



# INDEPENDENT AUDIT REPORT

## SICTL TERMINAL 3 PORT BOTANY EXPANSION PROJECT – DA-494-11-2003-I

NOVEMBER 2023



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Date	14/11/23	Date	2/11/23

## Document Revision History

Revision	Date	Details
1.0	2/11/23	For comment
2.0	14/11/23	Final

**Report Name:** Independent Audit Report - SICTL Terminal 3 Port Botany Expansion Project

**Project No.:** 938

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## ABBREVIATIONS / GLOSSARY

Abbreviation/Term	Description
AEMR	Annual Environmental Management Report
ASC	Automated Stacking Cranes - An automated crane used to stack containers received either from the landside or waterside exchange areas into rows, lines and blocks
CoC	Condition of Consent
DG	Dangerous Goods
DPE or Department	Department of Planning and the Environment
EIS	Environmental Impact Statement
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth)</i>
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EPL	Environment Protection Licence issued under the POEO Act
IAPAR	Independent Audit Post Approval Requirements (DPE, 2020)
OEMP	Operational Environmental Management Plan
PBE	Port Botany Expansion
the Project	The PBE Development approved under DA494-11-2003-i
POEO	<i>Protection of the Environment Operations 1997</i>
Quay Crane	A crane purpose-built for the loading and unloading of cargo from ships which is mounted on rails on the wharf and can move along the wharf on these rails.
RtS	Response to Submissions
SICTL	Sydney International Container Terminal
SQID	Stormwater Quality Improvement Device



## EXECUTIVE SUMMARY

Hutchison Ports is the operator of the Sydney International Container Terminal (SICTL) Terminal 3 area at the Port Botany Expansion (PBE) Project. Consent (DA494-11-2003-i) was granted for the PBE Project, following a Commission of Inquiry, on 13 October 2005, and is subject to a number of Conditions of Consent (CoC).

CoC C4.5 requires annual independent environmental audits following the commencement of operations, and sets out the requirements for the undertaking of those audits. It states:

### ***'Environmental Auditing***

*C4.5 Within one year of the commencement of operations and every year thereafter, the Applicant shall fund a full independent environmental audit. The audit must be undertaken by a suitably qualified person/team approved by the Director-General.*

*The audits would be made publicly available and would:*

- *be carried out in accordance with ISO 14010 – Guidelines and General Principles for Environmental Auditing and ISO 14011 – Procedures for Environmental Auditing;*
- *assess compliance with the requirements of this consent, and other licences and approvals that apply to the development;*
- *assess the construction against the predictions made and conclusions drawn in the development application, EIS, additional information and Commission of Inquiry material; and*
- *review the effectiveness of the environmental management of the development, including any environmental impact mitigation works'.*

This Audit Report presents the findings from the 2023 Independent Audit (or audit) associated with SICTL operations under DA494-11-2003-I. This annual audit covered the period of September 2022 to August 2023 (the audit period). The objective of this audit is to satisfy CoC C4.5 of the consent with respect to Terminal 3. This Audit does not cover NSW Ports or Port Authority of NSW responsibilities under DA494-11-2003-i.

The overall outcome of the audit was indicative of a high level of compliance and environmental performance by the Project. Compliance records were well organised and readily available during the audit. Relevant environmental and compliance monitoring records continue to be collected and reported as required to provide verification of compliance to statutory requirements and the broader Project environmental requirements. In summary:

- All findings from previous audits have been closed.
- With respect to the 2023 audit:
  - No non-compliances were identified.
  - Five (5) observations were made. These relate to submission of the updated OEMP (2023) to the Department, unlabelled recycling waste containers at the yard, follow up water quality sampling of SQIDs maintained in accordance with the SQID Management Plan, frequency of SQID maintenance and minor spillage at the storage area near the workshop.



Detailed findings are presented in Section 3 along with recommended actions proposed to address the findings.

The Auditor would like to thank the auditees for their high level of organisation, cooperation and assistance during the audit.



## 1. INTRODUCTION

The works and activities that are the subject of this operational audit are located within Sydney International Container Terminal Ltd.'s (SICTL's) Terminal 3, at Port Botany Gate B150-153, Sirius Road off Foreshore Road, Botany NSW 2019. SICTL's Terminal 3 is operated by Hutchison Ports (Hutchison). Terminal 3 is part of NSW Ports' Port Botany Expansion (PBE) Project that also includes other port operators and terminals.

Port Botany is located within the City of Botany Bay, 12 kilometres south of the Sydney Central Business District. The SICTL Terminal 3 is situated between the existing port and the parallel runway at Sydney International Airport. It spans an area of approximately 63 hectares, extending 550 metres west and 1,300 metres north of the existing northern quay of Brotherson Dock.

Terminal 3 (hereafter known as the Project) contains a number of key structural elements, including:

- Quay Line -1,300 metres
- Four Berths
- Depth alongside - 16.4 metres
- Rail sidings 2 x 750 metres
- Cranes: Post Panamax Quay Cranes, Automated Stacking Cranes
- On-site empty container storage facility
- Heavy duty pavements and roadways
- Storm water drainage infrastructure including pumps, pollution control devices, trenching and kerbing
- Light tower foundations and light and radar poles
- Water, waste and firefighting services
- Administration and workshop facilities; and
- Workforce and visitor car parking.

The location and overview of Terminal 3 is presented in Figure 1.

Construction and operation of Terminal 3 is phased to align with customer demand. The terminal commissioning of container handling equipment and infrastructure commenced in July 2013, with the handover to Operations in September 2013. The terminal vessel and truck operations and services to shipping lines commenced in November 2013. The following elements were operational during the audit:

- Maintenance building and terminal office building
- Vessel berths 1 and 2
- Quay Cranes 1 – 4
- Automated Stacking Cranes 1 – 6



- Shuttle carriers, reach stackers and small plant; and
- Railway sidings and freight train delivery and collection.

Expansion of Automated Stacking Cranes and other container handling equipment has not yet commenced.



Figure 1: Terminal 3 site (modified from Annual Environmental Management Report 2018, Hutchison Ports Sydney)

## 1.1 Approval requirements

Consent was granted to the PBE Project (DA-494-11-2003-i) by the Minister for Planning under section 80(4) and (5) of the *Environmental Planning and Assessment Act 1979* on 13 October 2005, subject to a number of conditions. The consent has been modified on seventeen occasions, most recently on 19 December 2019 (modification 17) to correct a number of administrative errors within the development consent.

SICTL holds an Environment Protection Licence 20322 (EPL 20322) issued under the *Protection of the Environment Operations Act 1997* (POEO Act), for Scheduled Activity chemical storage. The EPL permits up to 5,000 kiloliters (kL) of general chemical storage.

Condition of Consent (CoC) C4.5 requires annual independent environmental audits following the commencement of operations, and sets out the requirements for the undertaking of those audits. It states:



### **'Environmental Auditing**

*C4.5 Within one year of the commencement of operations and every year thereafter, the Applicant shall fund a full independent environmental audit. The audit must be undertaken by a suitably qualified person/team approved by the Director-General.*

*The audits would be made publicly available and would:*

- *be carried out in accordance with ISO 14010 – Guidelines and General Principles for Environmental Auditing and ISO 14011 – Procedures for Environmental Auditing;*
- *assess compliance with the requirements of this consent, and other licences and approvals that apply to the development;*
- *assess the construction against the predictions made and conclusions drawn in the development application, EIS, additional information and Commission of Inquiry material; and*
- *review the effectiveness of the environmental management of the development, including any environmental impact mitigation works'.*

This annual audit covered the period of September 2022 to August 2023 (the audit period).

## **1.2 The audit team**

In accordance with CoC C4.5, Independent Auditors must be suitably qualified and approved by the Secretary of the Department of Planning and Environment (the Department or DPE).

The Auditor who undertook this audit and was approved by the Department is:

- Ricardo Prieto-Curiel (Lead Auditor): Master of Environmental Toxicology, Registered Environmental Assessment Practitioner, Exemplar Global Certified Lead Environmental Management and Regulatory Compliance Auditor (Certificate No. 15160)

Approval of the Audit Team was provided from the Department on 24 May 2023. The letter is presented in Appendix E. Declarations of independent are also included in Appendix E.

## **1.3 The audit objectives**

The objective of this audit is to satisfy, insofar as it relates to Terminal 3, the requirements of CoC C4.5. Consideration was also given to the Department's 2020 document entitled *Independent Audit Post Approval Requirements* (IAPAR). It seeks to verify compliance with the relevant CoCs and assess the effectiveness of environmental management of the Terminal 3 component of the PBE Project.

## **1.4 Audit scope**

The scope of this audit included a detailed assessment of compliance with the CoC (including Modifications) and EPL 20322 relevant to SICTL's operations and activities, along with assessment of the accuracy of the operational related predictions from the Environmental Impact Statement (EIS) and implementation of Hutchison's Operational Environmental Management Plan (OEMP).

Construction related requirements are not included in this audit as there are no construction activities taking place at SICTL's premises at the present time or during the audit period.



Commonwealth Approval – EPBC 2002/543 is relevant to the Port Authority of NSW (Port Authority) but is not applicable to SICTL's operations at Terminal 3.

This Audit covers neither NSW Ports' or the Port Authority's conditions or responsibilities under DA494-11-2003-i.

The assessment of SICTL's operations against predictions made and conclusions drawn from the EIS included assessment against the following documents:

- Port Botany Expansion: Environmental Impact Statement (ten volumes), prepared by URS Pty Ltd and dated November 2003
- Port Botany Expansion Commission of Inquiry – Primary Submission (two volumes), prepared by URS Pty Ltd and dated May 2004
- Port Botany Expansion Commission of Inquiry – Supplementary Submission to Environmental Impact Statement, prepared by URS Pty Ltd and dated August 2004; and
- Port Botany Expansion Environmental Impact Statement – Supplementary Submission (two volumes), prepared by URS Pty Ltd and dated October 2004.

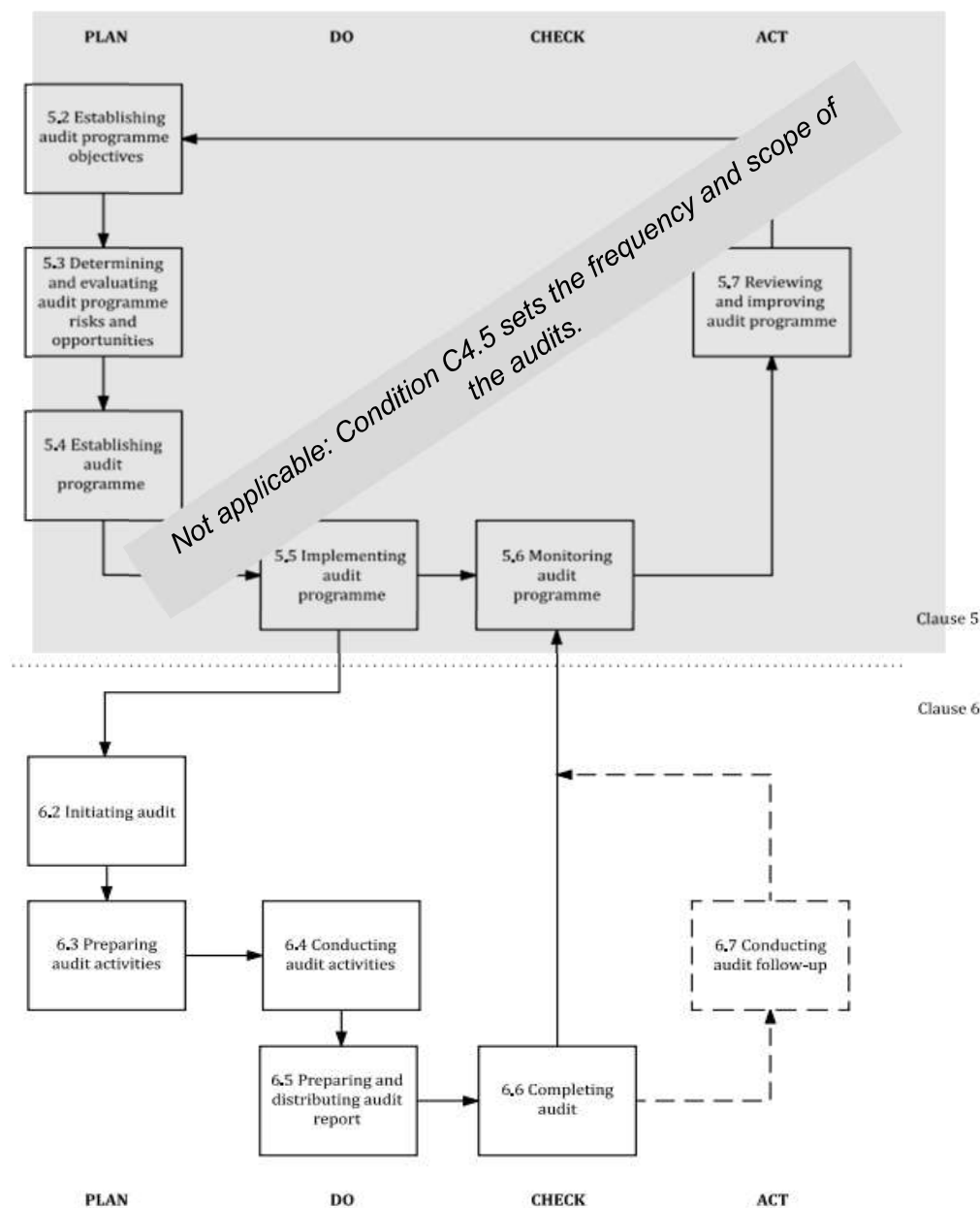


## 2. AUDIT METHODOLOGY

### 2.1 Audit process

The audit was conducted in a manner consistent with AS/NZS ISO 19011:2019 – *Guidelines for Auditing Management Systems* (the Standard which replaces those specified at C4.5: ISO 14010 – *Guidelines and General Principles for Environmental Auditing* and ISO 14011 – *Procedures for Environmental Auditing*). The methodologies and reporting requirements from the IAPAR were also considered.

An overview of the audit activities, as specified in the standard, is presented in Figure 2. Further detail is presented in Sections 2.2 – 2.12.





*Figure 2: Audit activities overview (modified from AS/NZS ISO 19011). Subclause numbering refers to the relevant subclauses in the Standard.*

## 2.2 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.

## 2.3 Preparing audit activities

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

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 audit. The primary documents reviewed prior to the site visit are as follows:

- Development Consent for DA-494-11-2003-I as amended by modifications 1-17;
- EPL 20322 and the NSW EPA summary of EPL 20322 Annual Returns;
- HSEQ Management System Operational Environmental Management Plan (OEMP), HSEQ5.7 v6, Hutchison Ports, 22 August 2023;
- Annual Environmental Management Report 2022/2023, dated 30 October 2023
- Documents detailing the environmental performance of Terminal 3, as made available on the Project website: <https://www.hutchisonports.com.au/operations/monitoring-and-reporting/>.

Audit checklists were reviewed and prepared. These comprised:

- CoCs from DA-494-11-2003-I as amended by modifications 1-17
- Conditions from EPL 20322;
- Key Performance Indicators (KPIs) from SICTLs OEMP; and
- EIS, Commission of Inquiry, Section 96 predictions and conclusions.

The KPIs from the OEMP, assisted with assessing SICTLs implementation of the OEMP.

## 2.4 Consultation

In accordance with IAPAR, on the 14 September 2023 WolfPeak consulted with the Department to obtain input on the scope of the audit, as outlined in Section 3.2 of the IAPAR, and to confirm whether other stakeholders should be consulted. No feedback was obtained from the Department. The consultation records are provided at Appendix H.



## 2.5 Site personnel involvement

The on-site audit activities, including inspections, document review, interviews and meetings, took place on 12 October 2023. The following personnel took part in the audit:

- Gabrielle Pie Tiatia - Environmental Engineer– Hutchison Ports
- Ricardo Prieto-Curiel – Lead Auditor – WolfPeak
- Joyce Acierda – assistant to the auditor - WolfPeak

## 2.6 Meetings

Opening and closing meetings were held with the Auditor and Project personnel on the 12 October 2023.

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 findings were presented, preliminary recommendations (as appropriate) were made, and any post-audit actions were confirmed.

## 2.7 Interviews

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

## 2.8 Site inspection

The on-site audit activities took place on 12 October 2023. The on-site audit activities included an inspection of the entire site and associated work activities. Photos are presented in Appendix F.

## 2.9 Document review

The 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 – D.

## 2.10 Generating audit findings

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.



## 2.11 Compliance evaluation

The Auditor determined the compliance status of each compliance requirement using the following descriptors from Table 2 of the IAPAR. As set out in Table 1 below.



*Table 1: Compliance status descriptors*

Status	Description
<b>Compliant</b>	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.
<b>Non-compliant</b>	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.
<b>Not Triggered</b>	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 and notes may also be made to provide context, identify opportunities for improvement or highlight positive initiatives.

In relation to findings against predictions and conclusions made in the environmental documentation for the project:

- ☺ = Largely as predicted/concluded
- ☹ = Partially as predicted / unknown / as predicted
- ☹ = Not as predicted
- NA = Not applicable

The audit report was 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.

## 2.12 Completing the audit

The Independent Audit Report was 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 Compliance status

This Section, including Tables 2 and 3, presents the status of findings from previous audits (Table 2) and the findings from the 2023 Independent Audit (Table 3), along with recommended actions in response to each of the findings. Detailed findings against each requirement are presented in Appendices A – D. Actions that were open from the previous audits are also presented. In summary:

- All findings from previous audits have been closed.
- With respect to the 2023 audit:
  - No non-compliances were identified.
  - Five (5) observations were made. These relate to submission of the updated OEMP (2023) to the Department, unlabelled recycling waste containers at the yard, follow up water quality sampling of SQIDs maintained in accordance with the SQID Management Plan, frequency of SQID maintenance and minor spillage at the storage area near the workshop.



Table 2: Status of previously open findings from past audits

Item	Cond No	Type	Details of Item	Recommended or Completed Action (from 2022 audit)	By whom and by when (from 2022 audit)	Status (2023 audit)
<b>STATUS OF FINDINGS / ACTIONS THAT REMAINED OPEN FROM THE 2020 INDEPENDENT AUDIT</b>						
IA20_1	CoC C2.14 EPL 20322 L1.1 OEMP Table 23	Corrective Action Request	<p>CoC C2.14 and EPL 20322 Condition L1.1 state that except as may be expressly permitted by a licence under the Protection of the Environment Operations Act 1997 in relation to the development, section 120 of that Act (prohibition of the pollution of waters) shall be complied with in connection to the development.</p> <p>The EPL does not permit deviations from s120.</p> <p>Table 23 of the OEMP sets water quality criteria for the outlets of the SQIDS (consistent with the ANZECC Fresh and Marine Water Quality Guidelines (and included in the Project's EIS).</p> <p><b>Corrective Action Request:</b> According to the laboratory results for 16/07/20, the following exceedances of the Project specified limits were recorded on the outlet of the SQIDS:</p> <p style="padding-left: 40px;">SQID 24 Outlet TSS 240mg/L</p> <p style="padding-left: 40px;">SQID 24 Outlet Oil and Grease 20,000mg/L.</p> <p>The inlet readings for both of these events were below the applicable criteria, and the unit was cleaned with material removed via sucker truck and disposed of as liquid waste. This occurred in accordance with Table 24 of the approved OEMP which states that clean out of the unit will occur within 6 weeks of the exceedance. However there was no evidence available to demonstrate that these exceedances had been thoroughly or formally investigated and attributed to non-site sources.</p> <p>The auditee resampled the SQID in response to the draft findings of this Report (100 days after receipt of the exceedance). Results are pending.</p>	<p>As reported in 2022 audit:</p> <p>SQID 24 investigations and repairs have been completed.</p> <p>The Auditor reiterates its recommendation from the 2018-19 audit that, in order to ensure section 120 of the POEO Act is not breached, SICTL should implement a process whereby an exceedance of OEMP stormwater KPIs triggers an appropriate response to investigate, report and rectify the issue as relevant. It is the Auditors opinion that the current process as defined in the OEMP is not adequate in responding to such events.</p>	<p>As reported in 2022 audit:</p> <p>Environmental Engineer.</p> <p>31/12/20.</p>	<p><b>CLOSED</b></p> <p>The OEMP has been updated to version 6, dated 22/08/23, and now includes actions to be taken in the event of a stormwater KPI exceedance, which includes the requirement to investigate where the water quality results exceed the Acceptable Limit Exceedance. The updated version of the OEMP is available on the SICTL website.</p> <p>Further, a SQID Management Plan (Draft), Revision 1, dated 15/08/2023, has been developed to ensure the routine maintenance of SQIDS and to meet the annual sampling requirements. Currently, there are 36 operational SQIDS on-site, manufactured by two companies: SPEL's (now Atlan Stormwater) 'Stormceptor' and Humes' 'Humeceptor'.</p>
<b>FINDINGS FROM THE 2022 INDEPENDENT AUDIT</b>						
Item	Cond No	Type	Details of Item	Recommended or Completed Action (from 2022 audit)	By whom and by when (from 2022 audit)	Status
IA22_1	C4.4	Non-compliance	<p>Requirement: <i>Prior to the commencement of operations an Environmental Training Program shall be developed and implemented to establish a framework in which relevant employees will be trained in environmental management and the operation of plant and equipment, including pollution control equipment, where relevant. The Program shall include, but not necessarily be limited to:</i></p> <p>a) <i>identification of relevant employment positions associated with the development that have an operational or management role related to environmental performance;</i></p> <p>b) <i>details of appropriate training requirements for relevant employees</i></p> <p>c) <i>a program for training relevant employees in operational and/ or management issues associated with environmental performance; and</i></p> <p>d) <i>a program to confirm and update environmental training and knowledge during employment of relevant persons.</i></p> <p><b>Non-compliance:</b> Environmental training is set out in Section 3.6 of the approved OEMP. It identifies a range of training requirements including pollu-plugin training for maintenance, personnel, senior operations managers, security officers and</p>	<p>Deliver training in accordance with Section 3.6 of the OEMP.</p>	<p>Environmental Engineer.</p> <p>31/12/22</p>	<p><b>CLOSED</b></p> <p>2023 Pollu-Plug Refresher training was conducted in four (4) occasions during the audit period (11/08/23 and 20,21,27/09/23).</p> <p>An amendment has been made to the OEMP specifying which employees should receive training for Pollu-plugin usage.</p>



Item	Cond No	Type	Details of Item	Recommended or Completed Action (from 2022 audit)	By whom and by when (from 2022 audit)	Status (2023 audit)
			HSEQ staff every two years. Training was last rolled out between 2018 and 2020. No pollu-plugin training has been delivered since 20/08/20, therefore the training is now overdue.			
IA22_2	OEMP Table 23	Observation	<p>Table 23 of the OEMP sets water quality criteria for the outlets of the SQIDS (consistent with the ANZECC Fresh and Marine Water Quality Guidelines (and included in the Project's EIS), and requires testing of three (3) units each year.</p> <p><b>Observation:</b> The SQID register v1 identifies that SQIDs were inspected, water tested and maintenance completed for 2022, consistent with the OEMP. Sighted Water Analytes Register. Results for the 3 sampled SQIDs are satisfactory for the reporting period. However there does not appear to be a forward looking plan for testing and maintenance of the SQIDS that ensures that all are subject to testing and maintenance over time. This risks SQID testing being duplicated or missed over multi-year time frames.</p>	<p>Develop a forward looking schedule for the inspection, testing and (if necessary) maintenance of SQIDs so that all SQIDs are captured over a multi-year timeframe. The schedule (once developed) should be implemented going forward.</p>	<p>Environmental Engineer.</p> <p>Prior to next audit</p>	<p><b>CLOSED</b></p> <p>The SQID Management Plan, Revision 1, dated 15/08/2023 (draft), has been developed to ensure the routine maintenance of SQIDs and to meet the annual sampling requirements. Currently, there are 36 operational SQIDs under SICLS care installed on site. The Plan include SQID maintenance inspection and maintenance work under Section 4.3 and an example table for 14-year maintenance program.</p>



Table 3: Findings from the 2023 Independent Audit

Item	Cond No/EPL item	Type	Requirement	Finding	Recommended <sup>1</sup> or Completed Action	Status
IA23_1	C1.3	Observation	<p><i>The Applicant shall prepare an Operation Environmental Management Plan (OEMP) which must be approved by the Director-General prior to commencement of any operations at the terminal. The OEMP must:</i></p> <ul style="list-style-type: none"> <li>- identify all statutory obligations that the Applicant is required to fulfil in relation to operation of the development, including all consents, licences, approvals and consultations;</li> <li>- describe any relevant staging or phasing of the commencement of operations within the terminal envelope and any relevant timeframes;</li> <li>- clearly outline what aspects of environmental management, monitoring and reporting would be undertaken by the Applicant or jointly with other operators within the terminal area;</li> <li>- include a description of the roles and responsibilities for all key employees involved in the operation of the development;</li> <li>- include overall environment policies and principles to be applied to the operation of the facility;</li> <li>- include specific consideration of measures to address any requirements of DPIE, EPA, and the Council during operation;</li> <li>- detail standards and performance measures to be applied to the development, and a means by which environmental performance can be periodically reviewed and improved, where appropriate;</li> <li>- detail management policies to ensure that environmental performance goals are met and to comply with the conditions of this consent;</li> <li>- include the Management Plans relevant to operation, include the environmental monitoring requirements relevant to operation; and</li> </ul> <p><i>be made available for public inspection after approval of the Director General.</i></p>	<p><b>Observation:</b> the revised version of the OEMP (2023) has not been submitted to the Department to inform of changes made in the document or seek Department's feedback (noting that the consent does not specifically require Department approval of OEMP revisions, and that the OEMP indicates that new versions would be provided to NSW Ports and the Department)</p>	<p><b>Recommendation:</b> Submit the revised OEMP (2023) to the Department informing of changes made to the document and seek the Department's endorsement of the OEMP</p>	OPEN
IA23_2	C2.13A	Observation	<p><i>The management of waste for uses and activities not subject to an Environmental Protection licence, shall be managed and disposed of in accordance with the Protection of the Environment Operation (Waste) Regulation 2005 and the Waste Classification Guidelines (DECCW 2009), or any future guideline that may supersede that document. All waste materials removed from the site shall only be directed to a waste management facility lawfully permitted to accept the materials.</i></p>	<p><b>Observation:</b> recyclable waste bins in maintenance yard are segregated however some of these bins do not indicate the type of waste the bin is meant to store (Photo 6)</p>	<p><b>Recommendation:</b> Label all recyclable waste bins in maintenance Yard to avoid cross contamination of waste</p>	OPEN
IA23_3	C2.14 / L.1.1 / OEMP (Table 24)	Observation	<p><i>Except as may be expressly permitted by a licence under the Protection of the Environment Operations Act 1997 in relation to the development, section 120 of that Act (prohibition of the pollution of waters) shall be complied with in connection to the development.</i></p>	<p><b>Observation:</b> SQIDs are sampled and maintained in accordance with the OEMP (22/08/2023) and the SQID Management Plan (Draft, 15/08/2023). SQIDs that showed exceedances of the OEMP water quality criteria are repaired following identification of the exceedances but follow up water quality sampling is not undertaken to confirm that the maintenance works have corrected the SQID problems.</p>	<p><b>Recommendation:</b> Revise SQIDs water quality sampling program to incorporate some form of validation sampling of SQIDs maintained in accordance with SQID Management Plan or in response to exceedances of water quality criteria.</p>	OPEN
IA23_4	C2.14 / L.1.1 / OEMP (Table 24)	Observation	<p><i>Except as may be expressly permitted by a licence under the Protection of the Environment Operations Act 1997 in relation to the development, section 120 of that Act (prohibition of the pollution of waters) shall be complied with in connection to the development.</i></p>	<p><b>Observation:</b> The SQID Management Plan (Draft Rev 1, 15/08/2023) provides a 14-maintenance program which includes inspection of 3 SQIDs annually (with SQID 3 being the only SQID exempt from the 14-year maintenance program as it is connected to the bundled refuelling area and will be subject to inspection and maintenance works annually). However the SQIDs Manuals recommend annual maximum intervals of SQID maintenance.</p>	<p><b>Recommendation:</b> Revise the SQID Management Plan to increase the SQID inspection and maintenance frequency in accordance with the SQID Manufacturers' Manuals. In addition, it is recommended that the revised SQID Management Manual is incorporated in the OEMP prepared under Condition C1.3</p>	OPEN



Item	Cond No/EPL item	Type	Requirement	Finding	Recommended <sup>1</sup> or Completed Action	Status
IA23_5	C2.20	Observation	<p><i>The Applicant shall develop an Emergency Response and Incident Management Plan in consultation with EPA, DPIE, Council and the Community Consultative Committee. The Plan must be approved by the Secretary prior to the commencement of operations and shall detail:</i></p> <ul style="list-style-type: none"> <li>- terminal security and public safety issues;</li> <li>- effective spill containment and management;</li> <li>- effective firefighting capabilities;</li> <li>- effective response to emergencies and critical incidents; and</li> <li>- a single set of emergency procedures, consistent with the existing Port Botany Emergency Plan, should be developed that be scaled as appropriate for any incident or emergency.</li> </ul>	<p><b>Observation:</b> Minor spill observed in the storage area near workshop (Photo 8 of Appendix F) in what appears to be unsealed surface</p>	<p><b>Recommendation:</b> Clean up spill(s) in the storage area near the workshop.</p>	<b>OPEN</b>

<sup>1</sup>. Auditor's recommendation



## 3.2 Summary of notices from agencies

To the Auditor's knowledge no formal notices were issued by the Department or other agencies during the audit period.

## 3.3 Effectiveness of environmental management & mitigation measures

The effectiveness of implementation of operational environmental management measures relied on a review of SICTL's operations against the KPIs identified in the OEMP. The review included the audit site inspection and consideration of information presented in site inspection records, incident reports, training and induction records and other relevant records. Appendix C presents the review of whether KPIs were being achieved. The photos presented in Appendix F provide evidence of operational environmental controls being implemented on the day of the site audit.

The auditees have demonstrated that they are implementing the plans and the Auditor considers the Project to be complying with the consent as a result. Other than the matters identified in Section 3.1 the Auditor is of the view that the plans are adequate for the works being undertaken.

## 3.4 Complaints

Hutchison Ports maintains a complaints management system and publishes quarterly Community Feedback Reports online. A review of the Community Feedback & Enquiries Register showed that no complaints were received by SICTL during the Audit Period. The Community Feedback Reports are available on the Project website <https://www.hutchisonports.com.au/operations/monitoring-and-reporting/>. It is noted that this audit does not include a review of complaints that may have been received by other stakeholders (e.g. NSW Ports) in relation to port operations.

## 3.5 Actual vs predicted impacts

CoC C4.5 requires an assessment of *'the construction against the predictions made and conclusions drawn in the development application, EIS, additional information and Commission of Inquiry material.'* As reported in numerous previous audits, the Proponent should consider requesting from the Department removal of this requirement as the reference to construction in CoC C4.5 (which is about audits of operations) appears to be an error.

The IAPAR requires an assessment *'of actual impacts compared to predicted impacts documented in the environmental impact assessment'*. This is presented in Appendix D. The Auditor continues to reiterate that there is vanishingly little to be gained by continuing to assess the performance of operations at the Project against predictions that were made in environmental impact and assessment reports prepared over 15 years ago, which are now significantly outdated. This is due to major new developments and changes in operations at the Port and surrounding areas that were not in existence or conceived of at the time the original EIS and other assessment reports were prepared.



### **3.6 Other matters considered relevant by the Auditor**

There are no matters considered relevant beyond those identified elsewhere in Section 3 of this Report.



## 4. CONCLUSIONS

This Audit report presents the findings from the 2023 Independent Audit.

The overall outcome of the audit was indicative of a high level of compliance and environmental performance by the Project. Compliance records were well organised and readily available during the audit. Relevant environmental and compliance monitoring records continue to be collected and reported as required to provide verification of compliance to statutory requirements and the broader Project environmental requirements. In summary:

- All findings from previous audits have been closed.
- With respect to the 2023 audit:
  - No non-compliances were identified.
  - Five (5) observations were made. These relate to submission of the updated OEMP (2023) to the Department, unlabelled recycling waste containers at the yard, follow up water quality sampling of SQIDs maintained in accordance with the SQID Management Plan, frequency of SQID maintenance and minor spillage at the storage area near the workshop.

Detailed findings are presented in Section 3 along with recommended actions proposed to address the findings.

The Auditor would like to thank the auditees for their high level of organisation, cooperation and assistance during the audit.



## 5. LIMITATIONS

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## **APPENDIX A – CONDITIONS OF CONSENT**



CoC No	Responsibility	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome				
				C	O	NC	NT	
		SCHEDULE A: OVERALL SCOPE OF DEVELOPMENT WORKS AND GENERAL PROVISIONS						
A1		GENERAL						
		Scope of Development						
A1.1	NSW Ports and PBE tenants including SICTL Port Authority	<p>The approved aspects of the development shall be carried out generally in accordance with:</p> <p>a) Development Application DA-494-11-2003-i, lodged with Department on 26 November 2003.</p> <p>b) Port Botany Expansion: Environmental Impact Statement (ten volumes), prepared by URS and dated Nov 2003;</p> <p>c) Port Botany Expansion Commission of Inquiry – Primary Submission (two volumes), prepared by URS dated May 2004;</p> <p>d) Port Botany Expansion Commission of Inquiry – Supplementary Submission to Environmental Impact Statement, prepared by URS and dated August 2004;</p> <p>e) Port Botany Expansion Environmental Impact Statement – Supplementary Submission (two volumes), prepared by URS and dated October 2004;</p> <p>f) modification application MOD-107-9-2006-i, accompanied by <i>Port Botany Expansion, Section 96(1A) Application: Modification of Consent Conditions</i>, prepared by SPC and dated September 2006;</p> <p>g) modification application MOD-134-11-2006-i, accompanied by <i>Port Botany Expansion, Section 96(1A) Modification – Wharf Structure Design</i>, prepared by SPC and dated November 2006;</p> <p>h) modification application MOD-149-12-2006-i, accompanied by <i>Port Botany Expansion, Section 96(1A) Modification – Application to Modify Conditions B2.9 and B2.22 of the Port Botany Consent</i>, prepared by SPC and dated 1 December 2006;</p> <p>i) modification application MOD-78-9-2007-i, accompanied by <i>Port Botany Expansion – Modification of Conditions C2.20 &amp; C2.25</i>, prepared by SPC, dated July 2007;</p> <p>j) modification application MOD-60-9-2008, accompanied by <i>Port Botany Expansion – Modification of Conditions B2.46 &amp; C2.25</i>, prepared by SPC, dated 27 August 2008;</p> <p>k) modification application MOD-68-12-2008, accompanied by a letter from SPC dated December 2008;</p> <p>l) modification application MOD-08-03-2009, accompanied by a letter from Sydney Ports Corporation dated 16 February 2009 and assessment report titled Port Botany Expansion – Rail <i>Operations Section 96(1A) Modification</i> dated February 2009</p> <p>m) modification application DA-494-11-2003-I MOD 8, accompanied by an assessment report <i>titled “Port Botany Expansion – Ship Turning Area Dredging Section 96 (1A) Modification</i> dated May 2009;</p> <p>n) modification application DA-494-11-2003-I MOD 9 accompanied by an assessment report titled <i>“Port Botany Expansion – Additional High Spot Dredging off Molineux Point Section 96 (1A) Modification”</i> dated May 2009.</p> <p>o) modification application DA-494-11-2003-I MOD 10, accompanied by an assessment within the letter titled <i>“Port Botany Expansion – Section 96(1A) Modification – Additional Ship Turning Area Dredging”</i> dated 8 July 2009;</p> <p>p) modification application DA-494-11-2003-i MOD 11, accompanied by an assessment report titled <i>“Sydney Port Botany Terminal No. 3 PKG-17.1 Planning Section 75W Modification Operations Building and Maintenance Building”</i> dated 14 September 2011; and</p> <p>q) modification application DA-494-11-2003-i MOD 12, accompanied by an assessment report titled <i>“Sydney Port Botany Terminal No. 3 PKG-17.1 Planning Section 75W Modification to Stormwater First Flush System”</i> dated 15 February 2012 and supplementary advice provided on 6 June 2012 in relation to other proprietary SQID devices; and</p> <p>r) modification application DA-494-11-2003-i MOD 13, accompanied by an assessment report titled <i>“Project No. 231658 Section 75W Modification to Stormwater Management System for Southern Expansion Area”</i> dated 31 October 2012;</p> <p>s) modification application DA-494-11-2003-i MOD 14, accompanied by assessment reports titled <i>“Port Botany Expansion – Section 75W Modification 14 to DA-494-11-2003i for Temporary Uses at northern tip of Hayes Dock”</i>, dated January 2013; and <i>“Port Botany Expansion, Cumulative Construction Traffic Impact Assessment, Terminal Operations Infrastructure (March 2013 – March 2014)”</i>, dated April 2013; and</p> <p>t) modification application DA-494-11-2003-i MOD 15, accompanied by assessment report titled <i>‘SICTL Quay Crane Operations’</i>, prepared by HPH and dated 20 March 2013; and</p> <p>u) Modification application DA-494-11-2003-1 MOD 16, accompanied by assessment report titled <i>‘Port Botany Expansion Modification Application 16 to DA-494-11-2003i Permanent Uses Hayes Dock Services Area and Administrative Changes to Some Conditions’</i>, prepared by Lendlease for NSW Ports and dated September 2016; and</p> <p>v) modification application DA-494-11-2003-I MOD 17, accompanied by letter titled <i>‘Port Botany Expansion s4.55(1) Modification Application to DA-494-11-2003i – Administrative Update to Conditions of Approval’</i>, prepared by NSW Ports and dated 16 October 2018;</p> <p>w) the conditions of this consent.</p> <p>Insofar as they relate to the approved development.</p>	<p>Site inspection and interview with auditees 12/10/2023</p> <p>Compliance with these requirements, relevant to operations for the audit period, is verified through this independent audit process, review of records and documentation prepared under the consent for the audit period and the site inspection.</p> <p>Refer to evidence sighted and findings against each requirement elsewhere in this table and in appendices B – D. Based on the information provided and the limited number of observations it is the Auditors opinion that the Project is being carried generally in accordance with these documents.</p> <p>No construction occurred in the last 12 months, and none plan in the near future</p> <p>Annual Environmental Management Report 2022/2023 V01, 30/10/2023 by Hutchison ports</p>	C				



CoC No	Responsibility	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome			
				C	O	NC	NT
A1.2		In the event of an inconsistency between: a) the conditions of this consent and any document listed from condition A.1.1a) to w) inclusive, the conditions of this consent shall prevail to the extent of the inconsistency; and b) any document listed from condition A1.1 a) to w) inclusive, the most recent document shall prevail to the extent of the inconsistency	The auditee is not aware of any inconsistencies				
		<b>Statutory Requirements</b>					
A1.3	NSW Ports SICTL	All licences, permits and approvals shall be obtained and maintained as required throughout the life of the development. No condition of this consent removes the obligation to obtain, renew or comply with such licences, permits or approvals.	Site inspection and interview with auditees 12/10/2023  The Federal EPBC Approval 2002/543 and EPL 20322 remain current. In regard to the Federal EPBC Approval 2002/543, Port Authority of NSW is responsible for the management of Penrhyn Estuary and Foreshore Beach, and associated monitoring and reporting requirements under the EPBC Approval.  Commercial Trade Wastewater Permit from Sydney Water dated 15/10/2015 is applicable to the operation.	C			
		<b>Port throughput Capacity Limits</b>					
A1.4	NSW Ports SICTL	Port throughput capacity generated by operations in accordance with this consent shall be consistent with the limits specified in the EIS, that is, a maximum throughput capacity at the terminal of 1.6 million TEUs per annum and a total throughput at Port Botany of 3.2 million TEUs. These limits may not be exceeded by the development without further environmental assessment and approval. Sydney Ports Corporation shall prepare, or have prepared on its behalf, such further environmental assessment for the determination of the Minister	Site inspection and interview with auditees 12/10/2023  The auditee confirmed on 19/10/22 the TEU Throughput comparison by reporting period: 1 September 2022 – 31 August 2023: 2018: 352,127 2019: 344,451 2020: 320,125 2021: 465,053 2022: 478,575 2023: 202,886 (September 2022 to August 2023)	C			
		<b>SCHEDULE C: TERMINAL OPERATIONS</b>					
C1		<b>GENERAL REQUIREMENTS</b>					
		Application of Schedule					
C1.1	SICTL	The conditions in this Schedule of the consent relate to all the development and activities associated with the operation of the container terminal and associated infrastructure	Site inspection and interview with auditees 12/10/2023  Noted. See detailed input below	C			
C1.2	NSW Ports Port Authority	The conditions in this sub-schedule of the consent must be complied with by the Applicant, or any party undertaking the activities and works referred to under condition C1.1, with the exception of the undertaking of Port, Maritime and Waterway Related Interim Uses at Hayes Dock Services Area, which are subject to condition C1.2A - C1.2F. Should more than one terminal operator undertake operations within the terminal area compliance with the conditions of this Schedule may be undertaken individually by operators, or collectively.	Site inspection and interview with auditees 12/10/2023  Noted. SICTL is a Terminal operator and has commissioned this Audit to assess compliance against these conditions with respect to its own operations.  SICTL does not undertake activities or works associated with Hayes Dock Services Area within the meaning of this condition. NSW Ports manage and operate Hayes Dock. The Hutchison site is separated by fencing from Hayes Dock.				NT
		<b>Interim Uses Port, Maritime and Waterway Related Uses- Hayes Dock Services Area</b>					
C1.2A	NSW Ports Port Authority	The conditions in this sub-schedule of the consent must be complied with by the Applicant, or any party undertaking activities and works associated with Port, Maritime and Waterway Related Uses Interim Uses, except conditions C1.3, C1.4 C1.5, C2.5, C2.12, C2.16, C2.17, C2.18, C2.20, C2.25, C3.1, C3.2, C3.3, C4.2, C4.3, C4.4 and C4.5.	Site inspection and interview with auditees 12/10/2023  Noted. SICTL is a Terminal operator and has commissioned this Audit to assess compliance against these conditions with respect to its own operations.  SICTL does not undertake activities or works associated with Hayes Dock Services Area within the meaning of this condition. NSW Ports manage and operate Hayes Dock. The Hutchison site is separated by fencing from Hayes Dock.				NT
		<b>Operation Environmental Management Plan – Port, Maritime and Waterway Related Interim Uses Hayes Dock Services Area</b>					



CoC No	Responsibility	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome			
				C	O	NC	NT
C1.2B	NSW Ports Port Authority	<p>The Applicant shall prepare an Operation Environmental Management Plan (OEMP) – Port, Maritime and Waterway Related Interim Uses prior to the commencement of Port, Maritime and Waterway Related Interim Uses on the site. The Plan shall include details of how environmental performance would be managed and monitored to meet acceptable environmental outcomes, including what actions will be taken to address potential adverse environmental impacts. In particular, the following environmental issues shall be addressed in the Plan:</p> <ul style="list-style-type: none"> <li>- Odour and Air Quality;</li> <li>- Noise Management;</li> <li>- Waste Management;</li> <li>- Water and Wastewater Management;</li> <li>- Hazard and Risk Management;</li> <li>- Amenity, including lighting; and</li> <li>- Incident Reporting.</li> </ul> <p>The OEMP shall also address:</p> <ul style="list-style-type: none"> <li>- details of operation activities including key noise and/or vibration generating activities and machinery that have the potential to generate noise and/or vibration impacts on surrounding sensitive receivers;</li> <li>- Identification of feasible and reasonable measures proposed to be implemented to minimise and manage operation noise and vibration impacts, especially during sleep disturbance;</li> <li>- A description of how the effectiveness of mitigation and management measures would be maintained.</li> </ul> <p>Noise Management shall include:</p> <ul style="list-style-type: none"> <li>- hours in which particularly activities are undertaken;</li> <li>- use of shore power where available;</li> <li>- restrictions on notably noisy vehicles and vessel from the site;</li> <li>- use of building and vehicle alarms and/or alternatives available.</li> </ul> <p>The Plan shall also</p> <ul style="list-style-type: none"> <li>- identify all statutory obligations that the applicant is required to fulfil in relation to operation of the development, including all consents, licences, approvals and consultations;</li> <li>- include a description of the roles and responsibilities for all key employees involved in the operation of the development; and</li> <li>- include overall environment policies and principles to be applied to the operation of the facility.</li> </ul> <p>A copy of the updated OEMP shall be submitted for approval by the Secretary within (3) months of the date of approval of Modification 16, unless otherwise agreed by the Secretary.</p>	<p>Site inspection and interview with auditees 12/10/2023</p> <p>Noted. SICTL is a Terminal operator and has commissioned this Audit to assess compliance against these conditions with respect to its own operations.</p> <p>SICTL does not undertake activities or works associated with Hayes Dock Services Area within the meaning of this condition. NSW Ports manage and operate Hayes Dock. The Hutchison site is separated by fencing from Hayes Dock.</p>				NT
		<b>Noise Management Plan – Interim Uses Hayes Dock Services Area Operation</b>					
C1.2C	NSW Ports Port Authority	<p>The noise management plan shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>- compliance standards,</li> <li>- community consultation,</li> <li>- complaint handling monitoring system,</li> <li>- site contact person to follow up complaints,</li> <li>- mitigation measures,</li> <li>- the design/orientation of the proposed mitigation methods demonstrating best practice,</li> <li>- operation times,</li> <li>- contingency measures where noise complaints are received, and</li> <li>- monitoring methods and program.</li> </ul>	<p>Site inspection and interview with auditees 12/10/2023</p> <p>Noted. SICTL is a Terminal operator and has commissioned this Audit to assess compliance against these conditions with respect to its own operations.</p> <p>SICTL does not undertake activities or works associated with Hayes Dock Services Area within the meaning of this condition. NSW Ports manage and operate Hayes Dock. The Hutchison site is separated by fencing from Hayes Dock.</p>				NT
		<b>Noise Compliance Assessment – Interim Uses Hayes Dock Services Area Operation</b>					
C1.2D	NSW Ports Port Authority	<p>Noise from the Hayes Dock Services Area must not exceed the Leq (15 minute) noise limits presented in the Table at C2.6 by more than 5d(B)A between 10:00pm and 7:00am. The Secretary may require a detailed noise compliance assessment, prepared by a qualified acoustic consultant. The noise compliance assessment shall meet the requirements of the Environment Protection Authority.</p> <p>The noise compliance assessment shall include the representative residential receiver locations identified in the table in C2.6.</p>	<p>Site inspection and interview with auditees 12/10/2023</p> <p>Noted. SICTL is a Terminal operator and has commissioned this Audit to assess compliance against these conditions with respect to its own operations.</p> <p>SICTL does not undertake activities or works associated with Hayes Dock Services Area within the meaning of this condition. NSW Ports manage and operate Hayes Dock. The Hutchison site is separated by fencing from Hayes Dock.</p>				NT



CoC No	Responsibility	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome			
				C	O	NC	NT
C1.2E	NSW Ports Port Authority	A complaint handling procedure shall be implemented for the Hayes Dock Services Area. Annual reports shall be provided to the Department, outlining details of the complaints received. A register of complaints shall be kept and include the following: <ul style="list-style-type: none"> <li>- date and time, where relevant, of the comment, inquiry or complaint,</li> <li>- how the comment, inquiry or complaint was communicated,</li> <li>- any personal details of the commenter, inquirer or complainant that were provided. If no details were provided this should be recorded,</li> <li>- the nature of the comment, inquiry or complaint,</li> <li>- any actions taken by the Applicant in relation to the comment, inquiry or complaint, including any follow-up contact, and</li> <li>- if no action was taken, record the reason(s) why.</li> </ul>	Site inspection and interview with auditees 12/10/2023 Noted. SICTL is a Terminal operator and has commissioned this Audit to assess compliance against these conditions with respect to its own operations. SICTL does not undertake activities or works associated with Hayes Dock Services Area within the meaning of this condition. NSW Ports manage and operate Hayes Dock. The Hutchison site is separated by fencing from Hayes Dock.				NT
C1.2F	NSW Ports Port Authority	Annual reporting on the compliance of the Hayes Dock Services Area shall be conducted. The first report for the Hayes Dock Services Area shall be provided to the Department twelve (12) months from the date of the approval of modification 16, unless otherwise agreed by the Secretary.	Site inspection and interview with auditees 12/10/2023 Noted. SICTL is a Terminal operator and has commissioned this Audit to assess compliance against these conditions with respect to its own operations. SICTL does not undertake activities or works associated with Hayes Dock Services Area within the meaning of this condition. NSW Ports manage and operate Hayes Dock. The Hutchison site is separated by fencing from Hayes Dock.				NT
		<b>Operation Environmental Management Plan</b>					
C1.3	SICTL	The Applicant shall prepare an Operation Environmental Management Plan (OEMP) which must be approved by the Director-General prior to commencement of any operations at the terminal. The OEMP must: <ul style="list-style-type: none"> <li>- identify all statutory obligations that the Applicant is required to fulfil in relation to operation of the development, including all consents, licences, approvals and consultations;</li> <li>- describe any relevant staging or phasing of the commencement of operations within the terminal envelope and any relevant timeframes;</li> <li>- clearly outline what aspects of environmental management, monitoring and reporting would be undertaken by the Applicant or jointly with other operators within the terminal area;</li> <li>- include a description of the roles and responsibilities for all key employees involved in the operation of the development;</li> <li>- include overall environment policies and principles to be applied to the operation of the facility;</li> <li>- include specific consideration of measures to address any requirements of DPIE, EPA, and the Council during operation;</li> <li>- detail standards and performance measures to be applied to the development, and a means by which environmental performance can be periodically reviewed and improved, where appropriate;</li> <li>- detail management policies to ensure that environmental performance goals are met and to comply with the conditions of this consent;</li> <li>- include the Management Plans relevant to operation, include the environmental monitoring requirements relevant to operation; and</li> <li>- be made available for public inspection after approval of the Director General.</li> </ul>	Operational Environmental Management Plan (OEMP) – Version 6 (25 August 2023) has been prepared and addressed the requirements under this condition. It provides update to reference Environmental Policy, Pollu-plug training list and actions to be taken in the event of a stormwater KPI exceedance. The OEMP includes the information required by this condition.  For early approval of the OEMP refer to previous audits. The previous version of the OEMP (V5, dated 25/08/2020) was acknowledged by the Department in correspondence dated 24/05/2021.  The OEMP is also available on the SICTL's website: <a href="https://www.hutchisonports.com.au/operations/environmental-management-plans/">https://www.hutchisonports.com.au/operations/environmental-management-plans/</a> <b>Observation:</b> the revised version of the OEMP (2023) has not been submitted to the Department to inform of changes made in the document or seek Department's feedback (noting that the consent does not specifically require Department approval of OEMP revisions, and that the OEMP indicates that new versions would be provided to NSW Ports and DPE) <b>Recommendation:</b> Submit the revised OEMP (2023) to the Department informing of changes made to the document and seek Department endorsement of the OEMP  Note: Hutchison representatives indicated that it had issues with the Portal and thus why it could not be submitted to the Department. The revised OEMP has been submitted to NSW Ports, email 14/09/2023 to NSW Ports with revised OEMP.	C			
		<b>Compliance Certification</b>					
C1.4	SICTL	Prior to each of the events listed from a) to b) below, or within such period otherwise agreed by the Director-General, documentation certifying that all conditions of this consent applicable prior to that event have been complied with shall be submitted to the satisfaction of the Director-General. Where an event is to be undertaken in stages, submission of compliance certification may be staged consistent with the staging of activities relating to that event, subject to the prior agreement of the Director-General. <ul style="list-style-type: none"> <li>a) commencement of any operations within the terminal area; and</li> <li>b) commencement of each stage or phase of operations</li> </ul>	Letter from DPE of 16/9/2013 approved Version 2 of the Pre-Operational Compliance Report dated 3/9/2013. No new phases have occurred at SICTL during this audit period.				NT
C1.5	NSW Ports	Notwithstanding condition C1.4 of this consent, the Director-General may require an update report on compliance with all, or any part, of the conditions of this consent. Any such update shall meet the requirements of the Director-General and be submitted within such period as the Director-General may agree	Interview with auditee on 12/10/23 confirms that there have been no requirements issued from the Secretary during the audit period.				NT



CoC No	Responsibility	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome			
				C	O	NC	NT
C2		OPERATIONAL ENVIRONMENTAL PERFORMANCE					
		Air quality management					
		Odour					
C2.1	SICTL	The development shall be undertaken so as not to permit any offensive odour, as defined under section 129 of the Protection of the Environment Operations Act 1997, to be emitted beyond the boundary of the site	Site inspection and interview with auditees 12/10/2023. During the site inspection no odours were detected.  The SICTL's complaints register (or Community Feedback & Enquiries Register) current to 30/09/23 shows no complaints during the audit period.  Monthly inspections undertaken by Environmental Engineer, no odours reportedly detected in any of the inspections during the audit period.	C			
		Dust Emissions					
C2.2	SICTL	All activities shall be undertaken in a manner that minimises or prevents dust emissions from the site, including wind-blown and traffic-generated dust. All activities undertaken on the site shall be undertaken with the objective of preventing visible emissions of dust from the site. Should such visible dust emissions occur at any time, all practicable dust mitigation measures, including cessation of relevant works, as appropriate, shall be identified and implanted such that emissions of visible dust cease	Site inspection and interview with auditees 12/10/2023. During the site inspection no dust was noted on site. Most of the site is sealed. Undeveloped area is generally vegetated or has gravel.  The SICTL's complaints register (Community Feedback & Enquiries Register) current to 30/09/23 shows no dust complaints.  SICTL's representative indicated that there is no driving over undeveloped areas and that dust suppression agent available on site if required.	C			
C2.3	SICTL	All trafficable and vehicle manoeuvring areas shall be maintained at all times in a condition that minimises the generation and emission of dust	Site inspection and interview with auditees 12/10/2023.  Operational areas all sealed. No driving required over unsealed areas.	C			
C2.4	SICTL	All vehicles entering or leaving the site carrying a load must be covered or otherwise enclosed at all times, except during loading and unloading, to minimise the generation and emission of dust	Site inspection and interview with auditees 12/10/2023. No trucks with the  Not applicable to the trucks arriving / leaving the site that primarily carry shipping containers.	C			
		Noise Management					
		Operation Noise Management Plan					
C2.5	SICTL	Prior to the commencement of operations, the Applicant must prepare an Operation Noise Management Plan in consultation with EPA, DPIE, Botany and Randwick Councils. The Plan shall include noise management, mitigation monitoring and reporting to ensure that local acoustic amenity is not adversely impacted. In addition, the Operational Noise Management Plan must:  <ul style="list-style-type: none"><li>- identify general activities that will be carried out and associated noise sources;</li><li>- assess operation noise impacts at the relevant receivers;</li><li>- a primary objective of achieving the operational noise limits outlined in this consent;</li><li>- provide details of overall management methods and procedures that will be implemented to control noise from the development;</li><li>- include a pro-active and reactive strategy for dealing with complaints including achieving the operation noise limits, particularly with regard to verbal and written responses;</li><li>- detail noise monitoring, reporting and response procedures consistent with the requirements of EPA;</li><li>- provide for internal audits of compliance of all plant and equipment;</li><li>- indicate site establishment timetabling to minimise noise impacts;</li><li>- include procedures for notifying residents of operation activities likely to affect their noise amenity;</li><li>- address the requirements of EPA;</li><li>- a strategy to identify operational practices and noise controls that can minimise/or reduce noise levels from container impacts, audible alarms and other short duration high level noise events;</li><li>- identify opportunities to reduce operational noise levels including, but not necessarily limited to, selection of equipment, engineering noise controls and shore-based power; and,</li><li>- be approved by the Secretary prior to the commencement of operation</li></ul>	OEMP Rev 6 22/08/2023 by Hutchison Port under Section 7.3 Operation Noise Management Plan (ONMP).  The Operation Noise Management Plan is presented in section 7.3 of the OEMP Version 6, which addressed the requirements in this condition.  Hutchison Ports Australia Biannual Environmental Noise Compliance Monitoring January 2023 Rev 0, 9/02/2023 by Rodney Stevens Acoustics  Hutchison Ports Australia Biannual Environmental Noise Compliance Monitoring July 2023 Rev 2, 14/08/2023 by Rodney Stevens Acoustics  The SICTL's Biannual Environmental Noise Compliance Monitoring Reports, Rodney Stevens, dated 9/02/2023 and 14/08/2023, demonstrate ongoing assessment of noise impacts in accordance with the Operation Noise Management Plan.  Equipment on site reportedly fitted with non-tonal reversing beepers. A noise wall is built along the northern part of the site. The wall is 3m high when parallel to the railway siding and 4m high along other areas of the terminal. Soft landing of containers are undertaken by programming the machine control system to slowly lower containers when approaching the ground.	C			
		Noise Limits					
C2.6	SICTL	Noise from the premises must not exceed the sound pressure level (noise) limits presented in the Table below. Note the limits represent the sound pressure level (noise) contribution, at the nominated receiver locations in the table.	Hutchison Ports Australia Biannual Environmental Noise Compliance Monitoring July 2023 Rev 0, 9/02/2023 by Rodney Stevens Acoustics	C			



CoC No	Responsibility	Condition of Approval Requirement					Comments, observations, discussion, evidence, supporting documentation	Audit Outcome																																														
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		<table><tr><th rowspan="2">Most affected residential Location</th><th>Day</th><th>Evening</th><th colspan="3">Night</th></tr><tr><th>LAeq(15 minute)</th><th>LAeq(15 minute)</th><th>LAeq(15 minute)</th><th>LAeq,9hrs</th><th>LA1(1 minute)</th></tr><tr><td>Chelmsford Avenues</td><td>40</td><td>40</td><td>40</td><td>38</td><td>53</td></tr><tr><td>Dent Street</td><td>45</td><td>45</td><td>45</td><td>43</td><td>59</td></tr><tr><td>Jennings Street</td><td>36</td><td>36</td><td>36</td><td>35</td><td>55</td></tr><tr><td>Botany Rd (nth of golf club)</td><td>47</td><td>47</td><td>47</td><td>45</td><td>59</td></tr><tr><td>Australia Ave</td><td>35</td><td>35</td><td>35</td><td>35</td><td>57</td></tr><tr><td>Military Road</td><td>42</td><td>42</td><td>42</td><td>40</td><td>60</td></tr></table> <p>For the purpose of this condition;</p> <ul style="list-style-type: none"><li>Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and Public Holidays,</li><li>Evening is defined as the period from 6pm to 10pm</li><li>Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays</li></ul>	Most affected residential Location	Day	Evening	Night			LAeq(15 minute)	LAeq(15 minute)	LAeq(15 minute)	LAeq,9hrs	LA1(1 minute)	Chelmsford Avenues	40	40	40	38	53	Dent Street	45	45	45	43	59	Jennings Street	36	36	36	35	55	Botany Rd (nth of golf club)	47	47	47	45	59	Australia Ave	35	35	35	35	57	Military Road	42	42	42	40	60	<p>Hutchison Ports Australia Biannual Environmental Noise Compliance Monitoring July 2023 Rev 2, 14/08/2023 by Rodney Stevens Acoustics</p> <p>The Hutchison Port Australia's Biannual Environmental Noise Compliance Monitoring Reports, Rodney Stevens Acoustics, dated 9/02/2023 and 14/08/2023, provide attended and unattended monitoring results conducted in accordance with the EPL 20322 (noting that the noise limits in the EPL are consistent with those in condition C2.6). The EPL requires monitoring in a minimum of 3 locations per event (the locations in the EPL are consistent with the locations in Condition C2.6). The OEMP refers to the EPL minimum monitoring locations per event.</p> <p>The Reports indicate that during low ambient noise periods, industrial activity from Port Botany operations could be audible at some location during attended monitoring periods however the direct source and location could not be determined.</p> <p>Assessment of the measured residential noise levels indicated no annoying characteristics (tonality) were present. No sleep disturbance issues were present.</p> <p>Noise monitoring during the audit period was reported to comply with the noise limits in C2.6. Rodney Stevens Acoustics Biannual Environmental Noise Compliance Monitoring Reports, dated 9/02/2023 and 14/08/2023, concluded that the current operations comply with the established licence limits at all locations during the daytime, evening and night-time periods.</p> <p>SICTL's compliant register current to September 2023 show no complaints relating to noise were received during the audit period.</p>				
Most affected residential Location	Day	Evening		Night																																																		
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C2.7	SICTL	Noise from the premises is to be measured at the most affected point within the residential boundary, or at the most affected point within 30 metres of the dwelling where the dwelling is more than 30 metres from the boundary, to determine compliance with the noise level limits in Condition C2.6 unless otherwise stated	<p>Hutchison Ports Australia Biannual Environmental Noise Compliance Monitoring July 2023 Rev 0, 9/02/2023 by Rodney Stevens Acoustics</p> <p>Hutchison Ports Australia Biannual Environmental Noise Compliance Monitoring July 2023 Rev 2, 14/08/2023 by Rodney Stevens Acoustics.</p> <p>The monitoring locations were measured at the most affected point on or within the residential boundary in accordance with EPL and condition C2.7.</p> <p>Rodney Stevens Acoustics Biannual Environmental Noise Compliance Monitoring Reports, dated 9/02/2023 and 14/08/2023, concluded that the current operations comply with the established licence limits at all locations during the daytime, evening and night-time periods.</p>	C																																																		
C2.8	SICTL	Noise from the premises is to be measured at 1m from the dwelling façade to determine compliance with the LA1 (1 minute) noise level in Condition C2.6	<p>Hutchison Ports Australia Biannual Environmental Noise Compliance Monitoring July 2023 Rev 0, 9/02/2023 by Rodney Stevens Acoustics</p> <p>Hutchison Ports Australia Biannual Environmental Noise Compliance Monitoring July 2023 Rev 2, 14/08/2023 by Rodney Stevens Acoustics</p> <p>The monitoring locations were measured with reference to the requirements of the EPL, including EPL's requirement "Noise from the premises is to be measured at 1m from the dwelling façade to determine compliance with the LA1 (1 minute) noise limits..." which is consistent with C2.8</p>	C																																																		
C2.9	SICTL	Where it can be demonstrated that direct measurement of noise from the premises is impractical, the DEC may accept alternative means of determining compliance. See Chapter 11 of the NSW Industrial Noise Policy	Refer response to C2.6 above. No modelling was utilised during the audit period.	C																																																		
C2.10	SICTL	The modification factors presented in Section 4 of the NSW Industrial Noise Policy shall also be applied to the measured noise levels where applicable	Rodney Stevens Acoustics Biannual Environmental Noise Compliance Monitoring Reports, dated 9/02/2023 and 14/08/2023, were undertaken in accordance with the "EPL and other relevant EPA noise guidelines and requirements". Modification factors from the former NSW Industrial Noise Policy do not appear to have been applied.	C																																																		
C2.11	SICTL	The noise emission limits identified in Condition C2.6 apply under meteorological conditions of wind speed up to 3 metres per second at 10 metres above ground level, and temperature inversion conditions up to 1.50C/100m positive lapse rate	<p>Hutchison Ports Australia Biannual Environmental Noise Compliance Monitoring January 2023 Rev 0, 9/02/2023 by Rodney Stevens Acoustics</p> <p>Hutchison Ports Australia Biannual Environmental Noise Compliance Monitoring July 2023 Rev 2, 14/08/2023 by Rodney Stevens Acoustics</p>	C																																																		



CoC No	Responsibility	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome			
				C	O	NC	NT
			<p>The monitoring locations were measured with reference to the requirements of the EPL, including EPL's requirement "The noise limits ...apply under the following meteorological conditions a) wind speed up to 3 metres per second at 10 metres above ground level, and b) temperature inversion conditions up to 1.50C/100m" which is consistent with C2.11</p> <p>Rodney Stevens Acoutics's Monitoring reports indicate that attended noise monitoring results were not affected or were minimally affected by adverse meteorological conditions based on real-time local observations during the monitoring periods.</p>				
		<b>Operational Traffic Management Plan</b>					
C2.12	SICTL	<p>Prior to the commencement of terminal operations, the applicant must prepare an Operational Traffic Management Plan in consultation with TfNSW, DPIE, Botany and Randwick Councils and SSROC. The Applicant shall address the requirements of these organisations in the Plan. The Applicant shall also consult with the Community Consultative Committee in preparation of the Plan. The plan must include, but not be confined to, mitigation measures identified in EIS such as:</p> <ul style="list-style-type: none"> <li>- identification of preferred routes to minimise noise impacts on the surrounding community;</li> <li>- physical and operational measures (including signage) to mitigate noise impacts from vehicles accessing and leaving the terminal;</li> <li>- measures to limit the impact of traffic noise on Foreshore Road and Botany Road;</li> <li>- driver education and information to promote driver habits to minimise noise; and</li> <li>- timetabling, scheduling and details of vehicle booking systems.</li> </ul> <p>The plan must be submitted and approved by the Director-General prior to the commencement of operations</p>	<p>The Traffic Management Plan is presented in section 7.4 of the OEMP Version 6, that identifies the information required by this condition.</p> <p>During the site inspection on 12/10/23, the site was observed to have designated heavy vehicle routes, traffic signage and speed limits. Traffic management is covered in the General Induction provided to employees via Rapid Induct.</p> <p>Review of SICTLs operations against the Key Performance Indicators is presented in Appendix D.</p> <p>SICTL's compliant register current to September 2023 and no complaints relating to traffic reported during the audit period.</p>	C			
		<b>Waste Management on Site</b>					
C2.13	SICTL	<p>Management of waste must be in accordance with the environment protection licence issued by EPA under the Protection of the Environment Operations Act 1997</p>	<p>Waste Management Plan is presented in Section 7.7 of the OEMP (22/08/2023) Version 6.</p> <p>Refer to Appendix B for EPL checklist items.</p> <p>The auditee maintains a register of waste streams generated at the site. Portfolio Summary of Waste Stream (September 2022 to September 2023), 05/09/2023 by Veolia provides a monthly waste report to SICTL that details the waste categories and quantities. Percentages of waste being recycled or going to landfill are monitored. For the period September 2022 to September 2023, 63.4% of waste was diverted from landfill. Some of waste types reported or observed during the site inspection included:</p> <ul style="list-style-type: none"> <li>- recyclables (paper, metal, tyres, general recyclable)</li> <li>- putrescible waste</li> <li>- liquid waste (from SQIDs when service, spill containment area, refuelling area, oil waste from workshop)</li> <li>- old batteries</li> <li>- filters other materials from workshop</li> </ul> <p>Sighted Endeavour Liquid Waste Docket No. 17550 dated 22/08/2023 EPA License No: 13242. Liquid waste is being collected by the service provider with proper EPA license. The liquid waste docket also provide photos showing proper removal of liquid waste. It identifies the receiving facility EPL number.</p> <p>Sighted Roar Workplace &amp; Environmental Solutions – Collection &amp; Disposal Notice – Recycling – used lead acid batteries Ref. No. YCROPA165, 28/07/2023 EPA License No: 21249. Destination – Yennora Copper Recycling P/L. Used batteries from the service equipment used in site were collected by Roar Workplace &amp; Environmental Solutions for proper disposal with authorised EPL license.</p> <p>Sighted JJ's Waste &amp; Recycling docket 3595379 dated 9/2/23, collection of waste oil.</p>	C			
C2.13A	SICTL	<p>The management of waste for uses and activities not subject to an Environmental Protection licence, shall be managed and disposed of in accordance with the Protection of the Environment Operation (Waste) Regulation 2005 and the Waste Classification Guidelines (DECCW 2009), or any future guideline that may supersede that document. All waste materials removed from the site shall only be directed to a waste management facility lawfully permitted to accept the materials.</p>	<p>As above.</p> <p><b>Observation:</b> recyclable waste bins in maintenance yard are segregated however some of these bins do not indicate the type of waste the bin is meant to store (Photo 6)</p>	C	O		



CoC No	Responsibility	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome			
				C	O	NC	NT
			<b>Recommendation:</b> Label all recyclable waste bins in maintenance Yard to avoid cross contamination of waste				
		<b>Water and Wastewater Management</b>					
C2.14	SICTL	QI	<p><b>Findings from previous audits on C2.14</b></p> <p>A finding from the 2020 Independent Audit remained opened in the 2022 Independent Audit Report. It was recommended that in order to ensure section 120 of the POEO Act is not breached, SICTL should implement a process whereby an exceedance of OEMP stormwater KPIs triggers an appropriate response to investigate, report and rectify the issue as relevant. It is the Auditors opinion that the current process as defined in the OEMP is not Adequate in responding to such events.</p> <p>The OEMP has been updated to version 6, dated 22/08/23, and now includes actions to be taken in the event of a stormwater KPI exceedance, which includes the requirement to investigate where the water quality results exceed the Acceptable Limit Exceedance. The updated version of the OEMP is available on the SICTL website.</p> <p>Further, the SQID Management Plan (Draft), Revision 1, dated 15/08/2023, has been developed to ensure the routine maintenance of SQIDs and to meet the annual sampling requirements. Currently, there are 36 operational SQIDs on-site, manufactured by two companies: SPEL's (now Atlan Stormwater) 'Stormceptor' and Humes' 'Humeceptor'.</p> <p>This finding has been closed.</p> <p><b>2023 Audit</b></p> <p>No water quality monitoring is required by the EPL (version date 01/09/2016, downloaded from EPA website on 14 Sept 23). Previous water quality monitoring reports are available on website:  <a href="http://www.hutchisonports.com.au/Sydney-Monitoring-Reporting">http://www.hutchisonports.com.au/Sydney-Monitoring-Reporting</a></p> <p>The incident register for the audit period shows that there were 17 x environmental incidents recorded during the audit period. These included leaks and spills (such as oil and hydraulic fluid from shuttle, container truck, wharf and pressure hose failure). None of which were reported to have threatened or caused pollution of waters.</p> <p>Sampling of the inlet and outlet of the SQIDS is conducted in accordance with the OEMP (3 x units sampled per year). Results are compared to the criteria in the OEMP which are derived from ANZECC (2000). During the audit period, SQIDS water quality sampling was undertaken in SQIDs 4,16 and 19. Analytical results were provided for sampling undertaken in August 2023 (SGS Report: SE252060 R0, dated 16/08/2023), parameters sampled included Nitrogen (including TN), TP, pH, TSS, Turbidity, O&amp;G, Cu, Pb, Zn in accordance with the OEMP. Zinc, Turbidity and TP exceeded the OEMP acceptable limit in all samples. TSS exceeded the OEMP acceptable limits in SQID 4 and 19. An investigation was undertaken (August 2023) and it was reported that the filters need to be cleaned/replaced, and that SQID 4 and 16 had visible sludge and desludging was required (which could have resulted in the exceedances of TSS and Turbidity). Maintenance was undertaken in the 3 SQIDS by the manufacturer. New coalescers were installed in the SQIDs and they were also cleaned. Maintenance Reports provided (Atlan Service Report dated 11/09/2023 – SQID 16, Atlan Service Report dated 27/09/2023 – SQID 19, Atlan Service Report dated 31/08/2023 – SQID 4 and 3)</p> <p><b>Observation:</b> SQIDs are sampled and maintained in accordance with the OEMP (22/08/2023) and the SQID Management Plan (Draft, 15/08/2023). SQIDs that showed exceedances of the OEMP water quality criteria are repaired following identification of the exceedances but follow up water quality sampling is not undertaken to confirm that the maintenance works have corrected the SQID problems.</p>	C	O		



CoC No	Responsibility	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome			
				C	O	NC	NT
			<p><b>Recommendation:</b> Revise SQIDs water quality sampling program to incorporate some form of validation sampling of SQIDs maintained in accordance with the SQID Management Plan or in response to exceedances of water quality criteria .</p> <p>In response to previous audit recommendations, a SQID Management Plan, (Rev 1, 15/08/2023), has been developed to ensure the routine maintenance of SQIDs. Currently, there are two types of SQIDs known as SPEL's (now Atlan Stormwater) 'Stormceptor' and Humes' 'Humeceptor'.</p> <p>Manuals for the two types of SQIDs were provided:</p> <ul style="list-style-type: none"> <li>- SPEL Separator Commissioning Operation and Maintenance – Puraceptor Class 1 Operation and Maintenance Manual (undated)</li> <li>- HumeCeptor System Technical Manual Issue 5 (April 2017) issued by Humes</li> </ul> <p><b>Observation:</b> The SQID Management Plan (Draft Rev 1, 15/08/2023) provides a 14-maintenance program which includes inspection of 3 SQIDs annually (with SQID 3 being the only SQID exempt from the 14-year maintenance program as it is connected to the bundled refuelling area and will be subject to inspection and maintenance works annually). However the SQIDs Manuals recommend annual maximum intervals of SQID maintenance.</p> <p><b>Recommendation:</b> Revise the SQID Management Plan to increase the SQID inspection and maintenance frequency in accordance with the SQID Manufacturers' Manuals. In addition, it is recommended that the revised SQID Management Manual is incorporated in the OEMP prepared under Condition C1.3</p>				
		<b>Pollutant Concentration Limits</b>					
C2.15	SICTL	For each monitoring/discharge point or utilisation area, the concentration of any pollutant discharged at that point, or applied to that area, must not exceed concentration limits specified in the relevant environment protection licence	No discharge points in EPL.				NT
C2.15A	NSW Ports Port Authority	Port, maritime and waterway related interim uses within Hayes Dock may involve the loading, unloading and storage of minor volumes of dangerous goods (DGs) for the sole purpose of minor site maintenance; line boat, barge and tug maintenance; related service activities and boat refuelling	<p>Noted. SICTL is a Terminal operator and has commissioned this Audit to assess compliance against these conditions with respect to its own operations.</p> <p>SICTL does not operate Hayes Dock Services. Hayes Dock is managed and operated by NSW Ports</p>				NT
		<b>Hazards and Risk Management Hayes Dock Interim Uses</b>					
		<b>Storage and Handling of Dangerous Goods</b>					
C2.16	SICTL	Prior to the commencement of operation, the Applicant shall develop management measures in consultation with the Major Hazards Unit of DPIE regarding the use of the new terminal for loading, unloading and storage of dangerous goods of Classes 2.3 and 6	<p>Dangerous Goods Management Plan is presented in Section 7.6 of the OEMP (Version 6, dated 22/08/23), which was previously approve by DPE on 19/2/10.</p> <p>As indicated in the 2022 Audit, DPE letter of October 2013 confirms that this requirement has been addressed as part of the approved OEMP and sub plans, specifically the Handling of Dangerous Goods and Hazardous Substances Sub-Plan.</p> <p>Review of SICTLs operations against the Key Performance Indicators is presented in Appendix D. The Key Performance Indicators are being achieved.</p>	C			
		<b>Hazards and Risk Management- Storage and Handling of Dangerous Goods</b>					
C2.17	NSW Ports SICTL	<p>Twelve months after the determination of DA 494-11-2003-i MOD 16, the Proponent shall submit an annual report to the Secretary which provides details on actual Dangerous Goods movements listed in the Table 1 provided in Schedule 4.</p> <p>Should the threshold limits listed in Table 2 in Schedule 4 be exceeded for three consecutive annual reporting years, or if the maximum limits are reached in a single 12 month reporting period, the Applicant shall prepare an updated hazard analysis for the PBE operations. The hazards analysis shall:</p> <ul style="list-style-type: none"> <li>• Be prepared in consultation with the Department;</li> </ul>	<p>Reports for Hazards and Risk Management – Storage and Handling of Dangerous Goods for the Port Botany Expansion are submitted by NSW Ports on behalf of the individual stevedores in accordance with C2.17 DA494-11-2003-I, as modified. Reporting of this requirement to DPE is combined by NSW Ports. That submission was not sighted as part of this audit.</p>	C			



CoC No	Responsibility	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome			
				C	O	NC	NT
		<ul style="list-style-type: none"> <li>Be prepared in accordance with Hazardous Industry Planning Paper No. 6 'Hazard Analysis';</li> <li>Assess compliance against the land use safety planning risk criteria (including individual fatality risk, injury/irritation risk and societal risk) outline in Hazardous Industry Planning Advisory Paper No. 4, 'Risk Criteria for Land Use Safety Planning'; and</li> <li>Assess whether the risks from PBE operations will significantly impact on the cumulative risk contour of 1 x 10<sup>-6</sup> per annum, contained in Figure 2 of the Port Botany Land Use Safety Study Overview Report 1996, or any other revised land use safety study for the Port that supersedes the 1996 study</li> </ul> <p>The report shall be prepared to the satisfaction of the Secretary.</p> <p>The hazard analysis is to be submitted to the Secretary within 6 months of an identified threshold exceedance, or as agreed to by the Secretary.</p> <p>The information provided shall cover all stevedores in the PBE area. The information may be provided separately by each stevedore to the Department or in total for the PBE by the Applicant.</p>	<p>The SICTL report (Condition C2.17 and C2.18 Data Report 2023 – SICTL, Table 1 Dangerous Goods Reporting Threshold) for the audit period (1 September 2022 to 31 August 2023) provided during the audit shows that the throughputs were below the permissible thresholds from Tables 1 and of Schedule 4. Appendix E of the AEMR 2022/23 reports the DG data.</p> <p>Port Authority of NSW monitor manifests which informs whether reporting thresholds would be exceeded.</p> <p>Hutchison also reports DG data to NSW Ports via the AEMR. The AEMR 2021/22 was submitted to DPE by NSW Ports, Portal submission sighted</p>				
C2.18	SICTL	The Applicant shall not store or handle or permit to be stored or handled, dangerous goods of Class 2.3, toxic compressed or liquefied gases above the quantities stored or handled in 1995/96 except in accordance with recommendations 1.1 and 1.2 in the Port Botany Land Use Safety Study (1996).	<p>As reference, during the 1995/1996 period 825 tonnes (average value) of Class 2.3 Dangerous Goods were transited through Port Botany).</p> <p>The SICTL report (Condition C2.17 results from 1/07/2022 to 31/08/2023) shows that 9 containers of Class 2.3 toxic gases totalling 569kg handled by SICTL during the audit period, well below C2.18 quantities.</p>	C			
		<b>Emergency Incident Management</b>					
		<b>Emergency Response and Incident Management Plan</b>					
C2.20	SICTL	<p>The Applicant shall develop an Emergency Response and Incident Management Plan in consultation with EPA, DPIE, Council and the Community Consultative Committee. The Plan must be approved by the Secretary prior to the commencement of operations and shall detail:</p> <ul style="list-style-type: none"> <li>terminal security and public safety issues;</li> <li>effective spill containment and management;</li> <li>effective firefighting capabilities;</li> <li>effective response to emergencies and critical incidents; and</li> <li>a single set of emergency procedures, consistent with the existing Port Botany Emergency Plan, should be developed that be scaled as appropriate for any incident or emergency.</li> </ul>	<p>The Emergency Response Plan (2013) was prepared in consultation with relevant stakeholders during previous revisions and was approved by DPIE (then called DPE) in 2013. Several updates have been undertaken since then which appear to be minor administrative updates, according to the document control register. The most recent update was made on 01/03/23 (Revision 10) to incorporate updated ECO chart, emergency detail for Security Incidents, definitions for acronyms and Pollu-Plug activation.</p> <p>Emergency Response Plan available on website:  <a href="https://www.hutchisonports.com.au/wp-content/uploads/2023/03/HSEQ10.1.3-EmergencyResponsePlan-SICTL.pdf">https://www.hutchisonports.com.au/wp-content/uploads/2023/03/HSEQ10.1.3-EmergencyResponsePlan-SICTL.pdf</a></p> <p>The auditee advised that at least 4 x drills were conducted since the previous audit. This is conformant with the Emergency Response Plan.</p> <p>Sighted: Emergency Drill / Exercise Report 21/06/2023 by HutchisonPort (9:45am -10:42am) with scenario of dangerous goods container fallen over and recovery. The Report provided with the list of participants, photos, checklist completed prior to conducting the emergency drill, and Evaluation Worksheet. The drill tested the Emergency Response Plan.</p> <p>Spills training provided in Rapid, module sighted.</p> <p>4 x Pollu-Plug trainings were conducted within the audit period:</p> <p>Pollu-Plug Training Attendance Form 11/08/2023 by Hutchison Ports (2 participants)</p> <p>Pollu-Plug Training Attendance Form 20/09/2023 by Hutchison Ports (8 participants)</p> <p>Pollu-Plug Training Attendance Form 27-28 /09/2023 by Hutchison Ports (6 + 4 participants)</p> <p>Pollu-Plug Training Attendance Form 21/09/2023 by Hutchison Ports (4 participants)</p> <p><b>Observation:</b> Minor spill observed in the storage area near workshop (Photo 8 of Appendix F) in what appears to be unsealed surface</p> <p><b>Recommendation:</b> Clean up spill(s) in the storage area near the workshop.</p>	C			
		<b>Aviation Operational Impacts</b>					
		<b>Impact on Aviation Operations at Sydney Airport</b>					
C2.21	SICTL	The Applicant shall ensure that the location of fixed terminal operating infrastructure adequately takes into account the required lateral separation distances to minimise the interference to Sydney Airport radar and navigational systems.	The Aviation Operational Management Plan is presented in Section 7.2 of the OEMP Version 6, that addressed the requirement in this condition.	C			



CoC No	Responsibility	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome			
				C	O	NC	NT
			The operational control measures (Table 15 of the OEMP) include implementing ways to minimize interference with Sydney Airport radar and navigational systems by ensuring appropriate lateral separation distances for fixed terminal operating infrastructure.  Review of SICTLs operations against the Key Performance Indicators is presented in Appendix D. The Key Performance Indicators are being achieved.				
		<b>Obstacle Limitation Surface</b>					
C2.22	SICTL	The Applicant shall ensure that all operation equipment is below the obstacle limitation surface, unless otherwise permitted by an approval under the Airports Act 1999 and Airports (Protection of Airspace) Regulation 1966	The Aviation Operational Management Plan is presented in Section 7.2 of the OEMP Version 6, that addressed the requirement in this condition.  Review of SICTLs operations against the Key Performance Indicators is presented in Appendix D. The Key Performance Indicators are being achieved. Compliance with the OLS is detailed within Table 15 of the OEMP. No issues.  No changes from last year.	C			
		<b>Terminal Lighting</b>					
C2.23	SICTL	The Applicant shall ensure design specifications of the terminal lighting conform to the requirements of Regulation 94 of the Civil Aviation regulations 1988	The Aviation Operational Management Plan is presented in Section 7.2 of the OEMP Version 6, that addressed the requirement in this condition.  Compliance with the lighting and light spill is detailed within Table 15 of the OEMP. No issues.  No changes from last year. No new lights installed	C			
		<b>Light Spill</b>					
C2.24	SICTL	The Applicant shall adopt measures to ensure that there is minimal light spill from ships which may cause distraction, confusion or glare to pilots. These may include: - minimising ship board lighting while berthed; - orientating ships in a specific direction; and or - providing temporary shielding on the ship mounted floodlights while docked	The Aviation Operational Management Plan is presented in Section 7.2 of the OEMP Version 6, that addressed the requirement in this condition.  Compliance with the lighting and light spill is detailed within Table 15 of the OEMP.  In addition, as part of HSEQ Management System, SICTL have prepared a Ship Booklet (Ref: HSEQ5.2.1.1 approved on 23/06/22 ) which is already implemented at their Brisbane Port and that is provided to the Master of the ship on arrival. The Ship Booklet includes information on the local environment and other essentials, including ship lighting impacts, feral pets and waste. The ship booklet was reportedly implemented during the audit period.  No changes from last year. No new lights reportedly installed	C			
		<b>Bird Hazard Management Plan</b>					
C2.25	SICTL	Prior to operations, the Applicant shall develop a Bird Hazard Management Plan to minimise the attraction of bird species that pose a risk to aircraft movements. The Plan is to be prepared in consultation with the Department of Transport and Regional Services, Sydney Airport Corporation and Botany and Randwick Councils. The Plan must be approved by the Director-General prior to the commencement of operations	The Bird Hazard Management Plan (Version 2 dated 3 September 2013) was approved by the Director-General on 16 September 2013 prior to the commencement of operations.  The Aviation Operational Management Plan is presented in Section 7.2 of the OEMP Version 6, that addressed the requirement in this condition.  Compliance with bird hazard management is detailed within Table 15 of the OEMP. The site was well maintained, and the identified controls implemented (waste controlled, lunches being eaten internal to the building, incident register included identification of fauna through surveillance). Monthly inspections by Hutchison Environmental Engineer were occurring and no complaints had been received. Sighted: September 2023 inspection which includes Bird Management.	C			
		<b>COMMUNITY INFORMATION, INVOLVEMENT AND CONSULTATION</b>					
		<b>Community Information, Involvement and Consultation</b>					
C3.1	SICTL	The Applicant must meet the following requirements in relation to community consultation and complaints management: - all monitoring, management and reporting documents required under the development consent shall be made publicly available;	Monitoring, management and reporting documents are available online: <a href="https://www.hutchisonports.com.au/operations/environmental-management-plans/">https://www.hutchisonports.com.au/operations/environmental-management-plans/</a> <a href="https://www.hutchisonports.com.au/operations/monitoring-and-reporting/">https://www.hutchisonports.com.au/operations/monitoring-and-reporting/</a>	C			



CoC No	Responsibility	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome			
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		<ul style="list-style-type: none"> <li>- provide means by which public comments, inquiries and complaints can be received, and ensure that those means are adequately publicised; and</li> <li>- includes details of a register to be kept of all comments, inquiries and complaints received by the above means, including the following register fields:</li> <li>- the date and time, where relevant, of the comment, inquiry or complaint;</li> <li>- the means by which the comment, inquiry or complaint was made (telephone, fax, mail, email or in person);</li> <li>- any personal details of the commenter, inquirer or complainant that were provided, or if no details were provided, a note to that effect;</li> <li>- the nature of the complaint;</li> <li>- any action(s) taken by the Applicant in relation to the comment, inquiry or complaint, including any follow-up contact with the commenter, inquirer or complainant;</li> <li>- if no action was taken by the Applicant in relation to the comment, inquiry or complaint, the reason(s) why no action was taken;</li> </ul> <p>Provide quarterly reports to the Department and EPA, unless otherwise agreed by the Secretary, outlining details of complaints received</p>	<p>Complaints management is provided in Section 3.10 of the OEMP (R6, 22/08/2023). Hutchison Ports maintains a complaints management system and publishes quarterly Community Feedback Reports online. The Community Feedback &amp; Enquiries Register includes the items in C3.1. A review of the Community Feedback &amp; Enquiries Register showed that no complaints were received by SICTL during the Audit Period. The Community Feedback Reports are available on the Project website. <a href="https://www.hutchisonports.com.au/operations/monitoring-and-reporting/">https://www.hutchisonports.com.au/operations/monitoring-and-reporting/</a></p> <p>The reports enable the recording and tracking of the information required by this condition.</p> <p>There were no complaints received by SICTL for the reporting period. Contact details and complaints line are available at: <a href="https://www.hutchisonports.com.au/contact-us/">https://www.hutchisonports.com.au/contact-us/</a></p> <p>AEMRs have a section on complaints.</p> <p>Quarterly reports to DPE and EPA are not provided by Hutchison, but NSW Ports</p>				
		<b>Community Consultative Committee</b>					
C3.2	NSW Ports SICTL	<p>At least 6 months prior to commencement of operations, the Applicant shall establish a Community Consultative Committee to oversee the environmental performance of the development. This committee shall:</p> <p>(a) be comprised of:</p> <ul style="list-style-type: none"> <li>- 2 representatives from the Applicant, including the person responsible for environmental management;</li> <li>- 1 representative from Botany Bay City Council; and at least 3 representatives from the local community, whose appointment has been approved by the Director-General in consultation with the Council;</li> </ul> <p>(b) be chaired by an independent party approved by the Director-General;</p> <p>(c) meet at least four times a year, or as otherwise agreed by the CCC;</p> <p>(d) review and provide advice on the environmental performance of the development, including any construction or environmental management plans, monitoring results, audit reports, or complaints; and</p> <p>(e) port rail noise within the Port Botany Expansion site is to be an ongoing agenda item to be discussed by the CCC and relevant stakeholders; and</p> <p>(f) within 12 months of the commencement of MOD 16, an advertisement must be placed for new members to join the CCC, given that the other working groups such as the RNWG are no longer present.</p> <p>Note: The Applicant may, with the approval of the Director-General, combine the function of this CCC with the function of other existing Community Consultative mechanisms the area, including the construction phase CCC (Condition B3.2) however, if it does this it must ensure that the above obligations are fully met in the combined process</p>	<p>The PBE Community Consultative Committee was combined with the Port Botany Neighbourhood Liaison Group to form the Port Botany Community Consultative Committee (PBCCC), which was approved in a letter from the Director General on 16/9/2013.</p> <p>NSW Ports manage the meeting, SICTL is a participant as an operator. This audit assesses SICTLs compliance with the conditions.</p> <p>Minutes of the meetings are on NSW Ports website at: <a href="https://www.nswports.com.au/resources-filtered/port-botany-CCC-minutes">https://www.nswports.com.au/resources-filtered/port-botany-CCC-minutes</a></p> <p>The PBCCC meets four times per year and minutes show environmental, community and rail matters are discussed. Section 3.9 of the OEMP R6 dated 22/08/2023 provides details of the PBCCC and its operations.</p>	C			
C3.3	NSW Ports SICTL	<p>The Applicant shall, at its own expense:</p> <p>(a) ensure that 2 of its representatives attend the Committee's meetings;</p> <p>(b) provide the Committee with regular information on the environmental performance and management of the development;</p> <p>(c) provide meeting facilities for the Committee;</p> <p>(d) arrange site inspections for the Committee, if necessary;</p> <p>(e) take minutes of the Committee's meetings;</p> <p>(f) make these minutes available on the Applicant's website within 14 days of the Committee meeting, or as agreed to by the Committee;</p> <p>(g) respond to any advice or recommendations the Committee may have in relation to the environmental management or performance of the development; and</p> <p>(h) forward a copy of the minutes of each Committee meeting, and any responses to the Committee's recommendations to the Director-General within a month of the Committee meeting</p>	<p>Refer response to CoA C3.2 above.</p> <p>The Auditor notes that NSW Ports (not the auditee) is responsible for the CCC.</p>	C			
		<b>ENVIRONMENTAL MONITORING AND AUDITING</b>					
		<b>Incident Reporting</b>					
C4.1	SICTL	<p>The Secretary shall be notified of any incident with actual or potential significant off-site impacts on people or the biophysical environment within 12 hours of the Applicant, or other relevant party undertaking the development, becoming aware of the incident. Full written details of the incident shall be provided to the Secretary within seven days of the date on which the incident occurred. The Secretary may require additional measures to be implemented to address the cause or</p>	<p>The auditee advised that no incidents with actual or potential significant off-site impacts on people or to the biophysical environment occurred during this audit period.</p>				NT



CoC No	Responsibility	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome			
				C	O	NC	NT
		impact of any incident, as it relates to this consent, reported in accordance with this condition, within such period as the Secretary may require	<p>Sighted environmental incidents register for the audit period, with first incident reported during the audit period on 16/09/22 and last on 04/08/23. The incident register for the audit period shows that there were 17 x environmental incidents recorded. These included leaks and spills (such as hydraulic fluid from mobile plant on the port, and a leaking container. None of which posed with actual or potential significant off-site impacts on people or the biophysical environment.</p> <p>In addition to the incident register, incidents are reported in RAPID Global system software, it includes actions and investigations undertaken in the event of an incident</p> <p>Incident Investigation Report and Incident Report No. 3007 dated 24/04/2023 relating to straddle 7 oil leak sighted. The report includes incident category, type of incident, person reporting the incident, incident reported to, location details, incident details with photos attached and immediate corrective action.</p>				
		<b>Annual Environmental Management Report (AEMR)</b>					
C4.2	SICTL	<p>The Applicant must prepare an Annual Environmental Management Report for the development. The Annual Environmental Management Report must:</p> <ul style="list-style-type: none"> <li>- detail compliance with the conditions of this consent;</li> <li>- contain a copy of the Complaints Register (for the preceding twelve-month period, exclusive of personal details) and details of how these complaints were addressed and resolved;</li> <li>- include a comparison of the environmental impacts and performance predicted in the EIS and additional information documents provided to the Department and Commission of Inquiry;</li> <li>- detail results of all environmental monitoring required under the development consent and other approvals, including interpretations and discussion by a suitably qualified person;</li> <li>- contain a list of all occasions in the preceding twelve-month period when environmental performance goals have not been achieved, indicating the reason for failure to meet the goals and the action taken to prevent recurrence of that type of incident;</li> <li>- be prepared within twelve months of the commencement of operation, and every twelve months thereafter;</li> <li>- to the satisfaction of the Secretary for approval;</li> <li>- be made available for public inspection</li> </ul>	<p>The 2021/22 AEMR was submitted to the Department on 20/10/22. Acknowledgement email from the Department dated 20/10/22 relating to submission of Annual Environmental Management Report 2022 was sighted. Post Approval (DPE portal) submission of Annual Environmental Management Report 2022 by NSW Port (Bryan Beudeker). The AEMR 2022 addresses the requirements of this condition.</p> <p>The 2021/22 AEMR (and previous AEMRs) has been published online. <a href="https://www.hutchisonports.com.au/wp-content/uploads/2022/10/SICTL_AEMR-2021-2022-Final.pdf">https://www.hutchisonports.com.au/wp-content/uploads/2022/10/SICTL_AEMR-2021-2022-Final.pdf</a></p> <p>The auditee advises that the Department has not provided any response to the 2021/22 AEMR.</p> <p>The final AEMR 2022/23 (30/10/23) was completed during the course of this audit and a copy was provided to the auditor.</p>	C			
		<b>Environmental Training</b>					
C4.4	SICTL	<p>Prior to the commencement of operations an Environmental Training Program shall be developed and implemented to establish a framework in which relevant employees will be trained in environmental management and the operation of plant and equipment, including pollution control equipment, where relevant. The Program shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>(a) identification of relevant employment positions associated with the development that have an operational or management role related to environmental performance;</li> <li>(b) details of appropriate training requirements for relevant employees</li> <li>(c) a program for training relevant employees in operational and/ or management issues associated with environmental performance; and</li> <li>(d) a program to confirm and update environmental training and knowledge during employment of relevant persons</li> </ul>	<p><b>Findings from previous audits on C4.4</b></p> <p>A non-compliance against this condition was raised in the 2022 Independent Audit. It was noted that environmental training, set out in Section 3.6 of the approved OEMP, identifies a range of training requirements including pollu-plug training for maintenance, personnel, senior operations managers, security officers and HSEQ staff every two years. Training was last rolled out between 2018 and 2020. No pollu-plug training has been delivered since 20/08/20, therefore the training is now overdue.</p> <p>As indicated in Table 2, 2023 Pollu-Plug Refresher training was conducted in four (4) occasions during the audit period (11/08/23 and 20,21,27/09/23). Further, an amendment has been made to the revised OEMP (R6) specifying which employees should receive training for Pollu-plug usage. This non-compliance has been closed.</p> <p><b>2023 Audit update:</b></p> <p>As indicated, the OEMP was updated to version 6 dated 22/08/2023 and this version included Pollu-Plug training under Section 3.6 Induction and Training. Section 3.6 provides details of all Induction and Training provided as part of the OEMP.</p> <p>General training is recorded in RAPID system. Sighted General employee (site) induction Module Health Safety Environment Quality Management System which covers amongst other items Hutchison Environmental Policy, Sustainability, and environmental and compliance commitments.</p> <p>Sighted Spill training Module, also provided via RAPID.</p>	C			



CoC No	Responsibility	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome			
				C	O	NC	NT
			<p>Sighted 4 x trainings for Pollu-Plug that consist of in-situ instruction in how to deploy the Pollu-plug and advice on when to deploy the Pollu-plug.</p> <p>Pollu-Plug Training Attendance Form 11/08/2023 by Hutchison Ports (2 participants)</p> <p>Pollu-Plug Training Attendance Form 20/09/2023 by Hutchison Ports (8 participants)</p> <p>Pollu-Plug Training Attendance Form 27/09/2023 by Hutchison Ports (6 participants)</p> <p>Pollu-Plug Training Attendance Form 28/09/2023 by Hutchison Ports (4 participants)</p> <p>Emergency Drill / Exercise Report 21/06/2023 by HutchisonPort (9:45am - 10:42am) with scenario of dangerous goods container fallen over and recovery. The Report provided with the list of participants, photos, checklist completed prior to conducting the emergency drill, and Evaluation Worksheet. This type of drill is conducted in a yearly basis.</p>				
		<b>Environmental Auditing</b>					
C4.5	SICTL	<p>Within one year of the commencement of operations and every year thereafter, the Applicant shall fund a full independent environmental audit. The audit must be undertaken by a suitably qualified person/team approved by the Secretary. The audits would be made publicly available and would:</p> <ul style="list-style-type: none"> <li>- be carried out in accordance with ISO 14010 – Guidelines and General Principles for Environmental Auditing and ISO 14011 – Procedures for Environmental Auditing;</li> <li>- assess compliance with the requirements of this consent, and other licences and approvals that apply to the development;</li> <li>- assess the construction against the predictions made and conclusions drawn in the development application, EIS, additional information and Commission of Inquiry material; and</li> <li>- review the effectiveness of the environmental management of the development, including any environmental impact mitigation works.</li> </ul> <p>Note: An independent and transparent environmental audit can verify compliance (or otherwise) with the Minister's consent and various approvals. Auditing also provides an opportunity for continued improvement in environmental performance</p>	<p>DPIE letter of approval of WolfPeak as the Auditors, 24/05/23</p> <p>Independent Audit Report 2022 submitted to the Department (Port Botany Expansion – Post Approval Document Received – DA494-11-2003-i-PA-34). The auditee advises that there has not been any feedback from the Department on the 2021 Audit Report.</p> <p>The 2022 Audit Report is also published online  <a href="https://www.hutchisonports.com.au/operations/monitoring-and-reporting/">https://www.hutchisonports.com.au/operations/monitoring-and-reporting/</a></p>	C			



## **APPENDIX B – EPL 20322 CONDITIONS**



Condition No	Condition Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome			
			C	O	NC	NT
2 LIMIT CONDITIONS						
L1 Pollution of waters						
L1.1	Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997	<p><b>Findings from previous audits on L1.1 (and consent condition C2.14)</b></p> <p>A finding from the 2020 Independent Audit remained opened in the 2022 Independent Audit Report. It was recommended that in order to ensure section 120 of the POEO Act is not breached, SICTL should implement a process whereby an exceedance of OEMP stormwater KPIs triggers an appropriate response to investigate, report and rectify the issue as relevant. It is the Auditors opinion that the current process as defined in the OEMP is not adequate in responding to such events.</p> <p>The OEMP has been updated to version 6, dated 22/08/23, and now includes actions to be taken in the event of a stormwater KPI exceedance, which includes the requirement to investigate where the water quality results exceed the Acceptable Limit Exceedance. The updated version of the OEMP is available on the SICTL website.</p> <p>Further, the SQID Management Plan (Draft), Revision 1, dated 15/08/2023, has been developed to ensure the routine maintenance of SQIDs and to meet the annual sampling requirements. Currently, there are 36 operational SQIDs on-site, manufactured by two companies: SPEL's (now Atlan Stormwater) 'Stormceptor' and Humes' 'Humeceptor'.</p> <p>This finding has been closed.</p> <p><b>2023 Audit update:</b></p> <p>No water quality monitoring is required by the EPL (version date 01/09/2016, downloaded from EPA website on 14 Sept 23). Previous water quality monitoring reports are available on website: <a href="http://www.hutchisonports.com.au/Sydney-Monitoring-Reporting">http://www.hutchisonports.com.au/Sydney-Monitoring-Reporting</a></p> <p>The incident register for the audit period shows that there were 17 x environmental incidents recorded during the audit period. These included leaks and spills (such as oil and hydraulic fluid from shuttle, container truck, wharf and pressure hose failure). None of which were reported to have threatened or caused pollution of waters.</p> <p>Sampling of the inlet and outlet of the SQIDS is conducted in accordance with the OEMP (3 x units sampled per year). Results are compared to the criteria in the OEMP which are derived from ANZECC (2000). During the audit period, SQIDS water quality sampling was undertaken in SQIDs 4,16 and 19. Analytical results were provided for sampling undertaken in August 2023 (SGS Report: SE252060 R0, dated 16/08/2023), parameters sampled included Nitrogen (including TN), TP, pH, TSS, Turbidity, O&amp;G, Cu, Pb, Zn in accordance with the OEMP. Zinc, Turbidity and TP exceeded the OEMP acceptable limit in all samples. TSS exceeded the OEMP acceptable limits in SQID 4 and 19. An investigation was undertaken (August 2023) and it was reported that the filters need to be cleaned/replaced, and that SQID 4 and 16 had visible sludge and desludging was required (which could have resulted in the exceedances of TSS and Turbidity). Maintenance was undertaken in the 3 SQIDS by the manufacturer. New coalescers were installed in the SQIDs and they were also cleaned. Maintenance Reports provided (Atlan Service Report dated 11/09/2023 - SQID 16, Atlan Service Report dated 27/09/2023 – SQID 19, Atlan Service Report dated 31/08/2023 - SQID 4 and 3)</p> <p><b>Observation:</b> SQIDs are sampled and maintained in accordance with the OEMP (22/08/2023) and the SQID Management Plan (Draft, 15/08/2023). SQIDs that showed exceedances of the OEMP water quality criteria are repaired following identification of the exceedances but follow up water quality sampling is not undertaken to confirm that the maintenance works have corrected the SQID problems.</p>	C	O		



Condition No	Condition Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome			
			C	O	NC	NT
		<p><b>Recommendation:</b> Revise SQIDs water quality sampling program to incorporate some form of validation sampling of SQIDs maintained in accordance with the SQID Management Plan or in response to exceedances of water quality criteria.</p> <p>In response to previous audit recommendations, a SQID Management Plan, (Rev 1, 15/08/2023), has been developed to ensure the routine maintenance of SQIDs. Currently, there are two types of SQIDs known as SPEL's (now Atlan Stormwater) 'Stormceptor' and Humes' 'Humeceptor'.</p> <p>Manuals for the two types of SQIDs were provided:</p> <ul style="list-style-type: none"> <li>- SPEL Separator Commissioning Operation and Maintenance – Puraceptor Class 1 Operation and Maintenance Manual (undated)</li> <li>- HumeCeptor System Technical Manual Issue 5 (April 2017) issued by Humes</li> </ul> <p><b>Observation:</b> The SQID Management Plan (Draft Rev 1, 15/08/2023) provides a 14-maintanance program which includes inspection of 3 SQIDs annually (with SQID 3 being the only SQID exempt from the 14-year maintenance program as it is connected to the bunded refuelling area and will be subject to inspection and maintenance works annually). However the SQIDs Manuals recommend annual maximum intervals of SQID maintenance.</p> <p><b>Recommendation:</b> Revise the SQID Management Plan to increase the SQID inspection and maintenance frequency in accordance with the SQID Manufacturers' Manuals. In addition, it is recommended that the revised SQID Management Manual is incorporated in the OEMP prepared under Condition C1.3</p>				
<b>L2 Waste</b>						
L2.1	<p>The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled "Waste" and meeting the definition, if any, in the column titled "Description" in the table below.</p> <p>Any waste received at the premises must only be used for the activities referred to in relation to that waste in the column titled "Activity" in the table below.</p> <p>Any waste received at the premises is subject to those limits or conditions, if any, referred to in relation to that waste contained in the column titled "Other Limits" in the table below.</p> <p>This condition does not limit any other conditions in this licence</p>	SICTL have advised that no waste have been received at the premises during the audit period. SICTL does not receive waste at the premises.				NT
<b>L3 Noise Limits</b>						
L3.1 - 3.8	<p>Noise from the premises must not exceed the noise limits presented in the Table below. Note the limits represent the noise contribution at the nominated receiver locations in the table. (refer to Table C2.6 Condition of Consent)</p> <p>Note: L3.2 – L3.8 requirement, refer to Condition of Consent C2.5 – C2.11 Noise Management</p>	<p>Refer to response for E1.2 below and CoA C2.6 – C2.11.</p> <p>As reported, noise monitoring has been undertaken during the audit period in accordance with the EPL and the consent and the reports indicate that the operations have complied with the noise limits in the EPL. Noise monitoring during the audit period includes:</p> <p>Hutchison Ports Australia Biannual Environmental Noise Compliance Monitoring July 2023 Rev 0, 9/02/2023 by Rodney Stevens Acoustics</p> <p>Hutchison Ports Australia Biannual Environmental Noise Compliance Monitoring July 2023 Rev 2, 14/08/2023 by Rodney Stevens Acoustics</p>	C			
<b>3 Operating Conditions</b>						
<b>O1 Activities must be carried out in a competent manner</b>						



Condition No	Condition Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome			
			C	O	NC	NT
O1.1	<p>Licensed activities must be carried out in a competent manner.</p> <p>This includes:</p> <p>a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and</p> <p>b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.</p>	<p>The Scheduled Activity on SICTL's EPA Licence is Chemicals Storage. This relates to general chemicals storage up to 5,000 kL storage capacity. Dangerous goods are received, stored, moved and transited through the terminal. Chemicals are also kept on site for maintenance activities.</p> <p>Based on a review operational and monitoring records (reported elsewhere in this report) and site inspection on 12/10/22, it is the auditor's opinion that this condition is being complied with.</p> <p>The Port Authority's ShiPS system provides the information relating to DG Class, quantity and type on all DG imports and exports to the SICTL terminal. SICTL uses the nGen software system to allocate storage locations for all dangerous goods (ensuring separation where required).</p> <p>Equipment operators have been trained and (where required) licenced to operate the container handling equipment including Quay Cranes, ASC, Shuttle Carriers, ReachStackers, Forklifts, and trailers.</p> <p>Waste Management Plan is presented in Section 7.7 of the OEMP (22/08/2023) Version 6. The auditee maintains a register of waste streams generated at the site. Portfolio Summary of Waste Stream (September 2022 to September 2023), 05/09/2023 by Veolia provides a monthly waste report to SICTL that details the waste categories and quantities. Percentages of waste being recycled or going to landfill are monitored. For the period September 2022 to September 2023, 63.4% of waste was diverted from landfill. Some of waste types reported or observed during the site inspection included:</p> <ul style="list-style-type: none"> <li>- recyclables (paper, metal, tyres, general recyclable)</li> <li>- putrescible waste</li> <li>- liquid waste (from SQIDs when service, spill containment area, refuelling area, oil waste from workshop)</li> <li>- old batteries</li> <li>- filters other materials from workshop</li> </ul> <p>An observation has been made under consent condition C2.13A with a recommendation to label recyclable waste bins to avoid the risk of cross contamination.</p> <p>Sighted Endeavour Liquid Waste Docket No. 17550 dated 22/08/2023 EPA License No: 13242. Liquid waste is being collected by the service provider with proper EPA license. The liquid waste docket also provide photos showing proper removal of liquid waste. It identifies the receiving facility EPL number.</p> <p>Sighted Roar Workplace &amp; Environmental Solutions – Collection &amp; Disposal Notice – Recycling – used lead acid batteries Ref. No. YCROPA165, 28/07/2023 EPA License No: 21249. Destination – Yennora Copper Recycling P/L. Used batteries from the service equipment used in site were collected by Roar Workplace &amp; Environmental Solutions for proper disposal with authorised EPL license.</p> <p>Sighted JJ's Waste &amp; Recycling docket 3595379 dated 9/2/23, collection of waste oil.</p> <p>Housekeeping was of a high standard during the inspection.</p> <p>SICTL undertake site inspections across the site on a monthly basis, with records retained. Monthly inspections done by Environmental Engineer. Sighted Environmental Workplace Inspection Version 3, 26/09/2023 by Gabrielle Pei Tiatia, Environmental Engineer Hutchison Port that includes:</p> <ul style="list-style-type: none"> <li>• Waste management, workshop, housekeeping, vegetation, feral animal and bird management, air quality &amp; noise management, hazardous substance/chemicals, water management and energy.</li> </ul> <p>Incidents are being recorded and actioned to rectify issues. No notifiable incidents occurred during the reporting period.</p>	C			
<b>O2 Maintenance of plant and equipment</b>						
O2.1	<p>All plant and equipment installed at the premises or used in connection with the licensed activity:</p> <p>a) must be maintained in a proper and efficient condition; and</p>	<p>Information about equipment is maintained electronically in the system (sighted). The CMBFLSER (combined fleet services) and the Timers and Counters registers continue to be used to manage plant and equipment as reported in the 2021 and</p>	C			



Condition No	Condition Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome			
			C	O	NC	NT
	b) must be operated in a proper and efficient manner	<p>2022 audits. These registers allow for the scheduling tracker, checking and completion of planned, preventative and reactive maintenance.</p> <p>Environmental training is set out in section 3.6 of the OEMP Version 6, previously approved by DPIE on 19/2/19. As indicated elsewhere, the OEMP was updated to version 6 dated 22/08/2023 and this version included Pollu-Plug training under Section 3.6 Induction and Training. Equipment operators have been trained and (where required) licenced to operate the container handling equipment including Quay Cranes, ASC, Shuttle Carriers, ReachStackers, Forklifts, and trailers. Hutchison maintains a register of training requirements and personnel (sighted) which includes employee details, type of training provided, competency and training expiry date.</p> <p>General training is recorded in RAPID system. Sighted General employee (site) induction Module Health Safety Environment Quality Management System which covers amongst other items Hutchison Environmental Policy, Sustainability, and environmental and compliance commitments.</p> <p>Sighted Spill training Module, also provided via RAPID.</p> <p>Sighted 4 x trainings for Pollu-Plug that consist of in-situ instruction in how to deploy the Pollu-plug and advice on when to deploy the Pollu-plug.</p> <p>Pollu-Plug Training Attendance Form 11/08/2023 by Hutchison Ports (2 participants)</p> <p>Pollu-Plug Training Attendance Form 20/09/2023 by Hutchison Ports (8 participants)</p> <p>Pollu-Plug Training Attendance Form 27/09/2023 by Hutchison Ports (6 participants)</p> <p>Pollu-Plug Training Attendance Form 28/09/2023 by Hutchison Ports (4 participants)</p> <p>Emergency Drill / Exercise Report 21/06/2023 by HutchisonPort (9:45am - 10:42am) with scenario of dangerous goods container fallen over and recovery. The Report provided with the list of participants, photos, checklist completed prior to conducting the emergency drill, and Evaluation Worksheet. This type of drill is conducted in a yearly basis.</p>				
<b>O3 Emergency response</b>						
O3.1	The licensee must maintain, and implement as necessary, a current emergency response plan for the premises. The licensee must keep the emergency response plan on the premises at all times. The emergency response plan must document systems and procedures to deal with all types of incidents (e.g. spills, explosions or fire) that may occur at the premises or that may be associated with activities that occur at the premises and which are likely to cause harm to the environment. If a current emergency response plan does not exist at the date on which this condition is attached to the licence, the licensee must develop an emergency response plan within three months of that date	<p>The Emergency Response Plan (2013) had been prepared in consultation with relevant stakeholders during previous revisions and was approved by DPIE (then called DPE) in 2013. Several updates have been undertaken since then which appear to be minor administrative updates, according to the document control register. The most recent update was made on 01/03/23 (Revision 10) to incorporate updated ECO chart, emergency detail for Security Incidents, definitions for acronyms and Pollu-Plug activation.</p> <p>The Emergency Response Plan is kept on site and is also available on website: <a href="https://www.hutchisonports.com.au/wp-content/uploads/2023/03/HSEQ10.1.3-EmergencyResponsePlan-SICTL.pdf">https://www.hutchisonports.com.au/wp-content/uploads/2023/03/HSEQ10.1.3-EmergencyResponsePlan-SICTL.pdf</a></p> <p>The auditee advised that at least 4 x drills were conducted since the previous audit. This is conformant with the Emergency Response Plan.</p> <p>Sighted: Emergency Drill / Exercise Report 21/06/2023 by HutchisonPort (9:45am -10:42am) with scenario of dangerous goods container fallen over and recovery. The Report provided with the list of participants, photos, checklist completed prior to conducting the emergency drill, and Evaluation Worksheet. The drill tested the Emergency Response Plan.</p> <p>Spills training provided in Rapid, module sighted.</p> <p>4 x Pollu-Plug trainings were conducted within the audit period:</p> <p>Pollu-Plug Training Attendance Form 11/08/2023 by Hutchison Ports (2 participants)</p> <p>Pollu-Plug Training Attendance Form 20/09/2023 by Hutchison Ports (8 participants)</p> <p>Pollu-Plug Training Attendance Form 27-28 /09/2023 by Hutchison Ports (6 + 4 participants)</p>	C			



Condition No	Condition Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome			
			C	O	NC	NT
		Pollu-Plug Training Attendance Form 21/09/2023 by Hutchison Ports (4 participants)				
O3.2	In relation to 4.1 [sic – should refer to 3.1] Emergency Response: A Pollution Incident Response Management Plan (PIRMP) is the relevant document required.	The PIRMP forms part of the Emergency Response Plan (V10, 01/03/2023). The requirements of PIRMP were initially incorporated in the ERP V7 (21/07/2021) and have remained in subsequent versions.  The Emergency Response Plan is available on the website. <a href="https://www.hutchisonports.com.au/operations/environmental-management-plans/">https://www.hutchisonports.com.au/operations/environmental-management-plans/</a>	C			
<b>4 Monitoring and Recording Conditions</b>						
<b>M1 Monitoring records</b>						
M1.2	The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.	Noise monitoring is required by the EPL. Results are published on the website: <a href="https://www.hutchisonports.com.au/operations/monitoring-and-reporting/">https://www.hutchisonports.com.au/operations/monitoring-and-reporting/</a>	C			
M1.2	All records required to be kept by this licence must be: a) in a legible form, or in a form that can readily be reduced to a legible form; b) kept for at least 4 years after the monitoring or event to which they relate took place; and c) produced in a legible form to any authorised officer of the EPA who asks to see them.	As above. EPL records reviewed by the auditor are legible, retained and accessible.	C			
M1.3	The following records must be kept in respect of any samples required to be collected for the purposes of this licence: a) the date(s) on which the sample was taken; b) the time(s) at which the sample was collected; c) the point at which the sample was taken; and d) the name of the person who collected the sample	As above. The records include dates and times, locations and the details of the consultant.	C			
<b>M2 Recording of pollution complaints</b>						
M2.1	The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies	As per CoA C3.1  Hutchison Ports maintains a complaints management system and publishes quarterly Community Feedback Reports online. The complaints management system includes a Community Feedback & Enquiries Register which includes the items in M2.2. The Community Feedback Reports are available on the Project website. <a href="https://www.hutchisonports.com.au/operations/monitoring-and-reporting/">https://www.hutchisonports.com.au/operations/monitoring-and-reporting/</a>  Contact details and complaints line are available at: <a href="https://www.hutchisonports.com.au/contact-us/">https://www.hutchisonports.com.au/contact-us/</a>	C			
M2.2	The record must include details of the following: a) the date and time of the complaint; b) the method by which the complaint was made; c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect; d) the nature of the complaint; e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and f) if no action was taken by the licensee, the reasons why no action was taken	SICTL's Community Feedback & Enquiries Register includes the items in M2.2. Community Feedback Reports are prepared quarterly and published on the website. The reports enable the recording and tracking of the information required by this condition. The details required by this condition are captured and are transposed into the reports (noting some information is confidential and not made public).	C			
M2.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	As above.  The Community Feedback & Enquiries Register and the Quarterly Community Feedback Reports go back to 2013. <a href="https://www.hutchisonports.com.au/operations/monitoring-and-reporting/">https://www.hutchisonports.com.au/operations/monitoring-and-reporting/</a>	C			
M2.4	The record must be produced to any authorised officer of the EPA who asks to see them.	The auditor is not aware of instances where the EPA has asked SICTL for records. Annual reports to the EPA are prepared in accordance with the EPL.				NT
<b>M3 Telephone complaints line</b>						
M3.1	The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence	Contact details and complaints line are available at: <a href="https://www.hutchisonports.com.au/contact-us/">https://www.hutchisonports.com.au/contact-us/</a>  The complaints line was tested. No issues.	C			



Condition No	Condition Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome			
			C	O	NC	NT
M3.2	The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.	As above.	C			
M3.3	The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.					NT
<b>5 Reporting Conditions</b>						
<b>R1 Annual return documents</b>						
R1.1	The licensee must complete and supply to the EPA an Annual Return in the approved form comprising: a) a Statement of Compliance; and b) a Monitoring and Complaints Summary. At the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA	Last annual return lodged 14/11/22 within due period. There were no non-compliances reported. <a href="https://apps.epa.nsw.gov.au/prpoeoapp/Detail.aspx?instid=20322&amp;id=20322&amp;option=licence&amp;searchrange=licence&amp;range=POEO%20licence&amp;prp=no&amp;status=Issued">https://apps.epa.nsw.gov.au/prpoeoapp/Detail.aspx?instid=20322&amp;id=20322&amp;option=licence&amp;searchrange=licence&amp;range=POEO%20licence&amp;prp=no&amp;status=Issued</a>	C			
<b>R2 Notification of environmental harm</b>						
R2.1 & 2.2	Notifications must be made by telephoning the Environment Line service on 131 555. Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act. The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred	The incident register for the audit period shows that there were 17 x environmental incidents recorded. These included leaks and spills (such as oil and hydraulic fluid from shuttle, container truck, wharf and pressure hose failure). The auditee advised that none of these incidents threatened or caused material harm to the environment in accordance with Part 5.7 of the POEO Act.	C			
<b>6 General Conditions</b>						
<b>G1 Copy of licence kept at the premises or plant</b>						
G1.1 – 1.3	A copy of this licence must be kept at the premises to which the licence applies. The licence must be produced to any authorised officer of the EPA who asks to see it. The licence must be available for inspection by any employee or agent of the licensee working at the premises	EPL available at the SICTL administration office and on the EPA's website. A tabled version of the EPL is available on the SICTL website: <a href="https://www.hutchisonports.com.au/wp-content/uploads/2019/02/APPENDIX-A3-EPL-Conditions-Compliance.pdf">https://www.hutchisonports.com.au/wp-content/uploads/2019/02/APPENDIX-A3-EPL-Conditions-Compliance.pdf</a>	C			
<b>7 Special Conditions</b>						
<b>E1 Noise Monitoring and Compliance Reporting</b>						
E1.2	Every 6 months, the Licensee must undertake a periodic noise monitoring program consisting of attended and unattended monitoring and provide a report within one month after completion of monitoring to the EPA's Manager, Sydney Industry at PO Box 668 Parramatta NSW 2124 containing the following information: (a) unattended monitoring data for a continuous period of no less than 2 weeks; (b) attended monitoring data during the period outlined in subsection (a); (c) monitoring data from a minimum of 3 locations; (d) an assessment of the noise levels against Condition L3 including a trend analysis; (e) details of any feasible and reasonable noise mitigation measures that have been, or are proposed to be implemented to further reduce noise levels below the limits prescribed in this licence	Refer to Appendix A Conditions C2.6 to C2.11 Email dated 24/08/23 from Hutchison Port to EPA NSW with submission of Noise Monitoring Assessment Report July 2023 Rev 2 prepared by Rodney Stevens Acoustic dated 14/08/2023 was sighted.	C			



## APPENDIX C – OEMP KPIS



Unique ID	Compliance requirement		Comments, observations, discussion, evidence, supporting documentation																																																																																	
Air Quality																																																																																				
Table 13	<table><tr><th>Key Performance Area</th><th>KPI</th></tr><tr><td>Air quality complaints received from residents or other members of the community.</td><td>Zero</td></tr><tr><td>Regular visual inspection of the terminal to verify that control measures are in place and functioning correctly and to identify any air quality issues or the presence of any deposited dust/sand.</td><td>Monthly visual inspection – 12 annually</td></tr><tr><td>Implementation of appropriate corrective actions following a non-conformance in relation to air quality controls.</td><td>Within 8 weeks of the identified non-conformance.</td></tr></table>	Key Performance Area	KPI	Air quality complaints received from residents or other members of the community.	Zero	Regular visual inspection of the terminal to verify that control measures are in place and functioning correctly and to identify any air quality issues or the presence of any deposited dust/sand.	Monthly visual inspection – 12 annually	Implementation of appropriate corrective actions following a non-conformance in relation to air quality controls.	Within 8 weeks of the identified non-conformance.	<p>Complaints are maintained in SICTL's Community Feedback &amp; Enquiries Register and in Quarterly Community Feedback Reports which are available online. 0 x complaints were recorded for the audit period.</p> <p><a href="https://www.hutchisonports.com.au/operations/monitoring-and-reporting/">https://www.hutchisonports.com.au/operations/monitoring-and-reporting/</a></p> <p>Inspections are carried out monthly by SICTL's Environmental Engineer. The inspection undertaken on the 26/09/2023 (HSEQ11.2.1.2 Environmental Workplace Inspection 26/9/23) was sighted. Actions are identified for deficiencies, with persons responsible assigned. Actions are entered into Rapid Global. Rapid Global files evidence that actions have been closed. Air quality management items are included in the inspection checklist.</p> <p>During the audit site inspection on the 12/10/2023 operational parts of the site were free of sediment, and no dust or odour issues were noted.</p>																																																																										
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Table 16	<table><tr><th>Key Performance Area</th><th>KPI</th></tr><tr><td>Airport-related complaints including light-spill, bird hazards received from Sydney Airport or other members of the community.</td><td>Zero</td></tr><tr><td>Regular visual inspection of the terminal to verify that control measures are in place and functioning correctly and to identify the presence of any bird hazards.</td><td>Monthly visual inspections – 12 annually</td></tr></table>	Key Performance Area	KPI	Airport-related complaints including light-spill, bird hazards received from Sydney Airport or other members of the community.	Zero	Regular visual inspection of the terminal to verify that control measures are in place and functioning correctly and to identify the presence of any bird hazards.	Monthly visual inspections – 12 annually	<p>Complaints are maintained in SICTL's Community Feedback &amp; Enquiries Register and in Quarterly Community Feedback Reports which are available online. 0 x complaints were recorded for the audit period.</p> <p><a href="https://www.hutchisonports.com.au/operations/monitoring-and-reporting/">https://www.hutchisonports.com.au/operations/monitoring-and-reporting/</a></p> <p>Inspections are carried out monthly by SICTL's Environmental Engineer. The inspection undertaken on the 26/09/2023 (HSEQ11.2.1.2 Environmental Workplace Inspection 26/9/23) was sighted. Actions are identified for deficiencies, with persons responsible assigned. Actions are entered into Rapid Global. Rapid Global files evidence that actions have been closed. Bird hazard management items are included in the inspection checklist.</p>																																																																												
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Tables 19 and 20	<div><div><p>Table 19 Assessment of Noise Impacts</p><table><tr><th>Relevant Receiver</th><th>No. on Map</th><th>Assessment of Operational Noise Impacts</th></tr><tr><td>Chelmsford Avenues</td><td>1</td><td>This location is not expected to be impacted as there are many roads, residences and industrial sites between this location and the SICTL Terminal. This location is also close to Sydney Airport.</td></tr><tr><td>Dent Street</td><td>2</td><td>This location is expected to be the most impacted because it is the closest residential receiver to the SICTL Terminal. This area is the most suitable for operational noise monitoring and will be treated as representative of other locations.</td></tr><tr><td>Jennings Street</td><td>3</td><td>This location is not expected to be impacted as there are many roads, residences and industrial sites between this location and the SICTL Terminal.</td></tr><tr><td>Botany Road (North of Golf Club)</td><td>4</td><td>This location is expected to be impacted due to the proximity to the SICTL Terminal.</td></tr><tr><td>Australia Avenue</td><td>5</td><td>This location is not expected to be impacted as there are many roads, residences and industrial sites between this location and the SICTL Terminal.</td></tr><tr><td>Military Road</td><td>6</td><td>This area is not expected to be impacted as there are two other stevedores and various industrial sites between this location and the SICTL Terminal.</td></tr></table><p>During operations, SICTL will undertake periodic attended and unattended noise monitoring to develop a representation of the terminal noise received by residential receivers. The operational noise monitoring program will:</p><ul style="list-style-type: none"><li>Continuously record for a duration of two weeks at a time;</li><li>Take place at a frequency of every six months;</li><li>Additionally, take place at the commencement of a new phase of operations or at appropriate operational milestones;</li><li>Take place in support of any application made by NSW Ports to increase the throughput at the terminal;</li><li>Take place at any other additional time as determined by SICTL for example, in relation to noise complaints or the introduction of different equipment, and</li><li>Be used to verify the noise contribution of the terminal against the noise modelling predictions stated in the EIS and investigate and explain differences.</li></ul><p>The results of noise monitoring will be compiled by the acoustic consultant into the Noise Compliance Assessment Report and reviewed by the Senior Manager, HSEQ. The Noise Compliance Assessment shall be submitted to NSW Ports and uploaded to the HPA website within 14 days of receipt as per SICTL's environmental protection licence conditions.</p></div><div><table><tr><th colspan="2">Key Performance Indicators</th><th>Goal</th></tr><tr><td colspan="2">Noise complaints received from residents or other members of the community.</td><td>Zero</td></tr></table><table><tr><th colspan="5">EPA Licence condition L3.1</th></tr><tr><th>Most Affected Residential Location</th><th>Day</th><th>Evening</th><th>Night</th><th>Height</th></tr><tr><td>Chelmsford Avenue</td><td>40</td><td>40</td><td>40</td><td>38</td></tr><tr><td>Dent Street</td><td>45</td><td>45</td><td>45</td><td>43</td></tr><tr><td>Jennings Street</td><td>35</td><td>35</td><td>35</td><td>35</td></tr><tr><td>Botany Road (North of Golf Club)</td><td>47</td><td>47</td><td>47</td><td>45</td></tr><tr><td>Australia Avenue</td><td>35</td><td>35</td><td>35</td><td>35</td></tr><tr><td>Military Road</td><td>42</td><td>42</td><td>42</td><td>40</td></tr></table><table><tr><th colspan="2">EPA Licence condition L3.2</th></tr><tr><th>Most Affected Residential Location</th><th>Height</th></tr><tr><td>Chelmsford Avenue</td><td>33</td></tr><tr><td>Dent Street</td><td>35</td></tr><tr><td>Jennings Street</td><td>35</td></tr><tr><td>Botany Road (North of Golf Club)</td><td>38</td></tr><tr><td>Australia Avenue</td><td>37</td></tr><tr><td>Military Road</td><td>33</td></tr></table><p><b>EPA Licence condition E1.2</b> Every 6 months, the Licensee must undertake a periodic noise monitoring program consisting of attended and unattended monitoring and provide a report within one month after completion of monitoring to the EPA's Manager, Sydney Industry at PO Box 668 Parramatta NSW 2124 containing the following information: (a) unattended monitoring data for a continuous period of no less than 2 weeks; (b) attended monitoring data during the period outlined in subsection (a); (c) monitoring data from a minimum of 3 locations; (d) an assessment of the noise levels against Condition L3 including a trend analysis; (e) details of any feasible and reasonable noise mitigation measures that have been or are proposed to be implemented to further reduce noise levels below the limits prescribed in this licence.</p></div></div> <div><p>Refer to findings against CoA C2.6 and EPL condition E1.2 regarding noise monitoring and compliance with noise limits.</p><p>The Hutchison's biannual Environmental Noise Compliance Monitoring Reports, Rodney Stevens Acoustics, dated 9/02/2023 and 14/08/2023, indicate that monitoring was conducted in accordance with these requirements during the audit period. The noise monitoring reports are available in the project website: <a href="https://www.hutchisonports.com.au/operations/monitoring-and-reporting/">https://www.hutchisonports.com.au/operations/monitoring-and-reporting/</a></p><p>The noise monitoring during the audit period was reported to comply with the noise limits in C2.6 and the EPL. Rodney Stevens Acoustics Biannual Environmental Noise Compliance Monitoring Reports, dated 9/02/2023 and 14/08/2023, concluded that the current operations comply with the established licence limits at all locations during the daytime, evening and night-time periods.</p><p>Complaints are maintained in SICTL's Community Feedback &amp; Enquiries Register and in Quarterly Community Feedback Reports which are available online. 0 x complaints were recorded for the audit period.</p></div>	Relevant Receiver	No. on Map	Assessment of Operational Noise Impacts	Chelmsford Avenues	1	This location is not expected to be impacted as there are many roads, residences and industrial sites between this location and the SICTL Terminal. This location is also close to Sydney Airport.	Dent Street	2	This location is expected to be the most impacted because it is the closest residential receiver to the SICTL Terminal. This area is the most suitable for operational noise monitoring and will be treated as representative of other locations.	Jennings Street	3	This location is not expected to be impacted as there are many roads, residences and industrial sites between this location and the SICTL Terminal.	Botany Road (North of Golf Club)	4	This location is expected to be impacted due to the proximity to the SICTL Terminal.	Australia Avenue	5	This location is not expected to be impacted as there are many roads, residences and industrial sites between this location and the SICTL Terminal.	Military Road	6	This area is not expected to be impacted as there are two other stevedores and various industrial sites between this location and the SICTL Terminal.	Key Performance Indicators		Goal	Noise complaints received from residents or other members of the community.		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Unique ID	Compliance requirement		Comments, observations, discussion, evidence, supporting documentation																																																					
			The SICTL slot utilisation report by hour (kept electronically, sighted) shows the number of slots released and utilised compared to those booked. More than 55 slots are available, however the number of slots released are commensurate to the number of slots booked for each day. At no stage were the slots released fewer than that booked.																																																					
Stormwater																																																								
Table 24	<table><tr><th colspan="3">Key Performance Area</th><th>KPI</th></tr><tr><td colspan="3">The effectiveness of the separator units to be assessed through the testing and analysis of outlet sampling on an annual basis.</td><td>3 units tested per annum</td></tr><tr><th>Key Performance Area</th><th>Goal</th><th>Acceptable Limit</th><td></td></tr><tr><td>Total Nitrogen (TN)</td><td>120 - 300 µg/L <sup>2</sup></td><td>5 mg/L <sup>3</sup></td><td></td></tr><tr><td>Total Phosphorous (TP)</td><td>&lt; 30 µg/L <sup>2</sup></td><td>0.1 mg/L <sup>3</sup></td><td></td></tr><tr><td>Turbidity (NTU)</td><td>2.2 – 3.3 NTU <sup>1</sup></td><td>0.5 – 10 NTU <sup>2</sup></td><td></td></tr><tr><td>Total Suspended Solids (TSS)</td><td>&lt; 30 mg/L <sup>3</sup></td><td>50 mg/L <sup>3</sup></td><td></td></tr><tr><td>pH</td><td>7.0 – 8.5 <sup>2</sup></td><td>6.5 – 8.5 <sup>3</sup></td><td></td></tr><tr><td>Copper (Cu)</td><td>&lt; 1.3 µg/L <sup>2</sup></td><td>10 µg/L <sup>3</sup></td><td></td></tr><tr><td>Lead (Pb)</td><td>&lt; 4.4 µg/L <sup>2</sup></td><td>&lt; 4.4 µg/L <sup>2</sup></td><td></td></tr><tr><td>Zinc (Zn)</td><td>&lt; 15 µg/L <sup>2</sup></td><td>&lt; 15 µg/L <sup>2</sup></td><td></td></tr><tr><td>Oil &amp; Grease</td><td>&lt; 5 mg/L <sup>3</sup></td><td>10 mg/L <sup>3</sup></td><td></td></tr></table> <p><sup>1</sup> Botany Bay &amp; Catchment Water Quality Improvement Plan 2011, prepared by the Sydney Metropolitan Catchment Management Authority</p> <p><sup>2</sup> Marine Water Quality Objectives for NSW Ocean Waters – Sydney Metropolitan and Hawkesbury-Nepean (October 2005) published by Department of Environment and Conservation NSW, and Australian and New Zealand Guidelines for Fresh and Marine Water Quality (2000), Australian and New Zealand Environment Conservation Council (ANZECC)</p> <p><sup>3</sup> Developed based on local conditions and previous water quality test results.</p> <table><tr><td>Cleanout will be undertaken where the water quality results indicate an Acceptable Limit exceedance.</td><td>Cleanout within 6 weeks of Acceptable Limit exceedance</td></tr><tr><td>An investigation will be conducted where the water quality results exceed the Acceptable Limit exceedance</td><td>After lab results have been received</td></tr><tr><td>After every spill event where it is reasonable to assume that pollutants have entered the stormwater system units.</td><td>After Spill Event</td></tr></table>	Key Performance Area			KPI	The effectiveness of the separator units to be assessed through the testing and analysis of outlet sampling on an annual basis.			3 units tested per annum	Key Performance Area	Goal	Acceptable Limit		Total Nitrogen (TN)	120 - 300 µg/L <sup>2</sup>	5 mg/L <sup>3</sup>		Total Phosphorous (TP)	< 30 µg/L <sup>2</sup>	0.1 mg/L <sup>3</sup>		Turbidity (NTU)	2.2 – 3.3 NTU <sup>1</sup>	0.5 – 10 NTU <sup>2</sup>		Total Suspended Solids (TSS)	< 30 mg/L <sup>3</sup>	50 mg/L <sup>3</sup>		pH	7.0 – 8.5 <sup>2</sup>	6.5 – 8.5 <sup>3</sup>		Copper (Cu)	< 1.3 µg/L <sup>2</sup>	10 µg/L <sup>3</sup>		Lead (Pb)	< 4.4 µg/L <sup>2</sup>	< 4.4 µg/L <sup>2</sup>		Zinc (Zn)	< 15 µg/L <sup>2</sup>	< 15 µg/L <sup>2</sup>		Oil & Grease	< 5 mg/L <sup>3</sup>	10 mg/L <sup>3</sup>		Cleanout will be undertaken where the water quality results indicate an Acceptable Limit exceedance.	Cleanout within 6 weeks of Acceptable Limit exceedance	An investigation will be conducted where the water quality results exceed the Acceptable Limit exceedance	After lab results have been received	After every spill event where it is reasonable to assume that pollutants have entered the stormwater system units.	After Spill Event	<p><b>Findings from previous audits on OEMP (Table 23) (Note: Table 24 in the OEMP R6 (22/08/2023))</b></p> <p>An observation against this condition was raised in the 2022 Independent Audit. It was noted that the SQID register v1 identifies that SQIDs were inspected, water tested and maintenance completed for 2022, consistent with the OEMP. Sighted Water Analytes Register. Results for the 3 sampled SQIDs are satisfactory for the reporting period. However there does not appear to be a forward looking plan for testing and maintenance of the SQIDS that ensures that all are subject to testing and maintenance over time. This risks SQID testing being duplicated or missed over multi-year time frames. It was recommended to develop a forward looking schedule for the inspection, testing and (if necessary) maintenance of SQIDs so that all SQIDs are captured over a multi-year timeframe. The schedule (once developed) should be implemented going forward.</p> <p>As discussed in Table 2, a SQID Management Plan, Revision 1, dated 15/08/2023 (draft), has been developed in response to the observation to ensure the routine maintenance of SQIDs and to meet the annual sampling requirements. Currently, there are 36 operational SQIDs under SICLS care installed on site. The Plan include SQID maintenance inspection and maintenance work under Section 4.3 and an example table for 14-year maintenance program. This observation has been closed</p> <p><b>2023 Audit:</b> Refer to C2.14 in Appendix A.</p> <p>Sampling of the inlet and outlet of the SQIDS is conducted in accordance with the OEMP (3 x units sampled per year). Results are compared to the criteria in the OEMP which are derived from ANZECC (2000). During the audit period, SQIDS water quality sampling was undertaken in SQIDs 4,16 and 19. Analytical results were provided for sampling undertaken in August 2023 (SGS Report: SE252060 R0, dated 16/08/2023), parameters sampled included Nitrogen (including TN), TP, pH, TSS, Turbidity, O&amp;G, Cu, Pb, Zn in accordance with the OEMP. Zinc, Turbidity and TP exceeded the OEMP acceptable limit in all samples. TSS exceeded the OEMP acceptable limits in SQID 4 and 19. An investigation was undertaken (August 2023) and it was reported that the filters need to be cleaned/replaced, and that SQID 4 and 16 had visible sludge and desludging was required (which could have resulted in the exceedances of TSS and Turbidity). Maintenance was undertaken in the 3 SQIDS by the manufacturer. New coalescers were installed in the SQIDs and they were also cleaned. Maintenance Reports provided (Atlan Service Report dated 11/09/2023 - SQID 16, Atlan Service Report dated 27/09/2023 – SQID 19, Atlan Service Report dated 31/08/2023 - SQID 4 and 3).</p> <p>In response to previous audit recommendations, a SQID Management Plan, (Rev 1, 15/08/2023), has been developed to ensure the routine maintenance of SQIDs. Currently, there are two types of SQIDs known as SPEL's (now Atlan Stormwater) 'Stormceptor' and Humes' 'Humeceptor'.</p> <p>Manuals for the two types of SQIDs were provided:</p> <ul style="list-style-type: none"><li>- SPEL Separator Commissioning Operation and Maintenance – Purceptor Class 1 Operation and Maintenance Manual (undated)</li><li>- HumeCeptor System Technical Manual Issue 5 (April 2017) issued by Humes</li></ul> <p>Two observations have been raised as shown below (and reported also against C2.14)</p> <p><b>Observation:</b> SQIDs are sampled and maintained in accordance with the OEMP (22/08/2023) and the SQID Management Plan (Draft, 15/08/2023). SQIDs that showed exceedances of the OEMP water quality criteria are repaired following identification of the exceedances but follow up water quality sampling is not undertaken to confirm that the maintenance works have corrected the SQID problems.</p> <p><b>Recommendation:</b> Revise SQIDs water quality sampling program to incorporate some form of validation sampling of SQIDs maintained in accordance with the SQID Management Plan or in response to exceedances of water quality criteria.</p> <p><b>Observation:</b> The SQID Management Plan (Draft Rev 1, 15/08/2023) provides a 14-maintenance program which includes inspection of 3 SQIDs annually (with SQID 3 being the only SQID exempt from the 14-year maintenance program as it is connected to the bunded refuelling area and will be subject to inspection and maintenance works annually). However the SQIDs Manuals recommend annual maximum intervals of SQID maintenance.</p> <p><b>Recommendation:</b> Revise the SQID Management Plan to increase the SQID inspection and maintenance frequency in accordance with the SQID Manufacturers' Manuals. In addition, it is recommended that the revised SQID Management Manual is incorporated in the OEMP prepared under Condition C1.3</p>
Key Performance Area			KPI																																																					
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Unique ID	Compliance requirement		Comments, observations, discussion, evidence, supporting documentation
Table 27	<b>Key Performance Indicators</b>	<b>Goal</b>	<p>The auditee advised that no incidents with actual or potential significant off-site impacts on people or to the biophysical environment occurred during this audit period. The incident register for the audit period shows that there were 17 x environmental incidents recorded. These included leaks and spills (such as hydraulic fluid from mobile plant on the port, and a leaking container. None of which posed with actual or potential significant off-site impacts on people or the biophysical environment. In addition to the incident register, incidents are reported in RAPID Global system software, it includes actions and investigations undertaken in the event of an incident</p> <p>Incident Investigation Report and Incident Report No. 3007 dated 24/04/2023 relating to straddle 7 oil leak sighted. The report includes incident category, type of incident, person reporting the incident, incident reported to, location details, incident details with photos attached and immediate corrective action.</p> <p>The DG limits in Development Consent conditions C2.17 and C2.18 have been complied during the audit period as detailed in Appendix A (conditions C2.17 and C2.18).</p>
	Number of Pollution Incidents involving solid or liquid spills or gas leaks during the handling of dangerous goods and hazardous substances on the terminal.	Zero	
	Analysis of DG throughput limits specified in <b>Development Consent Condition C 2.17</b> (Table 1 in Schedule 4 of the Development Consent)).	Zero exceedances	
	The amount specified in <b>Development Consent Condition C 2.18</b> (storage or handling of Dangerous Goods Class 2.3, toxic compressed or liquefied gases above the quantities stored or handled in 1995/96 except in accordance with recommendations 1.1 and 1.2 in the Port Botany Land Use Safety Study (1996)) shall not be exceeded.	Zero exceedances	
<b>Waste</b>			
Table 31	<b>Key Performance Indicators</b>	<b>Goal</b>	<p>The auditee maintains a register of waste streams generated at the site. Portfolio Summary of Waste Stream (September 2022 to September 2023), 05/09/2023 by Veolia provides a monthly waste report to SICTL that details the waste categories and quantities. Percentages of waste being recycled or going to landfill are monitored. For the period September 2022 to September 2023, 63.4% of waste was diverted from landfill.</p> <p>No instances of cross contamination of waste streams were identified during the audit period.</p> <p>Refer also to Appendix A – Consent condition C2.13</p>
	The amount of waste generated is analogous to the amount of operations, personnel and maintenance activities conducted on the terminal. The KPIs below have been developed so that that they are in accordance with the expected changes in the level of operations at the terminal.		
	Amount of waste recycled expressed as a % compared to the total waste generated.	50% or better	
	No reports of hazardous or special waste being mixed with general waste.	Zero	
<b>Water and wastewater</b>			
Table 34	<b>Key Performance Indicators</b>	<b>Goal</b>	<p>SICTL water usage register (sighted) shows that consumption per TEU (average) during the audit period (September to September 2023) is 12.5L/TEU month KPI (ranging between 9.2 – 16.3 L/TEU) and therefore exceeds the goal of 9L. 3 x 30,000 L of rainwater storage available at the site, however at the time of the audit were not operational but scheduled to be repaired. It is noted that a portion of this (toilet water and wash bay) is from harvested rainwater, therefore it is possible that the water usage is &lt;9L/TEU per month (although). There is a Corrective Action in Rapid (sighted) to review the rainwater harvesting system. The auditee advised that containers do not require cleaning on site, the water use relates to workshops, washing equipment, showers.</p>
	The amount of potable water used is analogous to the amount of operations, personnel and maintenance activities conducted on the terminal. The KPI's below have been developed so that that they are in accordance with the expected changes in the level of operations at the terminal		
	The amount of potable water used per TEU per month.	Not to exceed 9L per TEU per month	
<b>Shorebirds</b>			
Table 37	<b>Key Performance Area</b>	<b>KPI</b>	<p>Environment inspections are occurring monthly and include monitoring of birdlife. No issues identified during the audit period. Sighted Environmental Workplace Inspection Version 3, 26/09/2023 by Gabrielle Pei Tiatia, Hutchison's Environmental Engineer.</p>
	Regular monitoring of the terminal to identify the presence of any roosting, injured or juvenile shorebirds.	Monthly monitoring – 12 annually	
	Regular monitoring of the terminal to identify the presence of any predatory birds	Monthly monitoring – 12 annually	
<b>Feral animals</b>			
Table 40	<b>Key Performance Area</b>	<b>KPI</b>	<p>Environment inspections are occurring monthly and include monitoring of feral animals. A fox was sighted on site on the 4/08/2023 and it was reported as an incident in the Incident Register. Sighted Environmental Workplace Inspection Version 3, 26/09/2023 by Gabrielle Pei Tiatia, Hutchison's Environmental Engineer. Environment inspections are occurring monthly and include monitoring of feral animals.</p> <p>Complaints are maintained in SICTL's Community Feedback &amp; Enquiries Register and in Quarterly Community Feedback Reports which are available online. 0 x complaints were recorded for the audit period.</p> <p><a href="https://www.hutchisonports.com.au/operations/monitoring-and-reporting/">https://www.hutchisonports.com.au/operations/monitoring-and-reporting/</a></p>
	Feral Animal complaints received from NSW Ports, the Port Authority of NSW, adjoining stevedores or other members of the community.	Zero	
	Regular monitoring of the terminal to identify the presence of any feral animal hazards.	Monthly monitoring – 12 annually	
<b>Energy</b>			



Unique ID	Compliance requirement		Comments, observations, discussion, evidence, supporting documentation
Table 43	<b>Key Performance Indicators</b>		SICTL Fuel usage and electricity usage for 2022-23 (August to September 2023) sighted.  Diesel use is reported in L per TEU and total. Electricity use is reported in Wh per TEU and total.  Total Electricity usage: 8,845,155kWh (24Wh/TEU)  Total Fuel usage: 706,971 L (1.9L/TEU)  TEU: 366,781
	<b>Goal</b>		
	The amount of diesel and electricity used is analogous to the amount of operations, personnel and maintenance activities conducted on the terminal. The KPI's below have been developed so that that they are in accordance with the expected changes in the level of operations at the terminal.		
	The amount of diesel expressed in litres used per TEU.	2.5L per TEU	
	The amount of electricity expressed in kilowatt hours used per TEU	25kWh per TEU	



## **APPENDIX D – EIS, Commission of Inquiry and S96 Application predictions**



Section	Predictions / Conclusions	Assessment	Audit Outcomes <sup>1</sup>			
			😊	😐	😞	NA
17.6.2	<b>Groundwater Quality</b> The operation of the new terminal is expected to have minimal effect on groundwater quality. Once operational, all terminal activities would be conducted in a manner to prevent contamination of surface or groundwater from operational activities. An Operational EMP would be developed in the detailed design phase to ensure an adequate standard is applied to contamination control for the operation of the new terminal	No changes from last year. No more areas asphalted. Undeveloped areas are not used for storage or operations. Chemicals on site are banded. A review of the incidents reported during the audit period suggests that no pollution incidents occurred that could have impacted on groundwater quality.  Operational Environmental Management Plan (OEMP) – Version 6 (25 August 2023) has been prepared and addressed this requirement. The OEMP is available on the SICTL's website: <a href="https://www.hutchisonports.com.au/operations/environmental-management-plans/">https://www.hutchisonports.com.au/operations/environmental-management-plans/</a>  The chapters relevant to the protection of groundwater quality, through management of on-site pollutants, wastes and contamination are: <ul style="list-style-type: none"> <li>- 7.5 Stormwater management plan</li> <li>- 7.6 Dangerous good management plan.</li> <li>- 7.7 Waste management plan</li> <li>- 7.8 Water and wastewater management plan.</li> </ul> These documents describe the controls which SICTL has in place to control any spills and waste which occur during the course of its operations. The Stormwater management plan also details how SICTL ensure that any surface pollutants are captured and treated in order to minimise the contamination of groundwater or waters.	😊			
18.4.2	<b>Soil Erosion</b> The operations at the new terminal would take place on reclaimed and hard surfaced pavement. There is no requirement for soil removal or disturbance during operation of the terminal. Stormwater collection and treatment systems would be designed to capture surface water runoff from all impervious surfaces. Therefore, the operation of the new terminal is expected to have minimal effects on soil erosion. Soil in the vicinity of facilities outside the new terminal area, such as the proposed railway, boat ramp and car park, would be stabilised and erosion in these areas would be low.	Stormwater collection and treatment devices have been installed at SICTL and are operational (details provided in Section 7.5 of the OEMP). There is no evidence of soil erosion identified in the operational areas. Undeveloped areas are either vegetated or contain gravel. No signs of erosion were observed during the site inspection on the 12/10/2023.	😊			
18.4.3	<b>Sediment Contamination</b> Leaks and spills from operations at the new container terminal would be contained by the proposed stormwater detention and treatment system. There is low potential for leaching of contaminants through the hard stand areas.  Environmental management measures would be included in the Operational EMP	Stormwater collection and treatment devices have been installed at SICTL and are operational. These include SQIDs (36 currently operational and managed by SICTL), a Liquid Detention Unit (LDU) and the Pollu-Plug system. These devices are described in Section 7.5 of the OEMP. Operational areas are all sealed and chemical storage is undertaken in banded areas.  SICTL operational employees have been trained in the control of environmental spills and all incidents are quickly identified, contained and reported. At least 4 x emergency drills were conducted during the audit period, including an environmental drill as per the PIRMP requirements  Polluplug training was identified as an observation in previous audit, due to the training being out of date. During the audit period, polluplug training has been implemented. Refer to C4.4 regarding the currency of that training.	😊			
18.5.2	<b>Operation</b> The operation of the new terminal would have minimal effects on geology, soils and geotechnical issues. Once operational, all terminal activities would be conducted in a manner to prevent soil erosion and contamination from operational activities. A SWMP would be developed as part of an Operational EMP to ensure an adequate standard is applied to sediment control for the operation of new terminal. This plan would also address stormwater management and be prepared in accordance with NSW EPA requirements. The SWMP for operations would be incorporated in the Operational EMP. Management measures would include: <ul style="list-style-type: none"> <li>• a first flush system to capture sediment and contaminants from surface water runoff from the new terminal;</li> </ul>	Stormwater collection and treatment devices have been installed at SICTL and are operational. There was no evidence of soil erosion identified in the operational areas which are sealed or undeveloped areas that are vegetated or contained gravel.  SICTL has prepared and implemented the following documents under its OEMP: <ul style="list-style-type: none"> <li>- 7.5 Stormwater management plan</li> <li>- 7.6 Dangerous good management plan.</li> </ul>	😊			

<sup>1</sup> 😊 = Largely as predicted/concluded, 😐 = Partially as predicted / unknown / as predicted, 😞 = Not as predicted, NA = Not applicable



Section	Predictions / Conclusions	Assessment	Audit Outcomes <sup>1</sup>			
			😊	😐	😞	NA
	<ul style="list-style-type: none"> <li>treatment of surface water runoff from potential pollutant areas on the new terminal by a wastewater treatment system prior to discharge to sewer;</li> <li>investigation of the feasibility of installation of sediment traps on Floodvale and Springvale Drains to reduce influx of sediment to Penrhyn Estuary;</li> <li>emergency response plan for fuel, oil and chemical spills; and</li> <li>storage and handling of all dangerous goods in accordance with Australian Standards, Dangerous Goods Regulations and NSW EPA requirements.</li> </ul>	<ul style="list-style-type: none"> <li>7.7 Waste management plan</li> <li>7.8 Water and wastewater management plan.</li> </ul> <p>These documents describe the controls which SICTL has in place to control any spills and waste which occur during the course of its operations.</p> <p>The Stormwater management plan also details how SICTL ensure that any surface pollutants are captured and treated in order to minimise the contamination of groundwater or waters.</p> <p>Stormwater collection and treatment devices have been installed at SICTL and are operational. There is no evidence of soil erosion identified in the operational areas.</p> <p>Hydrocarbon storage was within suitably designed bunds, labelled and with relevant SDSs available.</p> <p>The first flush system relates to the Stormwater Quality Improvement Devices (SQIDs) which are referred to in the water and wastewater management plan and the stormwater management plan (both subsections of the OEMP).</p> <p>Trade waste generated in the terminal is managed under existing Commercial Trade Wastewater Permit #37958.</p> <p>Floodvale and Springvale Drains are outside the SICTL site.</p>				
19.6.1	<p><b>Noise, Vibration and Light</b></p> <p>Vibration would occur as a result of construction and operation of the new terminal. Most aquatic animals would tend to habituate to the changes in noise and vibration, therefore, impacts could be considered as low.</p> <p><b>Introduced Species</b></p> <p>There appear to be no aspects of the proposal likely to enhance the risk of the introduction of exotic species, other than an increase in risk associated with greater numbers of vessels using Port Botany. In terms of introduced species already in Botany Bay, there is some risk of changes in distribution associated with the proposed port expansion for <i>Caulerpa taxifolia</i> presently occurring along Foreshore Beach.</p>	<p>The level of vibrations at SICTL would be in line with the types of activities conducted at the adjacent terminals. No complaints, including vibration or noise complaints, have been received by SICTL during the audit period. No vibration issues were noted during the site inspection on the 12/10/2023 when the site was in operations.</p> <p>The management of <i>Caulerpa Taxifolia</i> or other marine pests is not included in the SICTL OEMP or the sub-plans, as SICTL has limited control over activities outside of the terminal boundaries. The last seagrass monitoring report available in the Port Authority website in August 2020 (Cardo, Aug 2020) and the Port Botany Post Construction Environmental Monitoring End of Project Report (Cardno, Oct 2019) do not mention <i>Caulerpa taxifolia</i> in the Foreshore Beach or Penrhyn Estuary area.</p>	😊			
19.6.2	<p>Management of the possible spread of <i>Caulerpa taxifolia</i> would form part of a Construction and Operational EMP</p>	<p>As indicated above, the management of <i>Caulerpa Taxifolia</i> is not included in the SICTL OEMP or the sub-plans, as SICTL has limited control over activities outside of the terminal boundaries. However, the management and monitoring of <i>Caulerpa Taxifolia</i> is addressed in the Penrhyn Estuary Habitat Enhancement Plan prepared for the former Sydney Ports Corporation (now Port Authority of NSW) under condition B2.31. Within the Port Botany Post Construction Environmental Monitoring Annual Report 2017 (Cardno, May 2019) the following finding has been made:</p> <p>"The invasive alga <i>Caulerpa taxifolia</i> has been recorded previously in areas surveyed at Foreshore Beach but not in post-construction surveys to date. The absence of <i>C. taxifolia</i> from the study area is favourable for the recovery of seagrass, as <i>C. taxifolia</i> is highly competitive and its absence removes further challenges to successful recolonisation."</p> <p>The last seagrass monitoring report available in the Port Authority website in August 2020 (Cardo, Aug 2020) and the Port Botany Post Construction Environmental Monitoring End of Project Report (Cardno, Oct 2019) do not mention <i>Caulerpa taxifolia</i> in the Foreshore Beach or Penrhyn Estuary area.</p>	😊			
19.7.2	<p><b>Marine Mammals</b></p> <p>With the current operation of the port it appears that marine mammals are able to co-exist with the port operations. A Marine Mammal Management Plan would, however, be prepared to ensure that the occurrence of marine mammals in the vicinity of the port during operations is appropriately managed. This would form part of the Operational EMP and would be prepared in consultation with NPW</p>	<p>A Marine Mammal Management Plan was prepared (Appendix C) in the Penrhyn Estuary Habitat Enhancement Plan (PEHEP). The PEHEP was prepared by Cardno (2007) on behalf of the former Sydney Ports Corporation (now Port Authority of NSW) under condition B2.31. The monitoring plan under the PEHEP has been implemented by Port Authority and all reports are provided in its website:</p>	😊			



Section	Predictions / Conclusions	Assessment	Audit Outcomes <sup>1</sup>			
			😊	😐	😞	NA
		<a href="https://www.portauthoritynsw.com.au/sustainability/environment/penrhyn-estuary-rehabilitation/">https://www.portauthoritynsw.com.au/sustainability/environment/penrhyn-estuary-rehabilitation/</a> The final monitoring report was prepared in 2019 (Port Botany Post Construction Environmental Monitoring, End of Project Report, Cardno, 22/10/19). There is no mention of mammals within the report. SICTL's AEMR 2022/23 indicates that "The Port Authority of NSW monitors the presence and location of marine mammals in Botany Bay and through Harbour Control will advise commercial vessels and port operators if there is any marine hazard or emergency".				
20.8.4	<b>Habitat Enhancement</b> A Vegetation Management Plan (VMP) detailing methodologies for saltmarsh excavation, storage, propagation and transplantation would be prepared and would be incorporated as part of the Construction and Operational EMPs for the project. A Vegetation Management Plan (VMP) detailing methodologies for mangrove removal and control would be prepared and would be incorporated as part of the Construction and Operational EMPs for the project	The Vegetation Management Plan forms part of the Penrhyn Estuary Habitat Enhancement Plan (Appendix B of the PEHEP) which is managed by Port Authority of NSW. <a href="https://www.portauthoritynsw.com.au/sustainability/environment/penrhyn-estuary-rehabilitation/">https://www.portauthoritynsw.com.au/sustainability/environment/penrhyn-estuary-rehabilitation/</a> The final monitoring report was prepared in 2019 (Port Botany Post Construction Environmental Monitoring, End of Project Report, Cardno, 22/10/19). The report concluded total area of saltmarsh in Penrhyn Estuary has more than doubled the pre-rehabilitation extent. Monitoring in 2016 indicated that species diversity in saltmarsh remained similar to baseline levels, while abundance and condition generally increased following the rehabilitation works. Port Authority manages and maintains the Penrhyn Estuary habitat.	😊			
20.8.4	<b>Control of Feral Animals</b> The following two measures would assist in the control of feral animals at Penrhyn Estuary, these include: <ul style="list-style-type: none"> <li>ensure rubbish is placed in appropriately covered bins at all times.</li> <li>Ensure rubbish is regularly disposed; and</li> </ul> Should shorebird monitoring during construction and operation of the Port Botany Expansion reveal feral cat and fox predation (on shorebirds) to be an ongoing issue, a 1080 fox baiting program should be initiated in consultation with NPWS and an expert shorebird ecologist. A Feral Animal Management Plan (FAMP) would be prepared as part of the Construction and Operational EMP for the Port Botany Expansion. The FAMP would address fencing and the management of garbage, particularly in the habitat enhancement areas, and the viability of a baiting program to be initiated in conjunction with NPWS	SICTL has prepared and implemented the Waste management plan (Section 7.7 of the OEMP) and the Feral animal management plan (Section 7.10 of the OEMP). Controls are identified within each of the plans. Environment inspections are occurring monthly and include monitoring of feral animals. A fox was sighted on site on the 4/08/2023 and it was reported as an incident in the Incident Register. SICTL's AEMR 2022/23 indicates that "SICTL shall consider 1080 Fox Baiting at the terminal if the presence of foxes become a frequent occurrence". The management of feral animals in the Penrhyn Estuary is addressed in the PEHEP managed by the Port Authority of NSW. Fencing has been installed in the Penrhyn Estuary habitat which restricts feral animal access. Port Authority maintains the Penrhyn Estuary habitat.	😊			
20.10	Key impacts from the proposal on the 23 shorebird and one seabird species considered as regular or occasional visitors to Penrhyn Estuary could include disturbance to feeding and roosting from a change in lighting regime, increased movement, noise from construction and operation of the port (and associated infrastructure such as railway lines) and potential entry/exit flyway barriers due to the enclosure of Penrhyn Estuary.	The Shorebird Monitoring Program forms part of the Penrhyn Estuary Habitat Enhancement Plan which is managed by Port Authority of NSW. <a href="https://www.portauthoritynsw.com.au/sustainability/environment/penrhyn-estuary-rehabilitation/">https://www.portauthoritynsw.com.au/sustainability/environment/penrhyn-estuary-rehabilitation/</a> The final monitoring report was prepared in 2019 (Port Botany Post Construction Environmental Monitoring, End of Project Report, Cardno, 22/10/19). The report concluded that there was no change in shorebird usage in Penrhyn Estuary over the life of the monitoring program. It further concluded that targets for primary indicators (i.e. counts of key species) not met and declines continuing, but declines for most key species are consistent with patterns observed in reference areas. Secondary indicators (habitat area and quality) show increase in areas of suitable habitat and utilisation of feeding and roosting habitats by shorebirds.	😊			
21.10	<b>Conclusion</b> It has been assumed that the volume moved by rail would be 30% of container throughput by 2006 and 40% by 2011	2011 is outside the audit period. The SICTL's AEMR 2022/233 indicates that SICTL landside mode share for rail transport remains typically at 11% during the audit period. It also indicates that the actual development timeframes of the Port Botany Expansion Project and the SICTL terminal is not in alignment with the expectations assumed at the time of the submission of the EIS.				NA
22.4.2	<b>Operation Noise Impacts – Sleep Disturbance Impacts</b> All predicted noise levels would be below the external level of 65 dBA which some researchers consider would not result in awakening reactions.	Refer to findings in Appendix A (condition C2.6) with respect to compliance with noise levels. The Hutchison Port Australia's Biannual Environmental Noise Compliance Monitoring Reports, Rodney Stevens Acoustics, dated 9/02/2023 and 14/08/2023, conducted in accordance with the consent and the EPL 20322 concluded that the current operations comply with the established	😊			



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		licence limits at all locations during the daytime, evening and night-time periods. No sleep disturbance issues were present.				
22.5.2	<b>Mitigation Measures – Operation</b> A Noise Management Plan containing environmental management measures to assess and minimise noise from the operation of the new terminal would be developed. The Noise Management Plan would be included in the Operational EMP for the new terminal. Noise level emissions would be a criteria for selection of new plant for the site. The quietest possible plant that satisfied the operational performance specifications would be selected and noise control kits fitted where required. Regular maintenance of machinery would be carried out to ensure optimal and efficient operation. Audible safety alarms on some terminal equipment would be turned off during night hours (between 10.00 pm and 6.00 am) and replaced with visual alarms. It is understood that for certain types of equipment e.g. quay cranes (long travel alarm and high wind alarm) alarms are required to remain for safety reasons. In respect of other items of equipment, a safety assessment would be undertaken to identify where the audible alarms could be replaced with visual alarms without affecting safety. Operator awareness and training would be regularly conducted. Good training and awareness of noise issues would be implemented to minimise poor cargo handling practices	SICTL has prepared and implemented the Noise management plan (Section 7.3 of the OEMP). Noise level emissions and noise controls are part of the technical specifications for new plant: <ul style="list-style-type: none"> <li>HPA-CON-PB-0007 for the Straddle Carriers</li> <li>HPA-CON-PB-0008 for the ASC</li> <li>HPA-CON-PB-0009 for the Quay Cranes</li> </ul> SICTL uses the CMBFLSER (combined fleet services) the Timers and Counters registers. These registers allow for the scheduling tracker, checking and completion of planned, preventative and reactive maintenance. SICTL's AEMR 2022/23 indicates that the audible safety alarms are not turned off during night hours (Risk Assessment RA0025.3, review 12 December 2016), however reversing "Quackers" instead of beepers have been installed in all equipment. Quay Crane alarms for the movement of deck lids may be switched to the visual only alarms during night hours. Training is undertaken as discussed in Condition C4.4 (Appendix A). Training commences with the Employee Induction and the requirements to minimise noise in operations and cargo handling is carried through to all equipment training modules	😊			
22.5.2	<b>Mitigation Measures – Operation continued...</b> Complaints would be assessed and responded to in a quick and efficient manner. Noise monitoring would be conducted to assess impacts from the operation of the new terminal at locations most likely to be affected by the new terminal operations. The results of this monitoring would be discussed with the EPA and Planning NSW to identify any responses required, although the predicted noise levels would not be expected to occur for some years after the commencement of operations in about 2010. By this time, technological and operational changes are likely to be available which would reduce operational noise levels at the new terminal. The Noise Management Plan would also contain the option for shore power to be provided to ships in the future. A Traffic Noise Management Plan would be developed for the new terminal. This plan would consider traffic route selection, traffic clustering and traffic rescheduling	Refer response to consent condition C3.1 (Appendix A) and M2.1-M3.2 (Appendix B). Complaints management is provided in Section 3.10 of the OEMP (R6, 22/08/2023). Hutchison Ports maintains a complaints management system and publishes quarterly Community Feedback Reports online. A review of the Community Feedback & Enquiries Register showed that no complaints were received by SICTL during the Audit Period. The Community Feedback Reports are available on the Project website. <a href="https://www.hutchisonports.com.au/operations/monitoring-and-reporting/">https://www.hutchisonports.com.au/operations/monitoring-and-reporting/</a> Contact details and complaints line are available at: <a href="https://www.hutchisonports.com.au/contact-us/">https://www.hutchisonports.com.au/contact-us/</a> Noise Monitoring is conducted on a 6-monthly basis in accordance with the EPA Licence and the results are published in the website. The Hutchison Port Australia's Biannual Environmental Noise Compliance Monitoring Reports, Rodney Stevens Acoustics, dated 9/02/2023 and 14/08/2023, conducted in accordance with the consent and the EPL 20322 concluded that the current operations comply with the established licence limits at all locations during the daytime, evening and night-time periods. <a href="http://www.hutchisonports.com.au/Sydney-Monitoring-Reporting">http://www.hutchisonports.com.au/Sydney-Monitoring-Reporting</a> The Noise management plan (Section 7.3 of the OEMP) does consider the future option for shore-based power (Table 18) SICTL has prepared and implemented the Operational traffic management plan (Section 7.4 of the OEMP).	😊			
23.8.2	<b>Mitigation Measures – Operation</b> Notwithstanding the fact that the proposed expansion is shown to result in acceptable impacts, the new terminal would be designed and constructed such that it could support the use of alternative energy for ships at berth (i.e. shore power), should ships be able to accept such power in the future. This would reduce ship emissions in the local area.	SICTL's AEMR 2022/23 indicates that although the infrastructure has been installed during construction of the SICTL terminal, Shore Based Power is not immediately available for use as a noise mitigation measure upon commencement. SICTL may commission Shore Based Power at all berths in future construction phases which will compliment other controls for noise mitigation and air quality improvements.	😊			
24.8	<b>Assessment of Impacts During Operation</b> During the operational phase of the Port Botany Expansion there would be no impacts on Aboriginal, European or maritime heritage resources in the primary or secondary study area	The SICTL terminal was constructed on reclaimed land and the operational areas are fully sealed. There have been no incidents of heritage impacts reported.	😊			
25.5	<b>Mitigation Measures</b> Quay Crane specification – quay cranes for the new terminal would be approximately 50 m high Container Stacking height – containers would not be stacked more than six high (18 m) and would typically be only three high (9 m), as is the case with the existing terminals. Noise Wall – the proposed	Maximum operating height of the SICTL Quay Cranes of 70 meters AHD (for HD1) and 78 meters AHD for (HD2, HD3, HD4 has been reportedly	😊			



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	noise wall near the edge of the new terminal would be approximately 4 m in height and would partially screen the operations of the new terminal when viewed from foreshore areas near the port	approved by the Department of Infrastructure and Transport on 05-11-2020.  The Automated Stacking Cranes (ASC) utilised at SICTL terminal stacked no more than 5 high (as controlled by nGen software programming).  A 3m-4m high noise wall was erected during the construction phase on the northern and eastern boundaries of the SICTL terminal (refer to Photos in Appendix F).				
26.5.6	<b>Employment Opportunities</b> Operation of the new terminal is expected to generate a substantial number of jobs, which is an important social benefit. The number of people employed directly in the operation of the new terminal has been estimated at more than 1,100 by 2010, increasing to more than 3,700 by 2025. This does not include any jobs created indirectly e.g. workers in the industries supplying materials to the port. The total number of jobs generated both directly and indirectly by the operations of the new terminal is estimated to be more than 2,800 by 2010 increasing to more than 9,100 by 2025	The estimate predicted in the EIS is not representative of current operations. At the end of September 2019, the staff headcount was at 265 (201 workers, 64 corporate in Sydney). These figures are significantly less than those predicted in the EIS and it is understood that they remain largely unchanged for 2023. Just over 300 people are reportedly employed at Hutchison (2023 audit)  It is noted that the terminal is still incomplete and that there are challenges in growing stevedoring business in the competitive market.		😐		
28.10.1	<b>Risk Management – Mitigation Measures</b> The following mitigation measures would be implemented to manage the hazards and risks described above: (i). containers with dangerous goods would be handled and transported in accordance with the Australian Standard 3846 (1998): The Handling and Transport of Dangerous Goods in Port Areas and the NSW Dangerous Goods (General) Regulation 1999; (ii). an Occupational Health and Safety Plan would be developed by the terminal operator(s) to address the handling and transport of dangerous goods during the operation of the new terminal; (iii). a notification system for the arrival or delivery of dangerous goods would be implemented; (iv). restrictions on the time dangerous goods are allowed to be held within the port would be applied, supported by a loading/unloading plan and arrangement of transport to/from the berths; (v). various classes of dangerous goods would be separated by safe distances on the berth; (vi). suitable container handling equipment would be used to minimise risk of dropped containers; (vii). suitable container loading/unloading, handling and stacking systems would be employed to minimise double handling and attendant risk of damaging containers; (viii). the facility would be fitted with adequate yard signage and warning systems for mobile equipment; (ix). there would be adequate warning systems for ships moving in the vicinity of the facility; (x). a first flush drainage system would be installed and maintained to contain spills and contaminated runoff; (xi). bunds would be constructed around diesel storage tanks; (xii). firefighting equipment would be provided and personnel trained in firefighting and evacuation procedures; and (xiii). emergency and incident management procedures would be developed (refer to Chapter 32 Emergency and Incident Management).	(i) and (ii) The Dangerous goods management plan (Section 7.6 of the OEMP) addresses the need to appropriately store and handle dangerous goods and hazardous chemicals and has been prepared in accordance with AS3846 and the <i>Work Health and Safety Act 2011</i> (WHS Act) and Regulation (the NSW Dangerous Goods (General) Regulation 1999 has been repealed; provisions saved under the WHS Regulation). (iii) the Port Authority ShiPS online system controls the movements of all dangerous goods (import and export) to the terminal. (iv) Dangerous Goods are classified as Red line or Green line cargo in the ShiPS system and truck bookings are controlled to limit the duration that cargo is stored within the terminal. (v) SICTL uses nGen software to program DG separation into the ASC stacking plans, and container movements around the terminal. (vi) SICTL uses Quay Cranes, ASC and Shuttle Carriers with spreaders which lift containers from the top. Quay Cranes and ASC have automated and manual systems to prevent containers from uncontrolled falls/drops. (vii) SICTL's operations are designed to minimise double handling. (viii) SICTL utilises line marking, signage and fish-eye mirrors around the terminal, and all terminal vehicles are fitted with flashing lights and reversing quackers. (ix) SICTL does not control the berthing of vessels, this task is undertaken by the Port Authority Pilot and third-party tug and line service providers. (x) SICTL has installed a SQIDS system – using SPEL 'Stormceptor' and Humes 'Aquaceptor' separator units. (xi) Bunding has been constructed around the diesel refuelling station. (xii) Fire Fighting equipment is installed at the SICTL terminal and SICTL staff has been trained in its use and in evacuation procedures. (xiii) HSEQ 10.1.3 Emergency Response Plan. The Emergency Response Plan (V10, 2023) is available on the website: <a href="https://www.hutchisonports.com.au/operations/environmental-management-plans/">https://www.hutchisonports.com.au/operations/environmental-management-plans/</a>	😊			
29.3.3	<b>Assessment of Impacts – Operation</b> Sealed surfaces often provide ideal roost sites for large numbers of birds especially Silver Gulls. Bitumen surfaces provide a warm surface for roosting and are particularly attractive where areas are not subject to regular disturbance. These undisturbed open spaces have the potential to attract significant numbers of birds to the site, thereby potentially increasing the risk of bird strike at Sydney Airport. Areas illuminated at night are also likely to attract birds, especially Silver Gulls, as they provide a secure roosting environment and attract insects which birds feed upon. The additional port land may provide large areas of suitable roosting habitat for the Silver Gull. Flat surfaces of buildings, such as roofs, may provide suitable places for Silver Gulls to roost. Openings and ledges may provide roosting and nesting habitat for Feral Pigeons, Common Starlings, Common Mynas and other bird species associated with buildings. The pavements and buildings associated with the new terminal have the potential to attract significant numbers of birds to the site, thereby potentially increasing the risk of bird strike at Sydney Airport. It is therefore important to initiate deterrent strategies.	The Aviation Operational Impacts Management Plan (Section 7.2 of the OEMP), was prepared to manage and minimise bird hazard and monitor bird presence on the terminal and response through active management measures.  SICTL has adopted the following measures to discourage bird attraction to the terminal: <ul style="list-style-type: none"><li>No eating is permitted outside of the buildings;</li><li>Use of closed bins to reduce the risk of bird attractant;</li><li>Control of littering through signage, induction training</li><li>The design of rooves and gutters of terminal buildings to deny birds the opportunities to make nests.</li></ul>	😊			



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		SICTL staff are required to report any hazards or the presence of nesting or injured wildlife, including any eggs. SICTL's environmental engineer undertakes monthly inspections and these include bird hazard management as reported in Appendix A.				
29.4.2	<b>Deterrent Action – Operations</b> Regular monitoring of the site, including after nightfall, would be undertaken to determine whether birds are attracted to the site. If required, deterrent systems would be employed to prevent the build-up of birds in the new terminal and public recreation areas. Examples of deterrent systems include: <ul style="list-style-type: none"> <li>flagging or streamers;</li> <li>perch spikes;</li> <li>fishing lines strung across bird landing paths;</li> <li>distress calls – designed to scare birds away;</li> <li>cracker shells</li> <li>strobes or moving spotlights</li> </ul> At the first signs of a deterrent system failing to work, alternative methods would be used to supplement or replace the existing bird deterrent system	As above, SICTL staff are required to report any hazards or the presence of nesting or injured wildlife, including any eggs. SICTL's environmental engineer undertakes monthly inspections and these include bird hazard management as reported in Appendix A.	😊			
30.4.2	<b>Assessment of Impacts – Operation Air Space</b> There would be no fixed or mobile structures in the new terminal that would intrude into the OLS. <b>Light Spill</b> It is anticipated that light spill from the Port Botany Expansion would not adversely impact operations at Sydney Airport due to the following lighting design measures: <ul style="list-style-type: none"> <li>High masts - lighting would be directed down to the intended application area with minimal light spill outside the area boundaries, by using asymmetric distribution horizontal flat glass floodlights, and would comply with CASA requirements</li> <li>Quay cranes - lighting of shuttle boom quay cranes would be specified as downlight type to meet civil aviation regulations. Lighting elements for access/egress stairs and gangways would be mounted horizontal (no tilt) and have internal shielding of the lamps to ensure correct cut off. Obstruction lights would be placed on cranes to mark these in accordance with civil aviation regulations (CAR Regulation 95).</li> <li>Buildings and associated areas – buildings and other external areas would be lit with floodlights that have a similar cut off lighting performance to those mounted on high masts. Internal building lighting would be similar to that used at the airport terminal and at the existing port facilities. Therefore, these areas would have a negligible impact on operations at Sydney Airport.</li> <li>Roads – cut off type road lighting and low level lighting elements would be used wherever possible to minimise light spill.</li> </ul>	Maximum operating height of the SICTL Quay Cranes of 70 meters AHD (for HD1) and 78 meters AHD for (HD2, HD3, HD4 has been approved Department of Infrastructure and Transport on 05-11-2020. SICTL terminal lighting has been designed and installed to comply with the requirements of the Development Consent (see Development Consent clauses C2.23 and C2.24 in Appendix A). Quay Cranes are fitted floodlights which are designed and positioned to provide adequate lighting to the stevedore operations. Quay Cranes are fitted with obstruction lights which operate on a 24/7 basis. The terminal (including the buildings and roads) utilise cut-off lighting that will reduce light spill when there are no operations in that area. Internal lighting of buildings are also programmed for the normal operational hours, and with movement sensors that will turn off the lights. Measures to prevent and limit impacts associated within OLS are detailed within the Aviation operational impacts management plan (Section 7.2 of the OEMP). No changes reported since last audit.	😊			
30.5.2	<b>Mitigation Measures – Light Spill</b> <ul style="list-style-type: none"> <li>lighting on board ships whilst berthed to be provided primarily by the shuttle boom quay cranes with supplementary lighting on board only being provided where necessary;</li> <li>ships to be berthed facing a specific direction (e.g. north or south) and to only use floodlights mounted on the bridge. The appropriateness of this option could be tested by CASA through a fly-over of the existing Brotherson Dock; and</li> <li>provide restrictive temporary shielding to any permanent ship mounted floodlights whilst the ship was docked</li> </ul>	Measures to prevent and limit impacts associated with lighting and light spill are detailed within the Aviation operational impacts management plan (Section 7.2 of the OEMP). Maritime Order 32 Schedule 1 (2) lighting requires adequate lighting during loading or unloading activities. In some cases, the ship will be loaded/unloaded at night and require sufficient lighting to undertake the operations. When vessels are not under stevedore operations, the Quay Crane lights (except the beacon lights) will be switched off in order to minimise the light glare or distraction to pilots. Vessels are berthed facing south, unless otherwise directed to face north by the Harbour Master/pilots. Hutchinson have prepared a Ship Booklet 25/05/20 that is provided to the Master of the ship on arrival. The Ship Booklet includes information on the local environment and other essentials, including ship lighting impacts, feral pets and waste. The ship booklet was implemented throughout the audit period.	😊			
32.1	<b>Introduction</b> The future operator(s) of the new terminal, with advice from Sydney Ports Corporation, would prepare an ERIMP to manage these potential emergencies prior to the new terminal commencing operations. The purpose of the ERIMP would be to provide an organised and practised response to incidents and emergency situations to protect employees, the public and the environment.	The Emergency Response Plan (2013) was prepared in consultation with relevant stakeholders during previous revisions and was approved by DPIE (then called DPE) in 2013. Several updates have been undertaken since then. The most recent update was made on 01/03/23 (Revision 10) to incorporate updated ECO chart, emergency detail for Security Incidents, definitions for acronyms and Pollu-Plug activation and is consistent with the previously approved plan. Emergency Response Plan available on website: <a href="https://www.hutchisonports.com.au/wp-content/uploads/2023/03/HSEQ10.1.3-EmergencyResponsePlan-SICTL.pdf">https://www.hutchisonports.com.au/wp-content/uploads/2023/03/HSEQ10.1.3-EmergencyResponsePlan-SICTL.pdf</a>	😊			



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32.2.4	<b>Specific Sub-Plans – Spill Containment and Management</b> The proposed new terminal would be equipped with emergency response equipment typically comprising absorbent materials, absorbent pads to block drainage points and protective equipment consisting of gloves, rubber boots, eye protection etc.	Emergency Spill Kits are situated in key locations around the terminal – i.e., Quay Cranes, landside ASC, waterside ASC, Shuttle Bay, Dangerous Goods containment area, Rail Siding and Maintenance Workshop. Additional bunding is accessible to maintenance and operations staff in an emergency.  SICTL have procured additional spill management equipment which is stored in a shipping container designated and fitted out for this purpose (refer to Photo 21 in Appendix F).	😊			
33.2.2	<b>Water Usage – Operation</b> Water used for operational activities that do not require potable water, would be sourced from treated surface water runoff stored in two 10,000 L tanks at the northern end of the new terminal. Operational reuse of this water would include maintenance activities, wash down and irrigation.	SICTL has installed 3 x 30,000L water storage tanks beneath the Operations Building. The stored water is used to flush toilets/urinals and for plant wash down when available. At the time of the audit the tanks were not operational but scheduled to be repaired. There is a Corrective Action in Rapid (sighted) to review the rainwater harvesting system. The auditee advised that containers do not require cleaning on site, the water use relates to workshops, washing equipment, showers.  Water storage and usage details are discussed in Section 7.8 of the OEMP		😐		
33.3.2	<b>Wastewater – Operation</b> All trade waste generated during the operation of the new terminal would discharge to the Sydney Water Corporation sewerage system under a Trade Waste Agreement. The Trade Waste Agreement would determine the level of treatment required prior to discharge. All areas where wash down or maintenance activities are to be undertaken would be bunded and provided with sump pits, grit traps and oil/water separators. This would also be the case for any additional bunded storage areas, such as those used for refuelling and fuel storage. Water collected in these areas would be tested and disposed to the sewerage system, or if unsuitable for disposal to sewer would be disposed offsite by a licensed waste disposal contractor.	SICTL has a Commercial Trade Wastewater Permit (ref No: 37958 dated 17 July 2015). No water quality sampling required under the Trade Waste Permit.  The plant wash-down area in the Maintenance building is bunded and the wastewater is collected in a separate pit with a separator unit for oil/water. A third-party contractor (Cleanaway) is used to pump out the waste and contaminated water from the collection units when required. The refuelling area is also bunded with a separate pit for any spills that occur.  The Water and Waste Water Management Plan is provided in Section 7.8 of the OEMP.	😊			
33.5	<b>Water and Wastewater Management</b> The following mitigation measures would be adopted for the proposed Port Botany Expansion: <ul style="list-style-type: none"> <li>water use and wastewater discharge at the site would be subject to a Water Resources Management Plan (WRMP), which would form part of the construction and operational EMPs. These plans would include water minimisation strategies as well as monitoring and testing schedules for wastewater as required;</li> <li>clean, treated stormwater would be collected in two 10,000 L water storage tanks at the northern end of the new terminal to allow reuse for maintenance, wash down and irrigation;</li> <li>dual flushing toilets, minimal flow shower heads and regular maintenance to identify leaking or dripping taps and pipes would be implemented during construction and operation;</li> <li>monitoring and testing would be undertaken prior to discharge of treated wastewater, to ensure compliance with the site Trade Waste Agreement.</li> </ul>	SICTL has prepared and implemented the Water and wastewater management plan (Section 7.8 of the OEMP). As indicated, SICTL has installed 3 x 30,000L water storage tanks beneath the Operations Building. The stored water is used to flush toilets/urinals and for plant wash down. Dual-flushing toilets and minimal flow showerheads have been installed. Maintenance of any leaking or dripping taps and pipes is undertaken. At the time of the audit the tanks were not operational but scheduled to be repaired. There is a Corrective Action in Rapid (sighted) to review the rainwater harvesting system.  As indicated, SICTL's Commercial Trade Wastewater Permit (ref No: 37958 dated 17 July 2015) does not specify water quality monitoring requirements. It is understood that monitoring was not undertaken during the audit period.  The Backflow Prevention Devices were last tested in December 2022.	😊			
34.4.2	<b>Waste Management and Disposal – Operational Waste</b> An Operational WMP would be developed and implemented for the new terminal in accordance with the requirements of the Waste Avoidance and Resource Recovery Act 2001, the Protection of the Environment Operations Act 1997, the EPA's Environmental Guidelines: Assessment, Classification & Management of Liquid & Non-Liquid Wastes (1999), the Botany Bay DCP 29 and the National Minimisation and Recycling Strategy. The plan would be incorporated into the Operational EMP for the terminal Recycling facilities would be provided at the new terminal and in public recreation areas to maximise recycling of waste materials such as plastic and glass bottles/containers, aluminium cans and paper/cardboard. Separate bins would be provided for food waste and fish remains from fish cleaning facilities in the public recreation area. All domestic waste would be collected on a regular basis and transported off site for disposal to a licensed landfill or recycling facility as appropriate. Litter bins would be designed in accordance with the bird hazard guideline	Waste Management Plan is presented in Section 7.7 of the OEMP (22/08/2023) Version 6.  The auditee maintains a register of waste streams generated at the site. Portfolio Summary of Waste Stream (September 2022 to September 2023), 05/09/2023 by Veolia provides a monthly waste report to SICTL that details the waste categories and quantities. Percentages of waste being recycled or going to landfill are monitored. For the period September 2022 to September 2023, 63.4% of waste was diverted from landfill. Some of waste types reported or observed during the site inspection included: <ul style="list-style-type: none"> <li>recyclables (paper, metal, tyres, general recyclable)</li> <li>putrescible waste</li> <li>liquid waste (from SQIDs when service, spill containment area, refuelling area, oil waste from workshop)</li> <li>old batteries</li> <li>filters other materials from workshop</li> </ul>	😊			



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			😊	😐	😞	NA
		<p>Sighted Endeavour Liquid Waste Docket No. 17550 dated 22/08/2023 EPA License No: 13242. Liquid waste is being collected by the service provider with proper EPA license. The liquid waste docket also provide photos showing proper removal of liquid waste. It identifies the receiving facility EPL number.</p> <p>Sighted Roar Workplace &amp; Environmental Solutions – Collection &amp; Disposal Notice – Recycling – used lead acid batteries Ref. No. YCROPA165, 28/07/2023 EPA License No: 21249. Destination – Yennora Copper Recycling P/L. Used batteries from the service equipment used in site were collected by Roar Workplace &amp; Environmental Solutions for proper disposal with authorised EPL license.</p> <p>Sighted JJ's Waste &amp; Recycling docket 3595379 dated 9/2/23, collection of waste oil.</p> <p>No instances of cross contamination of waste streams were identified during the audit period.</p>				
34.4.2	Waste oils and fluids from maintenance activities may be classified under the POEO Act as being Hazardous, Industrial or Group A Waste. The management of these substances may need to be regulated by an EPA Environment Protection Licence which would be obtained by the terminal operator(s). It is expected that these materials would be collected and stored in proprietary facilities and either be reused onsite or removed by a licensed waste contractor	<p>See above.</p> <p>SICTL has an Environmental Protection Licence for Chemical Storage (EPL 20322. Refer to Appendix B.</p>	😊			
35.3	<p><b>Operational Phase</b></p> <p>The estimated annual energy consumption over the operational life of the project is presented in Table 35.2 (summarised below) 2015 Estimated consumption of electricity (MWh) 17,000 Estimated consumption of diesel fuel (litres) 3,656,000</p>	<p>SICTL Fuel usage and electricity usage for 2022-23 (August to September 2023) sighted.</p> <p>Diesel use is reported in L per TEU and total. Electricity use is reported in Wh per TEU and total.</p> <p>Total Electricity usage: 8,845,155kWh (24Wh/TEU)</p> <p>Total Fuel usage: 706,971 L (1.9L/TEU)</p>	😊			
35.4	<p><b>Energy Conservation and Management</b></p> <p>A key component of achieving energy conservation would be the development of an Energy Management Action Plan. This plan would be included as part of the Construction and Operational EMPs.</p>	SICTL has prepared and implemented the Energy management plan (Section 7.11 of the OEMP).	😊			
35.4.2	<p><b>Operational Phase</b></p> <p>Design of buildings and terminal layout would aim to achieve the following energy efficiencies:</p> <ul style="list-style-type: none"> <li>• Energy Efficient Design</li> <li>• Energy Efficient Equipment</li> <li>• Energy Efficient Work Scheduling and Practice</li> </ul>	SICTL has installed energy efficient systems in the buildings including motion-sensors in the internal rooms and corridors to turn lights on and off, climate control air-conditioning with sensors in zones on each floor, external walls in the Operations Building are predominately fitted with large glass windows allowing additional light into the building (these glass windows are fitted with blinds and block-out blinds to control heat and light).	😊			



## **APPENDIX E – DEPARTMENT APPROVAL OF AUDITOR AND AUDITORS' DECLARATIONS**



Department of Planning and Environment



NSW Ports  
C/- Sydney International Container Terminal Pty Ltd  
Gates B150 – 160 Foreshore Road  
Botany NSW 2019  
Attention: Dozie Egeonu – Environmental Engineer

24/05/2023

Dear Dozie Egeonu

**Port Botany Expansion - IEA Nomination Request 2023 (DA494-11-2003-I)**

I refer to your request (DA494-11-2003-I-PA-65) for the Secretary's approval of suitably qualified persons to prepare the Independent Environmental Audit (IEA) and report for the Port Botany Expansion project, DA494-11-2003-I, as modified (**Consent**).

The Department of Planning and Environment (**department**) has reviewed the nominations and information you have provided and is satisfied that the nominated experts are suitably qualified and experienced.

In accordance with Condition C4.5 of the Consent as nominee of the Planning Secretary, I agree to the appointment of the following audit team from WolfPeak:

- Derek Low – lead auditor; and
- Ricardo Prieto-Curie – alternate auditor.

Please ensure this correspondence is appended to the Independent Audit Report.

The IEA and report must be undertaken, prepared and finalised in accordance with Condition C4.5 of the Consent. The Department also recommends consideration be given to the *Independent Audit Post Approval Requirements* (Department 2020) (**IAPAR**) to the extent that it does not contradict Condition C4.5 of the Consent. Failure to meet these requirements will require revision and resubmission.

The Department reserves the right to request an alternate auditor or audit team for future audits.

Notwithstanding the agreement for the above listed audit team for this IEA, each subsequent IEA under the Consent and the IAPAR requires a request for the re-endorsement of the existing audit team, or a request for agreement to a revised audit team be submitted to the department for consideration of the Secretary. Each request is reviewed and depending on the complexity of the project, the suitability of the proposed team will be considered.

Should you wish to discuss the matter further, please contact Astrid Christensen on (02) 9274 6170 or [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au)

Yours sincerely



Julia Pope  
Team Leader Compliance Metro  
As nominee of the Planning Secretary





Sydney International Container Terminals  
Gates B150-160 Sirius Road  
Botany NSW 2019

Ref: DA494-11-2003-i-PA-24

**Attention:** Jennifer Stevenson, Manager, Risk & Compliance

**Email:** Stevenson.jennifer@hutchinsonports.com.au

30 July 2020

Dear Ms Stevenson

**Agreement of Independent Auditor  
Port Botany Expansion – DA494-11-2003i**

I refer to your letter submission (DA494-11-2003-i-PA-2) dated 24 July 2020 and 26 June 2020 seeking the agreement of the Secretary of the Department of Planning, Industry and Environment (**Department**) of a suitably qualified, experienced and independent audit team to undertake operational independent audits of Port Botany Expansion approved under DA494-11-2003i, as modified (**Consent**).

In accordance with Schedule C, Condition C4.5 of the Consent, the Secretary has agreed to the appointment of the following audit team:

1. Steve Fermio of WolfPeak Pty Ltd, lead auditor
2. Derek Low of WolfPeak Pty Ltd, assistant auditor

Please ensure this correspondence is appended to the Independent Audit Report. The Independent Audit must be prepared, undertaken and finalised in accordance with the requirements of Schedule C, Condition C4.5 of the Consent. The Department also recommends consideration be given to the *Independent Audit Post Approval Requirements* (Department 2020) to the extent that it does not contradict Schedule C, Condition C4.5 of the Consent.

Failure to meet these requirements will require revision and resubmission.

The Department reserves the right to request an alternate auditor or audit team for future audits. Notwithstanding the agreement for the above listed audit team for this Project, each respective project approval or consent requires a request for the agreement to the auditor or audit team be submitted to the Department, for consideration of the Secretary. Each request is reviewed and depending on the complexity of future projects, the suitability of a proposed auditor or audit team will be considered.

If you have any questions, please contact Alfarid Hussain on (02) 9274 6456 or email [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au)

Yours sincerely



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4 Parramatta Square, 12 Darcy Street, Parramatta 2150 | [dpi.e.nsw.gov.au](http://dpi.e.nsw.gov.au) | 1

Julia Pope  
**Team Leader Compliance Metro**  
As nominee of the Secretary




Project Name:	Port Botany Expansion
Consent Number:	DA-494-112003-i
Description of Project:	The construction and operation of a new container terminal and associated infrastructure.
Project Address:	Lot 2 DP 1009870, Lot 6 DP 1053768, Lots 301 & 302 DP 712992, Part of Crown Reserve R91228, Lots 203 & 205 DP 712991 and Lot 401 DP 816961, Botany Bay Local Government Area
Proponent:	Sydney Port Corporation (NSW Ports)
Title of Audit	Independent Audit 2023
Date:	20 October 2023

I declare that I have undertaken the Independent Audit and prepared the contents of the attached Independent Audit Report and to the best of my knowledge:

- the audit has been undertaken in accordance with relevant condition(s) of consent and the *Independent Audit Post Approval Requirements (Department 2020)*;
- the findings of the audit are reported truthfully, accurately and completely;
- I have exercised due diligence and professional judgement in conducting the audit;
- I have acted professionally, objectively and in an unbiased manner;
- I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child;
- I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
- neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit; and
- I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.

Notes:

- Under section 10.6 of the *Environmental Planning and Assessment Act 1979* a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and
- The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both)

Name of Proposed Auditor:	Ricardo Prieto-Curiel
Signature:	
Qualification:	Lead Environmental Auditor (Exemplar Global – Certificate #15160) Registered Environmental Assessment Practitioner (REAP) (46189) Bachelor of Biological Sciences – Autonomous University of Madrid Spain 1986 Masters in Environmental Toxicology – UTS Sydney 1997
Company:	WolfPeak Pty Ltd



Project Name:	Port Botany Expansion
Consent Number:	DA-494-112003-i
Description of Project:	The construction and operation of a new container terminal and associated infrastructure.
Project Address:	Lot 2 DP 1009870, Lot 6 DP 1053768, Lots 301 & 302 DP 712992, Part of Crown Reserve R91228, Lots 203 & 205 DP 712991 and Lot 401 DP 816961, Botany Bay Local Government Area
Proponent:	Sydney Port Corporation (NSW Ports)
Title of Audit:	Independent Audit 2023
Date:	20 October 2023

I declare that I have undertaken the Independent Audit and prepared the contents of the attached Independent Audit Report and to the best of my knowledge:

- the audit has been undertaken in accordance with relevant condition(s) of consent and the *Independent Audit Post Approval Requirements (Department 2020)*;
- the findings of the audit are reported truthfully, accurately and completely;
- I have exercised due diligence and professional judgement in conducting the audit;
- I have acted professionally, objectively and in an unbiased manner;
- I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child;
- I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
- neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit; and
- I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.

**Notes:**

- Under section 10.6 of the *Environmental Planning and Assessment Act 1979* a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and
- The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both)

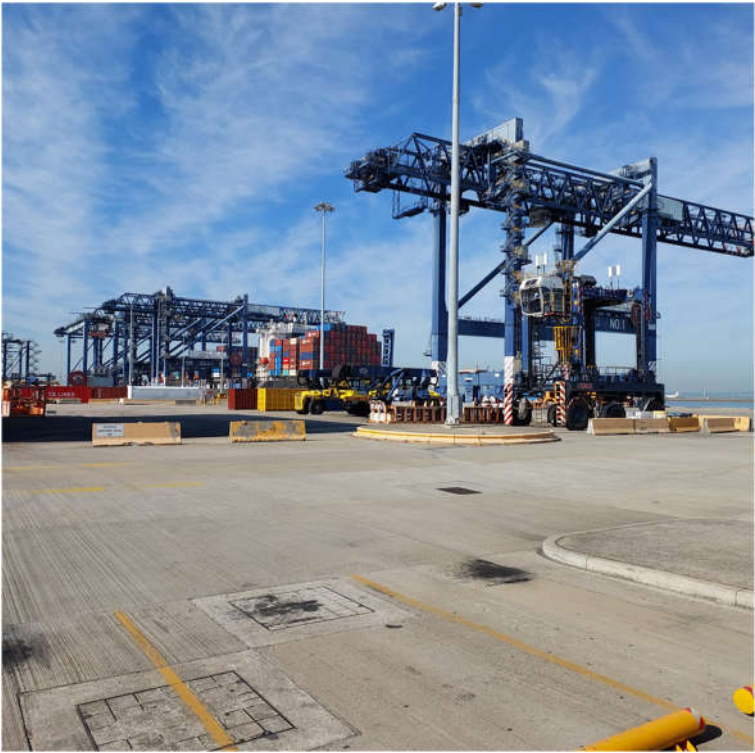

Name of Proposed Auditor:	Steve Fermio
Signature:	
Qualification:	Bachelor of Science, ANU <del>Honours</del> in Geology, Monash University Graduate Diploma Land Rehabilitation, Federation University Certificate IV in Soil Health, Plant Nutrition & Pasture Development, New England Institute of TAFE Exemplar Global Lead Environmental Auditor Number 110498
Company:	WolfPeak Pty Ltd







## APPENDIX F – PHOTOS



No.	Comment	Photograph
1	View of site towards wharf – container crane and containers in the background	
2	Containers stacking area	


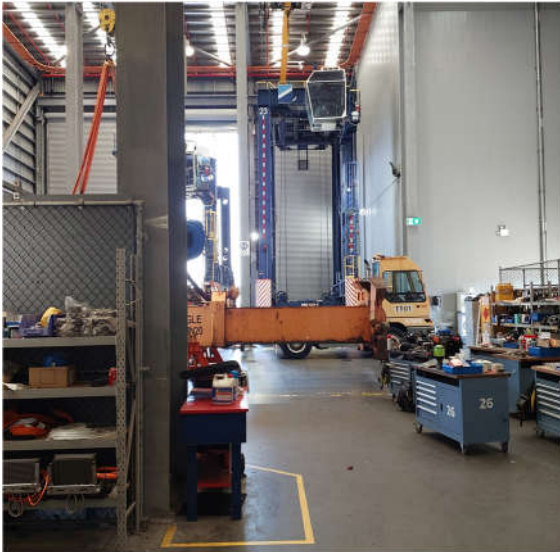


No.	Comment	Photograph
3	Spill kits – Oil and fuel, general purpose, universal	 <p>A row of yellow and blue spill kits in a container. The kits are labeled 'UNIVERSAL SPILL EMERGENCY KIT' and 'MINE-GO'.</p>
4	Waste oil unit (self bunded), periodically collected as liquid waste.	 <p>A white waste oil unit (self bunded) in a container. The unit is labeled 'WASTE OIL', 'SAFE FILL 5000 LITRES', and 'MINE-GO FUEL TANK'.</p>





No.	Comment	Photograph
5	Used batteries storage areas – banded and under cover	
6	Segregated recyclable waste bins in maintenance yard (bins unlabeled).	
7	Liquids are stored within bunds inside containers at the maintenance yard	





No.	Comment	Photograph
8	Storage area near workshop (minor spills observed)	
9	Workshop – mobile crane serviced at the back.	





No.	Comment	Photograph
10	Noise Wall	
11	SQID manholes	



No.	Comment	Photograph
12	Pollu-plug unit.	
13	Undeveloped area of the site (partially vegetated and gravelled)	



No.	Comment	Photograph
14	Site's rail line termination point	
15	Rail line along site, noise wall next to line	





No.	Comment	Photograph
16	Mobile container spill bay	
17	Bunded maintenance container bay	

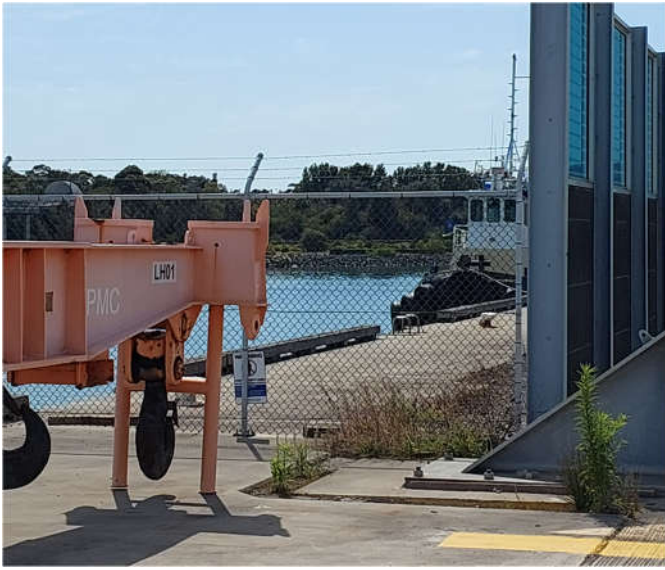



No.	Comment	Photograph
18	Spill collection area next to spill bay	
19	Spill kit Audit tag	



No.	Comment	Photograph
20	Ship at berth being unloaded	
21	Spill response unit	



No.	Comment	Photograph
22	Hayes dock is fenced and managed NSW Ports.	
23	Bunded refuelling bay. The drain in centre goes underground tank.	






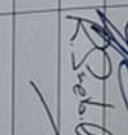


## APPENDIX G – AUDIT ATTENDANCE SHEET






# INDEPENDENT AUDIT MEETING ATTENDANCE RECORD

PROJECT (NAME AND APPROVAL NUMBER)		HUTCHISON PORTS (PORT BOTANY EXPANSION) INDEPENDENT AUDIT			
LOCATION:		SICTL Terminal 3 Office – Gate B 150 - 160 Foreshore Road Botany, NSW			
DATE/TIME (Opening Meeting):	12 October 2023 / 8:30	DATE/TIME (Closing Meeting):	12 October 2023 / 16:30		
Lead Auditor:	Ricardo Prieto-Curiel	Audit Scope:	DA-494-11-2003-1, EPL 20322		
NAME	POSITION / TITLE	ORGANISATION	SIGNATURE		
			Opening Meeting	Closing Meeting	
VOYE ALEXANDRA	SUPPORT WORK	over peak			
Gabrielle Pei Tiatia	Environmental Engineer	HPA			
Ricardo Prieto-Curiel	Lead Auditor	wolfpeak			



Wolfpeak Pty Ltd | ABN 52 152 940 586

 info@wolfpeak.com.au  
 Sydney office | Suite 2, Level 10, 82 Elizabeth Street, Sydney NSW 2000  
 Wauchope office | 17A High Street, Wauchope NSW 2446  
 www.wolfpeak.com.au








## APPENDIX H – CONSULTATION



## Hutchison Port - Port Botany Expansion DA-494-11-2003-i - IA 2023



Ricardo Prieto-Curiel

To:  compliance@planning.nsw.gov.au  
Cc:  Joyce Acierda;  Gabrielle PEI TIATIA;  
 Jennifer STEVENSON;  Riley BALL



14/09/2023

Dear Sir/Madam,

I am one of the Department of Planning and Environment (the Department) approved independent auditors on the Hutchison Port operations Terminal 3 – Port Botany Expansion (PBE) DA-494-11-2003-i (the Project).

I am currently preparing to undertake the 2023 operational audit of the Project (Hutchison's Terminal 3 area of the PBE). The audit is required to be conducted in accordance with DA-494-11-2003-i Condition C4.5. The Department, in correspondence on 24/05/2023 (approval of auditors) has recommended consideration of the Department's 2020 *Independent Audits Post Approval Requirements* (or IAPAR) to the extent it does not contradict Condition C4.5. Section 3.2 of IAPAR requires the auditor to consult with the Department to obtain their input into the scope of the audit.

The Approval is available at the following link: <https://www.planningportal.nsw.gov.au/major-projects/projects/port-botany-expansion>

The IAPAR is available at the following link: <https://www.planning.nsw.gov.au/sites/default/files/2023-02/independent-audit-par-202005.pdf>

The on-site component of the audit is planned to take place on the **12 of October 2023**, with the report to be submitted to the Department two months afterwards. The audit pertains to post-approval requirements and compliance.

In accordance with Section 3.2 of the IAPAR, I am consulting with the Department on the scope of the audit and for confirmation as to whether other parties or agencies are to be consulted.

As you will see the required scope (outlined in Section 3.3 of the IAPAR) already covers an assessment of each relevant condition along with all post approval documents prepared to satisfy the conditions of Approval, including an assessment of the implementation of Environmental Management Plans and Sub-plans, complaints, incidents and so forth. These are included in the audit scope for this Project.

In providing input to the scope, I kindly request the Department confirm:

- If it has any concerns/key issues it would like examined, relating to post-approval requirements and compliance that are not already called up by the scope in Section 3.3 of the IAPAR, or
- If it recommends that other parties or agencies are to be consulted. If so, I request that the Department identify those parties.

Please let me know if you have any questions. I look forward to hearing from you.

Kind regards,

Ricardo Prieto-Curiel

Principal Environmental and Planning Specialist



E: [rprietocuriel@wolfpeak.com.au](mailto:rprietocuriel@wolfpeak.com.au)

M: 0488 220 642 P: 1800 979 716

Gadigal Country