on the site by installing and maintaining, wherever practicable, efficient silencers, lownoise mufflers (residential standard) and by replacing reversing alarms with alternative silent measures, such as flashing lights (subject to occupational health and safety requirements).</p>	<p>Site Inspection 07/12/21 Interview with Auditees 07/12/21 Protect – Online Complaints Register - current to 07/12/21</p>	<p>One noise complaint was logged in the complaints register. The issue was raised from a Council Ranger and then brought to the notice of NSW Ports. The complaint originated from numerous residents and related to container and handling but it could not be determined of the noise originated from the ILC on 18 August 2021. The Environment Manager reported that at the time of the issue there was insufficient information concerning source of noise. On-site generators sighted are silenced generators. The site is set up in a way that limits vehicles reversing requirements. The auditees advise that quackers were blitzed in previous years and not an issue this year. NSW Ports inspection regime includes check for beepers.</p>	Compliant
Construction Noise				
2.14	<p>The Proponent shall, as soon as practicable during site preparation, and prior to the commencement of construction of rail trackwork and hardstand for the intermodal terminal, empty container and warehousing components of the project, install earth mound noise barriers in the south east of the site, as generally described in the documents referred to under condition 1.1 of this approval.</p>	-	This falls outside of the current audit period.	Not Triggered
2.14A	<p>In the event that the Proponent is required to construct a temporary noise wall using empty containers to mitigate noise from operations occurring in the southern portion of the site and prior to the construction of Warehouse A, the Proponent shall ensure that the temporary noise wall is installed during the hours prescribed in condition 2.15.</p>	-	These works have not yet been required. This falls outside of the current audit period.	Not Triggered

Unique ID	Condition	Evidence	Findings and Recommendations	Compliance Status																																																																																																							
2.15	The Proponent shall only undertake site preparation and construction activities associated with the project that would generate an audible noise at any residential premises during the following hours: a) 7:00 am to 6:00 pm, Mondays to Fridays, inclusive; b) 8:00 am to 1:00 pm on Saturdays; and c) c) at no time on Sundays or public holidays. This condition does not apply in the event of a direction from police or other relevant authority for safety reasons	-	No construction activities during the audit period.	Not Triggered																																																																																																							
2.16	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 Planning Secretary. 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 Planning Secretary 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.	-	No construction activities during the audit period.	Not Triggered																																																																																																							
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2.17	The Proponent shall design, construct, operate and maintain the project to ensure that the operational noise contributions from the project do not exceed the maximum allowable noise contributions specified in Table 3 below, at those locations and during those periods indicated. The maximum allowable noise contributions apply under: a) wind speeds up to 3 ms ⁻¹ (measured at 10 metres above ground level); or b) temperature inversion conditions up to 3oC per 100 metres and wind speeds up to 2 ms ⁻¹ (measured at 10 metres above ground level). Table 3 – Maximum Allowable Noise Contribution (dBA) <table border="1"> <thead> <tr> <th rowspan="2">Location</th> <th colspan="2">Day 7:00am to 6:00pm on any day</th> <th colspan="2">Evening 6:00pm to 10:00pm on any day</th> <th colspan="3">Night 10:00pm to 7:00am on any day</th> </tr> <tr> <th>L_{Aeq} (15-minute)</th> <th>L_{Aeq} (period)</th> <th>L_{Aeq} (15-minute)</th> <th>L_{Aeq} (period)</th> <th>L_{Aeq} (15-minute)</th> <th>L_{Aeq} (period)</th> <th>L_{A1} (1-minute)</th> </tr> </thead> <tbody> <tr> <td>A1 – Eastern end of Jean Street</td> <td>54</td> <td>54</td> <td>54</td> <td>49</td> <td>48</td> <td>42</td> <td>58</td> </tr> <tr> <td>A2 – Eastern end of Ivy Street</td> <td>53</td> <td>52</td> <td>52</td> <td>51</td> <td>47</td> <td>45</td> <td>57</td> </tr> <tr> <td>A3 – Wentworth Street (south)</td> <td>49</td> <td>52</td> <td>47</td> <td>53</td> <td>42</td> <td>38</td> <td>52</td> </tr> <tr> <td>A4 – Eastern end of Gregory Street</td> <td>49</td> <td>52</td> <td>47</td> <td>46</td> <td>45</td> <td>37</td> <td>55</td> </tr> <tr> <td>A5 – Western end of Blanche Street</td> <td>46</td> <td>58</td> <td>46</td> <td>50</td> <td>43</td> <td>43</td> <td>53</td> </tr> <tr> <td>A6 – 40 Bazentin Street</td> <td>46</td> <td>58</td> <td>45</td> <td>54</td> <td>41</td> <td>39</td> <td>51</td> </tr> <tr> <td>A11 – Begnell Park</td> <td>-</td> <td>50</td> <td>-</td> <td>50</td> <td>-</td> <td>50</td> <td>-</td> </tr> <tr> <td>A12 – Matthew Park*</td> <td>-</td> <td>50</td> <td>-</td> <td>50</td> <td>-</td> <td>50</td> <td>-</td> </tr> <tr> <td>A13 – Greenacre Bowling Club</td> <td>-</td> <td>55</td> <td>-</td> <td>55</td> <td>-</td> <td>55</td> <td>-</td> </tr> <tr> <td>A14 – Strathfield High School (internal)</td> <td>-</td> <td>35</td> <td>-</td> <td>-</td> <td>-</td> <td>-</td> <td>-</td> </tr> <tr> <td>A15 – St Anne’s School (internal)</td> <td>-</td> <td>35</td> <td>-</td> <td>-</td> <td>-</td> <td>-</td> <td>-</td> </tr> </tbody> </table> <p>*it is noted that the location Matthew Park no longer exists and has been developed for commercial retail use, and no other recreational areas are in the vicinity.</p>	Location	Day 7:00am to 6:00pm on any day		Evening 6:00pm to 10:00pm on any day		Night 10:00pm to 7:00am on any day			L _{Aeq} (15-minute)	L _{Aeq} (period)	L _{Aeq} (15-minute)	L _{Aeq} (period)	L _{Aeq} (15-minute)	L _{Aeq} (period)	L _{A1} (1-minute)	A1 – Eastern end of Jean Street	54	54	54	49	48	42	58	A2 – Eastern end of Ivy Street	53	52	52	51	47	45	57	A3 – Wentworth Street (south)	49	52	47	53	42	38	52	A4 – Eastern end of Gregory Street	49	52	47	46	45	37	55	A5 – Western end of Blanche Street	46	58	46	50	43	43	53	A6 – 40 Bazentin Street	46	58	45	54	41	39	51	A11 – Begnell Park	-	50	-	50	-	50	-	A12 – Matthew Park*	-	50	-	50	-	50	-	A13 – Greenacre Bowling Club	-	55	-	55	-	55	-	A14 – Strathfield High School (internal)	-	35	-	-	-	-	-	A15 – St Anne’s School (internal)	-	35	-	-	-	-	-	Interview with Auditees 07/12/21 Photographs of Installation of Noise Monitor Site Inspection 07/12/21	One noise complaint was reported during the audit period. Containers were observed to be stacked five high in a compound around operations at the LINX site shielding receivers from potential noise generating impacts. Real-time noise monitor installed in June 2021. Located at entrance to Cooks Park. The monitor records and allows playback of recorded noise. There are plans to install two additional monitors on building roofs within the ILC. Sighted online Sound Science Dashboard.	Compliant
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Unique ID	Condition	Evidence	Findings and Recommendations	Compliance Status
2.18	<p>For the purpose of assessment of noise contributions specified under condition 2.17 of this consent, noise from the development shall be:</p> <ul style="list-style-type: none"> a) measured at the most affected point on or within the site boundary at the most sensitive locations to determine compliance with LAeq(15-minute) and LAeq(period) noise limits; b) measured in the free field at least 3.5 metres from any vertical reflecting surface in line with the worst-affected dwelling façade to determine compliance with LA1(1- minute) noise limits; and c) subject to the modification factors provided in Section 4 of the <i>New South Wales Industrial Noise Policy</i> (EPA, 2017), where applicable. <p>Notwithstanding, should direct measurement of noise from the development be impractical, the Proponent may employ an alternative noise assessment method deemed acceptable by the EPA (refer to Section 11 of the <i>Noise Policy for Industry New South Wales</i> (EPA, 2000)). Details of such an alternative noise assessment method accepted by the EPA shall be submitted to the <i>Planning Secretary</i> prior to the implementation of the assessment method.</p>	Interview with Auditees 07/12/21	The last noise audit was conducted in 2017 and was the only assessment of operational noise since that time. The audit report at that time concluded that compliance with the noise limits was being achieved.	Compliant
2.19	To avoid any doubt, the Proponent shall ensure that locomotives located on the site and associated with the 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 occurring on the site.	LINX Enfield Intermodal Terminal Operational Environmental Management Plan, Rev 4, 21/09/2020 Protect – Online Complaints Register - current to 07/12/21	<p>Modification 12 was completed to manage shunting operations which reduced noise impacts from shunting. Management of noise is included in the LINX OEMP.</p> <p>The last noise audit was conducted in 2017 and was the only assessment of operational noise since that time. The audit report at that time concluded that compliance with the noise limits was being achieved.</p> <p>One noise complaint was logged in the complaints register. The issue was raised from a Council Ranger and then brought to the notice of NSW Ports. The complaint from numerous residents related to container and handling but it could not be determined if the noise originated from the ILC 18 August 2021. The Environment Manager reported that at the time of the issue there was insufficient information concerning source of noise.</p>	Compliant
2.19A	The Proponent shall implement noise mitigation measures generally in accordance with the measures identified in the document listed in condition 1.1j). In relation to the north-western noise wall, the Proponent shall implement as part of the design and construction of this wall, mitigation measures to minimise potential reflective noise on its western face.	-	This falls outside of the current audit period.	Not Triggered
Air Quality Impacts				
2.20	<p>The Proponent shall install, operate and maintain a meteorological monitoring station to monitor weather conditions representative of those on the site, in accordance with:</p> <ul style="list-style-type: none"> a) AM-1 Guide to Siting of Sampling Units (AS 2922-1987); b) AM-2 Guide for Horizontal Measurement of Wind for Air Quality Applications (AS 2923-1987); and c) AM-4 On-Site Meteorological Monitoring Program Guidance for Regulatory Modelling Applications. <p>The Proponent shall install the meteorological monitoring station prior to the commencement of site preparation or construction works and shall use the station to undertake the monitoring required under condition 3.1 of this approval, until all large exposed areas have either been landscaped or sealed.</p> <p>This condition does not preclude the Proponent from reaching agreement with any other relevant party for the installation, operation and maintenance of a shared monitoring station, provided the outcomes of this condition are achieved.</p> <p>During periods of repair or maintenance of the meteorological monitoring station, the Proponent may utilise weather data collected at the Canterbury Racecourse Automatic Weather Station, operated by the Bureau of Meteorology, or other nearby Bureau of Meteorology Stations in the event that the Canterbury station is offline.</p>	-	This falls outside of the current audit period. The Project footprint is now largely sealed.	Not Triggered
Odour				
2.21	The Proponent shall not permit any offensive odour, as defined under section 129 of the <i>Protection of the Environment Operations Act 1997</i> , to be emitted beyond the boundary of land owned by the Proponent (the site the subject of this approval).	Site Inspection 07/12/21 Protect – Online Complaints Register - current to 07/12/21	No odour was observed during the site inspection. No complaints were received during the audit period.	Compliant

Unique ID	Condition	Evidence	Findings and Recommendations	Compliance Status
2.22	The Proponent shall design, construct, commission, operate and maintain the project in a manner that minimises or prevents the emission of dust from the site including wind blown and traffic generated dust.	Site Inspection 07/12/21 Protect – Online Complaints Register - current to 07/12/21	Internal roads areas were sealed and free of dust. Undeveloped land in Precinct A was observed to be sealed with grass / vegetation that and only accessible to security and NSW Ports staff and their contractors/consultants. No dust generation was observed during the site inspection. No complaints were received during the audit period concerning dust.	Compliant
2.23	The Proponent shall take all practicable measures to ensure that all vehicles entering or leaving the site, carrying a load that may generate dust, are covered at all times, except during loading and unloading. Any such vehicles shall be covered or enclosed in a manner that will prevent emissions of dust from the vehicle at all times, to the extent practicable.	Site Inspection 07/12/21 Protect – Online Complaints Register - current to 07/12/21	No spoil movements occurred during the audit period. Internal roads areas were sealed and free of dust. Undeveloped land in Precinct A was observed to be sealed with grass / vegetation that and only accessible to security and NSW Ports staff and their contractors/consultants. No dust generation was observed during the site inspection. No complaints were received during the audit period.	Compliant
2.24	All activities on the site shall be undertaken with the objective of preventing visible emissions of dust beyond the boundary of the site. Should such visible dust emissions occur at any time, the Proponent shall identify and implement all practicable dust mitigation measures, including cessation of relevant works, as appropriate, such that emissions of visible dust cease.	Site Inspection 07/12/21 Protect – Online Complaints Register - current to 07/12/21 Enfield ILC Overarching Operational Environmental Management Plan Enfield Intermodal Logistics Centre NSW Ports July 2020 Version 6 LINX Enfield Intermodal Terminal Operational Environmental Management Plan, September 2019 Mapei Australia, Operational Environmental Management Plan, Precinct H – Warehouse H1, January 2020, Rev 1.0 Marinucci, Operational Environmental Management Plan, Precinct H – Warehouse H3, January 2020, Rev 1.0 Sydney Food & Packaging, Operational Environmental Management Plan, Precinct H – Warehouse 2, January 2020, Rev 1.0	Dust management is included in the intermodal OEMPs. No spoil movements occurred during the audit period. Internal roads areas were sealed and free of dust. Undeveloped land in Precinct A was observed to be sealed with grass / vegetation that and only accessible to security and NSW Ports staff and their contractors/consultants.	Compliant
2.25	The Proponent shall manage, maintain and use internal haulage roads in order to prevent dust emissions. The measures to be implemented for the management of potential dust emissions from internal roads during construction shall be incorporated in the Construction Environmental Management Plan required under condition 6.3.	Site Inspection 07/12/21 Interview with Auditees 07/12/21	No construction occurred during the audit period.	Not Triggered
2.26	The Proponent shall apply and enforce a 25 km/ h speed limit on the site during site preparation and construction works to minimise the potential for dust generation.	Site Inspection 07/12/21 Interview with Auditees 07/12/21	No construction occurred during the audit period.	Not Triggered
2.27	The Proponent shall ensure that all vehicles and equipment directly associated with site preparation and construction works (as distinct from passenger vehicles) pass through a wheel wash prior to leaving the site.	Interview with Auditees 07/12/21 Site Inspection 07/12/21	Precinct H was in final stages of construction in the audit period which was wholly contained within the intermodal. Inspection records indicate use of shaker grid.	Not Triggered
Water Quality and Hydrological Impacts				
2.28	Except as may be expressly provided under an Environment Protection Licence applicable to the project, the Proponent shall comply with section 120 of the <i>Protection of the Environment Operations Act 1997</i> which prohibits the pollution of waters.	Interview with Auditees 07/12/21 Site Inspection 07/12/21	One incident occurred during the audit period, which related to a forklift tip over at ACFS. The Environment Manager reported that there was no threat of material harm to people property or the environment as a result of the incident. No operational issues concerning water management.	Compliant
2.29	Soil and water management controls shall be employed to minimise soil erosion and the discharge of sediment and other pollutants to lands and/or waters during site preparation and construction activities, in accordance with Landcom's <i>Managing Urban Stormwater: Soils and Construction</i> .	Interview with Auditees 07/12/21 Site Inspection 07/12/21	No site preparation or construction activities occurred during the reporting period.	Compliant

Unique ID	Condition	Evidence	Findings and Recommendations	Compliance Status
2.30	All stockpiled construction materials shall be adequately located, stabilised and maintained to prevent erosion or dispersal of the materials.	Site Inspection 07/12/21	Legacy stockpiles held on site were observed suitably isolated and stabilized in Precinct A	Compliant
2.31	The Proponent shall construct and maintain stormwater detention basins on the site, generally consistent with the basin sizes/ locations presented in the document referred to under conditions 1.1m) and 1.1n) of this approval. Opportunities to reuse stormwater from detention basins for ecological areas or for site operations shall be investigated during detailed design of the project, and where practicable, the Proponent shall utilise collected water preferentially to external potable water supplies for operational activities on the site, subject to testing to confirm the suitability of collected water quality.	Interview with Auditees 07/12/21 Site Inspection 07/12/21 GW Environmental, Enfield Intermodal Logistics Centre – November 2021 Environmental Report Basins GW Environmental, Enfield Intermodal Logistics Centre – October 2021 Environmental Report Basins	The site was designed and constructed to include the basins. The maintenance is described in the LEAMP and delivered in maintenance contracts by GW Environmental. October 2021 and November 2021 Basins Reports confirmed that retention Basins B, D and F appear to be functioning correctly. The report addressed stability and integrity, no scouring was observed in the basins. The report identified that where required the basins had been slashed and sprayed. The project to install holding tanks and pumps to the frog ponds was completed during the audit period and observed during the site inspection.	Compliant
2.32	All quarantine and 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.	Site Inspection 07/12/21 Interview with Auditees 07/12/21 LINX Enfield Intermodal Terminal Operational Environmental Management Plan, Rev 4, 21/09/2020 Wastewater Treatment Plant - Container Wash and Water Recycling System Schematics	No construction or connections were required during the audit period. There have been no changes to developments that commenced operations prior to the current audit period. The LINX OEMP identifies the quarantine area wash bay process. Waters are collected then disposed of off-site as liquid waste, as required. The container and plant washdown facility, water treatment plant and the quarantine container wash bay at the ACFS Port Logistics (ACFS) site were not in operation at the time of the site inspection.	Compliant
2.33	The Proponent shall design, install, maintain and operate rainwater tanks for the collection of water for domestic uses on the site. Collected rainwater shall be used preferentially to external potable water supplies.	Precinct H Occupation Certificate, OC 20073 Site Inspection 07/12/21 Interview with Auditees 07/12/21	There have been no changes to developments that commenced operations prior to the current audit period. An Occupation Certificate was issued by the Certifier which verifies that the rainwater harvest and reuse system has been installed.	Compliant
Heritage Impacts and Management				
2.34	Except for necessary stabilisation works agreed in consultation with the OEH (Heritage Division), the Proponent is not permitted to destroy, modify or otherwise physically affect the Tarpaulin Factory as part of this approval. 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 <i>Environmental Planning and Assessment Act 1979</i> .	DA 2016/132, Strathfield Council LEC decision 2017/00202403 Site Inspection 07/12/21 Interview with Auditees 07/12/21	No change from the previous audit. The site has not been disturbed by NSW Ports. A separate application for the fit out and use of the former tarpaulin shed was refused by Strathfield Council then approved by the Land Environment Court in 2017. New tenants are planned, a lease has been signed but no approved DA for the proposed business. Currently modified and re-submitted.	Compliant
2.35	The Proponent shall relocate and maintain the Pillar Water Tank to an appropriate location within the site, determined in consultation with the OEH (Heritage Division).	-	Relocation and consultation falls outside of the current audit period. Repairs & reassembly of Pillar Water tank completed August 2013.	Not Triggered
2.36	The Proponent shall undertake such works as may be necessary to stabilise the Pillar Water Tank as part of the relocation of that heritage item on the site. The Proponent shall consult with the OEH (Heritage Division) prior to undertaking any stabilisation works to ensure that the works do not adversely affect the heritage values of the item.	-	Relocation and consultation falls outside of the current audit period. Repairs & reassembly of Pillar Water tank completed August 2013.	Not Triggered
2.37	The Proponent shall relocate and maintain the Pedestrian Footbridge, if feasible, to an appropriate location within the site, determined in consultation with the OEH (Heritage Division). Where the Pedestrian Footbridge cannot be feasibly relocated within the site, the Proponent shall arrange for the relocation of the Pedestrian Footbridge to an external heritage organisation, determined in consultation with the OEH (Heritage Division).	-	This falls outside of the current audit period.	Not Triggered
2.38	The Proponent is permitted to destroy the Yard Master's Office, the Administration Building, and the Wagon Repair Shed (and associated Gantry Crane). Prior to the destruction of these items, the Proponent shall engage an independent, qualified heritage expert to prepare an archival recording of these items in accordance with OEH (Heritage Division) guidelines. Destruction of these items shall not commence until the OEH (Heritage Division) has indicated its satisfaction with the archival recordings and the recordings have been lodged with the Strathfield Public Library, or other repository agreed by the Planning Secretary.	-	This falls outside of the current audit period.	Not Triggered

Unique ID	Condition	Evidence	Findings and Recommendations	Compliance Status
Waste Generation and Management				
2.39	All waste materials removed from the site shall only be directed to a waste management facility lawfully permitted to accept the materials.	<p>Linx Cleanaway Consolidated Report cover page and transaction page dated Oct 2020. Reports not sighted.</p> <p>Remondis Waste Report 2019-20 D&N Rubber Refinery docket dated 22/09/20 and invoice dated 27/10/20.</p> <p>NSW EPA Transport Certificate dated 01/12/20 to 30/11/21.</p> <p>Tyrecycle, Collection TZ27133, 08/12/21</p> <p>Tyrecycle, Collection TZ27154, 09/12/21</p>	<p>Observation</p> <p>Tyres were observed to be stockpiled at the Swift site awaiting collection. The tyres were removed on 8 and 9 December 2021.</p> <p>NSW Ports only generates general office waste and maintenance material waste (GSW putrescible and non-putrescible). Both are pre-classified under the Waste Classification Guidelines. Remondis reports identify the waste types, volumes and % recycled and landfilled.</p> <p>D&N Rubber Refinery docket from Swift and invoice demonstrate light and heavy vehicle tyre disposal. Facility EPL no. 21142 permits waste tyre recycling.</p> <p>Transport Certificate to Environmental Treatment Solutions (ETS) demonstrates waste hydrocarbon and spill sorb transport to a licenced storage facility. ETS Waste Transport licence 13157 in Minto and Waste Storage licence 20696 in Minto and Waste Processing licence 13230 in Blaney.</p>	Compliant
2.40	The Proponent shall ensure that all liquid and/ or non-liquid waste generated, stored on the site or disposed of, is assessed and classified in accordance with the Waste Classification Guidelines (EPA, 2014).	<p>Site Inspection 07/12/21</p> <p>Email – Bingo Industries to Swift, Swift Transport Pty Ltd, 10/12/21 @13:24</p> <p>Email – Swift to NSW Ports, Swift Transport Pty Ltd, 10/12/21 @13:36</p>	<p>Observation</p> <p>Three Intermediate Bulk Containers without secondary containment and four 250 Litre steel waste oil drums on a spill pallet were observed in overgrown vegetation at the Swift site. Sighted an email from Bingo Industries dated 10 December 2021 noting that the liquid waste could not be removed from site until early January 2022. An from Swift to NSW Ports dated 10 December 2021 noted that an initial request for removal of the liquid waste was made in September 2021 but was not possible due to back log. Confirmation of the disposal of these items to appropriately licensed facilities was not available to the Auditor for review.</p> <p>NSW Ports only generates general office waste and maintenance material waste (GSW putrescible and non-putrescible). Both are pre-classified under the Waste Classification Guidelines. Remondis reports identify the waste types, volumes and % recycled and landfilled.</p> <p>Waste on site was generally well stored, segregated, marked.</p>	Compliant
2.41	The Proponent shall ensure that the transport of any hazardous and/ or industrial and/ or Group A waste from the site is conducted strictly in accordance with any requirements that may be specified by the EPA in relation to the transport of those wastes.	Interview with Auditees 07/12/21	The Environment Manager reported that hazardous and/ or industrial and/ or Group A waste did not occur during the audit period.	Not Triggered
2.42	The Proponent shall ensure that contaminated areas of the site that are disturbed by construction works associated with the project are remediated prior to the commencement of project operations at these areas. All remediation works shall be undertaken in accordance with the requirements of the <i>Contaminated Land Management Act 1997</i> and <i>Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites</i> (EPA, 2011).	https://www.nswports.com.au/enfield-intermodal-logistics-centre-environmental-management	No remediation works were undertaken during the audit period.	Not Triggered
2.43	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 Planning Secretary 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 and including any associated long term environmental management plan (LTEMP) is to be submitted to the Planning Secretary prior to operation of the remediated site(s).	https://www.nswports.com.au/enfield-intermodal-logistics-centre-environmental-management	No remediation works were undertaken during the audit period. It is understood that progressive Site Audit Statements have been prepared. Other than Precinct H, no Site Audit Statements have been initiated, or are in process or finalized during the audit period.	Not Triggered
2.43A	Prior to commencement of works approved under DA 2016/132 for construction and operation of a garden centre and hardware and building supplies facility, a final Site Audit Statement for the Tarpaulin Factory Site must be prepared by an accredited Site Auditor certifying that the contaminated areas have been suitably remediated. The Site Audit Statement is to be submitted to the Secretary and Strathfield Council. In addition, a plan showing the extent of remediation within the Tarpaulin Factory Site is to be provided to the Secretary.	DA 2016/132, Strathfield Council	A separate application for the Fit out and use of the former tarpaulin shed was refused by Strathfield Council then approved by the Land Environment Court in 2017. The site was not disturbed by NSW Ports during the audit period.	Not Triggered

Unique ID	Condition	Evidence	Findings and Recommendations	Compliance Status
2.43B	Within one month of remediation of the Tarpaulin Factory Site, a long-term contamination management plan is to be submitted to the Secretary for approval. The plan is to be implemented for the duration of operation of the development approved under DA 2016/132.	DA 2016/132, Strathfield Council	A separate application for the Fit out and use of the former tarpaulin shed was refused by Strathfield Council then approved by the Land Environment Court in 2017. The site was disturbed by NSW Ports during the audit period.	Not Triggered
2.43C	Prior to commencement of operation of the development permitted as part of the approval of MP 05_0147 MOD 14, a Validation Report is to be prepared by an Environmental Consultant, and a final Site Audit Statement for the warehousing precincts must be prepared by a NSW EPA accredited site auditor stating that the contaminated areas have been remediated to a standard suitable for the proposed use. The Validation Report and the Site Audit Statement are to be submitted to the Planning Secretary and Strathfield Council. A plan showing the extent of remediation in the warehousing precinct is also to be provided to the Planning Secretary.	https://www.nswports.com.au/enfield-intermodal-logistics-centre-environmental-management	The Precinct H Site Audit Report and Statement verified that the site is fit for future use subject to ongoing implementation of the LTEMP. The SAR, SAS and LTEMP was submitted to the EPA, Council and the Planning Secretary.	Not Triggered
2.44	The Proponent shall manage any asbestos or asbestos-contaminated materials that may be uncovered during the construction, commissioning and operation of the project strictly in accordance with the requirements under Protection of the Environment Operations (Waste) Regulation 2014 and any guidelines or requirements issued by the EPA in relation to those materials.	Interview with Auditees 07/12/21 Site Inspection 07/12/21	The Environment Manager reported that no ACM has been disposed during the audit period.	Compliant
Visual Amenity and Urban Design				
2.45	The Proponent shall ensure that all structures on the site are designed, constructed and maintained to maximise, where practicable, the use of natural ventilation and natural lighting, and to minimise energy consumption associated with heating, cooling and lighting.	Site Inspection 07/12/21 NSW Ports and Goodman Correspondence dated 08/12/20 with design drawing attachments.	No construction works occurred during the audit period. The previous IA report comments remain valid concerning sustainability design elements being included such as LED lighting, lighting PE cells and timeclocks, bathroom lighting motion sensors, solar panel installation and translucent roof and wall sheeting. Warehouses were observed to include clear panels and louvres for lighting and ventilation.	Compliant
2.46	The Proponent shall ensure that all external lighting installed as part of the project is mounted, screened, and directed in such a manner so as not to create a nuisance to surrounding land uses. The lighting shall be the minimum level of illumination necessary, and be in general accordance with the latest version of AS 4282 – 1997 <i>Control of the Obtrusive Effects of Outdoor Lighting</i> .	Site Inspection 07/12/21 Protect – Online Complaints Register - current to 07/12/21	Lighting sighted during the site inspection was directed down internal to the site. No complaints received during the audit period concerning light.	Compliant
2.47	Prior to the commencement of construction of each warehouse associated with the project (refer to condition 1.6 of this approval), the Proponent shall submit, for the approval of the Planning Secretary, details of the external façade for the warehouse, including demonstration of the façade(s) on an external finishing board. The finishing board shall clearly show the materials to be used for the building façade including details of external treatments of the warehouse (such as painting, and other external features aimed at reducing the bulk of the building and to improve the general appearance of the project). The finishing board shall demonstrate that the external treatments of the warehouse are non-reflective and of sufficient design quality to minimise the visual affects of the project, as far as is reasonable and feasible.	Site Inspection 07/12/21	No construction commenced during the audit period.	Not Triggered

Unique ID	Condition	Evidence	Findings and Recommendations	Compliance Status
Ecological Impacts				
2.48	<p>The Proponent shall implement all of the relevant actions for the site recommended in the <i>Management Plan for the Green and Golden Bell Frog Key Population at Greenacre</i> (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>These actions shall be incorporated within both the Construction Environmental Management Plan (refer to condition 6.2) and the Operation Environmental Management Plan (refer to condition 6.4) as relevant, including provisions for monitoring the outcomes of these actions and periodically reporting outcomes to OEH at a frequency agreed with OEH.</p>	<p>Enfield ILC Overarching Operational Environmental Management Plan Enfield Intermodal Logistics Centre NSW Ports July 2020 Version 6 Enfield ILC Landscape and Ecological Area Management Plan Enfield Intermodal Logistics Centre NSW Ports August 2020 Version 3 Site Inspection 07/12/21 GW Environmental, Report GGBF Ponds, May, June, July, August, September, October, November 2021 Frog Survey and Assessment of Frog Habitat ILC Site, Enfield, December 2020 & 2021 GW Environmental, Enfield ILC October 2021 LEAMP Conditions</p>	<p>Observation A compliance report for the LEAMP prepared in October 2021 identified that CoC 2.48(b), the provision of linkages from the former Railcorp ponds, was non-compliant as a strategy was in the process of being developed. Implement provisions for linkages to the former Railcorp ponds.</p> <p>These control measures have been incorporated into the OEMP and LEAMP. The ecological area is in place and largely remains unchanged from previous audit periods. The area was suitably secured and signposted. Sighted a compliance status report prepared by GW Environmental for October 2021. The report identified that five habitat structures remain intact and are continually maintained to avoid kikuyu overgrowing the structures (a). The report confirmed that no herbicide was being used on site and that Weeds of National Significance (WONS) and Priority Weed (Biosecurity Act 2015) have not been able to be successfully treated due to restrictions in herbicide application. Maintenance conducted by GW appears to adopt these requirements. GW commenced work on-site in March 2021.</p>	Compliant
2.48A	<p>The Proponent shall implement the mitigation measures identified in Section 7.1 of the <i>ILC at Enfield Impact Assessment on Green and Golden Bell Frogs: Addition of Fill Material to Mt Enfield</i> (Biosphere Environmental Consultants Pty Ltd, 2011), supplementary letter of advice dated 10 January 2018 (Biosphere Consultants Pty Ltd, 2011), and the following:</p> <ul style="list-style-type: none"> a) the installation of an exclusion fence to help prevent frogs from entering the construction site; b) the installation of silt fences and silt trapping devices prior to any earthworks, and the use of dust suppression methods throughout construction, to prevent wind-blown dust from entering the frog habitat area c) the establishment of run-off barriers between the construction areas and the frog habitat area, to prevent accidental spills and/or stormwater waste from entering the frog habitat area; d) the installation of visual screens to minimise light spill into the frog habitat area, from night construction works; e) the demarcation of the frog habitat area as a “no go” area, using barrier bunting and signs that indicate the significance of the area and that the site is off limits to people, machinery and plant equipment; f) the installation of an exclusion fence to help prevent frogs from entering the operational areas; g) the installation of diversion bunds to ensure hazardous liquids can never enter the frog habitat area; and h) the installation of visual screens to minimise light spill into the frog habitat area, from trucks and plant equipment operating throughout the night. <p>These actions shall be incorporated within the Construction Environmental Management Plan (condition 6.2 of this approval) and the Operation Environment Management Plan (condition 6.4 of this approval), as relevant.</p>	<p>Enfield ILC Overarching Operational Environmental Management Plan Enfield Intermodal Logistics Centre NSW Ports July 2020 Version 6 Site Inspection 07/12/21 GW Environmental, Report GGBF Ponds, May, June, July, August, September, October, November 2021 Frog Survey and Assessment of Frog Habitat ILC Site, Enfield, December 2020 & 2021 GW Environmental, Enfield ILC October 2021 LEAMP Conditions</p>	<p>These controls have been incorporated into the OEMP and LEAMP</p> <ul style="list-style-type: none"> a) This relates to construction which was completed prior to the audit period. b) This relates to construction which was completed prior to the audit period. c) This relates to construction which was completed prior to the audit period. d) Fencing and signage was observed to be in place during the inspection. e) New fencing had been keyed in at the time of the audit (see photo). f) The ponds are designed to prevent other liquids from entering the habitat area. g) This relates to construction which was completed prior to the audit period. h) This relates to construction which was completed prior to the audit period. <p>The 2021 frog impact survey and assessment notes that maintenance works have proceeded well in the frog habitat area and that the area is much more suitable for occupancy by the GGBF than at any time over the last fifteen years.</p>	Compliant
Hazards, Risk and Land Use Safety				
2.49	All demolition work shall be carried out in accordance with <i>AS 2601-2001 The Demolition of Structures</i> .	<p>Enfield ILC Compliance Tracking Annual Report 2020, November 2020, Version 1 Site Inspection 07/12/21</p>	No demolition occurred during the audit period.	Not Triggered

Unique ID	Condition	Evidence	Findings and Recommendations	Compliance Status																								
2.50	The Proponent shall store and handle all dangerous goods (not being unopened, containerised goods), as defined by the Australian Dangerous Goods Code, strictly in accordance with: <ul style="list-style-type: none"> a) all relevant Australian Standards; b) a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and c) the DECC's Environment Protection Manual Technical Bulletin <i>Bundling and Spill Management</i>. d) In the event of an inconsistency between the requirements listed from a) to c) above, the most stringent requirement shall prevail to the extent of the inconsistency. 	Site Inspection 07/12/21	The storage of dangerous goods and liquids appeared to be compliant with the Standards other than that observed in item (c) below. SDSs were available. Bundling appeared to 110% of the largest vessel. Aboveground Storage Tanks were observed to be double skinned at Swift and ACFS sites.	Compliant																								
2.51	The Proponent shall investigate, in consultation with relevant emergency services, whether additional measures are required along Cosgrove Road, including parking restrictions, to ensure clear and safe access to the site in the event of an emergency.	-	This falls outside of the audit period. No additional parking required by the proponent.	Not Triggered																								
2.51A	Prior to commencement of spoil transportation and spoil disposal associated with Mt Enfield requiring the crossing of the Ethylene pipeline, the Proponent shall in consultation with Qenos Pty Ltd, determine truck crossing points of the pipeline and any required works to protect the pipeline.	-	This falls outside of the audit period.	Not Triggered																								
Community Infrastructure and Enhancements																												
2.52	Prior to the commencement of operation of the project, the Proponent shall develop in consultation with Strathfield Municipal Council and Canterbury Bankstown Council, a Community Enhancement Program to fund (or provide in kind) community infrastructure and services in and around the project, with a specific focus on provision of such infrastructure and services for communities in Greenacre and South Strathfield. The Proponent shall contribute \$1 million to the Program (in 2007 terms), with agreed works to be completed within two years of the commencement of construction of the project, unless otherwise agreed by the parties. Unless otherwise agreed by the Planning Secretary, funding for enhancement works shall be apportioned at the rate of 30% for works within the Strathfield local government area, and 70% for works within the Bankstown local government area. In the event that any aspect of the Program cannot be agreed between the parties, the matter may be referred to the Planning Secretary for resolution. The Planning Secretary's resolution of any disagreement shall be final and binding on all parties.	-	This falls outside of the audit period.	Not Triggered																								
3. ENVIRONMENTAL MONITORING AND AUDITING																												
Meteorological Monitoring																												
3.1	From the commencement of site preparation and construction works associated with the project, the Proponent shall continuously monitor, utilising the meteorological monitoring station referred to under condition 2.20 of this approval, each of the parameters listed in Table 4, utilising the sampling method indicated and applying a 15-minute average period to all results, and recording data in units specified in the Table. Table 4 – Meteorological Monitoring <table border="1"> <thead> <tr> <th>Parameter</th> <th>Units of Measure</th> <th>Sampling Method*</th> <th>Method</th> </tr> </thead> <tbody> <tr> <td>Temperature at two metres</td> <td>°C</td> <td>AM-4</td> <td>USEPA (2000) EPA 454/ R-99-005</td> </tr> <tr> <td>Temperature at ten metres</td> <td>°C</td> <td>AM-4</td> <td>USEPA (2000) EPA 454/ R-99-005</td> </tr> <tr> <td>Wind speed at ten metres</td> <td>ms⁻¹</td> <td>AM-2 and AM-4</td> <td>AS 2923-1987; USEPA (2000) EPA 454/R-99-005</td> </tr> <tr> <td>Wind direction at ten metres</td> <td>°</td> <td>AM-2 and AM-4</td> <td>AS 2923-1987; USEPA (2000) EPA 454/R-99-005</td> </tr> <tr> <td>Solar radiation</td> <td>Wm⁻²</td> <td>AM-4</td> <td>USEPA (2000) EPA 454/ R-99-005</td> </tr> </tbody> </table> <small>*refer Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (EPA, 2005)</small> During periods of repair or maintenance of the meteorological monitoring station, the Proponent may utilise weather data collected at the Canterbury Racecourse Automatic Weather Station, operated by the Bureau of Meteorology, or other nearby Bureau of Meteorology Stations in the event that the Canterbury station is offline.	Parameter	Units of Measure	Sampling Method*	Method	Temperature at two metres	°C	AM-4	USEPA (2000) EPA 454/ R-99-005	Temperature at ten metres	°C	AM-4	USEPA (2000) EPA 454/ R-99-005	Wind speed at ten metres	ms ⁻¹	AM-2 and AM-4	AS 2923-1987; USEPA (2000) EPA 454/R-99-005	Wind direction at ten metres	°	AM-2 and AM-4	AS 2923-1987; USEPA (2000) EPA 454/R-99-005	Solar radiation	Wm ⁻²	AM-4	USEPA (2000) EPA 454/ R-99-005	-	This falls outside of the audit period. CoA 2.20 requires the operation of the weather station only until the site is predominantly sealed.	Not Triggered
Parameter	Units of Measure	Sampling Method*	Method																									
Temperature at two metres	°C	AM-4	USEPA (2000) EPA 454/ R-99-005																									
Temperature at ten metres	°C	AM-4	USEPA (2000) EPA 454/ R-99-005																									
Wind speed at ten metres	ms ⁻¹	AM-2 and AM-4	AS 2923-1987; USEPA (2000) EPA 454/R-99-005																									
Wind direction at ten metres	°	AM-2 and AM-4	AS 2923-1987; USEPA (2000) EPA 454/R-99-005																									
Solar radiation	Wm ⁻²	AM-4	USEPA (2000) EPA 454/ R-99-005																									

Unique ID	Condition	Evidence	Findings and Recommendations	Compliance Status
Construction Dust Monitoring				
3.2	The Proponent shall, from the commencement of soil disturbing works on the site until all large exposed areas have either been landscaped or sealed, continuously monitor ambient dust concentrations (PM10) at two of the most-affected residential receptor(s) to the site (with monitoring undertaken either on the boundary of the site or within the affected residential areas) employing the sampling and analysis methods specified under AM-18 or AS3580.9.8 or as otherwise agreed by the Planning Secretary. Results of dust monitoring shall be recorded in mgm-3 and shall be utilised for the purpose of site preparation and construction dust management under condition 6.3(e) of this approval.	-	This falls outside of the audit period. Construction largely completed prior to audit period.	Not Triggered
Noise Auditing				
3.3	Within 90 days of the project reaching annual throughput of 50,000 TEU, 150,000 TEU and 250,000 TEU, and within commencement of operations in Empty Container Storage Area A, or at such other time as may be directed or agreed by the Planning Secretary, 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. The program shall include, but not necessarily be limited to: <ul style="list-style-type: none"> a) noise monitoring, consistent with the guidelines provided in the <i>New South Wales Industrial Noise Policy</i> (EPA, 2000), to assess compliance with condition 2.17 of this consent; a) methodologies, locations and frequencies for noise monitoring; b) identification of monitoring sites at which pre- and post-project development noise levels can be ascertained; c) details of any complaints received in relation to noise generated by the project; d) an assessment of night-time use of audible alarm systems; e) an assessment of the effectiveness of stacked empty containers as acoustic barriers in Empty Container Storage Area A; f) details of any noise mitigation measures and timetables for implementation; g) a statement of whether the site is in compliance with the noise limits outlined in condition 2.17; and h) recommendations and timetables for implementation for any reasonable and feasible additional measures necessary to ensure compliance with the relevant noise-related conditions of this approval. 	-	This was addressed in 2016/17 and falls outside of the audit period.	Not Triggered
3.4	Within 28 days of conducting the noise monitoring referred to under condition 3.3 of this approval, the Proponent shall provide the Planning Secretary with a copy of the report. If the noise monitoring report identifies any non-compliance with the noise limits specified under this approval, the Proponent shall detail what additional measures would be implemented to ensure compliance, clearly indicating who would implement these measures, when these measures would be implemented, and how the effectiveness of these measures would be measured and reported to the Planning Secretary.	-	This was addressed in 2016/17 and falls outside of the audit period.	Not Triggered
3.5	Following consideration of the outcomes of the noise audits referred to under conditions 3.3 and 3.4 of this approval, the Planning Secretary may require the Proponent to implement additional noise mitigation, monitoring or management measures to address noise associated with the project. The Planning Secretary may require any or all of the measures proposed by the Proponent in the noise audit report, or other measures considered appropriate by the Planning Secretary (including on-site and off-site acoustic treatments, noise bunding, noise walls or noise attenuation works for plant and equipment) to be implemented. The Proponent shall implement the measures required by the Planning Secretary y within such period as the Planning Secretary may specify.	-	CoA 3.3 and 3.4 were addressed in 2016/17. There has been requirement from the Planning Secretary during the audit period.	Not Triggered

Unique ID	Condition	Evidence	Findings and Recommendations	Compliance Status
Traffic Monitoring and Auditing				
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: <ul style="list-style-type: none"> a) provisions for monitoring the throughput of the project; b) 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; c) 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 d) a framework for recording and reporting the outcomes of the Program and a system for considering data generated through the Program. 	Overarching Operational Traffic Management Plan – Enfield Intermodal Logistics Centre NSW Ports July 2020 Version 4 Enfield Intermodal Traffic Survey FINAL REPORT NSW Ports, 11/09/20.	Observation Provision of evidence on whether activities required by the Traffic and Capacity Monitoring program had been conducted during the audit period was not available for review. Section 14 of the OOTMP sets out the monitoring program A traffic survey was completed in 2019 and 2020. It identifies traffic throughputs, type of transport, hours of movements and destinations. The survey considers residential impacts. The throughput of containers (reflective of traffic volumes) is also tracked monthly.	Compliant
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 Planning Secretary , and during a period in which the project is operating under normal operating conditions, a Traffic Audit of the project shall be undertaken by an independent qualified person(s) approved by the Planning Secretary . The Audit shall include, but not necessarily be limited to: <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) 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 RMS, Canterbury Bankstown Council and Strathfield Municipal Council; e) 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 ensures that may be required to manage traffic associated with the project. 	-	This was addressed in 2016/17 and falls outside of the audit period.	Not Triggered
3.8	Within 28 days of conducting the traffic auditing referred to under condition 3.7 of this approval, the Proponent shall provide the Planning Secretary with a copy of the audit report. If the audit report identifies any non-compliance with the traffic predictions, principal heavy vehicle routes or local area traffic management measure outlined in the documents referred to under condition 1.1, or specified under this approval, the Proponent shall detail what additional measures would be implemented to ensure compliance, clearly indicating who would implement these measures, when these measures would be implemented, and how the effectiveness of these measures would be measured and reported to the Planning Secretary .	-	This was addressed in 2016/17 and falls outside of the audit period.	Not Triggered
3.9	Following consideration of the outcomes of the traffic audits referred to under conditions 3.7 and 3.8 of this approval, the Planning Secretary may require the Proponent to implement additional traffic mitigation, monitoring or management measures to address traffic associated with the project. The Planning Secretary may require any or all of the measures proposed by the Proponent in the traffic audit report, or other measures considered appropriate by the Planning Secretary (including additional local area traffic management measures or on-site traffic management controls) to be implemented. The Proponent shall implement the measures required by the Planning Secretary within such period as the Planning Secretary may specify.	-	CoA 3.7 and 3.8 were addressed in 2016/17. There has been requirement from the Planning Secretary during the audit period.	Not Triggered

Unique ID	Condition	Evidence	Findings and Recommendations	Compliance Status
4. COMPLIANCE MONITORING AND TRACKING				
Compliance Tracking Program				
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 against the requirements of this approval; b) provisions for periodic reporting of compliance status to the Planning Secretary; c) a program for independent environmental auditing at least annually, or as otherwise agreed by the Planning Secretary, in accordance with <i>ISO 19011:2002 - Guidelines for Quality and/ or Environmental Management Systems Auditing</i>; and d) mechanisms for rectifying any non-compliance identified during environmental auditing or review of compliance. 	<p>Enfield Intermodal Logistics Centre Compliance Tracking Program 10 November 2017</p> <p>Ardent, Environmental Compliance Audit Report 2021, LINX Enfield Terminal, 21/09/21, Ref: LCC-004</p> <p>Compliance Tracking Spreadsheet Audit and Risk Committee Discussion Paper, 17/06/21</p> <p>WolfPeak, Independent Audit Report, February 2021</p>	<p>Non-compliant</p> <p>The 2021 Compliance Tracking Report had not been submitted to the Department at the time of the 7 December 2021 site inspection. Section 2.2 of the Compliance Tracking Program requires that Compliance Tracking Reporting to be submitted to the Department in November each year.</p> <p>The draft Enfield ILC Compliance Tracking Annual Report 2021, a NSW Ports Audit and Risk Committee (ARC) Discussion Paper and evidence of submission of the previous Independent Audit were requested by the Auditor; however, these were not made available to the Auditor for review.</p> <p>The Compliance Tracking Program was prepared and approved by DPIE prior to the current audit period. Compliance Reporting is captured in the CTP.</p> <p>The previous Compliance Tracking Annual Report was submitted on 22 February 2021.</p> <p>The previous Independent Audit Report was completed in February 2021.</p> <p>The LINX Compliance Audit Report dated 21 September 2021 serves as both the Compliance Report and Independent Audit for its operations and was available for review.</p>	Non-compliant
5. COMMUNITY INFORMATION, CONSULTATION AND INVOLVEMENT				
5.1	Subject to confidentiality, the Proponent shall make all documents required under this approval available for public inspection on request.	<p>https://www.nswports.com.au/enfield-intermodal-logistics-centre</p> <p>https://www.nswports.com.au/community</p>	The Enfield ILC website is comprehensive in publishing documents required under the CoA. NSW Ports reported that any other documents not published are considered confidential.	Compliant
Complaints and Enquiries Procedure				
5.2	<p>Prior to the commencement of construction of the project, the Proponent shall ensure that the following are available for community complaints and enquiries for the life of the project (including construction and operation):</p> <ul style="list-style-type: none"> a) a telephone number on which complaints and enquiries about construction and operational activities at the site may be registered; b) a postal address to which written complaints and enquires may be sent; and c) an email address to which electronic complaints and enquiries may be transmitted. <p>The telephone number, the postal address and the email address shall be displayed on a sign near the entrance to the site, in a position that is clearly visible to the public, and which clearly indicates the purposes of the sign. This information is also to be provided on the Proponent's website.</p>	<p>https://www.nswports.com.au/contact</p>	<p>No construction activities occurred during the reporting period.</p> <p>The website includes a phone number</p> <p>The postal address is presented.</p> <p>The website contains an email address.</p>	Compliant

Unique ID	Condition	Evidence	Findings and Recommendations	Compliance Status
5.3	<p>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 Register shall record, but not necessarily be limited to:</p> <ul style="list-style-type: none"> a) the date and time, where relevant, of the complaint; b) the means by which the complaint was made (telephone, mail or email); c) any personal details of the complainant that were provided, or if no details were provided, a note to that effect; d) the nature of the complaint; e) record of operational and meteorological condition contributing to the complaint; f) any action(s) taken by the Proponent in relation to the complaint, including any follow-up contact with the complainant; and g) if no action was taken by the Proponent in relation to the complaint, the reason(s) why no action was taken. <p>The Complaints Register shall be made available for inspection by the Planning Secretary upon request.</p>	<p>Protect – Online Complaints Register - current to 07/12/21 Email – NSW Ports to LINX, NSW Ports Environment – Enfield Noise, 01/09/21</p>	<p>The online NSW Ports complaints register was sighted. The complaints management system is capable of capturing each of the requirements in a) – g).</p> <p>One noise complaint was logged in the complaints register. The issue was raised from a Council Ranger and then brought to the notice of NSW Ports. The complaint from numerous residents related to container and handling but it could not be determined of the noise originated from the ILC 18 August 2021. The Environment Manager reported that at the time of the issue there was insufficient information concerning source of noise. An email from the Environment Manager dated 1 September 2021 noted that noise monitoring audio files on the night of the complaint were only able to pick-up the sound of car engines.</p>	Compliant
Provision of Electronic Information				
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:</p> <ul style="list-style-type: none"> a) a copy of the documents referred to under condition 1.1 of this approval, and any documentation supporting modifications to this approval that may be granted from time to time; b) a copy of this approval and each relevant environmental approval, licence or permit required and obtained in relation to the project; c) a copy of each strategy, plan, program and audit required under this approval; and d) the outcomes of compliance tracking in accordance with condition 4.1 of this approval. 	<p>https://www.nswports.com.au/enfield-intermodal-logistics-centre https://www.nswports.com.au/enfield-intermodal-logistics-centre-approval-documentation https://www.nswports.com.au/enfield-intermodal-logistics-centre-construction-environmental-management-plans https://www.nswports.com.au/enfield-intermodal-logistics-centre-operational-environmental-management-plans https://www.nswports.com.au/enfield-intermodal-logistics-centre-compliance-tracking-program https://www.nswports.com.au/enfield-intermodal-logistics-centre-compliance-tracking-program</p>	<p>The website contains the required information.</p>	Compliant

Unique ID	Condition	Evidence	Findings and Recommendations	Compliance Status
6. ENVIRONMENTAL MANAGEMENT				
Environmental Representative				
6.1	<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 Planning Secretary. The Proponent shall employ the Environmental Representative(s) on a full-time basis, or as otherwise agreed by the Planning Secretary, during the operation of the project. The Environmental Representative shall be:</p> <ul style="list-style-type: none"> a) the primary contact point in relation to the environmental performance of the project; b) responsible for all management plans and monitoring programs required under this approval; c) responsible for considering and advising on matters specified in the conditions of this approval, and all other licences and approvals related to the environmental performance and impacts of the project; d) responsible for receiving and responding to complaints in accordance with condition 5.2 and 5.3 of this approval; and e) given the authority and independence to require reasonable steps be taken to avoid or minimise unintended or adverse environmental impacts, and failing the effectiveness of such steps, to direct that relevant actions be ceased immediately should an adverse impact on the environment be likely to occur. <p>The Proponent shall notify the Planning Secretary of any changes to that appointment that may occur from time to time.</p>	<p>Letter – NSW Ports to DPIE, Enfield Intermodal Logistics Centre (ILC) Nomination of Environmental Representative Role for NSW Ports, 11/03/21</p> <p>Letter – DPIE to NSW Ports, Enfield Intermodal Terminal Environmental Representative, 13/04/21</p>	<p>A letter from the Department to NSW Ports dated 13 April 2021 approved the appointment of a new Environmental Representative as 'Environment Manager'. The new Environmental Representative being the current Environment Manager for NSW Ports.</p>	Compliant
Construction Environmental Management Plan				
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 Planning Secretary 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. The Plan shall be prepared in accordance with <i>Guideline for the Preparation of Environmental Management Plans</i> (DIPNR 2004) and shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> a) a framework consistent with that presented in Chapter 21 of the document referred to under condition 1.1b) of this approval; f) a description of all activities to be undertaken on site during site establishment and construction of the project including an indication of stages of construction, where relevant; g) statutory and other obligations that the Proponent is required to fulfil during site establishment and construction, including all approvals, consultations and agreements required from authorities and other stakeholders, and key legislation and policies; h) specific consideration of measures to address any requirements of the EPA during site establishment and construction; i) a description of the roles and responsibilities for all relevant employees involved in the site establishment or construction of the project. j) details of how the environmental performance of the site preparation and construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts. In particular, the following environmental performance issues shall be addressed in the Plan: <ul style="list-style-type: none"> i. measures to monitor and manage dust emissions; ii. measures to monitor and minimise soil erosion and the discharge of sediment and other pollutants to lands and/ or waters during construction activities; and iii. measures to monitor and control noise emissions during construction works; k) a description of the roles and responsibilities for all relevant employees involved in site preparation and construction of the project and a program for how these employees will be trained in responsibilities identified in the plan; l) complaints handling procedures to be applied during operation of the project (conditions 5.2 and condition 5.3 of this approval); m) the issue-specific management plans listed under condition 6.3 of this approval. <p>The Construction Environmental Plan shall be made available for inspection by the public upon request following its approval by the Planning Secretary.</p>	<p>Enfield ILC Overarching Construction Environmental Management Plan Enfield Intermodal Logistics Centre NSW Ports May 2020 Version 4</p> <p>https://www.nswports.com.au/sites/default/files/Enfield%20ILC%20NSW%20Ports%20Overarching%20CEMP%20v4%20May%202020_0.pdf</p>	<p>No construction activities occurred during the audit period.</p> <p>Revision 4 of the CEMP was prepared in May 2020 and approved by the Department on 8 July 2020.</p> <p>The CEMP Content – Self Verification Checklist identifies where each of the requirements of this condition are met. Requirements are satisfied.</p> <p>CEMP section 1.3 Precinct H CEMP section 2. CEMP section 1.2 Precinct H CEMP section 3.2. CEMP Appendix A Not applicable to Precinct H CEMP on the basis that CEMP identifies 'no specific directions from OEH and/or DPIE have been received.' CEMP Appendix B CEMP section 2.7, 2.8, 2.9, 3.3.2, Appendix F CEMP section 2.5 CEMP section 2.6 CEMP section 3.3 The CEMP is publicly available on the project website</p>	Not Triggered

Unique ID	Condition	Evidence	Findings and Recommendations	Compliance Status
6.3	As part of the Construction Environmental Management Plan for the project, required under condition 6.2 of this approval, the Proponent shall prepare and implement the following Management Plans: a) a Construction Noise Management Plan to outline construction noise mitigation, monitoring and management measures to be implemented to include, but not necessarily be limited to:	As above Protect – Online Complaints Register - current to 07/12/21	No construction activities occurred during the audit period. CEMP section 3.3.3	Not Triggered
	iv. details of construction activities and a schedule for construction works; v. identification of construction activities that have the potential to generate noise and/ or vibration impacts on surrounding land uses, particularly residential areas; vi. where the relevant construction noise goals contained in the Noise Management Guideline – Construction Noise (formerly published as Chapter 171 of the Environmental Noise Control Manual) are predicted to be exceeded at sensitive receivers, provision for the application of all practicable and reasonable noise mitigation measures to seek to achieve the relevant construction noise goals; vii. procedures for notifying residents of construction activities that are likely to effect their noise and vibration amenity, as well as procedures for dealing with and responding to noise complaints; and viii. a description of how the effectiveness of these actions and measures would be monitored during the proposed works, clearly indicating how often this monitoring would be conducted, how the results of this monitoring would be recorded; and, if any non-compliance is detected.			
	b) Construction traffic measures including: i. a Construction Traffic Management Protocol to detail how heavy vehicle movements associated with the project will be managed during construction. The Protocol shall specifically address the movement of oversize loads to and from the site, the management of construction traffic, restrictions to the hours of heavy vehicle movements to avoid road use conflicts, and the transport of construction waste materials; and ii. a Driver's Code of Conduct which details traffic management measures to be implemented during construction to:	As above	No construction activities occurred during the audit period. CEMP section 3.3.1	
	o minimise impacts of the project on the local and regional road network, o minimise conflicts with other road users, o ensure truck drivers use specific routes and access points, including no left turn access from Cosgrove Road, and o minimise traffic noise, particularly during night times hours;			
	c) a Heritage Interpretation Plan and Strategy to detail how heritage items to be retain on-site will be protected during site preparation and construction, and how relocated heritage items will be protected and maintained during those works. The Plan shall include a strategy for the on-going management and interpretation of heritage items and values on the site, and shall be prepared in accordance with OEH (Heritage Division) guidelines;	Enfield ILC Compliance Tracking Annual Report 2020, November 2020, Version 1	CEMP section 3.3.4 The HIPS remains unchanged from that approved prior to the audit period.	
d) a Landscape and Ecological Area Management Plan to detail how the site will be landscaped and maintained. The Plan shall be generally consistent with the Landscape Masterplan presented in the document referred to under condition 1.1b) of this approval and shall include, but not necessarily be limited to: i. provision for the use of locally-endemic native species for landscaping the site; ii. consideration of landscaping locations and densities to maximise visual screening of the project from residential receptors and public open space; iii. measures to maximise the retention of locally-endemic native species existing on the site, and removal of weeds and non-indigenous vegetation; and iv. measures for the enhancement, revegetation and on-going management of the Ecological Area on the site, including measures to provide suitable habitat for <i>Litoria Aurea</i> ;	Enfield ILC Overarching Construction Environmental Management Plan Enfield Intermodal Logistics Centre NSW Ports May 2020 Version 4 GW Environmental, Enfield ILC October 2021 LEAMP Conditions Enfield ILC Landscape and Ecological Area Management Plan Enfield Intermodal Logistics Centre NSW Ports August 2020 Version 3	The LEAMP was revised in 2020 and a document was submitted with a new drawing package to DPIE for approval on 03/09/20. Not relevant to Precinct H CEMP; condition satisfied in overarching Enfield ILC Overarching Construction Environmental Management Plan. An October 2021 compliance report prepared by GW Environmental identified this CoC to be compliant.		
e) a Construction Dust Management Protocol to detail how dust impacts will be mitigated, monitored and managed during construction of the project. The Plan shall include procedures for the identification of situations in which site preparation or construction works may contribute to an ambient PM10 concentration (24-hour) of greater than 50 mgm-3 at any off-site residential receptor, with details of measures to be implemented (including alteration or cessation of works, as may be relevant) to prevent or minimise exceedance of this criterion, in so far as the exceedance may relate to activities associated with the project.	Enfield ILC Overarching Construction Environmental Management Plan Enfield Intermodal Logistics Centre NSW Ports May 2020 Version 4	CEMP section 3.3.2		

Unique ID	Condition	Evidence	Findings and Recommendations	Compliance Status
	<p>f) A Mt Enfield Stabilisation Management Plan to detail how the batters of Mt Enfield and associated drainage will be managed during construction and until such time as it is stabilised with vegetation. The plan shall include but not be limited to:</p> <p>(a) measures to prevent soil erosion and the discharge of sedimentation to lands or waters, including to the Green and Golden Bell Frog Habitat Creation Area and Cox's Creek;</p> <p>(b) identification of where runoff from Mt Enfield is to be directed to, indicating ponding and flow paths to ensure runoff volume and increased flow velocity has been provided for, with the objective of not exceeding current rates;</p> <p>(c) measures to mitigate potential dust impacts on sensitive receivers including the Green and Golden Bell Frog Habitat Creation Area and surrounding residences; and</p> <p>(d) measures for the enhancement, revegetation and on-going landscape management of the Mt Enfield site, undertaken in consultation with Strathfield Municipal Council and Canterbury Bankstown Council, and the local community.</p> <p>The ongoing management of drainage structures and landscaping associated with Mt Enfield shall be incorporated into the Operation Environmental Management Plan required under condition 6.4 of this approval.</p>	<p>GW Environmental, Enfield ILC October 2021 LEAMP Conditions</p>	<p>CEMP section 3.3.6 An October 2021 compliance report prepared by GW Environmental identified this CoC to be compliant.</p>	
	<p>g) Tarpaulin Factory Area Earthworks Environmental Management Plan which shall include but not be limited to:</p> <p>(i) the measures contained in the letter – Green and Golden Bell Frog Conservation Measures Tarpaulin Shed Site Enfield, prepared by Biosphere Environmental Consultants, 27 November 2016;</p> <p>(ii) measures to minimise dust emissions in accordance with conditions 2.22 to 2.27 including measures to mitigate potential dust impacts on Green and Golden Bell Frog habitat;</p> <p>(iii) measures to minimise soil erosion in accordance with condition 2.29 and to ensure only clean surface water flows are discharged to the frog ponds;</p> <p>(iv) management of stockpiles in accordance with condition 2.30;</p> <p>(v) management of waste and remediation of the site in accordance with conditions 2.39 to 2.42, 2.44 and the Remediation Action Plan (RAP), 127 Cosgrove Road, South Strathfield, NSW, Flower Power Group, prepared by ZOIC, February 2017 including air quality monitoring for asbestos;</p> <p>(vi) measures to verify that imported material is consistent with that specified in the RAP;</p> <p>(vii) landscaping of disturbed areas in accordance with the Landscape and Ecological Area Management Plan under condition 6.3(d);</p> <p>(viii) protection of heritage items including the relocated Pillar Water Tank; And</p> <p>(ix) unexpected finds protocol.</p> <p>A copy of the approved Tarpaulin Factory Area Earthworks Environmental Management Plan is to be provided to Strathfield Council.</p>	<p>As above DA2016/132 Site Inspection 07/12/21</p>	<p>Not applicable – relevant to Tarpaulin Factory development. A separate application for the Fit out and use of the former tarpaulin shed was refused by Strathfield Council then approved by the Land Environment Court in 2017. The site has not been disturbed by NSW Ports during the audit period.</p>	
	<p>h) a Fill Importation Protocol (FIP) outlining the requirements of the imported fill, including the source and type, and containing the requirement to place and compact imported material as fill immediately upon arrival to the site. The FIP is to include the requirement that only virgin excavated natural material/ excavated natural material can be imported from off-site. All bulk earthworks should be undertaken in accordance with the approved FIP.</p> <p>The Construction Environmental Management Plan required under this condition and Condition 6.2 shall be updated (where necessary) to reflect any changes arising from modifications to this approval.</p>	<p>As above</p>	<p>CEMP Appendix G</p>	

Unique ID	Condition	Evidence	Findings and Recommendations	Compliance Status
Operation Environmental Management Plan				
6.4	<p>Prior to the commencement of operation of the project, the Proponent shall prepare and submit for the approval of the Planning Secretary an Operation Environmental Management Plan (OEMP) to detail an environmental management framework, practices and procedures to be followed during the operation of the project. The Plan shall be consistent with the Department's <i>Guideline for the Preparation of Environmental Management Plans</i> (DIPNR 2004), and shall include, but not necessarily be limited to:</p> <p>a) a framework consistent with that presented in Chapter 21 of the document referred to under condition 1.1b) of this approval;</p>	<p>Enfield ILC Overarching Operational Environmental Management Plan Enfield Intermodal Logistics Centre NSW Ports July 2020 Version 6 Letter – DPIE to NSW Ports, Approval of updated Overarching Operational Environmental Management Plan, as required under condition 6.4, 01/02/21 LINX Enfield Intermodal Terminal Operational Environmental Management Plan, September 2019 Mapei Australia, Operational Environmental Management Plan, Precinct H – Warehouse H1, January 2020, Rev 1.0 Marinucci, Operational Environmental Management Plan, Precinct H – Warehouse H3, January 2020, Rev 1.0 Sydney Food & Packaging, Operational Environmental Management Plan, Precinct H – Warehouse 2, January 2020, Rev 1.0</p>	<p>No change since the previous audit. A letter from the Department to NSW Ports dated 1 February 2021 approved the Overarching Operational Environmental Management Plan dated July 2020. The OEMP Content – Self Verification Checklist identifies where each of the requirements of this condition are met. Requirements are satisfied. Overarching OEMP Table 1 LINX were in the process of updating their OEMP at the time of the audit. The LINX OEMP dated September 2019 was approved by DPIE on 29/10/19. Precinct H OEMPs (x3) were approved by the Department on 28/02/20.</p>	Compliant
	b) description of all activities to be undertaken on the site during operation of the project;	As above	Overarching OEMP Section 1.1 and 1.2.2	
	c) statutory and other obligations that the Proponent is required to fulfil during operation, including all approvals, consultations and agreements required from authorities and other stakeholders, and key legislation and policies;	As above	Overarching OEMP Section 1.2 and Appendix A	
	d) specific consideration of measures to address the reasonable requirements of Strathfield Municipal Council, Canterbury Bankstown Council and the EPA during operation;	As above	Overarching OEMP Section 2.7 and 2.9.2	
	e) details of how the environmental performance of operations will be monitored, and what actions will be taken to address identified adverse environmental impacts;	As above	Overarching OEMP Table 4-11 and Appendices F-H	
	f) a description of the roles and responsibilities for all relevant employees involved in the operation of the project and a program for how these employees will be trained in responsibilities identified in the plan;	As above	Overarching OEMP Section 2.2	
	g) complaints handling procedures to be applied during operation of the project (conditions 5.2 and condition 5.3 of this approval).	As above	Overarching OEMP Section 2.3	
	h) the issue-specific management plans listed under condition 6.5 of this approval.	As above	Overarching OEMP Appendices F and G	
6.5	<p>As part of the Operation Environmental Management Plan for the project, required under condition 6.4 of this approval, the Proponent shall prepare and implement the following Management Plans:</p> <p>a) an Operation Noise Management Plan to outline monitoring, management procedures and measures to minimise operational noise impacts associated with the project, including traffic-related noise. The Plan shall include, but not necessarily be limited to:</p> <ol style="list-style-type: none"> i. identification of all relevant receivers and the applicable criteria at those receivers commensurate with the noise limits specified under this approval; ii. identification of activities that will be carried out in relation to the project and the associated noise sources; iii. assessment of project noise impacts at the relevant receivers against the noise limits specified under this approval; iv. details of management measures, methods and procedures that will be implemented to control individual and overall noise emissions from the site and specific land uses to ensure compliance with condition 2.17; 	As above	OEMP Appendix G	

Unique ID	Condition	Evidence	Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> v. details of the management measures and procedures that will be implemented in Empty Container Storage Areas A and B to ensure that acoustic barriers constructed from empty storage containers are established at the correct time, height, length, and location to ensure compliance with condition 2.17; vi. details of the management measures that will be undertaken to ensure that activities undertaken in Empty Container Storage Area B in the area to the north of the northern noise wall, including the restriction of container stacking, comply with the requirements of condition 2.17; vii. development of reactive and pro-active strategies for dealing promptly with any noise complaints; viii. noise monitoring and reporting procedures; and ix. regular internal audits of compliance of all plant and equipment with acceptable design noise. 			
	<p>b) an Operation Traffic Management Plan to outline measures to minimise and manage any impacts from the operation of the project on the local road network. The Plan shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> i. i) a driver education program to ensure that heavy vehicles comply with the requirements of this approval and the commitments made in the documents referred to under condition 1.1, particularly with respect to heavy vehicle routes; ii. i-a) a Driver's Code of Conduct which details traffic management measures to iii. be implemented during operation to: <ul style="list-style-type: none"> • minimise impacts of the project on the local and regional road network, • minimise conflicts with other road users, • ensure truck drivers use specific routes and access points, including no left turn access from Cosgrove Road, and • minimise traffic noise, particularly during night times hours; ii) movement scheduling where practicable to reduce impacts during sensitive time periods; iii) specific measures for ensuring that all heavy vehicle operators associated with the project are aware of and implement the Plan; iv) a system for identifying and ensuring conformance with the Plan, including conformance monitoring, procedures for implementing and monitoring corrective and preventative action, and penalties for breaches of the Plan; and v) a continuous improvement process for assessing Plan effectiveness and implementing improvements to the Plan. 	As above	Overarching OEMP Appendix F	
	<p>c) a Long Term Environmental Management Plan, where required to manage interactions with the site as remediated. The Plan must be prepared to the satisfaction of the Planning Secretary, and must:</p> <p>(i) be prepared by a suitably qualified and experienced person whose appointment has been endorsed by the Planning Secretary in consultation with EPA;</p> <p>(ii) be submitted to EPA for review and be approved by the Planning Secretary within one month of the completion of remediation works, unless otherwise agreed by the Planning Secretary; and</p> <p>NSW Government Department of Planning and Environment 31 (iii) include, but not be limited to:</p> <ul style="list-style-type: none"> • a description of the nature and location of any contamination remaining on site; • provisions to manage and monitor any remaining contamination, including details of any restrictions placed on the land to prevent development over the containment cell; • a description of the procedures for managing any leachate generated from the containment cell, including any requirements for testing, pumping, treatment and/or disposal; • a description of the procedures for monitoring the integrity of the containment cell; • a surface and groundwater monitoring program; • mechanisms to report results to relevant agencies; • triggers that would indicate if further remediation is required; and • details of any contingency measures that the Applicant is to carry out to address any ongoing contamination. 	As above	Overarching OEMP Section 3.3.8	

Unique ID	Condition	Evidence	Findings and Recommendations	Compliance Status
	Upon completion of the remediation works, the Applicant must manage the site in accordance with the LTEMP and any on-going maintenance of remediation notice issued by EPA under <i>the Contaminated Land Management Act 1997</i> .			
6.6	The Operation Environmental Management Plan required under conditions 6.4 and 6.5 shall be periodically reviewed and maintained, to reflect any phasing of implementation of the project, and any operational changes that may be made from time to time, and updated (where necessary) to reflect any changes arising from modifications to this approval.	As above	Overarching OEMP Section 2.6. The latest review and update occurred in July 2020	Compliant
7. Environmental Reporting				
Incident Reporting				
7.1	The Proponent shall notify the Planning Secretary 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. The Proponent shall provide written details of the incident to the Planning Secretary within seven days of the date on which the incident occurred.	Enfield ILC Overarching Operational Environmental Management Plan Enfield Intermodal Logistics Centre NSW Ports July 2020 Version 6	OEMP Section 2.10. One incident was deemed as potentially significant enough to report to NSW Ports. This involved a forklift tip-over at ACFS, NSW. It is understood that no fuel was split and detention basins were not impacted.	Compliant
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. The register shall be made available for inspection at any time by the independent qualified person or team conducting the Environmental Audit and/or the Planning Secretary.	Interview with Auditees 07/12/21	One incident was deemed as potentially significant enough to report to NSW Ports. This involved a forklift tip-over at ACFS, NSW. It is understood that no fuel was split and detention basins were not impacted.	Compliant
7.3	The Proponent shall meet the requirements of the Planning Secretary to address the cause or impact of any incident, as it relates to this approval, reported in accordance with condition 7.1 of this consent, within such period as the Planning Secretary may agree.	Interview with Auditees 07/12/21	One incident was deemed as potentially significant enough to report to NSW Ports. This involved a forklift tip-over at ACFS, NSW. It is understood that no fuel was split and detention basins were not impacted.	Compliant

APPENDIX B – OEMP MITIGATION MEASURES AND COMMITMENTS

Unique ID	Requirement	Evidence Collected	Findings and Recommendations	Conformance Status
OEMP Section 2.2	NSW Ports will periodically undertake site visits to tenant facilities based on the level of risk associated with their operations to verify that inspection records are being maintained and environmental actions and mitigation measures are effectively implemented. The checklist template used by NSW Ports for inspection and auditing of tenant operations is included in Appendix D.	Email – NSW Ports, Enfield Environment Station – Precinct S, 31/08/21 & 01/09/21	It is acknowledged that COVID-19 restrictions interrupted regular site activities during the audit period; however, no evidence of site visits to tenant facilities based on the level of risk was available for review when requested. Sighted an email from the Environment Manager dated 31 August 2021 requesting permission from NSW Ports to access the site during a COVID-19 lockdown to inspect the GW Landscape work on the frog ponds and weeds around Mt Enfield.	Non-conformant
OEMP Section 2.6	Environmental inspections of the Enfield site will be undertaken on a quarterly basis by the HSE Team to review compliance with operational site documentation. Such site inspections would identify any corrective / preventative actions required and responsibility and timeline for completion. These actions would be monitored to ensure that they are closed out in the required time frame	-	It is acknowledged that COVID-19 restrictions interrupted site activities during the audit period; however, no evidence of quarterly environmental inspections were available for review when requested.	Non-conformant
OEMP Section 2.8	NSW Ports and contractor personnel undertaking activities on site are required to satisfactorily complete an Enfield ILC Site Safety Induction. Site induction/s would typically include (but not be limited to): <ul style="list-style-type: none"> • Key issues relating to the Enfield ILC Project and existing environment; • ILC Sensitive Area Map (Appendix C) • 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. Attendance records of all induction training sessions will be prepared by the training party (NSW Ports and/or contractor) and submitted to the Enfield ILC Site Coordinator. All personnel undertaking maintenance activities within the defined Green and Golden Bell Frog Habitat Creation Area will be appropriately trained by NSW Ports Consulting Herpetologist as outlined in the LEAMP (Appendix H) or be accompanied by an appropriately trained person	NSW Ports induction, Rapid Global. Enfield induction register current to Oct 2021	The Auditor completed the induction prior to attending the site. The induction covered off the information listed here. The register demonstrates that people attending the site have completed the induction.	Conformant
OEMP Section 3.2	Environmentally sensitive areas within the ILC include those that could provide or have been created to provide habitat for the endangered Green and Golden Bell Frog (<i>Litoria aurea</i>), areas that contain items of heritage interest or value, or areas set aside for ecological/potential community uses. The environmentally sensitive areas on the ILC site are located in the Southern Ecological Area (refer to Appendix C ILC Sensitive Area Map) and include: <ul style="list-style-type: none"> • The Frog Habitat Creation Area (including Frog Ponds) located near Coxs Creek • The Tarpaulin Shed (land subleased to tenant); • The Pillar Water Tank (land subleased to tenant); and • Native grasses and woodland communities on Mount Enfield and surrounds. Where activities are occurring in, or may otherwise impact on, environmentally sensitive areas this will need to be communicated to personnel and contractors as part of their site induction training and in contractor contracts.	NSW Ports induction, Rapid Global. Biosphere Frog Awareness and handling Training, 2015 Frog Handling Training Database Record, 2020 Green and Golden Bell Frog, Frog Protection Plan, June 2009, Rev 3 Green and Golden Bell Frog Management Plan, March 2010, Rev 4	Observation The Green and Golden Bell Frog, Frog Protection Plan, June 2009 and the Green and Golden Bell Frog Management Plan, March 2010, Rev 4 had not been reviewed or updated for nearly ten years. Conduct a review of the Green and Golden Bell Frog, Frog Protection Plan, June 2009, Rev 3 and the Green and Golden Bell Frog Management Plan, March 2010, Rev 4 to verify if there is duplication with the requirements specified in the OEMP and the LEAMP. Update as required. The Auditor completed the induction prior to attending the site. The induction identifies the environmentally sensitive areas. No significant activities occurred in the Southern Ecological Area during the audit period other than the installation of holdings tanks to maintain water levels in the ponds and maintain a supply of water in dry conditions.	Conformant

Unique ID	Requirement	Evidence Collected	Findings and Recommendations	Conformance Status
OEMP Section 3.3.6, FF4	Flora and Fauna – Table 8 <ul style="list-style-type: none"> To control noxious weeds (e.g. bitou bush, lantana) and terrestrial pest species on ILC land: Undertake weed control in accordance with the requirements of the Noxious Weeds Act 	Site Inspection 07/12/21 GW Environmental, Enfield ILC October 2021 LEAMP Conditions GW Environmental Report Mt Enfield, October 2021 GW Environmental Report Mt Enfield, November 2021	Observation Weed growth was observed on Mount Enfield during the site inspection. Ongoing removal of weeds and non-indigenous vegetation is not effective at Mount Enfield due to access limitations. Evidence provided by NSW Ports demonstrates that weed control activities were undertaken in 2021, which provides temporary management of weed growth at Mount Enfield. The October and November 2021 Mt Enfield landscape reports noted that no noxious weeds were present within the current work areas.	Conformant
OEMP Table 4	T1. Ensure traffic management measures are included in Tenant OEMPs and sub-management plans where relevant T2. Public roads, internal roads, pedestrian corridors and/or access points are not to be obstructed by any materials, vehicles, trailers, waste skips or the like, under any circumstances. T3. All transport users are to operate on the road system in a safe manner and comply with NSW road traffic regulations within the ILC. T4. All vehicles must give way to any rail rolling stock passing through rail crossings on the site and obey applicable signage including no parking or stopping of vehicles on the level crossing at any time. T5. NSW Ports and its contractors will develop Traffic Control Plans prior to undertaking activities on or affecting an internal road. T6. All transport users are to adhere to the internal road network requirements set out in NSW Ports Operational Traffic Management Plan including speed limits and signage.	Site inspection 07/12/21 LINX Enfield Intermodal Terminal Operational Environmental Management Plan, September 2019 Mapei Australia, Operational Environmental Management Plan, Precinct H – Warehouse H1, January 2020, Rev 1.0 Marinucci, Operational Environmental Management Plan, Precinct H – Warehouse H3, January 2020, Rev 1.0 Sydney Food & Packaging, Operational Environmental Management Plan, Precinct H – Warehouse 2, January 2020, Rev 1.0 Enfield Intermodal Traffic Survey FINAL REPORT NSW Ports, 11/09/20.	T1 - Traffic measures are included in Precinct H Mapei Australia OEMP. T2, T3, T4, T5, T6 were considered during the site inspection on 07/12/21. All the controls were observed to be in place and functioning as intended. No issues observed. T6 - NSW Ports include traffic management in their periodic inspections. Security monitor traffic flows continuously. No issues observed.	Conformant

Unique ID	Requirement	Evidence Collected	Findings and Recommendations	Conformance Status	
OOTMP Section 14	Table 3: Traffic Capacity and Monitoring Program components		Enfield Intermodal Traffic Survey FINAL REPORT NSW Ports, 11/09/20. Interview with Auditees 07/12/21	Based on security behavior on the day of the inspection, and statements from the auditees it is understood that security monitors movements continuously (satisfying item 3). The throughput of containers is monitored continuously and reported monthly. A traffic survey was completed in 2019 and 2020. It identifies traffic throughputs, type of transport, hours of movements and destinations (in so far as access to the local arterial network only). The survey considers residential impacts. The throughput report and traffic survey address items 1, 2, 5 and 6 of the monitoring program. Items 4 and 7 were not triggered during the audit period.	
	ITEM	RESPONSIBILITY			TIMING
	Operator Throughput	IMT Operator to record TEU throughput data and supply to NSW Ports			Data to be recorded continuously, supplied to NSW Ports quarterly
	Classification Counts	NSW Ports			A survey within 12 months of commencement of ILC operations; Every two years; and Surveys within 90 days of annual throughput reaching 50,000, 150,000 and 250,000 TEUs (Note: The initial survey within 12 months need not be conducted if the 50,000 TEU volume survey has already occurred, and additional throughput surveys may coincide/replace the two yearly surveys as appropriate)
	Periodic Video Review	NSW Ports			Quarterly by site security
	Number Plate Recognition Survey	NSW Ports			Every two years – alternative to Item 7
	Truck Survey	IMT Operator and tenants, with coordination by NSW Ports			In conjunction with Item 2
	Road Safety Audit	NSW Ports			When ILC throughput reaches 50,000, 150,000 and 250,000 TEUs, and/or as required by any significant change to the internal road arrangements, in conjunction with Item 2
Intermodal Freight Transportation Report	Coordinated by NSW Ports, with data provided by IMT Operator and tenants	Every two years – alternative to Item 4			

Unique ID	Requirement	Evidence Collected	Findings and Recommendations	Conformance Status																																												
LEAMP Table 5	<p>Table 5: Summary of Management Measures for Frog Habitat Creation Area</p> <table border="1"> <thead> <tr> <th>TASK</th> <th>DESCRIPTION</th> <th>RESPONSIBILITY</th> <th>FREQUENCY</th> </tr> </thead> <tbody> <tr> <td>Inspection</td> <td>Visually inspect the Frog Habitat Creation Area for the following: <ul style="list-style-type: none"> • Damage and erosion • Weeds • Plant die-off • Pond water levels • Dead or sick frogs • Presence of birds • Signage • Water pollution, algae accumulation </td> <td>Specialist Landscape Contractor in consultation with NSW Ports</td> <td>Monthly</td> </tr> <tr> <td>Weed removal and Plant Die-off</td> <td>Hand pick weeds including bulrush from within the ponds (no herbicides) Remove any dead plants.</td> <td>Specialist Landscape Contractor in consultation with NSW Ports</td> <td>Monthly</td> </tr> <tr> <td>Pond Water Levels</td> <td>Monitor water level of ponds If water level less than 0.5 m, top up pond with water stored in on-site storage tanks</td> <td>Specialist Landscape Contractor in consultation with NSW Ports</td> <td>Monthly</td> </tr> <tr> <td>Dead or sick frogs</td> <td>Sick or dead frogs must be immediately reported to NSW Ports</td> <td>Specialist Landscape Contractor in consultation with NSW Ports</td> <td>Monthly</td> </tr> <tr> <td>Presence of Birds</td> <td>Install flutter ribbons (if required)</td> <td>Specialist Landscape Contractor</td> <td>As advised by Herpetologist and agreed by NSW Ports</td> </tr> <tr> <td>Signage</td> <td>Check integrity of signs within Frog Habitat Creation Area (i.e. no entry without permission, no herbicide use, etc)</td> <td>Specialist Landscape Contractor</td> <td>Monthly</td> </tr> <tr> <td>Swale and grass cutting</td> <td>Cut 1-2m meandering paths in the Kikuyu grass surrounding rock piles/sleepers using whipper snipper or brushcutter. Clear access paths, rock lined overflow paths and valve standpipes of any overgrowth. Cut swale in central movement corridor</td> <td>Specialist Landscape Contractor in consultation with NSW Ports</td> <td>Monthly</td> </tr> <tr> <td>Empty pond (if required)</td> <td>Identify pond to be drained and relocate any GGBF tadpoles if necessary Once pond is drained, if present, kill <i>Gambusia holbrooki</i>.</td> <td>Specialist Landscape Contractor in consultation with the NSW Ports. Advice of Consultant Herpetologist to be sought prior to draining of the pond.</td> <td>If required Every winter, a pond is to be drained and not refilled until August the following year.</td> </tr> <tr> <td>Mechanical maintenance of ponds</td> <td>Check valves for any rusting or damage and replace as required. Check on-site water storage tank to ensure water levels. 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The report confirmed that no herbicide was being used on site and that Weeds.</p> <p>GGBF reports for October and November 2021 prepared by GW Environmental confirmed that water levels were compliant.</p> <p>The project to install holding tanks for the GGBF ponds was completed in 2021.</p>	Conformant
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Unique ID	Requirement	Evidence	Findings and Recommendations	Conformance Status
Section 3.5	<p>LINX personnel shall be trained and competent to conduct their roles. LINX induction processes are described in LNX-PRO-073. All employees and tenants involved in operational activities on ILC are to complete the following requirements:</p> <ul style="list-style-type: none"> LINX Business Induction which includes information on Environmental Awareness, reporting and spills response Site specific Induction for Enfield includes requirements for compliance with obligations specific to site. Content of the site-specific induction includes aspects and management controls of the OEMP including traffic management, contaminated land / site management plan requirements, Green and Golden Bell Frog awareness, noise management, spills response and incident reporting. All records of induction shall be retained within the LINX IMS. Tenants are to provide LINX with all training records. 	<p>Employee induction register Tenant induction register Linx induction (LMS file). Site specific induction (LMS)</p>	<p>The inductions indicate that the required information is presented. The registers show that records of the inductions have been retained (including staff, contractors and tenants). LINX – online induction LINX Learning. Sighted email from LINX to ACFS for Monthly Site Inspection dated 06/12/21 with list of personnel. Monthly inspection of tenants</p>	Conformant
Section 3.9	<p>(a) All significant environmental and pollution incidents are to be immediately reported to the NSW Ports Port Operations Manager by the LINX Rail Manager Eastern Region or delegate. (b) LINX shall undertake all reasonable actions to facilitate NSW Ports in meeting reporting compliance obligations, where an environmental or pollution incident is associated with LINX operational activities at the Enfield ILC</p>	<p>Lifeguard Incident register current to 08/12/20.</p>	<p>No notifiable environmental incidents. Forklift lift tip over 30 August 2021 reported to NSW Ports at the ACFS site. Had the potential to be environmental due to proximity to location of diesel double-skinned above ground storage diesel tank. NSW Ports have concerns about the clearance between stacked containers. Concrete barriers around UST. Two. To note, LINX and NSW Ports determined that this incident was not notifiable to the Department or EPA as there was no threat of material harm to the environment or people.</p>	Conformant
Section 3.10.1	<p>A copy of this OEMP and its sub-plans shall be available on the LINX IMS Site Document Register, and the current version provided to NSW Ports. Where a review is undertaken, LINX shall consult with NSW Ports regarding major amendments or changes to objectives or operations. A hard-copy of the OEMP shall always be maintained on site at Enfield Terminal and may be requested and provided to NSW Ports representatives, auditors or regulators.</p>	<p>Auditee Interview 07/12/21</p>	<p>New OEMP had been prepared and ready for implementation. Plan will be published as minor version as 4.2 to allow LINX Environmental Manager to review. Sighted OEMP corrective actions tracking register. Updates to the OEMP are assessed by the Linx ER. Where a changed is deemed substantial (i.e.: an increase to operations), this would go through NSW Ports and potentially the Department.</p>	Conformant
Section 5.6.5	<p>Spill kits shall be maintained in all areas where there is a potential for a spill (including but not limited to refuelling and wash bay areas) from freight operations, maintenance and operation of mobile equipment/ Spill kits shall include:</p> <ul style="list-style-type: none"> Particulate absorbent material Absorbent pads/ Absorbent booms Gloves and protective eyewear Drain covers Spades / brooms Disposal bags 	<p>Site Specific Induction (LMS) Site Inspection 07/12/21</p>	<p>One spill kit adjacent to the waste bins at the ACFS site was observed to contain rubbish. A LINX site inspection conducted the day prior to the audit did not identify an issue with the spill kit at the ACFS site. Staff conducting inspections should be aware of the requirements of the management plan(s). Refer to Photograph 03, Appendix D. Spill kits were observed across the site and shown on the induction. Refer to Photographs 01, 02 and 04, Appendix D.</p>	Non-conformant
Section 5.6.6	<p>Spills response training, including use of spill kits must be conducted for all site personnel, including tenants and routine contractors.</p>	<p>Auditee Interview 07/12/21 Site Inspection 07/12/21</p>	<p>Sighted IMT spill response training dated 19 November 2020. Sighted additional spill training for 0 February 2021 and 14 October 2021. At least one person from each tenancy had undergone spill response training. Sighted specific spill response training video for the LINX site during the site inspection.</p>	Conformant
Section 5.7.2	<p>ALL fuels, oil and chemicals must be stored in approved, designated bunded areas. Temporary storage must be bunded at all times.</p>	<p>Auditee Interview 07/12/21 Site Inspection 07/12/21</p>	<p>A 20L container of solvent as well as a number of 20 L paint tins were observed without secondary containment at the container repair area of the ACFS site. The paint tins were at various random locations around the repair area and pictograms on the paint tins indicated that the paint contained hydrocarbons. A LINX site inspection conducted the day prior to the audit did not identify an issue with housekeeping at the ACFS site. The storage of paint and solvents at the ACFS container repair area should be improved. Staff conducting inspections should be aware of the requirements of the management plan(s). Refer to Photographs 18, 19, 20 and 21, Appendix D.</p>	Non-conformant

Unique ID	Requirement	Evidence	Findings and Recommendations	Conformance Status
Section 5.9.3	Skips are not to be overfilled	Auditee Interview 07/12/21 Site Inspection 07/12/21	Two overflowing general waste bins were observed at the ACFS site preventing staff from being able to suitably dispose of waste generated on site. A LINX site inspection had been conducted the day prior to the audit site inspection that indicated there were no issues with waste management on the ACFS site. Waste storage and collection should be improved at the ACFS site. Staff conducting inspections should be aware of the requirements of the management plan(s). Refer to Photograph 13, Appendix D.	Non-conformant
Section 5.9.7	All wastes are to be transported by a licensed waste transporter and only disposed of at an appropriately licensed waste management facility or premises lawfully permitted to accept the materials as per the requirements of New South Wales waste legislation.	Auditee Interview 07/12/21 Site Inspection 07/12/21 Ardent, Environmental Compliance Audit Report 2021, LINX Enfield Terminal, 21/09/21, Ref: LCC-004 Southern Oil Collection Pty Ltd, Environment Protection Licence 6099 December 2020 to November 2021 Waste Management Transaction Spreadsheet	Waste bins from known waste carriers were observed at the LINX site during the site inspection; however, the location of off-site disposal facilities was not known when auditees were questioned. The LINX 2021 compliance report (Ardent, 2021) also noted an opportunity for improvement concerning the management of licenced waste contractors. Sighted a Year-to-Date December 2020 to November 2021 waste transaction spreadsheet which included the customer name and address, waste stream, transaction date, weight, volume and costs; however, it did not show the destination of the waste, the name of the waste carrier or their Environment Protection Licence (EPL) number. The Auditor was able to verify from the details in the file name that the waste carrier was Cleanaway Pty Ltd who holds EPL 20156. The EPL allows for resource recovery and waste storage at 44 Claremont Avenue, Greenacre NSW 2190.	Non-conformant
Section 5.1.2	Environmental Training Requirements No washdown of equipment (except in ACFS wash bay area).	Auditee Interview 07/12/21 Site Inspection 07/12/21	Minor volume of water from container cleaning was observed to be discharging outside of the ACFS site boundary gateway during the site inspection. Containers were observed to be washed down away from a dedicated wash-down slab. Refer to Photograph 17, Appendix D.	Non-conformant
Section 6.1.7	The fumigation contractor must supply the following documentation prior to commencing work: <ul style="list-style-type: none"> • Authorisation that the business is approved to perform fumigation treatments • Licence of all technicians conducting fumigation treatments on site • Contractor risk assessment • Current copy of the Contractor SWMS/SOP for fumigation and ventilation • Calibrated monitoring equipment 	Ardent, Environmental Compliance Audit Report 2021, LINX Enfield Terminal, 21/09/21, Ref: LCC-004 AQIS registration number N3237 Australian Govt fumigation certificates (various individual) FAH fumigations SOP / SWMS / HIRAC FAH Linx environmental ventilation process V1.5	The LINX compliance report (Ardent, 2021) notes that FAH, an accredited contractor (AA2596) conducts the fumigation using a licensed fumigator and that an audit was conducted by Department of Agriculture, Water and Environment on 11 August 2021 in relation to fumigation activities (# N3237/2021/01 dated 24/8/21). The audit result was "Pass" with no non-compliances identified. The SWMS has been prepared and includes a risk assessment. The environmental ventilation process includes a check of calibration of the monitoring equipment. It includes a check for authority to fumigate. SWMS = Methylybromide Plan, 2018 V2.	Conformant
Section 6.1.7	The following records must be generated on site, and received by LINX prior to the contractor leaving site: <ul style="list-style-type: none"> • Job worksheet • Gas monitoring records including container numbers and ventilation times, container concentrations, wind speed, wind direction and boundary monitoring results during ventilation. • AQIS Clearance Certificates 	FAH Linx environmental ventilation process V1.5 BIERS app files	The BIERS application includes the capture of all this information listed within this commitment. Records sighted evidence this.	Conformant
Section 6.2.3	Permanent Fuel Storage Facilities Captured material is collected in a containment pit and treated, in line, by a 'SPEL Stormceptor' system. Treated water is discharged to the internal stormwater system; and Waste sludge material is captured in a holding tank for periodic removal and off-site disposal at a suitably licensed facility via vacuum truck.	Auditee Interview 07/12/21 Site Inspection 07/12/21 Work as Executed Drawings 225204 – Enfield ILC, Drainage, 18/12/13	Observation A maintenance schedule (e.g. periodic inspection, pumping out regime) for the two spill containment units (SCU) located in the ACFS tenancy was requested by the Auditor but none was available for review. It was not known when the containment pit was last emptied. Develop and implement a maintenance program and maintain pump out records for the fuel containment pit in the ACFS tenancy. Refer to Photograph 15, Appendix D.	Conformant

Unique ID	Requirement	Evidence	Findings and Recommendations	Conformance Status
Appendix E	LINX Enfield Site Inspection Checklist Template Site: Is there excessive build-up of dirt and debris or litter across the area?	Auditee Interview 07/12/21 Site Inspection 07/12/21 Ardent, Environmental Compliance Audit Report 2021, LINX Enfield Terminal, 21/09/21, Ref: LCC-004 LINX, Enfield Environmental Nowrys Site Inspection, 26/07/21 & 18/06/21 LINX, Enfield Environmental Nowrys Site Inspection, 05/01/21 LINX, Enfield Environmental Pitkins Site Inspection, 27/07/21 LINX, Enfield Environmental PJG Site Inspection, 16/12/20 & 31/03/21 LINX, Enfield Environmental Swift Site Inspection, 16/04/21, 21/09/21 & 25/10/21	Sediment as well as an empty paint tin were observed in a surface water channel at the 'EnviroConcepts' wastewater recycling system (WWRS) area at the ACFS site. A LINX site inspection that had been conducted the day prior to the audit site inspection indicated there were no issues with housekeeping at the ACFS site. The LINX 2021 compliance report (Ardent, 2021) also noted an opportunity for improvement concerning the addition of a map showing drain locations for site inspections. Refer to Photograph 16, Appendix D.	Non-conformant
Section 6.1.8	Within 3 months of the increase in volumes proposed in 2020, an air quality audit is to be conducted to evaluate the recommendations contained within this report have been correctly implemented. The audit may be undertaken internally however should be reviewed by a suitably qualified air quality consultant.	Auditee Interview 07/12/21 LINX, Fumigation Environmental Compliance Audit, 19/05/21 GHD, Review of Enfield Fumigation Environmental Compliance Audit, 29/06/21	Sighted a fumigation environmental compliance audit conducted by LINX concerning fumigation of imported containers. Sighted an independent review of the fumigation environmental compliance audit conducted by GHD dated 29 June 2021. The review concluded that the LINX audit met the requirements set out in the Enfield Fumigation; Revised Air Quality Assessment (GHD, 2020).	Conformant

APPENDIX C – AUDIT MEETING ATTENDANCE



INDEPENDENT AUDIT MEETING ATTENDANCE RECORD




PROJECT (NAME AND APPROVAL NUMBER)	Enfield Intermodal Logistics Centre MP 05_0147		
DATE	7 December 2021		
LOCATION	Enfield Intermodal Logistics Centre		
OPENING MEETING			
NAME	POSITION / TITLE	ORGANISATION	SIGNATURE
BRYAN BEWICKER	ENVIRONMENT MGR	NSW PORTS	
CLOSING MEETING			
NAME	POSITION / TITLE	ORGANISATION	SIGNATURE
BRYAN BEWICKER	ENVIRONMENT MGR	NSW PORTS	




APPENDIX D – SITE INSPECTION PHOTOS




Observations from the site inspection are provided in Table 4. The Auditor was escorted around the site by Project personnel who made themselves available for this purpose.




Table 4: Site inspection photographs




No.	Comment	Photograph
01	Stocked spill kit at SWIFT site.	
02	Spill kit adjacent to the fumigation area at LINX.	




No.	Comment	Photograph
03	The spill kit adjacent to the waste bins at the ACFS site was observed to be filled with rubbish at the time of the site inspection.	
04	A spill kit was available outside the NSW Ports office building	
05	Sediment Basin D with new solar panels in top left corner of photograph that power the pump for transferring water to the frog ponds	




No.	Comment	Photograph
06	Basin D showing evidence of management.	
07	Basin B showing evidence of management.	
08	Stockpiles in Area A were observed to be covered and established. Open ground was covered with established grass minimising dust emissions. No change from the previous audit.	



No.	Comment	Photograph
09	<p>Stockpiles in Area A were observed to be covered and established. Open ground was covered with established grass minimising dust emissions. No change from the previous audit.</p>	
10	<p>A motion activated alarm and security camera had been installed overlooking the culvert that runs adjacent to the frog ponds.</p>	
11	<p>Frog ladders are planned to be installed in the culvert to provide a means of egress for Green and Golden Bell Frogs in the event they travel from the nearby RailCorp ponds.</p>	

No.	Comment	Photograph
12	Basin D holding tanks used to transfer water to the frog ponds, installed during the audit period.	
13	Overflowing general waste bins were observed in the ACFS site. A LINX site inspection conducted the day prior to the audit site inspection indicated there were no issues with waste management on the ACFS site.	
14	The EnviroConcepts' wastewater recycling system (WWRS) which incorporates a stormwater recovery mechanism to minimise reliance of potable mains water at the ACFS site.	

No.	Comment	Photograph
15	The wastewater/oil water containment pit located adjacent to the double skinned 30,000 Litre above ground diesel tank.	
16	Sediment as well as an empty paint tine were observed in a surface water channel at the 'EnviroConcepts' wastewater recycling system (WWRS) area at the ACFS site.	
17	Wash water from container cleaning was observed to be discharging outside of the ACFS site boundary during the site inspection.	

No.	Comment	Photograph
18	An open 20 Litre container of paint thinner was observed without secondary containment.	
19	Paint tins containing hydrocarbons were observed to be stored without secondary containment. There appeared to be no order to the storage of paint tins. A site inspection conducted the day prior to the audit did not identify an issue with housekeeping at the ACFS site.	
20	The Quarantine Container Wash Bay at the ACFS site. Open paint tins were observed in the area. Open 20 L tins of paint were observed around this location.	

No.	Comment	Photograph
21	<p>Paint tins containing hydrocarbons were observed to be stored without secondary containment. There appeared to be no order to the storage of paint tins. A LINX site inspection conducted the day prior to the audit did not identify an issue with housekeeping at the ACFS site.</p>	 <p>The photograph shows an outdoor storage area with a concrete floor. In the foreground, there are several blue and black hoses coiled on the ground. To the left, a blue metal barrel is visible. In the background, a red container is partially visible with the text 'The Factor 2M' on it. A small red box is on the floor near the center.</p>
22	<p>Weeds were evident at Mt Enfield. NSW Ports were aware of the issue and had engaged a contractor to complete weed management.</p>	 <p>The photograph shows a dense thicket of green weeds and shrubs. The vegetation is tall and overgrown, covering a hillside. The sky is overcast and grey.</p>
23	<p>Weeds were evident at Mt Enfield. NSW Ports were aware of the issue and had engaged a contractor to complete weed management.</p>	 <p>The photograph shows a dense thicket of green weeds and shrubs, similar to the previous image. A large, dark green tree is visible in the background, partially obscured by the weeds. The sky is overcast.</p>

No.	Comment	Photograph
24	The Tarpaulin Shed. No change since the previous audit.	
25	Frog Ponds – evidence of recent management was observed within the frog ponds.	
26	Frog Ponds – signage at the frog ponds.	

No.	Comment	Photograph
27	<p>Frog Ponds – Internal signage warning against the use of herbicide. The NSW Ports Environment Manager had GIS mapped a no go area for spraying around the frog ponds which was communicated to the new maintenance contractor.</p>	
28	<p>Frog Ponds – Evidence of new fencing was observed that had been keyed into the ground.</p>	