

INDEPENDENT AUDIT REPORT



Enfield Intermodal – Development Approval 05_0147

FEBRUARY 2024

Authorisation

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ABBREVIATIONS / GLOSSARY

Abbreviation/Term	Description
CoC	Condition of Consent
DPE or Department	Department of Planning and Environment
EIS	Environmental Impact Statement
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i> (NSW)
IA	Independent Audit
IAPAR	Independent Audit Post Approval Requirements (the Department, 2020)
ILC	Intermodal Logistic Centre
IMT	Intermodal Terminal
MOD	Modification of Project Approval 05_0147
The Project	The Enfield ILC approved under Project Approval 05_0147
OEMP	Operation Environmental Management Plan
Proponent	NSW Ports
RtS	Response to Submission

EXECUTIVE SUMMARY

NSW Ports are responsible for the development of the Enfield Intermodal Logistics Centre (Enfield ILC). The Enfield ILC Major Project Approval 05_0147 (MP 05_147) was granted by the NSW Minister for Planning on 5 September 2007, subject to a number of Conditions of Consent (CoCs). The Consent has been subject to 15 Modifications (three of which were withdrawn) since 2007.

The objective of this Independent Audit is to satisfy CoC 4.1 of DC 05_0147 and NSW Port's Enfield ILC Compliance Tracking Program requiring annual, independent auditing in accordance with ISO 19011:2018 - *Guidelines for auditing management systems*. The Independent Audit seeks to verify compliance with the relevant CoCs and assess the effectiveness of the operational environmental management on the Project.

This Audit Report presents the findings from the Independent Audit of Enfield ILC operations for the period from 23 November 2022 to 1 December 2023 (the audit period). The on-site audit activities took place on 1 December 2023. Investigation and review of Project related files, records and documentation that acts as evidence of compliance (or otherwise) with a requirement occurred prior to and after the on-site audit activities.

NSW Ports manages the ILC site which includes a number of tenants and leases as well as common areas (roads, stormwater detention basins) and undeveloped areas as shown in Figure 1. The IMT commenced operations in 2016 and has been operated by LINX Cargo Care Group (LINX) since 2018. In June 2023, Swift Transport (Swift) acquired the LINX intermodal operations at the IMT, which is now operated by Swift Intermodal, a subsidiary of Swift Transport, and operates the IMT and the transport, storage and handling of containers from/onto trains and trucks. Swift also operates Precinct D (former Toll site) as a transport logistic centre. Progress Rail operates the wheel lathe area to service rolling stock. Eight (8) warehouses were constructed between 2028 and 2020 which NSW Ports leases for logistics/freight purposes.

Ongoing operation of the intermodal terminal continued during the audit period. Since last audit, there have been no new tenants or any changes to operations, other than the Swift acquisition of the IMT operations from LINX. No construction activities or subdivisions occurred during the audit period.

The overall outcome of the Independent Audit was positive concerning compliance with the requirements of DC 05_0147. Relevant environmental and compliance monitoring records were being collected and reported as required to provide verification of compliance to statutory requirements and the broader Project environmental requirements. Compliance records were generally available at the time of the site inspection and interviews.

Two findings from the previous audits remained open during the audit period and seven were closed. In summary:

- A total of 115 CoCs were assessed.
- A total of 55 CoCs were found to be compliant.
- A total of 59 CoCs were identified as not triggered.

- One (1) non-compliance was identified. The non-compliance relates to inconsistency between the traffic monitoring program implemented by NSW Ports and that approved under the Operational Traffic Management Plan's Traffic and Capacity Monitoring Program under CoA3.6.
- Seven (7) observations were identified. These relate to submission of updated Operational Environmental Management Plans and Work Place Travel Plan to the Department, updating the Swift OEMP to include dust management procedure for an unsealed area, reporting to EHG on Green and Golden Bell Frog, uploading Mod 15 documentation in the project website, inviting all stakeholders identified under CoC 2.12 to the Road Transport Coordination Group meetings, and updating the Incident Register and reporting procedure to clarify what incidents require notification to the Planning Secretary under CoA 7.1.

Detailed findings are presented in Section 3, along with the adequacy of management plans and the actions taken by the team to address the audit findings.

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

1. INTRODUCTION

1.1 Project overview

NSW Ports are responsible for the development of the Enfield Intermodal Logistics Centre (Enfield ILC). The Enfield ILC Major Project Approval 05_0147 (MP 05_147) was granted by the NSW Minister for Planning on 5 September 2007 under the former Part 3A of *Environmental Planning and Assessment Act 1979*, subject to a number of Conditions of Consent (CoCs). The Consent has been subject to 15 Modifications (three of which were withdrawn) since 2007.

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

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

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

NSW Ports manages the ILC site which includes a number of tenants and leases as well as common areas (roads, stormwater detention basins) and undeveloped areas as shown in Figure 1. The IMT commenced operations in 2016 and has been operated by LINX Cargo Care Group (LINX) since 2018. In June 2023, Swift Transport (Swift) acquired the LINX intermodal operations at the IMT, which is now operated by Swift Intermodal, a subsidiary of Swift Transport, and operates the IMT and the transport, storage and handling of containers from/onto trains and trucks. Swift also operates Precinct D (former Toll site) as a transport logistic centre. Progress Rail operates the wheel lathe area to service rolling stock. Eight (8) warehouses were constructed between 2028 and 2020 (Precincts C, F and H) which NSW Ports leases for logistics/freight related purposes. The site operates 24 hours a day, seven days a week.

Container throughput for FY23 was 89,815 TEU, which is less than a third of the maximum 300,000 TEU throughput capacity approved under 05_0147. Several precincts of the ILC site

remained undeveloped at the time of this audit, including Precincts A, B, E, G and I (refer to Figure 1 in the audit report).

No new tenants have commenced on site since the previous audit. There has been no change to operations since the last audit. The only operational change during the audit period related to the acquisition of LINX's IMT operations by Swift (an existing tenant) as discussed above. No construction or subdivision have occurred during the audit period.



Figure 1 Enfield ILC Layout (Source: NSW Ports OEMP Nov 2023)

1.2 Approval requirements

MP 05_147 CoC 4.1 requires the development and implementation of a Compliance Tracking Program which includes the undertaking of annual independent environmental audits in accordance with ISO 19011:2018 - *Guidelines for auditing management systems*.

1.3 The audit team

Although not a requirement for the Project, the audit team meet the industry standard as 'suitably qualified, experienced, and independent auditors' in accordance with the Department of Planning and Environment (the Department)'s *Independent Auditor Post Approval Requirements 2020* (IAPAR 2020). The auditor who undertook this audit and was approved by the Department is:

- Ricardo Prieto-Curiel (Lead Auditor): Exemplar Global Certified Lead Environmental Auditor (Certificate No 15160). Registered Environmental Assessment Practitioner, Masters in Environmental Toxicology

Approval of the Audit Team was provided from the Department on 22 November 2023. The letter is presented in Appendix D.

1.4 Audit scope

The audited period is defined as 23 November 2022 to 1 December 2023. Section 2.3 of the approved Compliance Tracking Program defines the scope of the Independent Audit (IA) as the assessment of:

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

This audit covers site operations as no construction activities or subdivisions occurred during the audit period. Ongoing operation of the ILC (which remained partially undeveloped at the time of this audit) continued during the audit period.

2. AUDIT METHODOLOGY

2.1 Audit process overview

The Independent Audit was conducted in a manner consistent with AS/NZS ISO 19011:2018. An overview of the audit activities, as specified in AS/NZS ISO 19011, is presented in Section 2.2. Although the IAPAR 2020 is not a requirement of the Independent Audit under 05_0147, the Auditor applied standards from the IAPAR 2020 where relevant.

2.2 Audit process detail

2.2.1 Audit initiation and scope development

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

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

2.2.2 Preparing audit activities

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

The primary documents reviewed prior to and after the site visit are provided in Section 2.2.7.

2.2.3 Site personnel involvement

The on-site audit activities took place on 1 December 2023.

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

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

Name	Position	Company
Bryan Beudeker	Environment Manager	NSW Ports
Mark Goodall	Facility Manager	NSW Ports
Geoff De Santis	Safety & Compliance Manager	SWIFT Transport

2.2.4 Meetings

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

During the opening meeting, held on 1 December 2023, the objectives and scope of the Independent Audit, the resources required and methodology to be applied were discussed.

The closing meeting was carried out on the 1 December 2023. The audit findings were presented, recommendations (as appropriate) were made, and any post-audit actions were confirmed.

2.2.5 Interviews

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

2.2.6 Site inspection

The on-site audit activities took place on 1 December 2023. The on-site audit activities included an inspection of the site and work activities. Photographs are presented in Appendix C.

2.2.7 Document review

The Independent Audit included investigation and review of Project files, records and documentation that acts as evidence of compliance (or otherwise) with a compliance requirement. The primary documents reviewed prior to and after the site visit are as follows:

- MP 05_147
- Enfield ILC Operational Environmental Management Plan Enfield Intermodal Logistics Centre NSW Ports (November 2023 Version 7)
- Enfield ILC Overarching Operational Traffic Management Plan – Enfield Intermodal Logistics Centre | NSW Ports | December 2021 | Version 5
- Enfield ILC Landscape and Ecological Area Management Plan Enfield Intermodal Logistics Centre NSW Ports (August 2020 Version 3)
- LINX Enfield Intermodal Terminal Operational Environmental Management Plan (September 2020 Version 04)
- Swift Operational Environmental Management Plan (Updated 30.08.22)
- Enfield ILC Compliance Tracking Report 2023 (November 2023 Version 1)

All records and evidence sighted against each requirement are detailed in Appendix A.

2.2.8 Generating audit findings

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

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

2.2.9 Compliance evaluation

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

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

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

2.2.10 Evaluation of post approval documentation

The Auditor assessed whether post approval documents:

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

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

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

2.2.11 Completing the audit

This Report has been distributed to the proponent to check factual matters and for input into actions in response to findings (where relevant). The Auditor retained the right to make findings or recommendations based on the facts presented. The Auditor's findings have been determined independent of the auditees, the Department and any other parties, based on the evidence assessed during the audit.

3. AUDIT FINDINGS

3.1 Approvals and documents audited and evidence sighted

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

3.2 Previous Independent Audit findings

The status of the previously open independent audit findings from the 2021 and 2022 Audits are presented in Table 2. Two observation from the previous audits remained open during the audit period and seven were closed. Items that remain open relate to:

- Maintenance schedule of the IMT Service Area waste sludge holding tank.
- Asbestos Containing Materials stockpiles located in Precinct A.

All other findings were considered closed.

Table 2: Open Findings from Previous Audits (IA4 and IA5)

Item	Ref.	Type	Requirement and Finding	Proposed or Completed Action	By Whom and by When	Status 2022	Status 2023 (this audit)
IA4_05	CoC 3.6	Observation	<p>The Proponent shall develop and implement a Traffic and Capacity Monitoring Program to monitor the throughput and traffic generation of the project. The Program shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> a) provisions for monitoring the throughput of the project; b) provisions for representative monitoring the traffic generation of the project, with reference to traffic generation as a function of project throughput, type of road transport employed, hours of traffic movements and intended road traffic destinations; c) provisions for periodic monitoring of traffic movements generated by the project in the surrounding road network, with a particular focus on the residential areas of Greenacre to the west of the project, generally between Roberts Road, Boronia Road and the Hume Highway, and principal road transport routes to and from the site; and d) a framework for recording and reporting the outcomes of the Program and a system for considering data generated through the Program. <p>Observation: Evidence on whether activities required by the Traffic and Capacity Monitoring program had been conducted during the audit period was not available for review.</p>	Confirm and provide evidence that the Traffic and Capacity Monitoring Program (TCMP) had been implemented during the audit period.	Prior to the 2022 Independent Audit	<p>OPEN</p> <p>NSW Ports to review the TCMP ensure that the provisions for monitoring traffic movements generation of the ILC, as a function of ILC throughput, is undertaken in manner to satisfy the CoA.</p> <p>A suitable methodology needs to be discussed and agreed with the Department.</p> <p>During 2022 audit it was noted by the Auditor that ample evidence was not available to demonstrate that all the activities required by the TCMP (section 14, table 3 of the OTMP) had been undertaken during the audit period e.g., classification counts (every 2 years); number of plate recognition survey (every 2 years); road safety audit, etc.</p>	<p>CLOSED</p> <p>Information about activities undertaken to address the TCMP have been provided in the current audit and are discussed in Section 3.4. A updated finding has been raised in the current report and is provided in Table 3.</p>
IA4_16	LINX OEMP, Section 6.2.3	Observation	<p>Permanent Fuel Storage Facilities</p> <p>Captured material is collected in a containment pit and treated, in line, by a 'SPEL Stormceptor' system. Treated water is discharged to the internal stormwater system; and</p> <p>Waste sludge material is captured in a holding tank for periodic removal and off-site disposal at a suitably licensed facility via vacuum truck.</p> <p>Observation: A maintenance schedule (e.g., periodic inspection, pumping out regime) for the fuel containment pit located in the ACFS tenancy was requested by the Auditor but none was available for review. It was not known when the containment pit was last emptied.</p>	Confirm if a maintenance schedule for the containment pit exists. If not, develop and implement a maintenance program and maintain pump out records for the fuel containment pit in the ACFS tenancy.	Prior to the 2022 Independent Audit	<p>OPEN</p> <p>LINX (ACFS' landlord) provided an update during the site inspection with NSW Ports in August 2022. Waste dockets for any liquid waste had been provided.</p> <p>An Environmental Compliance Audit Report prepared by Ardent for LINX on the 30/9/22, Section 3.8 indicates that minimal trackable waste is generated and restricted to waste oils and sludge from the fuel bay interceptor, and that management of this controlled waste appears to be appropriate and in line with the OEMP.</p> <p>Nevertheless, the maintenance schedule for the fuel containment pit was not available at the time of this independent audit.</p>	<p>OPEN</p> <p>Confirmation that Cleanway Group trading as Evoro handles waste for Swift Transport was provided during the audit but evidence of ongoing maintenance or a maintenance schedule for the IMT Service Area waste sludge holding tank has not been provided.</p>

Item	Ref.	Type	Requirement and Finding	Proposed or Completed Action (as reported in 2022 audit)	By Whom and by When	Status 2023 (this audit)
IA05_NC-01	CoC 2.22, 2.24	Non-Compliant	<p>Requirement: <i>The Proponent shall design, construct, commission, operate and maintain the project in a manner that minimises or prevents the emission of dust from the site including windblown and traffic generated dust.</i></p> <p>Non-compliance: It was noted that the main yard at Swift is not being operated and maintained to minimize or prevent dust (the yard is not sealed, surface dust is present, and the intermittent use of a watercart appears insufficient during dry periods). This area should be properly sealed or, failing that, stabilized to prevent the potential for fugitive dust.</p>	Swift to implement measures to manage dust / material tracking in this area to prevent the potential for fugitive dust.	NSW Ports / Swift As soon as practicable	<p>CLOSED</p> <p>Swift is currently progressing a long-term mitigation measure of implementing a hard-stand surface in the yard as discussed below. Until then, Swift manages this unsealed area (reported to have an area of about 3,500m²) by restricting vehicle driving and using water carts on a need basis. Under the current arrangement, the area is used for trailer parking. Trucks enter the site on the sealed access road and use a different exit at the IMT, and do not need to drive through the unsealed area. Jersey Kerbs have been located between the unsealed area and the asphalted truck access to avoid trucks driving through the unsealed area (refer to Photos 12 and 13 in Appendix C). NSW Ports monitors the site through CCTC and site inspections.</p> <p>Swift has also progressed the long term of option of sealing this area. A quote from JDS Concreting dated 29/08/2023 and a scope from Earthscape Industries dated 1/09/2023 were sighted during the site visit. Swift advised that hydraulic modelling / assessment will be required as part of the long term solution.</p> <p>An Observation and a recommendation have been made in Table 3 to document a procedure in the OEMP (currently being reviewed) to detail dust management at the Yard until a permanent solution is implemented and to follow up progress on the long term solution in the next annual audit.</p>

Item	Ref.	Type	Requirement and Finding	Proposed or Completed Action (as reported in 2022 audit)	By Whom and by When	Status 2023 (this audit)
IA5_Obs-01	CoC 2.12	Observation	<p>Requirement: <i>The Proponent shall establish and maintain for the life of the project, unless otherwise agreed by the Planning Secretary, a Road Transport Coordination Group to oversee and coordinate the management of traffic and road issues associated with and affected by the project. The Group shall include representatives of the Proponent, the Department, the RMS, Strathfield Municipal Council and Canterbury Bankstown Council, and shall operate in accordance with terms of reference agreed by those parties at the first meeting(s) of the Group. The Proponent shall bear the full cost of administering the Group.</i></p> <p>Observation: The Road Transport Coordination Group (RTCG) Meeting Minutes for 2022 had not been published on the NSW Ports website at the time of the audit.</p>	RTCG meeting minutes for 2022 to be uploaded in the NSW Ports website as soon as possible.	NSW Ports As soon as practicable	CLOSED Minutes uploaded to NSW Ports website on 23/02/2023.
IA5_Obs-02	CoC 2.13	Observation	<p>Requirement: <i>The Proponent shall minimise noise emissions from plant and equipment operated on the site by installing and maintaining, wherever practicable, efficient silencers, low noise mufflers (residential standard) and by replacing reversing alarms with alternative silent measures, such as flashing lights (subject to occupational health and safety requirements).</i></p> <p>Observation: On 22 December 2022 a complaint was received regarding a whining noise emanating from the site. NSW Ports were investigating the complaint at the time of the audit site inspection and indicated the noise could be emanating from a reach stacker on the Swift site. It is recommended that NSW Ports complete this investigation and, if mobile plant on site is determined to be the source, ensure that maintenance is completed.</p>	<p>It is recommended that NSW Ports complete the investigation and, if mobile plant on site is determined to be the source, ensure that maintenance is completed, and service records kept.</p> <p>Note: Before completion of this report, it was indicated to the auditor that the equipment has been taken out of service.</p>	NSW Ports / Swift / LINX As soon as practicable	CLOSED NSW Ports confirmed that the equipment has been repaired and placed back in service in January 2023. This type of complaint has not re-occurred in 2023 (as shown in the Complaints Register).
IA5_Obs-03	CoC 2.40	Observation	<p>Requirement: <i>The Proponent shall ensure that all liquid and/ or non-liquid waste generated, stored on the site or disposed of, is assessed and classified in accordance with the Waste Classification Guidelines (EPA, 2014).</i></p> <p>Observation: It was observed during the audit site inspection that:</p> <ul style="list-style-type: none"> LINX site - The Pitkin maintenance yard had a large number of plastic containers and general waste that appeared surplus to needs. Swift site - The warehouse requires further housekeeping. A large amount of waste materials and vessels were observed to the rear of the warehouse. 	<p>LINX site: It is recommended that the yard undergo a full housekeeping exercise with any materials not needed to be disposed, remaining materials stored safely and neatly.</p> <p>Swift site: Improve on general housekeeping required; waste materials and vessels observed to the rear of the warehouse to be cleaned up.</p>	Swift and LINX As soon as practicable	CLOSED In June 2023, Swift acquired the LINX intermodal operations at the IMT. During the audit site inspection, the Swift sites (warehouse and yards) were observed tidy, with waste contained and segregated in appropriate containers and chemicals located in banded areas (refer to Photos in Appendix C). NSW Ports follows up with regular inspections.

Item	Ref.	Type	Requirement and Finding	Proposed or Completed Action (as reported in 2022 audit)	By Whom and by When	Status 2023 (this audit)
IA5_Obs-04	CoC 2.44	Observation	<p>Requirement: <i>The Proponent shall manage any asbestos or asbestos-contaminated materials that may be uncovered during the construction, commissioning, and operation of the project strictly in accordance with the requirements under Protection of the Environment Operations (Waste) Regulation 2014 and any guidelines or requirements issued by the EPA in relation to those materials.</i></p> <p>Observation: During the audit site inspection, it was observed that Excavated Natural Material (ENM) had been stockpiled in the Precinct A, Asbestos Containing Material (ACM) stockpile area. Therefore, the status of the ENM classification is now questionable and should not be reused until re-classification is complete. Further, this is the third audit conducted by WolfPeak and the Precinct A, ACM stockpiles have not been disposed of (or placed in a permanent on-site storage cell).</p>	<p>It is recommended that the ACM material be properly disposed of off-site in accordance with POEO Waste Regulation or placed in a permanent on-site storage cell in accordance with a Remediation Action Plan or Long-Term Environmental Management Plan.</p> <p>Should NSW Ports wish to reuse the ENM, then this should be re-classified prior to reuse.</p> <p>Note: Before completion of this report, it was indicated to the auditor that ENM has been re-classified in accordance with the requirements under POEO Regulation 2014 and EPA guidelines and reused at Medlog site. NSW Ports is seeking approval to bury and cap the waste on Precinct A by the end of 2023.</p>	NSW Ports Prior to the 2023 Independent Audit	<p>OPEN</p> <p>During the audit inspection on 1/12/23, the stockpiles in Precinct A were observed stable, isolated and being maintained. The ACM material stockpiles are covered with geofabric and vegetation have grown over the stockpiles. The stockpiles are fenced off, and the area is closed to the public.</p> <p>NSW Ports is seeking approvals to bury waste, subject to Precinct A development requirements in accordance with LTEMP.</p> <p>NSW Ports have advised that plans to bury stockpiles are subject to Precinct A development.</p> <p>This item remains open until NSW Ports develops and implements a plan to remove the stockpiles in accordance with the planning approval.</p>
IA5_Obs-05	CoC 2.50	Observation	<p>Requirement: <i>The Proponent shall store and handle all dangerous goods (not being unopened, containerised goods), as defined by the Australian Dangerous Goods Code, strictly in accordance with:</i></p> <ul style="list-style-type: none"> a) <i>all relevant Australian Standards;</i> b) <i>a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and</i> c) <i>the DECC's Environment Protection Manual Technical Bulletin Bunding and Spill Management.</i> <p><i>In the event of an inconsistency between the requirements listed from a) to c) above, the most stringent requirement shall prevail to the extent of the inconsistency.</i></p> <p>Observation: LINX site - ACFS refuelling bay has a live stormwater drain (that discharges to the environment) directly adjacent the bund for managing leaks and spills from the refuelling bay. The stormwater drain is not marked and, therefore, could be mistaken as part of the bund.</p>	<p>LINX site – It is recommended that the stormwater pit next to the ACFS refuelling bay be marked to inform people that the line discharges to environment (not sewer or bund).</p>	NSW Ports / LINX Prior to the 2023 Independent Audit	<p>CLOSED</p> <p>NSW Ports inspected site on 2/6/2023 and confirmed markings complete (refer to Photo 9). The auditor also confirmed the markings during the site inspection on 1/12/2023.</p>

Item	Ref.	Type	Requirement and Finding	Proposed or Completed Action (as reported in 2022 audit)	By Whom and by When	Status 2023 (this audit)
IA5_Obs-06	CoC 6.6	Observation	<p>Requirement: <i>The Operation Environmental Management Plan required under conditions 6.4 and 6.5 shall be periodically reviewed and maintained, to reflect any phasing of implementation of the project, and any operational changes that may be made from time to time and updated (where necessary) to reflect any changes arising from modifications to this approval.</i></p> <p><i>Section 3.3.8, Table 10, of the NSW Ports OEMP requires that tenants have operating procedures and control systems to minimise the risk of fuel and oil spillage from vehicles, plant, and equipment.</i></p> <p>Observation: NSW Ports and Progress Rail / Pacific National were not aware of any inspection / maintenance regime having been implemented on the Progress Rail / Pacific National underground waste oil tank.</p>	Underground waste oil tank to be inspected to confirm its integrity.	NSW Ports / Progress Rail Prior to the 2023 Independent Audit	<p>CLOSED</p> <p>An inspection of the waste oil holding tank was completed in May 2023 (<i>Inspection Report-Waste Oil Holding Tank, Enfield Wheel Lathe Facility, Enfield NSW</i>) by Pure Fuel (22/05/2023). The report concluded that “<i>at the time of the inspection, the tank interior was found to be in good serviceable condition and no obvious signs of the fibreglass surfaces cracking or failing were identified</i>”</p>

3.3 Non-compliance, Observations and Actions

This Section, including Table 3, presents the compliance status with the CoC and conformance status with the OEMP, from this 2023 Independent Audit. Recommended actions in response to each of the findings are also presented. Detailed findings against each requirement are presented in Appendix A. In summary:

- A total of 115 CoCs were assessed.
- A total of 55 CoCs were found to be compliant.
- A total of 59 CoCs were identified as not triggered.
- One (1) non-compliance was identified. The non-compliance relates to inconsistency between the traffic monitoring program implemented by NSW Ports and that approved under the Operational Traffic Management Plan's Traffic and Capacity Monitoring Program under CoA3.6.
- Seven (7) observations were identified. These relate to submission of updated Operational Environmental Management Plans and Work Place Travel Plan to the Department, updating the Swift OEMP to include dust management procedure for an unsealed area, reporting to EHG on Green and Golden Bell Frog, uploading Mod 15 documentation in the project website, inviting all stakeholders identified under CoC 2.12 to the Road Transport Coordination Group meetings, and updating the Incident Register and reporting procedure to clarify what incidents require notification to the Planning Secretary under CoA 7.1.

Table 3: 2023 Independent Audit findings

Item	Condition No.	Type	Requirement	Finding	Recommended ¹ or Completed Action	Status
IA06_01	C2.3A	Observation	<i>The Proponent must prepare a Work Place Travel Plan to the satisfaction of the Planning Secretary prior to the issue of any Occupation Certificate for any warehouse permitted as part of the approval of MP 05_0147 MOD 14. The Proponent must ensure that the Work Place Travel Plan (as revised from time to time) is implemented for the life of the Project.</i>	Observation: The revised Work Place Travel Plan (Dec 2022) has not been submitted to the Department.	Recommendation: Although Condition 2.3A does not require revisions of the Work Place Travel Plan to be approved by the Planning Secretary, it is recommended that the latest version of the Work Place Travel Plan be submitted to the Department for information.	OPEN
IA6_02	C2.12	Observation	<i>The Proponent shall establish and maintain for the life of the project, unless otherwise agreed by the Planning Secretary, a Road Transport Coordination Group to oversee and coordinate the management of traffic and road issues associated with and affected by the project. The Group shall include representatives of the Proponent, the Department, the TfNSW, Strathfield Municipal Council and Canterbury Bankstown Council, and shall operate in accordance with terms of reference agreed by those parties at the first meeting(s) of the Group. The Proponent shall bear the full cost of administering the Group.</i>	Observation: Meetings of the Road Transport Coordination Group (RTCG) held during the reporting period did not include TfNSW and Canterbury Bankstown City Council (CBCC) in list of invitees or apologies. Both TfNSW and CBCC have historically been invited to RTCG meetings but typically did not attend the meetings. In email to NSW Ports dated 22/01/2024, TfNSW confirmed that it did not require to attend the RTCG meetings, and that if there were specific issues for TfNSW, NSW Ports should reach out directly for a response. NSW Ports has been trying to contact CBCC during the course of the audit but at the time of completing this audit it had not received a response.	Recommendation: RTCG meeting invites to include Canterbury Bankstown City Council. Contact TfNSW directly if there are specific issues for TfNSW in accordance with TfNSW's correspondence dated 22/01/2024	OPEN
IA6_03	C2.22	Observation	<i>The Proponent shall design, construct, commission, operate and maintain the project in a manner that minimises or prevents the emission of dust from the site including wind blown and traffic generated dust.</i>	Observation: The Swift OEMP provides limited information about dust management in the unsealed part of its Yard.	Recommendation: Document a procedure in the Swift OEMP (being reviewed at the time of this audit) to detail dust management at the Swift Yard (unsealed area) until a permanent solution is implemented. In the next annual audit, report on progress on the implementation of the OEMP's dust management procedure and the long term mitigation measure of a hard stand surface. NSW Ports to monitor on a regular basis the ongoing implementation of temporary dust control measures at the Swift Main Yard until the permanent hard-stand surface solution is completed	OPEN
IA6_04	C2.48	Observation	<i>The Proponent shall implement all of the relevant actions for the site recommended in the Management Plan for the Green and Golden Bell Frog Key Population at Greenacre (DECC, May 2007), being:</i> <ul style="list-style-type: none"> a) <i>creation of overwintering habitat as part of the two-hectare improved foraging habitat at the southern end of the site;</i> b) <i>provision of linkages to the former RailCorp ponds; and</i> c) <i>restrictions on the use of herbicides in known frog habitat and attainment of water quality standards for water discharged from the site.</i> <i>These actions shall be incorporated within both the Construction Environmental Management Plan (refer to condition 6.2) and the Operation Environmental Management Plan (refer to condition 6.4) as relevant, including provisions for monitoring the outcomes of these actions and periodically reporting outcomes to EHG at a frequency agreed with EHG</i>	Observation: There is no evidence that periodic reporting to the Department's Environment and Heritage Group (EHG) on the Green and Golden Bell Frog monitoring requirements occurs as required under Condition 2.48. There is neither evidence of any agreement with EHG about frequency or need for future reporting.	Recommendation: Contact EHG and agree on GGBF monitoring reporting needs and frequency in accordance with Condition 2.48	OPEN

Item	Condition No.	Type	Requirement	Finding	Recommended ¹ or Completed Action	Status
IA6_05	C3.6	Non-compliance	<p>The Proponent shall develop and implement a Traffic and Capacity Monitoring Program to monitor the throughput and traffic generation of the project. The Program shall include, but not necessarily be limited to:</p> <p>a) provisions for monitoring the throughput of the project;</p> <p>b) provisions for representative monitoring the traffic generation of the project, with reference to traffic generation as a function of project throughput, type of road transport employed, hours of traffic movements and intended road traffic destinations;</p> <p>c) provisions for periodic monitoring of traffic movements generated by the project in the surrounding road network, with a particular focus on the residential areas of Greenacre to the west of the project, generally between Roberts Road, Boronia Road and the Hume Highway, and principal road transport routes to and from the site; and</p> <p>d) a framework for recording and reporting the outcomes of the Program and a system for considering data generated through the Program.</p>	<p>Non-compliance: the traffic monitoring program implemented by NSW Ports is inconsistent with the Traffic and Capacity Monitoring Program (TCMP) which forms part of the approved Operational Traffic Management Plan. Whilst traffic data is collected along Cosgrove Road and Mainline Drive, the methods used do not match the methods in the TCMP. In addition, there is no evidence that traffic monitoring on the residential areas of Greenacre to the west of the project, generally between Roberts Road, Boronia Road and the Hume Highway, and principal road transport routes to and from the site is undertaken in accordance with 3.6c is undertaken (Note: As discussed in Section 3.4, a review of project information appears to indicate that traffic at the site has been managed satisfactorily to date; this non-compliance primarily relates to the inconsistency between actual monitoring and that described in the TCMP).</p>	<p>Recommendation: Review the Traffic and Capacity Monitoring Program in consultation with the Road Transport Coordination Group and submit it to the Department with the Operation Traffic Management Plan.</p>	OPEN
IA6_06	C5.4	Observation	<p>The Proponent shall establish and maintain a new website, or dedicated pages within its existing website for the provision of electronic information associated with the project. The Proponent shall publish and maintain up-to-date information on this website or dedicated pages including, but not necessarily limited to:</p> <p>a) a copy of the documents referred to under condition 1.1 of this approval, and any documentation supporting modifications to this approval that may be granted from time to time;</p> <p>b) a copy of this approval and each relevant environmental approval, licence or permit required and obtained in relation to the project;</p> <p>c) a copy of each strategy, plan, program and audit required under this approval; and</p> <p>d) the outcomes of compliance tracking in accordance with condition 4.1 of this approval.</p>	<p>Observation: MOD 15 documentation, approved on the 22 November 2023, was not uploaded in the website at the time of this audit</p>	<p>Recommendation: Upload MOD 15 in the project website in accordance with Condition 5.4a)</p>	OPEN
IA6_07	C6.6	Observation	<p>The Operation Environmental Management Plan required under conditions 6.4 and 6.5 shall be periodically reviewed and maintained, to reflect any phasing of implementation of the project, and any operational changes that may be made from time to time, and updated (where necessary) to reflect any changes arising from modifications to this approval.</p>	<p>Observation: The revised version of the NSW OEMP (Nov 23) and revised versions of tenants OEMPs have not been submitted to the Department (noting that the planning approval does not specifically require that OEMP revisions be submitted to the Department for approval or information)</p>	<p>Recommendation: It is recommended that NSW Ports submit copies of revised versions of the NSW Port OEMP and tenants' OEMP to the Department for information and feedback if necessary.</p>	OPEN
IA6_08	C7.1	Observation	<p>The Proponent shall notify the Planning Secretary of any incident with actual or potential significant off-Site impacts on people or the biophysical environment as soon as practicable after the occurrence of the incident. The Proponent shall provide written details of the incident to the Planning Secretary within seven days of the date on which the incident occurred.</p>	<p>Observation: An incident involving a reach stacker fire on the 19 April 2023 was reported to SafeWork NSW and the EPA. The Incident Register indicates that the incident was a "Notifiable Incident" but it was not reported the Department's Planning Secretary in accordance with Condition 7.1. The auditee advised that the incident did not result in any off-site impact on people or the bio-physical environment and therefore did not require notification to the Planning Secretary.</p>	<p>Recommendation: amend the Incident Register and incident notification procedures in the OEMP to clarify what incidents require notification to the Planning Secretary under Condition 7.1.</p>	OPEN

1. Auditor's recommendation

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

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

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

A review was conducted of the:

- Enfield ILC Operational Environmental Management Plan (OEMP) Enfield Intermodal Logistics Centre NSW Ports (November 2023 Version 7)
- Enfield ILC Overarching Operational Traffic Management Plan – Enfield Intermodal Logistics Centre | NSW Ports | December 2021 | Version 5
- Enfield ILC Landscape and Ecological Area Management Plan Enfield Intermodal Logistics Centre NSW Ports (August 2020 Version 3)
- LINX Enfield Intermodal Terminal Operational Environmental Management Plan (September 2020).
- Swift Operational Environmental Management Plan (Updated 30.08.22)

Warehouses OEMPs have also been prepared under the NSW Ports' OEMP, which are referenced and discussed in Appendix A.

The OEMPs and associated plans appear to be generally adequate for the works being undertaken. Plans generally address the requirements of the DC 05_0147 and provide adequate mitigation to address project environmental risks. NSW Ports overall environmental management framework demonstrated a good process on communications, environmental monitoring, and reporting. The Auditor does, however, draw attention to the observations identified in Tables 2 and 3, which include identification of some opportunities for improvement in implementation of management plans. These are also discussed below.

Regarding the Swift OEMP it is noted that the plan has limited information about dust management in the unsealed part of its Yard. Dust management in this part of the Swift site was raised as a non-compliance in the 2022 audit. Since then, measures have been undertaken to manage dust until a permanent solution is implemented. It has been recommended that a procedure be included in the Swift OEMP (being reviewed at the time of this audit) to detail dust management at the Swift Yard (unsealed area) until a permanent solution is implemented. It has also been recommended that the next annual audit, progress on the implementation of the OEMP's dust management procedure and the long term mitigation measure of a hard stand surface be followed up, as well as for NSW Ports to monitor on a regular basis the ongoing implementation of temporary dust control measures at the Swift Main Yard until the permanent hard-stand surface solution is completed.

The NSW Ports' OEMP and the Warehouses OEMPs were revised in November 2023. Although not specifically required under the planning approval, it has been recommended that the Department be informed of the revised documents and that copies be provided to the Department.

Traffic and the implementation of the Enfield ILC Overarching Operational Traffic Management Plan (NSW Ports, December 2021), which includes the Traffic and Capacity Monitoring Program are discussed below.

ILC Traffic & the Traffic and the Capacity Monitoring Program (TCMP)

Container throughput for FY23 was reported to be 89,815 TEU, which is less than a third of the maximum 300,000 TEU throughput capacity approved under 05_0147. As discussed in Section 1.1, several precincts of the ILC site remained undeveloped, including Precincts A, B, E, G and I (refer to Figure 1 in the audit report). Traffic generation at the site has not reached its potential capacity.

A review of project information appears to indicate that traffic at the site has been managed satisfactorily to date. No evident traffic issues have been identified during the audit period. No traffic related complaints have been recorded in the Complaints Register during the audit period. No truck queuing or other traffic issues were noted during the audit inspection on the 1 December 2023. A review of the minutes of the Road Transport Coordination Group (RTCG) indicates that traffic matters are regularly discussed, managed and agreed as required by the RTCG stakeholders.

NSW Ports has prepared an Operational Traffic Management Plan (OTMP) (Dec 2021) which includes a Traffic and Capacity Monitoring Program (TCMP). The TCMP sets out the ILC traffic monitoring program in accordance with Condition 3.6.

Some requirements of the TCMP include the following:

- Traffic counts in/out 7day, 24h at 3 locations every two years at Mainline Drive (east of Wentworth St), Turnout Drive (west of Cosgrove Rd), Mainline Drive (north of Turnout Drive) (automatic tube traffic counters)
- Quarterly 24h truck counts using security cameras (use of Cosgrove Rd entrance)
- Number plate recognition surveys every two years to review use triangle Boronia/Hume/Roberts
- Truck route surveys (by tenants) coordinated by NSW Ports (Questionnaire in Appendix D of OTMP) random

NSW Ports monitors traffic by the site CCTVs and MSMS security patrols. Traffic issues are logged in Protecht Event Management System and discussed at the quarterly RTCG meetings. Since July 2023 NSW Ports also collects daily vehicle movement data from TfNSW for Cosgrove Road and Mainline Road. The Automatic Number Plate Recognition (ANPR) cameras provides total number of vehicles entering and exiting the ILC via Cosgrove Road and Mainline Road.

The last traffic survey was completed in 2020. It identifies traffic throughputs, type of transport, hours of movements and destinations. The throughput of containers (reflective of traffic volumes) is

also tracked monthly. There were no specific traffic surveys undertaken in 2021-2023. ILC truck movements numbers for FY 22 are provided in the IFTR.

NSW Ports has advised that is currently reconsidering the TCMP requirements with the aim of using the ANPR cameras and the CCTV network. The 2023 Compliance Tracking Report indicates that NSW may submit a Mod to the Department in 2024 to amend condition 3.6.

Despite the above, a non-compliance has been raised about the traffic monitoring program implemented by NSW Ports being inconsistent with the requirements of the TCMP (which forms part of the approved OTMP). Whilst traffic data is collected along Cosgrove Road and Mainline Drive, the methods used do not match the methods in the TCMP. In addition, there is no evidence that traffic monitoring on the residential areas of Greenacre to the west of the project, generally between Roberts Road, Boronia Road and the Hume Highway, and principal road transport routes to and from the site is undertaken in accordance with 3.6c is undertaken.

It has been recommended that the TCMP be reviewed in consultation with the RTCG and be submitted it to the Department with the Operation Traffic Management Plan.

3.5 Summary of notices from agencies

A Warning Letter was issued by the Department on the 30 March 2023 regarding the non-compliance with Condition 2.2 identified in the 2022 Independent Audit Report. The Department's Warning letter indicates that NSW Ports advised that while they believe the non-compliance has been rectified in the short term, that they are currently considering a long-term mitigation measure of implementing a hard-stand surface in the yard. The department requested that NSW Ports provide an update on the status of this action in the project's next Independent Environmental Audit.

To the Auditor's knowledge no further correspondence has been received during the audit period from the Department or other agencies to NSW Ports concerning the non-compliance with Condition 2.2 or other environmental matters.

Regarding the non-compliance with Condition 2.2 identified in the 2022 audit, Table 2 provides an update on the matter. As discussed, Swift is currently progressing a long-term mitigation measure of implementing a hard-stand surface in the yard as discussed below. Until then, Swift manages this unsealed area (reported to have an area of about 3,500m²) by restricting vehicle driving and using water carts on a need basis. Under the current arrangement, the area is used for trailer parking. Trucks enter the site on the sealed access road and use a different exit at the IMT, and do not need to drive through the unsealed area. Jersey Kerbs have been located between the unsealed area and the asphalted truck access to avoid trucks driving through the unsealed area (refer to Photos 12 and 13 in Appendix C).

Swift has also progressed the long term of option of sealing this area. A quote from JDS Concreting dated 29/08/2023 and a scope from Earthscape Industries dated 1/09/2023 associated with the installation of a hard-stand surface were sighted during the site visit. Swift advised that hydraulic modelling / assessment will be required as part of the long term solution.

An Observation and a recommendation have been made in Table 3 to document a procedure in the OEMP (currently being reviewed) to detail dust management at the Yard until a permanent solution is implemented and to follow up progress on the long term solution as well as management of short term dust mitigation in the next annual audit.

The auditor has recommended that NSW Ports monitors on a regular basis the ongoing implementation of temporary dust control measures at the Swift Main Yard until a permanent solution such as installing a hard-stand surface in the yard is completed.

3.6 Other matters considered relevant by the Auditor or DPE

Except for the Warning Letter issued by the Department on the 30 March 2023 (Section 3.5), the Auditor is not aware of any other compliance matters that were raised by the Department during the auditing period. The Auditor has no matters considered relevant, other than those identified in Sections 3.2 – 3.5, and 3.7 – 3.8.

3.7 Complaints

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

Two complaints were logged in the complaints register during the audit period. The two complaints were related to noise generated from ILC. The first complaint related to a noisy reach-stacker with a failing cooling fan, initially recorded on the 11 December 2022. The complaint was investigated and NSW Ports confirmed with Swift that equipment has been repaired and placed back in service in January 2023. No further complaints regarding this issue were raised in 2023. The second complaint was raised on the 19 April 2023 related to two explosions heard by a resident in relation to fire on a reach stacker at LINX. The explosions were the result of the reach stacker fire causing the wheels to blow off. The fire, which occurred within the IMT located on the concrete handstand, was stopped and no environmental damage recorded. This event was also recorded in the Incident Register and was reported to the EPA and SafeWork NSW as discussed in Section 3.8. All complaints have closed out accordingly following the investigation and action. The Auditor considers the management of complaints to be adequate.

3.8 Incidents

Five incidents were reported in the Incident Register during audit period. A review of the incidents record indicate that no incidents with actual significant off-site impacts on people or the biophysical environment were recorded during the audit period.

Three (3) of the incidents were minor safety/security related events which do not require further consideration in this report. An incident on the 3 January 2023 involved a 300-500L leak from a diesel fuel truck at the IMT. The diesel leak was reportedly contained within the site and cleaned up after the event. LINX and NSW Ports considered that this incident did not cause environmental impacts or off-site releases and therefore was not reportable under Section 5.7 of the *Protection of the Environment Operations Act 1997* (POEO Act).

The most significant incident occurred on the 19 April 2023 and involved a fire on a reach stacker at the IMT. The fire caused two explosions when wheels of the reach stacker got on fire. The fire was stopped and no harm to the environment reportedly occurred. Fire and Rescue NSW and NSW Ambulance attended the event, and the reach stacker driver was taken to hospital for smoke inhalation and cuts, bruises and abrasions from smashing the cab window. NSW Ports and Swift advised that the incident was reported to the EPA and SafeWork NSW. NSW Ports advised that

no response was received from the EPA. Swift records indicate that SafeWork NSW attended the site on the 19 April 2023 and that the EPA was notified that same day. The LINX incident report to NSW Ports dated 13 July 2023 was sighted. A toolbox including status of investigation and operating process reviews was prepared as mitigation measure (toolbox dated 10 May 2023 provided to NSW Ports – sighted). The toolbox refers to a detailed incident investigation which included questions and input from SafeWork NSW and subject matter experts amongst others. It indicates that SafeWork NSW had issued a prohibition notice to remove reach stacker 9317 from the site, and that risk management documentation and safe method of works statements created by Clark Equipment had been submitted to SafeWork NSW. It further indicated that findings from the risk assessment process will determine the preferred operating position of the reach stacker cab. Other items covered by the toolbox included emergency egress (exit), line of fire risks during emergency response, cease operation in the event of malfunction and LINX employee assistance program. The item is closed in the Incident Register. An observation has been raised about the reach stacker fire incident on the 19 April 2023. The Incident Register indicates that the incident was a “Notifiable Incident” but it was not reported the Department’s Planning Secretary in accordance with Condition 7.1. The auditee advised that the incident did not result in any off-site impact on people or the bio-physical environment and therefore did not require notification to the Planning Secretary. It has been recommended that the Incident Register and incident notification procedures in the OEMP be amended to clarify what incidents require notification to the Planning Secretary under Condition 7.1.

4. CONCLUSIONS

The overall outcome of the Independent Audit was positive. Compliance records were available at the time of the site inspection and interviews with NSW Ports and their tenants.

Ongoing operation of the intermodal terminal continued during the audit period. Since last audit, there have been no new tenants or any changes to operations. No construction activities occurred generally available at the time of the site inspection and interviews.

Two findings from the previous audits remained open during the audit period and seven were closed. In summary:

- A total of 115 CoCs were assessed.
- A total of 55 CoCs were found to be compliant.
- A total of 59 CoCs were identified as not triggered.
- One (1) non-compliance was identified. The non-compliance relates to inconsistency between the traffic monitoring program implemented by NSW Ports and that approved under the Operational Traffic Management Plan's Traffic and Capacity Monitoring Program under CoA3.6.
- Seven (7) observations were identified. These relate to submission of updated Operational Environmental Management Plans and Work Place Travel Plan to the Department, updating the Swift OEMP to include dust management procedure for an unsealed area, reporting to EHG on Green and Golden Bell Frog, uploading Mod 15 documentation in the project website, inviting all stakeholders identified under CoC 2.12 to the Road Transport Coordination Group meetings, and updating the Incident Register and reporting procedure to clarify what incidents require notification to the Planning Secretary under CoA 7.1.
- .

Detailed findings are presented in Section 3, along with actions taken by the Project team to address the findings. The Auditor would like to thank the auditees from NSW Ports and the Enfield ILC tenants for their cooperation and assistance during the Independent Audit.

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The assessment of actual impacts and those predicted in the Environmental Impact Assessment(s) was a high-level assessment qualitative assessment only. The Environmental Impact Assessment(s) include a voluminous number of studies and predictions that relied on observation, measurement and modelling of the existing environments and potential outcomes arising from the Project (including mitigation measures). Full assessment of the accuracy of these predictions would also require a significant number of studies involving measurement and modelling using actual data points as inputs. Other than the requirements specified in the, to the Auditor's knowledge there are no requirements to undertake such studies and doing so does not form part of this Independent Audit.

Audits of all post approval documents prepared to satisfy the conditions, including an assessment of the implementation of Environmental Management Plans and Sub-plans, adopts a Judgement Based Sampling approach. Judgement Based Sampling is the process of selecting a sample of commitments and evidence from within the total available data set (population) to obtain and evaluate evidence about some characteristic of that population, in order to form a conclusion concerning the population.

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APPENDIX A – MP 05_147 CONDITIONS OF CONSENT INCLUDING MODIFICATIONS 1 TO 15.

Unique ID	Condition	Evidence at the 2023 audit	Findings and Recommendations at the 2023 audit	Compliance Status
1. ADMINISTRATIVE CONDITIONS				
Terms of Approval				
1.1	<p>The Proponent shall carry out the project generally in accordance with the:</p> <ul style="list-style-type: none"> a) Major Projects Application 05_0147; b) <i>Environmental Assessment: Intermodal Logistics Centre at Enfield</i>, dated October 2005 and prepared by Sinclair Knight Merz (SKM); c) response to submissions and revised Statement of Commitments detailed in <i>Intermodal Logistics Centre: Preferred Project Report</i> prepared by Sinclair Knight Merz Pty Ltd, dated June 2006; d) additional information provided by Sinclair Knight Merz Pty Ltd to the Department titled <i>Project Changes – Enfield ILC</i> and dated 14 July 2007; e) additional information provided by Sinclair Knight Merz Pty Ltd to the Department titled <i>Light Industrial and Commercial Area – Enfield ILC</i> and dated 6 August 2007; f) letter from Sydney Ports Corporation titled <i>Project Approval Modification Application Intermodal Logistics Centre at Enfield</i>, Sydney Ports Corporation (undated) and received 28 August 2008; g) letter from Sydney Ports Corporation titled <i>Project Approval Modification Application Intermodal Logistics Centre at Enfield</i>, Sydney Ports Corporation and dated 5 February 2009; h) <i>Intermodal Logistics Centre at Enfield Modification Application ILC-E-PT3A REV A</i>, Sydney Ports Corporation and dated 31 August 2009; i) <i>Intermodal Logistics Centre at Enfield, Modification Application 05_0147 – Project Adjustments. Response to Stakeholders Submissions (Revision A)</i>, prepared by Sydney Ports Corporation and dated November 2009; j) <i>Intermodal Logistics Centre at Enfield, Modification Application 05_0147 – Project Adjustments. Supporting Information to Modification Application</i>, prepared by Sydney Ports Corporation 26/3/2010; k) <i>Intermodal Logistics Centre at Enfield, Modification Application 05_0147 – On Site Management of Unsuitable Engineering Fill</i>, prepared by Sydney Ports Corporation and dated May 2011; l) <i>Intermodal Logistics Centre at Enfield Modification Application No. 5 On Site Management of Unsuitable Engineering Fill Response to Submissions</i>, prepared by Sydney Ports Corporation and dated August 2011; and m) <i>Intermodal Logistics Centre at Enfield, Modification Application No.6 Early Contractor Involvement Detailed Design Adjustments and Subdivision</i>, prepared by Sydney Ports and dated April 2012; n) <i>Intermodal Logistics Centre at Enfield, Modification Application No.6 ECI Detailed Design Adjustments and Subdivision</i>, prepared by Sydney Ports and dated July 2012; o) <i>Intermodal Logistics Centre: Enfield Modification Application No 8, Subdivision – Changes and Amendments</i>, prepared by NSW Ports and dated 2 September 2013; p) <i>Addendum Assessment Report, Modification No.8 to Major Project MP 05_0147 – Intermodal Logistics Centre (ILC) at Enfield: Subdivision Changes and Amendments</i>, prepared by NSW Ports and dated 19 September 2013; q) <i>Environmental Assessment – Modification Application No. 11 – Additional warehouse</i> prepared by TfA Project group dated September 2016 and supporting information dated 6/12/2016 and 23/12/2016; r) <i>Environmental Assessment – Modification Application No. 12 – Extension of Existing Rail Sidings and Administration Office Expansion</i> prepared by TfA Project Group dated November 2016 and supporting Noise Impact Assessment prepared by SLR Consulting dated 3 November 2016; s) deleted; t) <i>Environmental Assessment – Modification No. 14 – Modification of Built Form and operational parameters</i> prepared by Urbis dated January 2018, and <i>Enfield ILC, Strathfield South MP 05_0147 MOD14 – Response to Submissions</i> submitted by Goodman on 8 June 2018; u) Modification Application MP05_0147 Mod 15 and: <ul style="list-style-type: none"> i) modification report titled <i>Modification Report Mod 15 127 Cosgrove Road, South Strathfield</i> prepared by LJB Urban Planning dated 11 July 2023; ii) Remedial Action Plan (RAP) prepared by Geosyntec Consultants dated 21 December 2021; iii) <i>Green and Golden Bell Frog Conservation Measures Tarpaulin Shed Site Enfield</i>, prepared by Biosphere Environmental Consultants dated 27 November 2016; 	Evidence referred to elsewhere in the Audit Table.	<p>The operations of the intermodal have largely remained unchanged from previous audit periods. The proponent has demonstrated that the relevant project plans, strategies, and protocols have generally been implemented.</p> <p>The scale of operations has not exceeded that predicted in the EIS and associated documents. Container throughput for FY23 was reported to be 89,815 TEU, which is less than a third of the maximum 300,000 TEU throughput capacity approved under 05_0147. The ILC is being developed in stages. Several precincts of the ILC site remained undeveloped at the time of this audit, including Precincts A, B, E, G and I (refer to Figure 1 in the audit report).</p> <p>NSW Ports Operational Environmental Plan (Nov 2023) provides the overarching environmental management of the site and also activities managed by NSW Ports (non-tenanted areas) ILC tenants are directly responsible for their own environmental performance for operational activities on leased areas, under their own OEMP consistent with this NSW Ports Enfield ILC OEMP.</p> <p>NSW Ports Inspections of the site, Frog Ponds, Mt Enfield, stormwater basins and landscaping works have been carried out on a regular basis by NSW Ports personnel or its contractors.</p> <p>The degree of compliance with the conditions of approval is evidence of adherence to project requirements.</p>	Compliant

Unique ID	Condition	Evidence at the 2023 audit	Findings and Recommendations at the 2023 audit	Compliance Status
	<ul style="list-style-type: none"> iv) RFI response letter prepared by LJB Planning dated 12 October 2023; and v) Plan No. SENP154B, Enfield ILC Southern Precinct Area Tarp Shed Concept Plan Proposed Garden Centre, prepared by NSW Ports; and v) the conditions of this approval 			
1.2	<p>In the event of an inconsistency between:</p> <ul style="list-style-type: none"> a) the conditions of this approval and any document listed from condition 1.1a) to 1.1u) inclusive, the conditions of this approval shall prevail to the extent of the inconsistency; and b) any of the documents listed from condition 1.1a) to 1.1u) inclusive, the most recent document shall prevail to the extent of the inconsistency. 	<p>MP05_0147 - Conditions of Approval (incorporating MODS 1, 2, 4, 5, 6, 8, 11, 12, 13, 14, 15).</p> <p>The documents listed in condition 1.1a) to 1.1t)</p>	<p>This audit assess compliance with the conditions of approval (including modifications 1, 2, 4, 5, 6, 8, 11, 12, 13, 14, 15). No inconsistencies have been identified by the proponent or by the auditor during this audit.</p>	Compliant
1.2A	<p>Notwithstanding condition 1.2, in relation to the construction and operation of the development approved under DA 2022/68 at 127 Cosgrove Road, in the event of any inconsistency between the conditions of this approval and the conditions of consent for DA 2022/68, the conditions of consent for DA 2022/68 shall prevail.</p>	<p>DA 2016/132, DA2022/68</p> <p>Site inspection and interviews on 1/12/2023</p>	<p>The auditee has not identified any inconsistencies.</p> <p>An application for the Fit out and use of the former Tarpaulin shed was refused by Strathfield Municipal Council then approved by the Land Environment Court in 2017. DA2016/132 (Land and Environment Court) became redundant with the approval of the Flower Power DA2022/68 issued by Strathfield Municipal Council.</p> <p>No physical works have started at the former Tarpaulin shed site under DA2022. The site remained fenced off and has not been disturbed by NSW Ports during the audit period.</p>	Not Triggered
1.2B	<p>Subject to condition 1.2C, despite any other provision of this approval, the approval does not impose any obligations on a person merely because that person is carrying out the development approved under DA 2022/68 at 127 Cosgrove Road.</p>	<p>DA 2016/132, DA2022/68</p> <p>Site inspection and interviews on 1/12/2023</p>	<p>As above</p>	Not Triggered.
1.2C	<p>A person who is remediating land and (in the course of so doing) is transferring material from the land identified as Part Lot 19 DP1183316 and outlined in red on drawing SENP154B is subject to obligations under this approval in relation to that work – and if condition 1.2B would otherwise apply – that person's obligations under this person's obligations under this project approval cease when a site audit statement is submitted under condition 2.43A.</p>	<p>DA 2016/132, DA2022/68</p> <p>Site inspection and interviews on 1/12/2023</p>	<p>As above.</p> <p>No physical works, including remediation of land or transfer of material, have occurred from the former Tarpaulin shed in Lot 19 DP1183316.</p>	Not Triggered.
1.3	<p>The Proponent shall comply with any reasonable requirement(s) of the Planning Secretary arising from the Department's assessment of:</p> <ul style="list-style-type: none"> a) any reports, plans or correspondence that are submitted in accordance with this approval; and b) the implementation of any actions or measures contained in these reports, plans or correspondence. 	<p>Interview with Auditees 01/12/2023</p> <p>DPE Warning Letter to NSW Ports dated 30/03/23</p>	<p>A Warning Letter was issued by the Department on the 30 March 2023 regarding the non-compliance with Condition 2.2 identified in the 2022 Independent Audit Report. The Department's Warning letter indicates that NSW Ports had advised that while they believe the non-compliance has been rectified in the short term, that they are currently considering a long-term mitigation measure of implementing a hard-stand surface in the yard. The Department requested that NSW Ports provide an update on the status of this action in the project's next Independent Environmental Audit.</p> <p>Except for the Warning Letter, to the Auditor's knowledge no further correspondence has been received during the audit period from the Department or other agencies to NSW Ports concerning the non-compliance with Condition 2.2 or other environmental matters. No other directions from the Department were reported by the auditee during the audit.</p> <p>Regarding the non-compliance with Condition 2.2 identified in the 2022 audit, condition 2.2 and Table 2 provides an update on the matter.</p>	Compliant
1.3A	<p>The Proponent may construct and/or operate the project in stages with commensurate staging of compliance with the conditions of this approval. Where the project is to be staged, the Proponent shall submit details of the staging to the Planning Secretary, including details of how compliance with the conditions of this approval will be met.</p>	<p>Interview with Auditees 1/12/2023</p> <p>Site Inspection 1/12/2023</p> <p>Enfield Intermodal Logistics Centre Staging Report October 2019</p>	<p>EA Staging Report was approved by the Department in 2014.</p> <p>An updated Staging Report was prepared in 2019 which addresses the requirements of this condition. A letter from the Department to NSW Ports dated 27 January 2021 confirmed it was satisfied the report addressed the requirements of CoA 1.3A.</p>	Compliant

Unique ID	Condition	Evidence at the 2023 audit	Findings and Recommendations at the 2023 audit	Compliance Status
		Letter – DPIE to NSW Ports, Approval of updated Staging Report, as required under Condition 1.3A, 27/01/21	No other updates on the staging report during the audit period or since the 2019 update.	
1.3B	<p>With the approval of the Planning Secretary, the Proponent may:</p> <ul style="list-style-type: none"> a) prepare and submit any strategy, plan or program required by this approval on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program; b) combine any strategy, plan or program required by this approval (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and c) update any strategy, plan or program required by this approval (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development). <p>If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this approval.</p> <p>If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.</p>	<p>Enfield ILC Operational Environmental Management Plan Enfield Intermodal Logistics Centre (NSW Ports) November 2023 Version 7</p> <p>LINX Enfield Intermodal Terminal Operational Environmental Plan (September 2020 Version 04)</p> <p>Swift Operational Environmental Management Plan (Updated 30.08.22)</p> <p>Progress Rail Enfield Environmental Management Plan (12 February 2020)</p> <p>Northside Fine Foods OEMP Precinct C – Warehouse C1 (ASBG, November 2023)</p> <p>Spandex OEMP Precinct C – Warehouse C2 (ASBG, November 2023)</p> <p>Shin Mi OEMP Precinct F – Warehouse F1 (ASBG, November 2023)</p> <p>Gomaps OEMP Precinct F – Warehouse F2 (ASBG, November 2023)</p> <p>DCE Global OEMP Precinct F – Warehouse F3 (ASBG, November 2023)</p> <p>Mapei Australia OEMP Precinct H – Warehouse H1 (ASBG, November 2023)</p> <p>Harris Farm Markets OEMP Precinct H – Warehouse H2 (ASBG, November 2023)</p> <p>Marinucci Australia Pty Ltd OEMP Precinct H – Warehouse H3 (ASBG, November 2023)</p>	<p>The plans in operation during the audit period were approved prior to the audit period. No OEMPs or other plans under this consent were approved during the audit period.</p> <p>The tenants operate under their own OEMP in accordance with the NSW Ports OEMP.</p>	Compliant
Limits of Approval				
1.4	This approval shall lapse five years after the date on which it is granted, unless the works the subject of this approval are physically and substantially commenced on or before that time.	Site Inspection and interviews on 1/12/2023	The works subject to this approval were commenced within five years of the date of the approval. The Project was operational at the time of the audit.	Compliant
Capacity Limits and Staging				
1.5	The project shall be limited to a maximum throughput of 300,000 TEU per annum, for the rail to intermodal terminal interface and warehousing interface. Note: For the avoidance of doubt, this does not include internal TEU movements.	Interview with Auditees 1/12/2023	Container throughput for FY23 was reported to be 89,815 TEU	Compliant

Unique ID	Condition	Evidence at the 2023 audit	Findings and Recommendations at the 2023 audit	Compliance Status														
1.6	<p>The Proponent is permitted to construct and operate warehouses across six precincts on the site (A, C, D, E, F and H) associated with the project, generally in accordance with the documents referred to under condition 1.1 t). Warehouses are permitted to be used for freight handling, packing/re-packing, storage and distribution, and for activities ancillary to these uses. Each warehouse shall not exceed a height of 13.7 metres at its highest point (excluding minor ancillary structures such as communications equipment, air conditioning units, or solar panelling), and shall be limited to a footprint no greater than the relevant area specified in Table 1 below.</p> <p>Table 1 - Maximum Gross Lettable Area (per precinct)</p> <table border="1"> <thead> <tr> <th>Warehouse</th> <th>Maximum Gross Lettable Area (m²)</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>62,600</td> </tr> <tr> <td>C</td> <td>10,487</td> </tr> <tr> <td>D</td> <td>11,460</td> </tr> <tr> <td>E</td> <td>7,604</td> </tr> <tr> <td>F</td> <td>9,620</td> </tr> <tr> <td>H</td> <td>16,475</td> </tr> </tbody> </table>	Warehouse	Maximum Gross Lettable Area (m ²)	A	62,600	C	10,487	D	11,460	E	7,604	F	9,620	H	16,475	<p>Site Inspection and interviews on 1/12/2023</p> <p>Enfield ILC Operational Environmental Management Plan Enfield Intermodal Logistics Centre (NSW Ports) November 2023 Version 7</p> <p>Swift Operational Environmental Management Plan (Updated 30.08.22)</p> <p>Northside Fine Foods OEMP Precinct C – Warehouse C1 (ASBG, November 2023)</p> <p>Spandex OEMP Precinct C – Warehouse C2 (ASBG, November 2023)</p> <p>Shin Mi OEMP Precinct F – Warehouse F1 (ASBG, November 2023)</p> <p>Gomaps OEMP Precinct F – Warehouse F2 (ASBG, November 2023)</p> <p>DCE Global OEMP Precinct F – Warehouse F3 (ASBG, November 2023)</p> <p>Mapei Australia OEMP Precinct H – Warehouse H1 (ASBG, November 2023)</p> <p>Harris Farm Markets OEMP Precinct H – Warehouse H2 (ASBG, November 2023)</p> <p>Marinucci Australia Pty Ltd OEMP Precinct H – Warehouse H3 (ASBG, November 2023)</p> <p>OEMP Compliance check list for DCE Global dated 15 November 2023</p>	<p>No construction activities, including construction of warehouses, occurred during the audit period. At the time of the audit, areas remaining undeveloped were Precinct A, B, E, G and I. Area D (which includes a warehouse) is the former Toll site which operations pre-dates ILC approval. Area D is currently operated for logistics purposes by Swift under the Swift's OEMP. Warehouses were constructed in areas C, F and H in 2020 and the 8 warehouses are leased by NSW Ports. Each tenant operates under its own OEMP.</p> <p>NSW Ports' OEMP indicates that the Warehouse tenants have a low risk profile. It further indicates that Warehouse tenant leases require NSW Ports to prepare OEMP's for these tenants. Under the NSW Ports' OEMP, warehouse tenants are required to prepare an annual environmental management report/certificate to NSW Ports. The annual OEMP compliance checklist for DCE Global (dated 15 November 2023) was provided during the audit. During the site inspection and interviews on 1/12/2023, the auditor observed that warehouse tenants undertake general warehousing and distribution activities which could not be considered as high risk. Warehouse activities involve logistic operations associated with food, signage, electrical gear, chemical products or packaging products.</p>	Compliant
Warehouse	Maximum Gross Lettable Area (m ²)																	
A	62,600																	
C	10,487																	
D	11,460																	
E	7,604																	
F	9,620																	
H	16,475																	
1.7	<p>No warehouse is permitted to undertake packaging, repackaging or decanting of dangerous goods unless and until the Proponent has submitted a risk assessment of such operations for the approval of the Planning Secretary. Any such risk assessment shall be undertaken in accordance with <i>Hazardous Industry Planning Advisory Paper No. 6 - Guidelines for Hazard Analysis</i> (DUAP, 1997) and <i>Multi-Level Risk Assessment</i> (DUAP, 1997).</p>	<p>Interview with Auditees 1/12/2022</p> <p>Site Inspection 1/12/2022</p> <p>Swift Operational Environmental Management Plan (Updated 30.08.22)</p> <p>Northside Fine Foods OEMP Precinct C – Warehouse C1 (ASBG, November 2023)</p> <p>Spandex OEMP Precinct C – Warehouse C2 (ASBG, November 2023)</p> <p>Shin Mi OEMP Precinct F – Warehouse F1 (ASBG, November 2023)</p> <p>Gomaps OEMP Precinct F – Warehouse F2 (ASBG, November 2023)</p>	<p>No packaging, repackaging or decanting of dangerous goods (DG) were observed during the inspection. NSW Ports advised that no packaging, repackaging or decanting of dangerous goods occurs at the ILC. The Compliance Tracking Report 2023 indicates that no warehouse operators on the Enfield ILC have been involved in decanting or packaging dangerous goods on site in accordance with CoA 1.7 and CoA 1.10.</p> <p>Dangerous goods are stored in some warehouses, with volumes recorded in the OEMPs. However, the warehouse logistics operations are not reported to involve packaging, repackaging or decanting DGs.</p>	Compliant														

Unique ID	Condition	Evidence at the 2023 audit	Findings and Recommendations at the 2023 audit	Compliance Status				
		DCE Global OEMP Precinct F – Warehouse F3 (ASBG, November 2023) Mapei Australia OEMP Precinct H – Warehouse H1 (ASBG, November 2023) Harris Farm Markets OEMP Precinct H – Warehouse H2 (ASBG, November 2023) Marinucci Australia Pty Ltd OEMP Precinct H – Warehouse H3 (ASBG, November 2023)						
1.8	<p>Prior to the commencement of construction of each warehouse, the Proponent shall submit final designs for the warehouse to the Planning Secretary, demonstrating that the warehouse is generally consistent with:</p> <ol style="list-style-type: none"> the warehouse designs and layouts presented in the documents referred to under condition 1.1t) of this approval; the design specifications detailed under condition 1.6 of this approval; the findings and recommendations of any approved risk assessment undertaken in accordance with condition 1.7 of this approval; and the general principles presented in the Strathfield Consolidated Development Control Plan 2005 (in particular, that component of the Plan formerly being Development Control Plan No. 27 – Industrial Development). <p>Note: nothing in this condition relieves the Proponent from any other obligation in the Environmental Planning and Assessment Act 1979 with regard to building design and certification, including compliance with the Building Code of Australia.</p>	<p>Site Inspection 1/12/2022 Interview with Auditees 1/12/2022</p>	<p>No final designs of warehouses been approved or submitted to DPE during the audit period. No construction has occurred during the audit period. For details of warehouse design compliance with condition 1.8 refer to previous independent audit reports.</p>	Compliant				
Light Industrial/Commercial Area								
1.9	<p>The Proponent is permitted to construct and operate a light industrial/ commercial area comprising one precinct associated with the project, generally in accordance with the documents referred to under condition 1.1t). The light industrial/ commercial area shall only be permitted to operate for the purpose of development associated with, or ancillary to the intermodal terminal, empty container storage areas and related warehousing, or otherwise consistent with the general principles of the Strathfield Consolidated Development Control Plan 2005 (in particular, that component of the Plan formerly being Development Control Plan No. 27 – Industrial Development).</p> <p>Each building within the light industrial/commercial area shall not exceed a height of 13.7 metres at its highest point (excluding minor ancillary structures such as communications equipment, air conditioning units, or solar panelling), with the gross floor area for the precinct limited to no greater than the relevant area specified in Table 2 below.</p> <p>Table 2 - Maximum Precinct Gross Floor Areas</p> <table border="1"> <thead> <tr> <th>Light Industrial/ Commercial Precinct</th> <th>Maximum Gross Lettable Area (m²)</th> </tr> </thead> <tbody> <tr> <td>B</td> <td>7,384</td> </tr> </tbody> </table>	Light Industrial/ Commercial Precinct	Maximum Gross Lettable Area (m ²)	B	7,384	<p>Enfield Intermodal Logistics Centre Staging Report July 2019 Interview with Auditees 1/12/2023 Site Inspection 1/12/2023</p>	<p>The Light Industrial/Commercial Area (Precinct B), located to the south of Precinct A and adjacent to Cosgrove Road, is yet to be developed (refer to Photos in Appendix C).</p>	Not Triggered
Light Industrial/ Commercial Precinct	Maximum Gross Lettable Area (m ²)							
B	7,384							
1.10	<p>No component of the light industrial/ commercial area is permitted to store, handle or transfer dangerous goods above the thresholds specified in <i>Applying SEPP 33</i> (DUAP, 1994) (i.e. characterisation of such development as “potentially hazardous development” as defined under <i>State Environmental Planning Policy No. 33 – Hazardous and Offensive Development</i>), unless and until the Proponent has submitted a Hazard Analysis for the approval Planning Secretary. The Hazard Analysis shall be prepared in accordance with <i>Hazardous Industry Planning Advisory Paper No. 6 - Guidelines for Hazard Analysis</i> (DUAP, 1997) and <i>Multi-Level Risk Assessment</i> (DUAP, 1997). Operation of each relevant component of the light industrial/ commercial area shall not operate until the Planning Secretary’s approval of the applicable Hazard Analysis has been issued (if required under this condition).</p>	<p>Enfield Intermodal Logistics Centre Staging Report July 2019 Interview with Auditees 1/12/2023 Site Inspection 1/12/2023</p>	<p>The Light Industrial/Commercial Area (Precinct B), located to the south of Precinct A and adjacent to Cosgrove Road, is yet to be developed (refer to Photos in Appendix C).</p>	Not Triggered				

Unique ID	Condition	Evidence at the 2023 audit	Findings and Recommendations at the 2023 audit	Compliance Status
1.11	<p>Prior to the commencement of construction within each precinct of the light industrial/ commercial area, the Proponent shall submit final designs and layouts for the precinct to the Planning Secretary, demonstrating that the precinct is generally consistent with:</p> <ul style="list-style-type: none"> a) the designs and layouts presented in the document referred to under conditions 1.1t) of this approval; b) the design specifications detailed under condition 1.9 of this approval; and c) the general principles presented in the Strathfield Consolidated Development Control Plan 2005 (in particular, that component of the Plan formerly being Development Control Plan No. 27 – Industrial Development). <p>Note: nothing in this condition relieves the Proponent from any other obligation in the Environmental Planning and Assessment Act 1979 with regard to building design and certification, including compliance with the Building Code of Australia.</p>	<p>Enfield Intermodal Logistics Centre Staging Report July 2019</p> <p>Interview with Auditees 1/12/2023</p> <p>Site Inspection 1/12/2023</p>	<p>The Light Industrial/Commercial Area (Precinct B), located to the south of Precinct A and adjacent to Cosgrove Road, is yet to be developed (refer to Photos in Appendix C).</p>	Not Triggered
Toll Lease Area				
1.11A	<p>The Proponent shall ensure that operations in the former Toll lease area (also known as Precinct D) are generally consistent with former operations.</p>	<p>Email to/ from NSW Ports and Swift, 01/12/20</p> <p>NSW Ports Enfield ILC Compliance Tracking Annual Report 2023 (Nov 2023)</p> <p>Environmental Assessment: Intermodal Logistics Centre at Enfield, SKM, October 2005</p> <p>Intermodal Logistics Centre at Enfield, Modification Application No.6 Early Contractor Involvement Detailed Design Adjustments and Subdivision, Sydney Ports, April 2012</p> <p>Intermodal Logistics Centre at Enfield, Modification Application No.6 ECI Detailed Design Adjustments and Subdivision, Sydney Ports, July 2012</p>	<p>No changes to the former Toll lease area operations occurred during the audit period. Section 14.2.2 of the EA and the Modification 6 application identify the existing site usage as a transport and logistics yard. During the audit site inspection, the operations in Precinct D were observed to be related to logistics operations (warehousing and distribution).</p>	Compliant
Statutory Requirements				
1.12	<p>The Proponent shall ensure that all licences, permits and approvals are obtained and kept up to date as required throughout the life of the development. No condition of this consent removes the obligation for the Proponent to obtain, renew or comply with such licences, permits or approvals. The Proponent shall ensure that a copy of this approval and all relevant environmental approvals are available on the site at all times during the project.</p>	<p>Commonwealth's Department of Agriculture, Water and the Environment (currently Department of Agriculture, Fisheries and Forestry) approval to carry out biosecurity activities REF number N3237 (dated 5 February 2020 valid to 5 February 2026)</p> <p>Mods 1-15</p>	<p>The approval has been modified on 15 occasions to ensure it is maintained and up to date. The last modification (MOD 15) was approved by the Department on the 22 November 2023.</p> <p>NSW Ports or its ILC tenants do not hold Environmental Protection Licences under the POEO Act at the ILC.</p> <p>LINX hold the required approval for its fumigation process under the Biosecurity Act 2015 (Ref number N3237). The Approval is current and valid to 5 February 2026.</p> <p>Except for the above, no other approvals of licences have reportedly been obtained during the audit period.</p> <p>All approvals are held electronically on site in the Hold electronic system (sighted).</p>	Compliant
Water Authority Compliance Certificate				
1.13	<p>An application shall be made to Sydney Water for a Certificate under Part 6, Division 9, section 73 of the <i>Sydney Water Act 1994</i> (Compliance Certificate). The application must be made through an authorised Water Servicing Coordinator.</p>	<p>Sydney Water S73 Certificate issued by Sydney Water Coordinator on 29 April 2015. (Case Number 132396).</p>	<p>This requirement falls outside of the current audit period.</p>	Not Triggered
1.14	<p>The section 73 Compliance Certificate must be obtained from Sydney Water Corporation and submitted to the Principal Certifying Authority prior to issue of a subdivision certificate and show that the development has met the detailed requirements of Sydney Water Corporation.</p>	<p>Sydney Water S73 certificate issued 29 April 2015 and submitted to Land Development Certificates Pty Ltd on 29 April 2015.</p>	<p>This requirement falls outside of the current audit period.</p>	Not Triggered

Unique ID	Condition	Evidence at the 2023 audit	Findings and Recommendations at the 2023 audit	Compliance Status
Subdivision and Easements				
1.15	The Proponent may subdivide the land generally in accordance with the subdivision plan EILC MP04 (B) included at Appendix 1 of this approval. However, prior to obtaining a subdivision certificate, the Proponent shall prepare and submit to the Planning Secretary a final subdivision plan for the land. The final subdivision plan shall be generally consistent with the plan included at Appendix 1 of this approval (including the number of lots, the proposed use of each lot, and lot sizes).	Interview with Auditees 1/12/2023 NSW Ports Enfield ILC Compliance Tracking Annual Report 2023 (Nov 2023)	No subdivisions occurred during the audit period.	Not Triggered
1.16	Land uses and operations within each lot shall be consistent with the approved project as described in conditions 1.1a) to 1.1t) and meet the requirements of this approval.	Site Inspection and interviews on 1/12/2023 Enfield ILC Operational Environmental Management Plan Enfield Intermodal Logistics Centre (NSW Ports) November 2023 Version 7 LINX Enfield Intermodal Terminal Operational Environmental Plan (September 2020 Version 04) Swift Operational Environmental Management Plan (Updated 30.08.22) Progress Rail Enfield Environmental Management Plan (12 February 2020) Northside Fine Foods OEMP Precinct C – Warehouse C1 (ASBG, November 2023) Spandex OEMP Precinct C – Warehouse C2 (ASBG, November 2023) Shin Mi OEMP Precinct F – Warehouse F1 (ASBG, November 2023) Gomaps OEMP Precinct F – Warehouse F2 (ASBG, November 2023) DCE Global OEMP Precinct F – Warehouse F3 (ASBG, November 2023) Mapei Australia OEMP Precinct H – Warehouse H1 (ASBG, November 2023) Harris Farm Markets OEMP Precinct H – Warehouse H2 (ASBG, November 2023) Marinucci Australia Pty Ltd OEMP Precinct H – Warehouse H3 (ASBG, November 2023)	The land use remained unchanged during the audit period. Land uses and operations are described in the NSW Ports and tenants OEMPs and these uses are consistent with those required under Condition 1.16.	Compliant
1.17	Prior to the issuing of the subdivision certificate, the Proponent shall ensure that each lot is connected to services, drainage and utilities.	-	This requirement falls outside of the current audit period.	Not Triggered
1.18	Easements for services, drainage, maintenance or any other encumbrances and indemnities required for joint or reciprocal use of part or all of the proposed lots as a consequence of the subdivision of the site, shall be created over those lots pursuant to the <i>Conveyancing Act 1919</i> .	-	This requirement falls outside of the current audit period.	Not Triggered

Unique ID	Condition	Evidence at the 2023 audit	Findings and Recommendations at the 2023 audit	Compliance Status
1.19	Documentary evidence of the proposed easements shall be provided to and be to the satisfaction of the relevant certifying authority. Note: Any easements in the subdivision plan must nominate Strathfield Council or other relevant authority as the authority to release, vary or modify the easement. The form of the easement must be in accordance with Council's standard recitals for terms of easements, or the standard form of easements accepted by NSW Land and Property Information.	-	This requirement falls outside of the current audit period.	Not Triggered
1.20	Prior to occupation and/or operation, the Proponent shall provide to the relevant certifying authority evidence that all matters required to be registered on title, including easements required by this approval and any approvals or consents, have been lodged for registration or registered at the NSW Land and Property Information.	-	This requirement falls outside of the current audit period.	Not Triggered
2. SPECIFIC ENVIRONMENTAL CONDITIONS				
Traffic and Transport Impacts				
2.1	The Proponent shall provide a shuttle bus service between Strathfield train station and the site during peak construction works and shall encourage construction employees to utilise public transport rather than private transport to the site.	-	This falls outside of the current audit period. No construction occurred during the audit period.	Not Triggered
2.2	The Proponent shall provide a manual and/ or technological solution to control the frequency of articulated and B-double vehicles utilising the Cosgrove Road entrance to the site during morning and afternoon peak periods.	Overarching Operational Traffic Management Plan (OTMP) – Enfield Intermodal Logistics Centre NSW Ports Dec 2021 Version 5 Site Inspection 1/12/2022193	A left hand slip lane is in place at the Cosgrove Road's site exist to prevent movements from the site southbound onto Cosgrove Road. Signage is in place. In September 2022 NSW ports also installed a traffic control island and guard rails on the left turn from Cosgrove Road into Turnout Drive in order to prevent trucks greater than 6m accessing the ILC using the residential section of Cosgrove Road from Punchbowl Road. The IMT's online Capacity Planning allocates truck times based on available capacity. Only trucks that have booked available time slots (1 hour periods) can visit the IMT to deliver or collect containers (refer to Photo 32 in Appendix C). The OTMP indicates that surveys show that approximately 83% of articulated trucks entre via Wentworth St and 17% via Cosgrove Road. Heavy vehicle traffic is constant through the day with minor peak between 4am and 5am, with no obvious morning or afternoon peaks.	Compliant
Intermodal Operations				
2.2A	The proponent is to provide an Intermodal Freight Transportation Report , prepared by an independent qualified person(s) approved by the Planning Secretary. The purpose of the Intermodal Freight Transportation Report is to detail how the Proponent is working to increase the modal share of rail, and is to include the following: a) the number of twenty-foot equivalent shipping containers despatched and received during the period; b) modal splits of container volumes (in TEUs), provided by the warehouse operators and/or the intermodal operators, moved in/out of the project by: i. rail-to-truck/truck-to-rail, and ii. truck-to-truck; c) representative vehicle origins and destinations, based on data from the warehouse operators and/or the intermodal operators; d) review of recorded actual traffic generation against the traffic model referred in, and the findings of, the report titled <i>Traffic Impact Assessment Enfield Intermodal Logistics Centre; Cosgrove Road, Enfield MOD 14 Ref: 0440r03v5</i> (Ason Group, 26 February 2018); e) a constraints and opportunities analysis to assist with identifying measures to increasing the modal split of container movements via rail to- truck/truck-to-rail; and f) a future forecast outlining expected TEU volume despatched and received on rail, demonstrating how the Proponent is using the opportunities identified above, subject to the constraints identified, to assist with switching the main mode of transport for container TEUs to rail.	GHD, Intermodal Freight Transportation Report (IFTR) – Revision 1 (Nov 2020) and Revision 2 (November 2022) GHD, Intermodal Freight Transportation Report (IFTR) – Final, (revision 3.0) 19 January 2023 Email from NSW Ports to the DPE dated 24 January 2022 Interview with auditees 1/12/23 NSW Ports Enfield ILC Compliance Tracking Annual Report 2023 (Nov 2023)	Table 3.1 of the IFTR includes the results from the each of the requirements to be captured. Each requirement a) – f) is presented in the report. As indicated in the 2022 Independent Audit, the independent qualified person was approved in March 2019. It further indicates that the FY20 was the first time this condition was triggered. A letter from the Department to NSW Ports dated 29 April 2021 acknowledged that the required information had been provided in the IFTR 2020 report to address the requirements of CoA 2.2A and 2.2B. The letter noted that in order to fully satisfy the requirements of CoA, the Department requested that by 16 May 2021 a review of recorded actual traffic generation against the traffic model referred in, and the findings of, the report titled <i>Traffic Impact Assessment Enfield Intermodal Logistics Centre; Cosgrove Road, Enfield MOD 14</i> be conducted and submitted. The review had not been submitted at the time of the 2022 audit. An email from NSW Ports to the Department dated 24 January 2022 put forward the following points for consideration for the review of recorded actual traffic generation against the traffic model:	Compliant

Unique ID	Condition	Evidence at the 2023 audit	Findings and Recommendations at the 2023 audit	Compliance Status
	<p>The report is to be submitted throughout operation of the project, with the first report to be submitted one year after the commencement of operation of the first warehouse/s permitted as part of the approval of MP 05_0147 MOD 14, unless otherwise agreed by the Planning Secretary. Subsequent reports will be completed and submitted to the Planning Secretary on a two-yearly basis, or as otherwise agreed.</p> <p>Note: Subject to condition 1.3B, the requirements of this condition are in addition to the requirements of the Traffic and Capacity Monitoring Program and the Traffic Audit required under conditions 3.6-3.9, and the Proponent may elect to address the requirements of any of those conditions in a consolidated document.</p>		<ul style="list-style-type: none"> A review may not be possible given the report covers the FY20 period and the data used in the report is for the number of containers moved not the number of trips; The FY20 report in its current format be accepted by DPIE; and Future reports use a different methodology, agreed with DPIE, to capture the data so an actual comparison v the traffic model can be provided. <p>Correspondence was sent to the Department on the 9/2/2022 to follow-up the points above.</p> <p>The IFTR has since then been updated and a revised version (rev 3) dated 19 January 2023 was prepared and submitted to DPE on the 7/02/2023. The Auditee has indicated that the last correspondence from the Department on this matter was on 7/02/2023 with acknowledgement of receipt of the 2022 IFTR report. The document lodgement in the portal was sighted.</p> <p>The Compliance Tracking Report 2023 indicated that the next IFTR report is due for completion by the end of 2024.</p>	
2.2B	<p>A framework for recording and reporting on the data required for the report required under condition 2.2A is to be prepared by an independent qualified person(s) approved by the Planning Secretary and submitted to the Planning Secretary for approval three months prior to the commencement of operation of any warehouse permitted as part of the approval of MP 05_0147 MOD 14.</p> <p>The Proponent shall prepare the report required under condition 2.2A in accordance with the framework for recording and reporting approved by the Planning Secretary under this condition from time to time.</p>	Letter DPIE to NSW Ports, 10/09/19	<p>This falls outside of the current audit period.</p> <p>The IFTR framework was completed and approved on the 10 September 2019 by the Department. Letter with approval was made available to the audit.</p>	Not Triggered
2.2C	<p>The Proponent is to comply with any reasonable additional operation traffic management measures as directed by the Planning Secretary in consultation with TfNSW following review of any Intermodal Freight Transportation report, Traffic and Capacity Monitoring Program, or Traffic Audit.</p>	Interview with Auditees 1/12/2023	<p>NSW Ports have advised that there have been no directions from the Planning Secretary beyond that discussed under 2.2A. No directions on this matter reported during the audit period.</p>	Not Triggered
On-Site Traffic Management and Parking				
2.3	<p>The Proponent shall design, construct and maintain all internal road works, including the associated 816 parking facilities and loading bays for operational areas associated with the ILC, warehouses and light industrial/commercial uses, to meet or exceed the following requirements:</p> <ol style="list-style-type: none"> compliance with the provisions of relevant Australian Standards, TfNSW standards and guidelines; installation of clear signage to demarcate all vehicle movements within the site; provision of directional pavement arrows on all internal roads, and line-marking and signage to indicate designated truck routes and bays; internal roadways wide enough to accommodate through traffic and turning two way traffic; design of site ingress and egress points to ensure that vehicles enter and leave the site in a forward direction; installation and maintenance of any landscaping on the site so as not to affect driver sight distance for vehicles entering and exiting the site; and clear demarcation of all visitor, disabled, ambulance and service vehicle parking areas. 	Site Inspection 1/12/2023	<p>The design and construction of this infrastructure falls outside of the current audit period. No new roads or parking facilities have been construction in the audit period.</p> <p>The parking, traffic and access arrangements remain unchanged from the previous audit period.</p> <p>The arrangements were observed to be well maintained with signage, markings, suitable widths of carriageway and lanes, suitable ingress and egress, landscaping, parking and so forth. Clear demarcations were available to visitors. No issues.</p>	Compliant
2.3A	<p>The Proponent must prepare a Work Place Travel Plan to the satisfaction of the Planning Secretary prior to the issue of any Occupation Certificate for any warehouse permitted as part of the approval of MP 05_0147 MOD 14. The Proponent must ensure that the Work Place Travel Plan (as revised from time to time) is implemented for the life of the Project.</p>	<p>Interview with Auditees 1/12/2023</p> <p>WolfPeak, Independent Audit Report Enfield Intermodal, February 2023, Rev 3</p> <p>Workplace Travel Plan 28 September 2020</p> <p>Enfield ILC Workplace Travel Plan, 1 December 2022, version 2.0</p>	<p>No occupation certificates have been issued during the audit period.</p> <p>The Independent Audit (IA) 2022 indicates that the Department approved the Workplace Travel Plan (WTP) on 28 September 2020.</p> <p>As per the previous IA Report it is noted that the feasibility of mode share (public transport and active transport) is constrained as these travel methods are underserved by the responsible parties (TfNSW, Council). During the audit, NSW Ports discussed with the auditor the limited public transport options available in the area to be used to reach businesses within the ILC.</p> <p>During the site inspection the auditor noted that there seems to be sufficient parking available for each warehouse and precinct. Bike parking spots were observed at warehouses' sites during the site</p>	Compliant

Unique ID	Condition	Evidence at the 2023 audit	Findings and Recommendations at the 2023 audit	Compliance Status
			<p>inspection. The Auditor is not aware of any complaints regarding parking outside of the ILC.</p> <p>The WPTP has been revised (version 2, dated December 2022) and copies of the WPTP have been provided to tenants for implementation. The tenants' OEMPs make reference to the NSW Ports' WTP.</p> <p>Observation: The revised Work Place Travel Plan (Dec 2022) has not been submitted to the Department.</p> <p>Recommendation: Although Condition 2.3A does not require revisions of the Work Place Travel Plan to be approved by the Planning Secretary, it is recommended that the latest version of the Work Place Travel Plan be submitted to the Department for information.</p>	
Local Area Traffic Management				
2.4	<p>Prior to the commencement of operation of the project, the Proponent shall develop and implement, in consultation with the TfNSW, Strathfield Municipal Council and Canterbury Bankstown Council, the following measures to prevent the movement of heavy vehicles through residential areas of Greenacre to the west of the project, generally between Roberts Road, Boronia Road and the Hume Highway:</p> <ul style="list-style-type: none"> a) physical measures to discourage through-traffic across Roberts Road at the intersection of Norfolk Road, with the aim of preventing heavy vehicles leaving the project from directly accessing residential areas, and reducing the desirability of rat-running through those residential areas; b) closure of the median strip on the Hume Highway at Como Road, to prevent heavy vehicles turning right into residential areas on the way to the project; c) traffic calming measures on Rawson Road to reduce the desirability of heavy vehicles travelling along this route between the Hume Highway and the project; d) stop signs on Noble Avenue at the intersections of Chiswick Road and Northcote Road to reduce the desirability of vehicles rat-running in a north-south direction through residential areas; and e) imposition of load limits on Karuah Street and Valencia Street to prevent heavy vehicles lawfully using this route as a by-pass around Boronia Road. 	-	<p>This falls outside of the current audit period.</p> <p>Works completed in 2013 (refer to Compliance Report 2023)</p>	Not Triggered
2.5	<p>Prior to the commencement of operation of the project, the Proponent shall consult with the State Transit Authority, and relevant bus operators, with the aim of relocating bus routes currently following Roberts Road. Should relocation of these bus routes be agreed between the parties, the Proponent shall install physical measures to prevent through-traffic across Roberts Road at the intersection of Norfolk Road. Any such road works shall be undertaken in consultation with, and to meet the requirements of, the TfNSW.</p> <p>Notwithstanding condition 2.4b) of this approval, should physical measures be implemented on Roberts Road at the intersection of Norfolk Road, the Proponent shall review the need for closure of the median strip on Hume Highway at Como Road in consultation with TfNSW, and if agreed by the TfNSW, no longer be required to implement those works.</p>	-	This falls outside of the current audit period.	Not Triggered
2.6	The Proponent shall investigate, in consultation with Strathfield Municipal Council, opportunities to install 4-hour parking restrictions along the full length of Wentworth Avenue to discourage the parking of trailers on the approach to the site. Should such measures be found to be feasible and agreed by Council, the Proponent shall arrange to have parking restrictions in place prior to the commencement of operation of the project.	-	This falls outside of the current audit period.	Not Triggered
2.6A	<p>Before the commencement of construction of any warehouse sharing a boundary with public infrastructure and permitted as part of the approval of MP 05_0147 MOD 14, the Applicant must:</p> <ul style="list-style-type: none"> (a) consult with the applicable authority to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure; (b) prepare a dilapidation report identifying the condition of all public infrastructure that shares a boundary with the site (including roads, gutters and footpaths); and (c) submit a copy of the dilapidation report to the Planning Secretary and Council. 	<p>Interview with Auditees 1/12/2023</p> <p>Site Inspection 1/12/2023</p>	The last development commenced construction prior to the current audit period.	Not Triggered

Unique ID	Condition	Evidence at the 2023 audit	Findings and Recommendations at the 2023 audit	Compliance Status
2.6B	<p>Unless the Applicant and the applicable authority agree otherwise, the Applicant must:</p> <ul style="list-style-type: none"> (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development. <p>Note: This condition does not apply to any damage to roads caused as a result of general road usage</p>	Interview with Auditees 1/12/2023	<p>No construction occurred during the audit period.</p> <p>There have been no instances of damage or relocation of public infrastructure during the audit period.</p>	Not Triggered
Regional Traffic Management				
2.7	<p>Prior to the commencement of operation of the project, the Proponent shall upgrade the intersection of Roberts Road and Norfolk Road, as agreed with the TfNSW and in accordance with relevant TfNSW standards. The upgrade works shall comprise:</p> <ul style="list-style-type: none"> a) upgrade of the intersection to accommodate 19-metre semi-trailer and 25-metre B-double swept paths in accordance with relevant TfNSW guidelines and AUSTRROADS standards; b) extension of the Roberts Road northbound right-turn bay to 150 metres; c) provision of a southbound slip lane into Norfolk Road; d) provision of a diamond phasing operation on Norfolk Road to ensure right-turn movements can be carried out in a controlled and safe environment; e) reconfiguration of Norfolk Road east to provide a right-turn bay, with the right turn bays in Norfolk Road facing each other; f) provision of three lanes for exiting traffic (including the right-turn bay) from Norfolk Road east by widening the intersection to the north; and g) median island works on Roberts Road to achieve the necessary turning path on entry and exit to and from Norfolk Road. 	-	<p>This falls outside of the current audit period.</p> <p>Works completed in 2013 (refer to 2023 Compliance Tracking Report).</p>	Not Triggered
2.8	<p>Prior to the commencement of operation of the project, the Proponent shall validate that the intersection of Norfolk Road and Wentworth Street, and the intersection of Cosgrove Road and the Hume Highway can accommodate 19-metre semi-trailer and 25-metre B-double swept paths in accordance with relevant TfNSW guidelines and AUSTRROADS standards. Where necessary, the Proponent shall arrange for the upgrade of these intersections to accommodate 19-metre semi-trailer and 25-metre Bdouble swept paths, in consultation with and to the satisfaction of the TfNSW. All upgrade works shall be completed prior to the commencement of operation of the project, unless otherwise agreed by the TfNSW.</p>	-	<p>This falls outside of the current audit period.</p>	Not Triggered
2.9	<p>Prior to the commencement of operation of the project, the Proponent shall validate that the pavement of Wentworth Street and Norfolk Road, between Roberts Road and the access point for the site is of a standard suitable for 19-metre semi-trailer and 25-metre B-double vehicles. Where necessary, the Proponent shall arrange for the upgrade of the pavement of these roads to a standard suitable for 19-metre semitrailer and 25-metre B-double vehicles in consultation with and to the satisfaction of the TfNSW. All upgrade works shall be completed prior to the commencement of operation of the project, unless otherwise agreed by the TfNSW.</p>	-	<p>This falls outside of the current audit period.</p>	Not Triggered
2.10	<p>The Proponent shall investigate, and where feasible implement, measures at the intersection of Norfolk Road and Roberts Road to give priority (increased "green time") to vehicles turning right from Norfolk Road into Roberts Road, in preference to vehicles turning left at that intersection. In considering options for such priority movements, the Proponent shall consult with the TfNSW, Strathfield Municipal Council and Canterbury Bankstown Council.</p>	-	<p>This falls outside of the current audit period.</p>	Not Triggered

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Rail and Road Infrastructure on RailCorp Land				
2.11	<p>Prior to the commencement of any works associated with the construction of connections to the existing freight rail network and the road bridge over the New Enfield Marshalling Yards, the Proponent shall consult with RailCorp to reach agreement on the detailed design and operational aspects of the rail and road infrastructure component of the project on RailCorp land. Design details shall include, but not be limited to:</p> <ol style="list-style-type: none"> the length of trains the rail facilities will be able to accept; track layouts; methods to be implemented to remove the remains of the former bridge abutment to allow for the rail connection; position and clearance of proposed rail tracks; position and clearance of the main railway line; works required to Wentworth Street to link with the new road bridge; position and clearance requirements of the marshalling yard tracks, internal access roads, turnouts and overhead structures in relation to the proposed road bridge; and measures to treat any safety issues associated with the proposed new connections or road bridge. <p>All works associated with rail and road infrastructure on RailCorp land shall be undertaken in accordance with the agreement reached with RailCorp.</p>	-	<p>This falls outside of the current audit period.</p> <p>Bridge works completed in 2011. Northern and southern rail connections completed in 2013. Refer to 2023 Compliance Tracking Report</p>	Not Triggered
Coordination and Management of Transport Issues				
2.12	<p>The Proponent shall establish and maintain for the life of the project, unless otherwise agreed by the Planning Secretary, a Road Transport Coordination Group to oversee and coordinate the management of traffic and road issues associated with and affected by the project. The Group shall include representatives of the Proponent, the Department, the TfNSW, Strathfield Municipal Council and Canterbury Bankstown Council, and shall operate in accordance with terms of reference agreed by those parties at the first meeting(s) of the Group. The Proponent shall bear the full cost of administering the Group.</p>	<p>Interview with Auditees 01/12/2023 RTCG Meeting Minutes 21/09/2022, 15/12/2023, 30/03/2023, 28/06/2023, 15/11/2023 Project website: https://www.nswports.com.au/enfield-road-transport-coordination-group-meeting-minutes TfNSW's email to NSW Ports dated 22/01/2024</p>	<p>The RTCG continued to meet during the audit period comprising representatives from NSW Ports, all tenants, Strathfield Municipal Council and DPE.</p> <p>Four RTCG meetings were held during the audit period. Meeting Minutes were sighted for the following meetings:</p> <ul style="list-style-type: none"> No. 39 – 21 September 2022 No. 40 – 15 December 2022 No. 41 – 30 March 2023 No. 42 – 28 June 2023 No. 43 – 15 November 2023 <p>The minutes of the meeting held on the 15 November 2023 were not publicly available at the time of this audit, but were provided to the auditor and NSW Ports was in the process of organising the uploading.</p> <p>An Observation was raised in the 2022 audit about the Road Transport Coordination Group (RTCG) Meeting Minutes for 2022 had not been published on the NSW Ports website at the time of the audit. During this audit, the auditor confirmed that the meeting minutes for 2022 and 2023 (up to meeting 42) are uploaded in the project website. The 2022 observation is closed.</p> <p>In email to NSW Ports dated 22/01/2024, TfNSW confirmed that it did not require to attend the RTCG meetings, and that if there were specific issues for TfNSW, NSW Ports should reach out directly for a response.</p> <p>Observation: Meetings of the Road Transport Coordination Group (RTCG) held during the reporting period did not include TfNSW and Canterbury Bankstown City Council (CBCC) in list of invitees or apologies. Both TfNSW and CBCC have historically been invited to RTCG meetings but typically did not attend the meetings. In email to NSW Ports dated 22/01/2024, TfNSW confirmed that it did not require to attend the RTCG meetings, and that if there were specific issues for TfNSW, NSW Ports should reach out directly for a response. NSW Ports has been trying to contact CBCC during the</p>	Compliant

Unique ID	Condition	Evidence at the 2023 audit	Findings and Recommendations at the 2023 audit	Compliance Status
			<p>course of the audit but at the time of completing this audit it had not received a response.</p> <p>Recommendation: RTCG meeting invites to include Canterbury Bankstown City Council. Contact TfNSW directly if there are specific issues for TfNSW in accordance with TfNSW's correspondence dated 22/01/2024</p>	
Noise Impacts				
2.13	<p>The Proponent shall minimise noise emissions from plant and equipment operated on the site by installing and maintaining, wherever practicable, efficient silencers, low noise mufflers (residential standard) and by replacing reversing alarms with alternative silent measures, such as flashing lights (subject to occupational health and safety requirements).</p>	<p>Interview with Auditees 1/12/2023 Site Inspection 1/12/2023 Protect – Online Complaints Register - current to 20/11/2023 Operational Noise Management Plan, Appendix G of the NSW Ports OEMP (Nov 23) Protecht noise complaints system Sound science online noise logging portal</p>	<p>2022 Independent Audit Finding</p> <p>In the 2022 audit, an observation was raised regarding a complaint received on 22 December 2022 (note: the actual day of the complaint was 20/11/2022) regarding a whining noise emanating from the site. NSW Ports were investigating the complaint at the time of the 2022 audit site inspection and indicated the noise could be emanating from a reach stacker on the Swift site. It was then recommended that NSW Ports complete this investigation and, if mobile plant on site is determined to be the source, ensure that maintenance is completed.</p> <p>During the 2023 audit, NSW Ports confirmed that the equipment has been repaired and placed back in service in January 2023. This type of complaint has not re-occurred in 2023 (as shown in the Complaints Register). This item is considered closed.</p> <p>2023 Independent Audit</p> <p>NSW Ports has prepared an Operational Noise Management Plan (ONMP), Appendix G of the NSW Ports OEMP (Nov 23). The tenants are then responsible for developing their own ONMP for their operations. A range of noise measures are reported in the ONMP, including installing and maintaining efficient silencers, low-noise mufflers and replacing reversing alarms with alternative silent measures, such as flashing lights for night time operations. There are also restrictions for the use of any public address systems at night. NSW Ports advised that site equipment is fit with non-tonal reverse beepers. During the auditor site inspection, noise emissions from plant and equipment were observed not to be significant. It is also noted that noise walls have been construction in areas facing residential development.</p> <p>Protecht is the system used for recording events, complaints, inspections, actions, and risks. Two noise complaints were logged in the complaints register during the audit period (refer to Section 3.7 of audit report), of which only one of them is in 2023 and relates to a site incident (explosion). No other noise complaints have been received during 2023.</p> <p>NSW Ports have installed two continuous noise loggers (1 x on site and 1 x off site) to assist with monitoring noise performance and investigating noise complaints. The noise loggers measure all major indicators and record noise. One noise monitor was installed in June 21 at Cooke Park in Belfield, and a second monitor was installed at Warehouse C2 in October 2022. The online noise monitoring portal (Sound Science) was shown to the auditor and includes live monitoring data for different noise statistics (Lamax, Leq, LA90, LA10) and weather conditions.</p>	Compliant
Construction Noise				
2.14	<p>The Proponent shall, as soon as practicable during site preparation, and prior to the commencement of construction of rail trackwork and hardstand for the intermodal terminal, empty container and warehousing components of the project, install earth mound noise barriers in the southeast of the site, as generally described in the documents referred to under condition 1.1 of this approval.</p>	-	<p>This requirement falls outside of the current audit period. No construction occurred during the audit period</p>	Not Triggered

Unique ID	Condition	Evidence at the 2023 audit	Findings and Recommendations at the 2023 audit	Compliance Status																																																																																																														
2.14A	In the event that the Proponent is required to construct a temporary noise wall using empty containers to mitigate noise from operations occurring in the southern portion of the site and prior to the construction of Warehouse A, the Proponent shall ensure that the temporary noise wall is installed during the hours prescribed in condition 2.15.	-	These works have not yet been required. This falls outside of the current audit period.	Not Triggered																																																																																																														
2.15	The Proponent shall only undertake site preparation and construction activities associated with the project that would generate an audible noise at any residential premises during the following hours: a) 7:00 am to 6:00 pm, Mondays to Fridays, inclusive; b) 8:00 am to 1:00 pm on Saturdays; and c) c) at no time on Sundays or public holidays. This condition does not apply in the event of a direction from police or other relevant authority for safety reasons	-	No construction activities during the audit period.	Not Triggered																																																																																																														
2.16	The hours of site preparation and construction activities specified under condition 2.15 of this approval may be varied with the prior written approval of the Planning Secretary. Any request to alter the hours of construction specified under condition 2.15 shall be: a) considered on a case-by-case basis; b) accompanied by details of the nature and need for activities to be conducted during the varied construction hours; and c) accompanied by sufficient information for the Planning Secretary to reasonably determine that activities undertaken during the varied construction hours will not adversely impact on the acoustic amenity of receptors in the vicinity of the site.	-	No construction activities during the audit period.	Not Triggered																																																																																																														
Operation Noise																																																																																																																		
2.17	The Proponent shall design, construct, operate and maintain the project to ensure that the operational noise contributions from the project do not exceed the maximum allowable noise contributions specified in Table 3 below, at those locations and during those periods indicated. The maximum allowable noise contributions apply under: a) wind speeds up to 3 ms ⁻¹ (measured at 10 metres above ground level); or b) temperature inversion conditions up to 3oC per 100 metres and wind speeds up to 2 ms ⁻¹ (measured at 10 metres above ground level). Table 3 – Maximum Allowable Noise Contribution (dBA) <table border="1"> <thead> <tr> <th rowspan="3">Location</th> <th colspan="2">Day</th> <th colspan="2">Evening</th> <th colspan="3">Night</th> </tr> <tr> <th colspan="2">7:00am to 6:00pm on any day</th> <th colspan="2">6:00pm to 10:00pm on any day</th> <th colspan="3">10:00pm to 7:00am on any day</th> </tr> <tr> <th>L_{Aeq} (15-minute)</th> <th>L_{Aeq} (period)</th> <th>L_{Aeq} (15-minute)</th> <th>L_{Aeq} (period)</th> <th>L_{Aeq} (15-minute)</th> <th>L_{Aeq} (period)</th> <th>L_{A1} (1-minute)</th> </tr> </thead> <tbody> <tr> <td>A1 – Eastern end of Jean Street</td> <td>54</td> <td>54</td> <td>54</td> <td>49</td> <td>48</td> <td>42</td> <td>58</td> </tr> <tr> <td>A2 – Eastern end of Ivy Street</td> <td>53</td> <td>52</td> <td>52</td> <td>51</td> <td>47</td> <td>45</td> <td>57</td> </tr> <tr> <td>A3 – Wentworth Street (south)</td> <td>49</td> <td>52</td> <td>47</td> <td>53</td> <td>42</td> <td>38</td> <td>52</td> </tr> <tr> <td>A4 – Eastern end of Gregory Street</td> <td>49</td> <td>52</td> <td>47</td> <td>46</td> <td>45</td> <td>37</td> <td>55</td> </tr> <tr> <td>A5 – Western end of Blanche Street</td> <td>46</td> <td>58</td> <td>46</td> <td>50</td> <td>43</td> <td>43</td> <td>53</td> </tr> <tr> <td>A6 – 40 Bazentin Street</td> <td>46</td> <td>58</td> <td>45</td> <td>54</td> <td>41</td> <td>39</td> <td>51</td> </tr> <tr> <td>A11 – Begnell Park</td> <td>-</td> <td>50</td> <td>-</td> <td>50</td> <td>-</td> <td>50</td> <td>-</td> </tr> <tr> <td>A12 – Matthew Park*</td> <td>-</td> <td>50</td> <td>-</td> <td>50</td> <td>-</td> <td>50</td> <td>-</td> </tr> <tr> <td>A13 – Greenacre Bowling Club</td> <td>-</td> <td>55</td> <td>-</td> <td>55</td> <td>-</td> <td>55</td> <td>-</td> </tr> <tr> <td>A14 – Strathfield High School (internal)</td> <td>-</td> <td>35</td> <td>-</td> <td>-</td> <td>-</td> <td>-</td> <td>-</td> </tr> <tr> <td>A15 – St Anne’s School (internal)</td> <td>-</td> <td>35</td> <td>-</td> <td>-</td> <td>-</td> <td>-</td> <td>-</td> </tr> </tbody> </table> <p>*it is noted that the location Matthew Park no longer exists and has been developed for commercial retail use, and no other recreational areas are in the vicinity.</p>	Location	Day		Evening		Night			7:00am to 6:00pm on any day		6:00pm to 10:00pm on any day		10:00pm to 7:00am on any day			L _{Aeq} (15-minute)	L _{Aeq} (period)	L _{Aeq} (15-minute)	L _{Aeq} (period)	L _{Aeq} (15-minute)	L _{Aeq} (period)	L _{A1} (1-minute)	A1 – Eastern end of Jean Street	54	54	54	49	48	42	58	A2 – Eastern end of Ivy Street	53	52	52	51	47	45	57	A3 – Wentworth Street (south)	49	52	47	53	42	38	52	A4 – Eastern end of Gregory Street	49	52	47	46	45	37	55	A5 – Western end of Blanche Street	46	58	46	50	43	43	53	A6 – 40 Bazentin Street	46	58	45	54	41	39	51	A11 – Begnell Park	-	50	-	50	-	50	-	A12 – Matthew Park*	-	50	-	50	-	50	-	A13 – Greenacre Bowling Club	-	55	-	55	-	55	-	A14 – Strathfield High School (internal)	-	35	-	-	-	-	-	A15 – St Anne’s School (internal)	-	35	-	-	-	-	-	Interview with Auditees 1/12/2023 Site Inspection 1/12/2023 Protect – Online Complaints Register Sound science online noise monitoring software	NSW Ports have installed two continuous noise loggers (1 x on site and 1 x off site) to assist with monitoring noise performance and investigating noise complaints. The acoustic consultant strategically designed the location of the loggers to identify site noise and potential impacts on residents. One noise monitor was installed in June 21 at Cooke Park in Belfield (next to the south east residential area), and a second monitor was installed at Warehouse C2 in October 2022. The online noise monitoring portal (Sound Science) was shown to the auditor and includes live monitoring data for different noise statistics (L _{max} , L _{eq} , LA ₉₀ , LA ₁₀) and weather conditions from BOM site: Sydney Olympic park. The software allows, amongst other things, to listen recorded noise at any time (like attended). A demonstration of noise during a period of time was shown to the auditor. Data observed was reportedly compliant with the levels in condition 2.17. Protect is the system used for recording events, complaints, inspections, actions, and risks. Two noise complaints were logged in the complaints register during the audit period (refer to Section 3.7 of audit report), of which only one of them is in 2023 and relates to a site incident (explosion). No other noise complaints have been received during 2023.	Compliant
Location	Day		Evening		Night																																																																																																													
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Unique ID	Condition	Evidence at the 2023 audit	Findings and Recommendations at the 2023 audit	Compliance Status
2.18	<p>For the purpose of assessment of noise contributions specified under condition 2.17 of this consent, noise from the development shall be:</p> <ul style="list-style-type: none"> a) measured at the most affected point on or within the site boundary at the most sensitive locations to determine compliance with LAeq(15-minute) and LAeq(period) noise limits; b) measured in the free field at least 3.5 metres from any vertical reflecting surface in line with the worst-affected dwelling façade to determine compliance with LA1(1- minute) noise limits; and c) subject to the modification factors provided in Section 4 of the <i>New South Wales Industrial Noise Policy</i> (EPA, 2017), where applicable. <p>Notwithstanding, should direct measurement of noise from the development be impractical, the Proponent may employ an alternative noise assessment method deemed acceptable by the EPA (refer to Section 11 of the <i>Noise Policy for Industry New South Wales</i> (EPA, 2000)). Details of such an alternative noise assessment method accepted by the EPA shall be submitted to the Planning Secretary prior to the implementation of the assessment method.</p>	<p>Interview with Auditees 1/12/2023</p> <p>Sound science online noise monitoring software</p> <p>Enfield Intermodal Logistics Centre Condition 3.3 – Noise Audit Report No. 610.16722-R04 – 9/11/2017 version 1.0</p>	<p>NSW Ports have installed two continuous noise loggers (1 x on site and 1 x off site) to assist with monitoring noise performance and investigating noise complaints. The acoustic consultant strategically designed the location of the loggers to identify site noise and potential impacts on residents. One noise monitor was installed in June 21 at Cooke Park in Belfield (next to the south east residential area), and a second monitor was installed at Warehouse C2 in October 2022. The online noise monitoring portal (Sound Science) was shown to the auditor and includes live monitoring data for different noise statistics (Lamax, Leq, LA90, LA10) and weather conditions from BOM site: Sydney Olympic park. The software allows, amongst other things, to listen recorded noise at any time (like attended). A demonstration of noise during a period of time was shown to the auditor. Data observed was reportedly compliant with the levels in condition 2.17.</p> <p>The last noise audit was conducted in November 2017 by SLR in accordance with Condition 3.3 (upon reaching 50,000 TEU annual throughput). The audit report at that time concluded that compliance with the noise limits was being achieved. The next noise audit is due within 90 days of the project reaching 150,000 TEU.</p>	Compliant
2.19	<p>To avoid any doubt, the Proponent shall ensure that locomotives located on the site and associated with the operation of the project do not cause an exceedance of the noise limits specified under condition 2.17 of this approval. This shall include, where necessary, measures to mitigate and manage noise associated with locomotive idling and any shunting operations occurring on the site.</p>	<p>LINX Enfield Intermodal Terminal Operational Environmental Management Plan, Rev 4, 21/09/2020</p> <p>Protect – Online Complaints Register - current to 20/11/2023</p> <p>Enfield Intermodal Logistics Centre Condition 3.3 – Noise Audit Report No. 610.16722-R04 – 9/11/2017 version 1.0</p>	<p>The last noise audit was conducted in November 2017 by SLR in accordance with Condition 3.3 (upon reaching 50,000 TEU annual throughput). The audit report at that time concluded that compliance with the noise limits was being achieved. The next noise audit is due within 90 days of the project reaching 150,000 TEU. Container throughput for FY23 was reported to be 89,815 TEU.</p> <p>No noise complaints received associated with locomotives</p> <p>Modification 12 was completed to manage shunting operations which reduced noise impacts from shunting. Management of noise is included in the LINX OEMP.</p> <p>Locomotive rollingstock classes are approved for use on rail network as per EPLs (e.g. EPL 21371 to Linx Rail Pty Ltd).</p>	Compliant
2.19A	<p>The Proponent shall implement noise mitigation measures generally in accordance with the measures identified in the document listed in condition 1.1j). In relation to the north-western noise wall, the Proponent shall implement as part of the design and construction of this wall, mitigation measures to minimise potential reflective noise on its western face.</p>	-	<p>This falls outside of the current audit period.</p> <p>North-western noise wall constructed in 2013.</p>	Not Triggered
Air Quality Impacts				
2.20	<p>The Proponent shall install, operate and maintain a meteorological monitoring station to monitor weather conditions representative of those on the site, in accordance with:</p> <ul style="list-style-type: none"> a) AM-1 Guide to Siting of Sampling Units (AS 2922-1987); b) AM-2 Guide for Horizontal Measurement of Wind for Air Quality Applications (AS 2923-1987); and c) AM-4 On-Site Meteorological Monitoring Program Guidance for Regulatory Modelling Applications. <p>The Proponent shall install the meteorological monitoring station prior to the commencement of site preparation or construction works and shall use the station to undertake the monitoring required under condition 3.1 of this approval, until all large exposed areas have either been landscaped or sealed.</p> <p>This condition does not preclude the Proponent from reaching agreement with any other relevant party for the installation, operation and maintenance of a shared monitoring station, provided the outcomes of this condition are achieved.</p> <p>During periods of repair or maintenance of the meteorological monitoring station, the Proponent may utilise weather data collected at the Canterbury Racecourse Automatic Weather Station, operated by the Bureau of Meteorology, or other nearby Bureau of Meteorology Stations in the event that the Canterbury station is offline.</p>	-	<p>This falls outside of the current audit period. The Project footprint is now largely sealed.</p> <p>The meteorological station was decommissioned in 2013 due to most of the site being sealed or landscaped. This condition may be reopened if future works on undeveloped precincts deem meteorological monitoring necessary.</p>	Not Triggered
Odour				

Unique ID	Condition	Evidence at the 2023 audit	Findings and Recommendations at the 2023 audit	Compliance Status
2.21	The Proponent shall not permit any offensive odour, as defined under section 129 of the <i>Protection of the Environment Operations Act 1997</i> , to be emitted beyond the boundary of land owned by the Proponent (the site the subject of this approval).	Site Inspection 1/12/2023 Protect – Online Complaints Register - current to 20/11/2023	No odour was observed during the site inspection. No odour related complaints were received during the audit period.	Compliant
2.22	The Proponent shall design, construct, commission, operate and maintain the project in a manner that minimises or prevents the emission of dust from the site including wind blown and traffic generated dust.	Site Inspection 1/12/2023 Protect – Online Complaints Register - current to 20/11/2023	<p>2022 Independent Audit Finding</p> <p>A non-compliance was raised in the 2022 audit against this condition. It was noted that the main yard at Swift was not being operated and maintained to minimize or prevent dust (refer to Table 2 of audit report). The 2022 non-compliance has been closed and a new finding raised on this issue as per assessment below.</p> <p>2023 Independent Audit Status:</p> <p>Swift is currently progressing a long-term mitigation measure of implementing a hard-stand surface in the yard as discussed below. Until then, Swift manages this unsealed area (reported to have an area of about 3,500m²) by restricting vehicle driving and using water carts on a need basis. Under the current arrangement, the area is used for trailer parking. Trucks enter the site on the sealed access road and use a different exit at the IMT, and do not need to drive through the unsealed area. Jersey Kerbs have been located between the unsealed area and the asphalted truck access to avoid trucks driving through the unsealed area (refer to Photos 12 and 13 in Appendix C). NSW Ports monitors the site through CCTC and site inspections.</p> <p>Swift has also progressed the long term option of sealing this area. A quote from JDS Concreting dated 29/08/2023 and a scope from Earthscape Industries dated 1/09/2023 were sighted during the site visit. Swift advised that hydraulic modelling / assessment will be required as part of the long term solution.</p> <p>Observation: The Swift OEMP provides limited information about dust management in the unsealed part of its Yard.</p> <p>Recommendation: Document a procedure in the OEMP (being reviewed at the time of this audit) to detail dust management at the Swift Yard (unsealed area) until a permanent solution is implemented. In the next annual audit, report on progress on the implementation of the OEMP's dust management procedure and the long term mitigation measure of a hard stand surface. NSW Ports to monitor on a regular basis the ongoing implementation of temporary dust control measures at the Swift Main Yard until the permanent hard-stand surface solution is completed</p>	Compliant
2.23	The Proponent shall take all practicable measures to ensure that all vehicles entering or leaving the site, carrying a load that may generate dust, are covered at all times, except during loading and unloading. Any such vehicles shall be covered or enclosed in a manner that will prevent emissions of dust from the vehicle at all times, to the extent practicable.	Site Inspection and interviews 1/12/2023 Protect – Online Complaints Register - current to 20/11/2023	The great majority of trucks accessing the ILC carry sealed containers. No spoil movements occurred during the audit period.	Compliant

Unique ID	Condition	Evidence at the 2023 audit	Findings and Recommendations at the 2023 audit	Compliance Status
2.24	All activities on the site shall be undertaken with the objective of preventing visible emissions of dust beyond the boundary of the site. Should such visible dust emissions occur at any time, the Proponent shall identify and implement all practicable dust mitigation measures, including cessation of relevant works, as appropriate, such that emissions of visible dust cease.	<p>Site Inspection 1/12/2023</p> <p>Protect – Online Complaints Register - current to 20/11/2023</p> <p>Enfield ILC Operational Environmental Management Plan Enfield Intermodal Logistics Centre NSW Ports November 2023 Version 7</p> <p>LINX Enfield Intermodal Terminal Operational Environmental Management Plan, Rev 4, 21/09/2020.</p> <p>Swift Enfield Intermodal Logistics Centre Environmental Management Plan, Updated 30/08/2022</p> <p>Protect – Online Complaints Register - current to 20/11/2023</p>	<p>Refer to condition 2.22. The non-compliance raised in the 2022 Audit was closed as discussed under Condition 2.22 and Table 2 of the audit report. A recommendation has been made on this matter under Condition 2.22.</p> <p>Dust management is included in the OEMPs. The majority of the site is sealed or landscaped. Undeveloped land in Precincts A, B, E, G and were observed to be grassed / vegetated and only accessible to security and NSW Ports staff and their contractors/consultants.</p> <p>No visible dust emissions were observed during the audit site inspection.</p> <p>No dust complaints reported during the audit period.</p>	Compliant
2.25	The Proponent shall manage, maintain and use internal haulage roads in order to prevent dust emissions. The measures to be implemented for the management of potential dust emissions from internal roads during construction shall be incorporated in the Construction Environmental Management Plan required under condition 6.3.	<p>Interview with Auditees 1/12/2023</p> <p>Site Inspection 1/12/2023</p>	No construction occurred during the audit period.	Not Triggered
2.26	The Proponent shall apply and enforce a 25 km/ h speed limit on the site during site preparation and construction works to minimise the potential for dust generation.	<p>Interview with Auditees 1/12/2023</p> <p>Site Inspection 1/12/2023</p>	No construction occurred during the audit period.	Not Triggered
2.27	The Proponent shall ensure that all vehicles and equipment directly associated with site preparation and construction works (as distinct from passenger vehicles) pass through a wheel wash prior to leaving the site.	<p>Interview with Auditees 1/12/2023</p> <p>Site Inspection 1/12/2023</p>	No construction occurred during the audit period.	Not Triggered
Water Quality and Hydrological Impacts				
2.28	Except as may be expressively provided under an Environment Protection Licence applicable to the project, the Proponent shall comply with section 120 of the <i>Protection of the Environment Operations Act 1997</i> which prohibits the pollution of waters.	<p>Interview with Auditees 1/12/2023</p> <p>Site Inspection 1/12/2023</p> <p>Enfield Incidents Register to 20 Nov 2023</p>	<p>Five incidents were reported in the Incident Register during audit period. A review of the incidents record indicate that no incidents with actual or potential significant off-site impacts on people or the biophysical environment were recorded for the audit period.</p> <p>Three (3) of the incidents were minor safety/security related events which do not required further consideration in this report. An incident on the 3 January 2023 involved a 300-500L leak from a diesel fuel truck at the IMT. The diesel leak was reportedly contained within the site and cleaned up after the event. LINX and NSW Ports considered that this incident did not cause environmental impacts or off-site releases and therefore was not reportable under Section 5.7 of the Protection of the Environment Operations Act 1997 (POEO Act).</p> <p>The most significant incident occurred on the 19 April 2023 and involved a fire on a reach stacker at the IMT. The fire caused two explosions when wheels of the reach stacker got on fire. The fire was stopped and no harm to the environment reportedly occurred. Fire and Rescue NSW and NSW Ambulance attended the event, and the reach stacker driver was taken to hospital for smoke inhalation and cuts, bruises and abrasions from smashing the cab window. NSW Ports advised that the incident was reported to the EPA and SafeWork NSW. NSW Ports advised that no response was received from the EPA. The Compliance Tracking Report 2023 indicates that LINX advised the Department in accordance with the planning approval. The LINX incident report to NSW Ports dated 13 July 2023 was sighted. A toolbox including status of investigation and operating process reviews was prepared as mitigation measure (toolbox dated 10 May 2023 provided to NSW Ports – sighted). The toolbox refers to a detailed incident investigation which included questions and input</p>	Compliant

Unique ID	Condition	Evidence at the 2023 audit	Findings and Recommendations at the 2023 audit	Compliance Status
			<p>from SafeWork NSW and subject matter experts amongst others. It indicates that SafeWork NSW had issued a prohibition notice to remove reach stacker 9317 from the site, and that risk management documentation and safe method of works statements created by Clark Equipment had been submitted to SafeWork NSW. It further indicated that findings from the risk assessment process will determine the preferred operating position of the reach stacker cab. Other items covered by the toolbox included emergency egress (exit), line of fire risks during emergency response, cease operation in the event of malfunction and LINX employee assistance program. The item is closed in the Incident Register.</p> <p>No operational issues concerning water management reported during the audit.</p>	
2.29	Soil and water management controls shall be employed to minimise soil erosion and the discharge of sediment and other pollutants to lands and/or waters during site preparation and construction activities, in accordance with Landcom's <i>Managing Urban Stormwater: Soils and Construction</i> .	Interview with Auditees 1/12/2023 Site Inspection 1/12/2023	No site preparation or construction activities occurred during the reporting period.	Not Triggered
2.30	All stockpiled construction materials shall be adequately located, stabilised and maintained to prevent erosion or dispersal of the materials.	Interview with Auditees 1/12/2023 Site Inspection 1/12/2023	<p>No construction occurred during the audit period.</p> <p>Refer to condition 2.44. During the audit inspection on 1/12/23, the stockpiles in Precinct A were observed stable, isolated and being maintained. The ACM material stockpiles are covered with geofabric and vegetation have grown over the stockpiles. The stockpiles are fenced off, and the area is closed to the public.</p> <p>NSW Ports is seeking approvals to bury waste, subject to Precinct A development requirements in accordance with LTEMP.</p> <p>Plans to bury stockpiles are subject to Precinct A development.</p> <p>Refer to photos.</p>	Compliant
2.31	The Proponent shall construct and maintain stormwater detention basins on the site, generally consistent with the basin sizes/ locations presented in the document referred to under conditions 1.1m) and 1.1n) of this approval. Opportunities to reuse stormwater from detention basins for ecological areas or for site operations shall be investigated during detailed design of the project, and where practicable, the Proponent shall utilise collected water preferentially to external potable water supplies for operational activities on the site, subject to testing to confirm the suitability of collected water quality.	Interview with Auditees 1/12/2023 Site Inspection 1/12/2023 GW Environmental, Enfield Intermodal Logistics Centre - Environmental Report Basins January 2023, February, March 2023, April 2023, June 2023, July 2023, August 2023, September 2023, October 2023, November 2023	<p>The site was designed and constructed to include the basins. The basins were constructed between 2013 and 2014. The ongoing maintenance is described in the LEAMP and delivered in maintenance contracts by GW Environmental. Monthly basin maintenance reports are prepared by GW Environmental and these (2023) were sighted during the audit.</p> <p>Holding tanks and pumps were installed near the frog ponds and observed during the site inspection.</p> <p>Basins Reports confirmed that retention Basins appear to be functioning correctly. The report addressed stability and integrity, no scouring was observed in the basins. The report identified that where required the basins had been slashed and de-weeded.</p>	Compliant
2.32	All quarantine and machinery wash down waters and amenities wastewater shall be directed to sewer (subject to Sydney Water Corporation approval), or to an appropriately licensed liquid waste disposal facility.	Interview with Auditees 1/12/2023 Site Inspection 1/12/2023 LINX Enfield Intermodal Terminal Operational Environmental Management Plan, Rev 4, 21/09/2020	<p>NSW Ports advised that the container wash area has not been used during the audit period and that no quarantine water generated during the audit period.</p> <p>LINX OEMP for the IMT provides for the management of quarantine water. IMT operator utilises two wash down bay areas – one general and one for quarantine. Details of the system are included in the tenant LINX OEMP (Sections 6.2.1 and 6.2.2) which identifies the quarantine area wash bay process. Waters are collected then disposed of off-site as liquid waste, as required, this is also identified in the As-built drawings and operations manual.</p> <p>C1 has Grease trap was collection which is maintained regularly, Halgan invoice for collection of grease traps dated 1/08/23 sighted.</p>	Compliant
2.33	The Proponent shall design, install, maintain and operate rainwater tanks for the collection of water for domestic uses on the site. Collected rainwater shall be used preferentially to external potable water supplies.	Interview with Auditees 1/12/2023 Site Inspection 1/12/2023	There have been no new developments at the site during the audit period. The 2023 Compliance Tracking Report indicates warehouse offices Precinct C, F and H have been designed to have a 20,000L	Compliant

Unique ID	Condition	Evidence at the 2023 audit	Findings and Recommendations at the 2023 audit	Compliance Status
		NSW Ports Compliance Tracking Report 2023	tank each to service irrigation and flushing of toilets. Stormwater holding tanks and pumps were observed near the frog ponds during the site inspection.	
Heritage Impacts and Management				
2.34	Except for necessary stabilisation works agreed in consultation with the OEH (Heritage Division), the Proponent is not permitted to destroy, modify or otherwise physically affect the Tarpaulin Factory as part of this approval. Any proposal to destroy, modify, redevelop, relocate or otherwise physically affect the Tarpaulin Factory, except for agreed stabilisation works, shall be the subject of further assessment and approval in accordance with the <i>Environmental Planning and Assessment Act 1979</i> .	DA 2022/68 Notice of Determination dated 3 November 2022 for the Flower Power application Land Owners Consent, NSW Ports to Flower Power dated 14/04/23 Interview with Auditees 1/12/2023 Site Inspection 1/12/2023	The Tarpaulin Factory has been retained and protected in accordance with the planning approval. No change from the previous audit. The site has not been disturbed by NSW Ports and works have not been undertaken during the audit period. In Nov 2022, DA-2022/68 by Flower Power to Council was approved, involving adaptive reuse of the site, specifically "Alterations, additions, fit out and use of the former tarpaulin shed for the purposes of a garden centre with cafe and ancillary vegetable shop and pet store, and car parking containing a total of 389 car parking spaces". In 2023, Flower Power submitted MOD 15 to DPE to cover DA-2022/68, and it was determined on 22 November 2023. DA-2022/68 is referred to in conditions 1.2, 1.2A and 1.2B. DA 2022/68 NSW Ports advised that works at the Tarpaulin Factory have not commenced. This was confirmed during the audit site inspection. The Tarpaulin Factory site is fenced off and public access is not permitted. NSW Ports advised that it is expected that works at the Tarpaulin Factory site will start in 2024.	Compliant
2.35	The Proponent shall relocate and maintain the Pillar Water Tank to an appropriate location within the site, determined in consultation with the OEH.	Interview with Auditees 1/12/2023 Site Inspection 1/12/2023 NSW Ports' Section 170 Register under the Heritage Act 1977	Relocation and consultation fall outside of the current audit period. Repairs & reassembly of Pillar Water tank completed August 2013. The Pillar Water tank is maintained by NSW Ports which lists the item in its Section 170 Register under the Heritage Act 1977. The site was inspected during the audit site inspection.	Compliant
2.36	The Proponent shall undertake such works as may be necessary to stabilise the Pillar Water Tank as part of the relocation of that heritage item on the site. The Proponent shall consult with the OEH prior to undertaking any stabilisation works to ensure that the works do not adversely affect the heritage values of the item.	-	Relocation and consultation fall outside of the current audit period. Repairs & reassembly of Pillar Water tank completed August 2013.	Not Triggered
2.37	The Proponent shall relocate and maintain the Pedestrian Footbridge, if feasible, to an appropriate location within the site, determined in consultation with the OEH. Where the Pedestrian Footbridge cannot be feasibly relocated within the site, the Proponent shall arrange for the relocation of the Pedestrian Footbridge to an external heritage organisation, determined in consultation with the OEH.	-	This falls outside of the current audit period. The footbridge was relocated in Nov 2012 to the Dorrigo Steam Railway and Museum for reinstatement as part of the museum display.	Not Triggered
2.38	The Proponent is permitted to destroy the Yard Master's Office, the Administration Building, and the Wagon Repair Shed (and associated Gantry Crane). Prior to the destruction of these items, the Proponent shall engage an independent, qualified heritage expert to prepare an archival recording of these items in accordance with OEH guidelines. Destruction of these items shall not commence until the OEH has indicated its satisfaction with the archival recordings and the recordings have been lodged with the Strathfield Public Library, or other repository agreed by the Planning Secretary.	-	This falls outside of the current audit period. These structures were archivally recorded and demolished in accordance with the condition requirements in the early stages of the project.	Not Triggered
Waste Generation and Management				
2.39	All waste materials removed from the site shall only be directed to a waste management facility lawfully permitted to accept the materials.	Interview with Auditees 1/12/2023	Waste management is addressed in NSW Ports' OEMP and tenants OEMPs. NSW Ports generates general office waste and maintenance material waste (GSW putrescible and non-putrescible). Both are pre-classified under the Waste Classification Guidelines. Remondis collects the waste and provide invoices with waste details. Remondis Invoice for NSW Ports on a monthly basis (invoices sighted) with co-mingled and putrescible quantities and prices. Cleanaway manages of Swift waste removal as indicated in correspondence dated 7 December 2023.	Compliant

Unique ID	Condition	Evidence at the 2023 audit	Findings and Recommendations at the 2023 audit	Compliance Status
		Site Inspection 1/12/2023 Enfield ILC Compliance Tracking Report 2023 (Nov 2023 - V1.0). Remondis Tax invoice 1637072, 31/12/23 Remondis Tax invoice 1613933, 30/12/23 Remondis Tax invoice 1659983, 31/01/23 Remondis Tax invoice 1682835, 28/02/23 Remondis Tax invoice 1705702, 31/03/23 Remondis Tax invoice 1728476, 30/04/23 Remondis Tax invoice 1751136, 31/05/23 Remondis Tax invoice 1774183, 30/06/23 Remondis Tax invoice 1797206, 31/07/23 Remondis Tax invoice 1830569, 31/08/23 Remondis Tax invoice 1854516, 30/09/23 Remondis Tax invoice 1878089, 31/10/23 Cleanway Group (trading as Evoro) letter dated 7 December 2023		
2.40	The Proponent shall ensure that all liquid and/ or non-liquid waste generated, stored on the site or disposed of, is assessed and classified in accordance with the Waste Classification Guidelines (EPA, 2014).	Interview with Auditees 1/12/2023 Enfield ILC Compliance Tracking Report 2023 (Nov 2023 - V1.0). Remondis Tax invoice 1637072, 31/12/23 Remondis Tax invoice 1613933, 30/12/23 Remondis Tax invoice 1659983, 31/01/23 Remondis Tax invoice 1682835, 28/02/23 Remondis Tax invoice 1705702, 31/03/23 Remondis Tax invoice 1728476, 30/04/23 Remondis Tax invoice 1751136, 31/05/23 Remondis Tax invoice 1774183, 30/06/23 Remondis Tax invoice 1797206, 31/07/23 Remondis Tax invoice 1830569, 31/08/23	<p>2022 Independent Audit Finding</p> <p>An observation was raised in the 2022 audit about poor housekeeping in the Swift warehouse and LINX yard. In June 2023, Swift acquired the LINX intermodal operations at the IMT. During the audit site inspection on the 1/12/23, the Swift sites (warehouse and yards) were observed tidy, with waste contained and segregated in appropriate containers and chemicals located in banded areas (refer to Photos in Appendix C). NSW Ports follows up with regular inspections. This observation has been closed.</p> <p>2023 Independent Audit status</p> <p>Waste management is addressed in NSW Ports' OEMP and tenants OEMPs.</p> <p>NSW Ports generates general office waste and maintenance material waste (GSW putrescible and non-putrescible). Both are pre-classified under the Waste Classification Guidelines. Remondis collects the waste and provide invoices with waste details. Remondis Invoice for NSW Ports on a monthly basis (invoices sighted) with co-mingled and putrescible quantities and prices.</p> <p>Cleanaway manages of Swift waste removal as indicated in correspondence dated 7 December 2023.</p> <p>During the audit inspection, waste on site was observed generally well stored, segregated and marked.</p>	Compliant

Unique ID	Condition	Evidence at the 2023 audit	Findings and Recommendations at the 2023 audit	Compliance Status
		Remondis Tax invoice 1854516, 30/09/23 Remondis Tax invoice 1878089, 31/10/23 Cleanway Group (trading as Evoro) letter dated 7 December 2023		
2.41	The Proponent shall ensure that the transport of any hazardous and/ or industrial and/ or Group A waste from the site is conducted strictly in accordance with any requirements that may be specified by the EPA in relation to the transport of those wastes.	Interview with Auditees 1/12/2023	NSW Ports advised that hazardous and/ or industrial and/ or Group A waste was not generated and transported during the audit period.	Not Triggered
2.42	The Proponent shall ensure that contaminated areas of the site that are disturbed by construction works associated with the project are remediated prior to the commencement of project operations at these areas. All remediation works shall be undertaken in accordance with the requirements of the <i>Contaminated Land Management Act 1997</i> and <i>Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites</i> (EPA, 2011).	Interview with Auditees 1/12/2023 https://www.nswports.com.au/enfield-intermodal-logistics-centre-environmental-management	No remediation works or disturbance of contaminated areas have occurred during the audit period. Site Audit Statements issued by the Site Auditor accredited under the Contaminated Land Management Act for remediation of land at the site in previous reporting periods are available in the NSW Ports' website.	Not Triggered
2.43	Prior to the commencement of construction works associated with the project that may disturb contaminated areas of the site, the Proponent shall submit to the Planning Secretary a Site Audit Statement(s), prepared by an accredited Site Auditor under the Contaminated Land Management Act 1997, verifying that the area of the site on which construction is to be undertaken has been or can be remediated to a standard consistent with the intended land use. A final Site Audit Statement(s), prepared by an accredited Site Auditor, certifying that the contaminated areas have been remediated to a standard consistent with the intended land use and including any associated long term environmental management plan (LTEMP) is to be submitted to the Planning Secretary prior to operation of the remediated site(s).	Interview with Auditees 1/12/2023 https://www.nswports.com.au/enfield-intermodal-logistics-centre-environmental-management	No construction, remediation works or disturbance of contaminated areas have occurred during the audit period. Site Audit Statements issued by the Site Auditor accredited under the Contaminated Land Management Act for remediation of land at the site in previous reporting periods are available in the NSW Ports' website.	Not Triggered
2.43A	Prior to commencement of works approved under DA2022/68 for alterations, additions, fitout and use of the former Tarpaulin Factory Building for the purpose of a garden centre with café and ancillary vegetable shop and pet store, a final Site Audit Statement for the Tarpaulin Factory Site must be prepared by an accredited Site Auditor certifying that the contaminated areas have been suitably remediated. The Site Audit Statement and a plan showing the extent of remediation are to be submitted to the Planning Secretary and Strathfield Council prior to the commencement of construction approved under DA2022/68.	DA 2022/68, Strathfield Council Interview with Auditees 1/12/2023	Refer to Condition 2.34. The works approved under DA2022/68 or remediation works associated with the Tarpaulin Factory site have not commenced.	Not Triggered
2.43B	Within one month of remediation of the Tarpaulin Factory Site, a long-term contamination management plan is to be submitted to the Planning Secretary for approval. The plan is to be implemented for the duration of operation of the development approved under DA 2022/68.	DA 2022/68, Strathfield Council Interview with Auditees 1/12/2023	Refer to Condition 2.34. The works approved under DA2022/68 or remediation works associated with the Tarpaulin Factory site have not commenced	Not Triggered
2.43C	Prior to commencement of operation of the development permitted as part of the approval of MP 05_0147 MOD 14, a Validation Report is to be prepared by an Environmental Consultant, and a final Site Audit Statement for the warehousing precincts must be prepared by a NSW EPA accredited site auditor stating that the contaminated areas have been remediated to a standard suitable for the proposed use. The Validation Report and the Site Audit Statement are to be submitted to the Planning Secretary and Strathfield Council. A plan showing the extent of remediation in the warehousing precinct is also to be provided to the Planning Secretary.	Interview with Auditees 1/12/2023 https://www.nswports.com.au/enfield-intermodal-logistics-centre-environmental-management	This requirement falls outside of the current audit period. No remediation occurred during the audit period. All Site Audit Statements issued for the site during previous reporting periods are available in the NSW Ports' website.	Not Triggered
2.44	The Proponent shall manage any asbestos or asbestos-contaminated materials that may be uncovered during the construction, commissioning and operation of the project strictly in accordance with the requirements under Protection of the Environment Operations (Waste) Regulation 2014 and any guidelines or requirements issued by the EPA in relation to those materials.	Interview with Auditees 1/12/2023 Site Inspection 1/12/2023	2022 Independent Audit Finding An Observation was raised in the 2022 audit regarding Excavated Natural Material (ENM) stockpiled in the Precinct A, Asbestos Containing Material (ACM) CM stockpile area. It was noted that the status of the ENM classification was questionable and should not be reused until re-classification is complete. Further, it was noted that it was the third audit conducted by WolfPeak and the Precinct A, ACM stockpiles had not been disposed of (or placed in a permanent on-site storage cell). During the audit inspection on 1/12/23, the stockpiles in Precinct A were observed stable, isolated and being maintained. The ACM material stockpiles are covered with geofabric and vegetation have grown over the stockpiles. The stockpiles are fenced off, and the area is closed to the public.	Compliant

Unique ID	Condition	Evidence at the 2023 audit	Findings and Recommendations at the 2023 audit	Compliance Status
			<p>NSW Ports is seeking approvals to bury waste, subject to Precinct A development requirements in accordance with LTEMP.</p> <p>NSW Ports have advised that plans to bury stockpiles are subject to Precinct A development.</p> <p>This item remains open until NSW Ports develops and implements a plan to remove the stockpiles in accordance with the planning approval.</p> <p>2023 Independent Audit</p> <p>NSW Ports advised that no ACM has been disposed or activities undertaken requiring asbestos management during the audit period. As indicated above, the ACM stockpiles in Precinct A are managed and isolated, with no public access in that area. The finding of the 2022 audit remains open until NSW Ports develops and implements a plan to remove the stockpiles in accordance with the planning approval.</p>	
Visual Amenity and Urban Design				
2.45	The Proponent shall ensure that all structures on the site are designed, constructed and maintained to maximise, where practicable, the use of natural ventilation and natural lighting, and to minimise energy consumption associated with heating, cooling and lighting.	Site Inspection and interviews on 1/12/2023	No construction works occurred during the audit period. Warehouses were observed to include clear panels and louvres for lighting and ventilation.	Compliant
2.46	The Proponent shall ensure that all external lighting installed as part of the project is mounted, screened, and directed in such a manner so as not to create a nuisance to surrounding land uses. The lighting shall be the minimum level of illumination necessary and be in general accordance with the latest version of AS 4282 – 1997 <i>Control of the Obtrusive Effects of Outdoor Lighting</i> .	Site Inspection 1/12/2023 Protect – Online Complaints Register - current to 20/11/2023	Lighting sighted during the site inspection was directed down internal to the site (refer to Photo 3 in Appendix C). No complaints received during the audit period concerning light.	Compliant
2.47	Prior to the commencement of construction of each warehouse associated with the project (refer to condition 1.6 of this approval), the Proponent shall submit, for the approval of the Planning Secretary, details of the external façade for the warehouse, including demonstration of the façade(s) on an external finishing board. The finishing board shall clearly show the materials to be used for the building façade including details of external treatments of the warehouse (such as painting, and other external features aimed at reducing the bulk of the building and to improve the general appearance of the project). The finishing board shall demonstrate that the external treatments of the warehouse are non-reflective and of sufficient design quality to minimise the visual affects of the project, as far as is reasonable and feasible.	Site Inspection 1/12/2023	No construction undertaken or commenced during the audit period.	Not Triggered
Ecological Impacts				
2.48	<p>The Proponent shall implement all of the relevant actions for the site recommended in the <i>Management Plan for the Green and Golden Bell Frog Key Population at Greenacre</i> (DECC, May 2007), being:</p> <ul style="list-style-type: none"> d) creation of overwintering habitat as part of the two-hectare improved foraging habitat at the southern end of the site; e) provision of linkages to the former RailCorp ponds; and f) restrictions on the use of herbicides in known frog habitat and attainment of water quality standards for water discharged from the site. <p>These actions shall be incorporated within both the Construction Environmental Management Plan (refer to condition 6.2) and the Operation Environmental Management Plan (refer to condition 6.4) as relevant, including provisions for monitoring the outcomes of these actions and periodically reporting outcomes to EHG at a frequency agreed with EHG</p>	<p>Enfield ILC Operational Environmental Management Plan Enfield Intermodal Logistics Centre NSW Ports November 2023 Version 7</p> <p>Enfield ILC Landscape and Ecological Area Management Plan (LEAMP) Enfield Intermodal Logistics Centre NSW Ports August 2020 Version 3</p> <p>Enfield ILC Green and Golden Bell Frog Management Plan (GGBFMP), NSW Ports, Rev 6 February 2023</p> <p>Site Inspection 1/12/2023</p> <p>GW Environmental, Enfield ILC – Environmental Reports, Dec 2022, Jan 2023, Feb 2023, March 2023, April 2023, May 2023, June 2023, July 2023, August 2023, September 2023, October 2023,</p> <p>GW Environmental, Enfield ILC LEAMP Conditions Dec 2022, Jan</p>	<p>NSW Ports OEMP, LEAMP and GGBFMP address the requirements of 2.48a-c.</p> <p>The Frog Habitat Creation area (FHCA) includes 3 ponds, a range of diurnal shelters, over winter habitat, large foraging space and a frog movement corridor which aims to connect to the Sydney Trains Marshalling Yard. The FHCA was constructed early in the project delivery phase and is maintained and monitored by NSW Ports and its consultants/contractors</p> <p>GW Environmental maintains the FHCA and prepares monthly reports (reports prepared for the audit period sighted) with details of maintenance activities during the month (e.g. water levels in pond maintained, drainage as required, inspection of valves and other infrastructure, slashing vegetation, etc).</p> <p>GW Environmental also prepares monthly LEAMP Conditions reports reporting on LEAMP implementation compliance and status. Reports for the LEAMP conditions from Dec 2022 to Oct 2023 identified a request to Water NSW and Sydney Water for provision of linkages to the former RailCorp ponds, which is interpreted as a strategy to improve the current corridor. No further updates have been received in this item to date.</p> <p>The ecological area is in place and largely remains unchanged from previous audit periods. The area was suitably secured and</p>	Compliant

Unique ID	Condition	Evidence at the 2023 audit	Findings and Recommendations at the 2023 audit	Compliance Status
		2023, Feb 2023, Mar 2023, Apr 2023, Aug 2023, Sep 2023, Oct 2023. Frog Survey and Assessment of Frog Habitat, ILC Site, Enfield, Dec 2022	signposted during the site inspection. The audit inspection also showed that the area is well maintained. The FHCA is surveyed on an annual basis by Dr Arthur White. During the Dec 2022 survey, a male GGBF was identified. Observation: There is no evidence that periodic reporting to the Department's Environment and Heritage Group (EHG) on the Green and Golden Bell Frog monitoring requirements occurs as required under Condition 2.48. There is neither evidence of any agreement with EHG about frequency or need for future reporting. Recommendation: Contact EHG and agree on GGBF monitoring reporting needs and frequency in accordance with Condition 2.48	
2.48A	<p>The Proponent shall implement the mitigation measures identified in Section 7.1 of the <i>ILC at Enfield Impact Assessment on Green and Golden Bell Frogs: Addition of Fill Material to Mt Enfield</i> (Biosphere Environmental Consultants Pty Ltd, 2011), supplementary letter of advice dated 10 January 2018 (Biosphere Consultants Pty Ltd, 2011), and the following:</p> <ul style="list-style-type: none"> a) the installation of an exclusion fence to help prevent frogs from entering the construction site; b) the installation of silt fences and silt trapping devices prior to any earthworks, and the use of dust suppression methods throughout construction, to prevent wind-blown dust from entering the frog habitat area c) the establishment of run-off barriers between the construction areas and the frog habitat area, to prevent accidental spills and/or stormwater waste from entering the frog habitat area; d) the installation of visual screens to minimise light spill into the frog habitat area, from night construction works; e) the demarcation of the frog habitat area as a "no go" area, using barrier bunting and signs that indicate the significance of the area and that the site is off limits to people, machinery and plant equipment; f) the installation of an exclusion fence to help prevent frogs from entering the operational areas; g) the installation of diversion bunds to ensure hazardous liquids can never enter the frog habitat area; and h) the installation of visual screens to minimise light spill into the frog habitat area, from trucks and plant equipment operating throughout the night. <p>These actions shall be incorporated within the Construction Environmental Management Plan (condition 6.2 of this approval) and the Operation Environment Management Plan (condition 6.4 of this approval), as relevant.</p>	Enfield ILC Operational Environmental Management Plan Enfield Intermodal Logistics Centre NSW Ports November 2023 Version 7 Enfield ILC Landscape and Ecological Area Management Plan (LEAMP) Enfield Intermodal Logistics Centre NSW Ports August 2020 Version 3 Enfield ILC Green and Golden Bell Frog Management Plan (GGBFMP), NSW Ports, Rev 6 February 2023 Site Inspection 1/12/2023 GW Environmental, Enfield ILC – Environmental Reports, Dec 202, Jan 2023, Feb 2023, March 2023, April 2023, May 2023, June 2023, July 2023, August 2023, September 2023, October 2023, GW Environmental, Enfield ILC LEAMP Conditions Dec 2022, Jan 2023, Feb 2023, Mar 2023, Apr 2023, Aug 2023, Sep 2023, Oct 2023. Frog Survey and Assessment of Frog Habitat, ILC Site, Enfield, Dec 2022	These controls, as applicable to site operations, have been incorporated into the OEMP, LEAMP and GGBFMP. Items a, b, c, d and g relate to construction which was completed prior to the audit period. Fencing and signage was observed to be in place during the site inspection. The ponds are designed to prevent other liquids from entering the habitat area. Water levels to ponds are maintained as indicated in the GW Environment reports. Plant screening minimises light spill into the habitat area.	Compliant
Hazards, Risk and Land Use Safety				
2.49	All demolition work shall be carried out in accordance with <i>AS 2601-2001 The Demolition of Structures</i> .	Enfield ILC Compliance Tracking Annual Report 2023, November 2023, Version 1 Site Inspection and interviews 1/12/2023	No demolition occurred during the audit period.	Not Triggered
2.50	<p>The Proponent shall store and handle all dangerous goods (not being unopened, containerised goods), as defined by the Australian Dangerous Goods Code, strictly in accordance with:</p> <ul style="list-style-type: none"> a) all relevant Australian Standards; b) a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and c) the DECC's Environment Protection Manual Technical Bulletin <i>Bundling and Spill Management</i>. d) In the event of an inconsistency between the requirements listed from a) to c) above, the most stringent requirement shall prevail to the extent of the inconsistency. 	Site Inspection 1/12/2023 Enfield ILC Operational Environmental Management Plan Enfield Intermodal Logistics Centre (NSW Ports) November 2023 Version 7 LINX Enfield Intermodal Terminal Operational Environmental Plan (September 2020 Version 04) Swift Operational Environmental Management Plan (Updated 30.08.22)	2022 Independent Audit Finding The 2002 Audit made an Observation about the ACFS refuelling bay having a live stormwater drain (that discharges to the environment) directly adjacent the bund for managing leaks and spills from the refuelling bay. The stormwater drain was not marked and, therefore, could be mistaken as part of the bund. It was recommended that the stormwater pit be marked to inform people that the line discharges to environment (not sewer or bund). NSW Ports inspected site on 2/6/2023 and confirmed markings complete (refer to Photo 9). The auditor also confirmed the markings during the site inspection on 1/12/2023. This finding is now closed. 2023 Independent Audit	Compliant

Unique ID	Condition	Evidence at the 2023 audit	Findings and Recommendations at the 2023 audit	Compliance Status
		<p>Progress Rail Enfield Environmental Management Plan (12 February 2020)</p> <p>Northside Fine Foods OEMP Precinct C – Warehouse C1 (ASBG, November 2023)</p> <p>Spandex OEMP Precinct C – Warehouse C2 (ASBG, November 2023)</p> <p>Shin Mi OEMP Precinct F – Warehouse F1 (ASBG, November 2023)</p> <p>Gomaps OEMP Precinct F – Warehouse F2 (ASBG, November 2023)</p> <p>DCE Global OEMP Precinct F – Warehouse F3 (ASBG, November 2023)</p> <p>Mapei Australia OEMP Precinct H – Warehouse H1 (ASBG, November 2023)</p> <p>Harris Farm Markets OEMP Precinct H – Warehouse H2 (ASBG, November 2023)</p> <p>Marinucci Australia Pty Ltd OEMP Precinct H – Warehouse H3 (ASBG, November 2023)</p>	<p>The storage of dangerous goods and liquids appeared to be compliant with the Standards. Chemicals at the Swift warehouse were observed banded with bund volume which appeared to be over 110% of the largest singled stored container. The 30,000L aboveground Fuel Storage Tank at the IMT is a doubled-skinned, self banded unit on sealed hardstand. The 2,500L diesel tank at the IMT is also self-banded. Refer to photos.</p> <p>The tenants OEMPs identify DG storage within their own sites and management. The tenants OEMPs indicate that Dangerous Goods will be stored according to the Australian Standard covering that Dangerous Goods class</p>	
2.51	The Proponent shall investigate, in consultation with relevant emergency services, whether additional measures are required along Cosgrove Road, including parking restrictions, to ensure clear and safe access to the site in the event of an emergency.	Enfield ILC Compliance Tracking Report 2023, NSW Ports, November 2023, V1	This falls outside of the audit period. Consultation with emergency services was undertaken in 2013. No changes since the last audit.	Not Triggered
2.51A	Prior to commencement of spoil transportation and spoil disposal associated with Mt Enfield requiring the crossing of the Ethylene pipeline, the Proponent shall in consultation with Qenos Pty Ltd, determine truck crossing points of the pipeline and any required works to protect the pipeline.	Enfield ILC Compliance Tracking Report 2023, NSW Ports, November 2023, V1	This falls outside of the audit period. Works associated with Mt Enfield were undertaken in 2013.	Not Triggered
Community Infrastructure and Enhancements				
2.52	Prior to the commencement of operation of the project, the Proponent shall develop in consultation with Strathfield Municipal Council and Canterbury Bankstown Council, a Community Enhancement Program to fund (or provide in kind) community infrastructure and services in and around the project, with a specific focus on provision of such infrastructure and services for communities in Greenacre and South Strathfield. The Proponent shall contribute \$1 million to the Program (in 2007 terms), with agreed works to be completed within two years of the commencement of construction of the project, unless otherwise agreed by the parties. Unless otherwise agreed by the Planning Secretary, funding for enhancement works shall be apportioned at the rate of 30% for works within the Strathfield local government area, and 70% for works within the Bankstown local government area. In the event that any aspect of the Program cannot be agreed between the parties, the matter may be referred to the Planning Secretary for resolution. The Planning Secretary's resolution of any disagreement shall be final and binding on all parties.	Enfield ILC Compliance Tracking Report 2023, NSW Ports, November 2023, V1	This falls outside of the audit period. Funding was provided by the former Sydney Ports Corporation and community enhancement works in 2012-2013.	Not Triggered
3. ENVIRONMENTAL MONITORING AND AUDITING				
Meteorological Monitoring				
3.1	From the commencement of site preparation and construction works associated with the project, the Proponent shall continuously monitor, utilising the meteorological monitoring station referred to under condition 2.20 of this approval, each of the parameters listed in Table 4, utilising the sampling method indicated and applying a 15-minute average period to all results, and recording data in units specified in the Table.	-	This falls outside of the audit period. CoA 2.20 requires the operation of the weather station only until the site is predominantly sealed. Refer to CoA 2.20	Not Triggered

Unique ID	Condition	Evidence at the 2023 audit	Findings and Recommendations at the 2023 audit	Compliance Status																								
	<p>Table 4 – Meteorological Monitoring</p> <table border="1"> <thead> <tr> <th>Parameter</th> <th>Units of Measure</th> <th>Sampling Method*</th> <th>Method</th> </tr> </thead> <tbody> <tr> <td>Temperature at two metres</td> <td>°C</td> <td>AM-4</td> <td>USEPA (2000) EPA 454/ R-99-005</td> </tr> <tr> <td>Temperature at ten metres</td> <td>°C</td> <td>AM-4</td> <td>USEPA (2000) EPA 454/ R-99-005</td> </tr> <tr> <td>Wind speed at ten metres</td> <td>ms⁻¹</td> <td>AM-2 and AM-4</td> <td>AS 2923-1987; USEPA (2000) EPA 454/R-99-005</td> </tr> <tr> <td>Wind direction at ten metres</td> <td>°</td> <td>AM-2 and AM-4</td> <td>AS 2923-1987; USEPA (2000) EPA 454/R-99-005</td> </tr> <tr> <td>Solar radiation</td> <td>Wm⁻²</td> <td>AM-4</td> <td>USEPA (2000) EPA 454/ R-99-005</td> </tr> </tbody> </table> <p>*refer Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (EPA, 2005)</p> <p>During periods of repair or maintenance of the meteorological monitoring station, the Proponent may utilise weather data collected at the Canterbury Racecourse Automatic Weather Station, operated by the Bureau of Meteorology, or other nearby Bureau of Meteorology Stations in the event that the Canterbury station is offline.</p>	Parameter	Units of Measure	Sampling Method*	Method	Temperature at two metres	°C	AM-4	USEPA (2000) EPA 454/ R-99-005	Temperature at ten metres	°C	AM-4	USEPA (2000) EPA 454/ R-99-005	Wind speed at ten metres	ms ⁻¹	AM-2 and AM-4	AS 2923-1987; USEPA (2000) EPA 454/R-99-005	Wind direction at ten metres	°	AM-2 and AM-4	AS 2923-1987; USEPA (2000) EPA 454/R-99-005	Solar radiation	Wm ⁻²	AM-4	USEPA (2000) EPA 454/ R-99-005			
Parameter	Units of Measure	Sampling Method*	Method																									
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Solar radiation	Wm ⁻²	AM-4	USEPA (2000) EPA 454/ R-99-005																									
Construction Dust Monitoring																												
3.2	<p>The Proponent shall, from the commencement of soil disturbing works on the site until all large exposed areas have either been landscaped or sealed, continuously monitor ambient dust concentrations (PM10) at two of the most-affected residential receptor(s) to the site (with monitoring undertaken either on the boundary of the site or within the affected residential areas) employing the sampling and analysis methods specified under AM-18 or AS3580.9.8 or as otherwise agreed by the Planning Secretary.</p> <p>Results of dust monitoring shall be recorded in mgm-3 and shall be utilised for the purpose of site preparation and construction dust management under condition 6.3(e) of this approval.</p>	-	This falls outside of the audit period. Construction largely completed prior to audit period. No construction occurred during the audit period.	Not Triggered																								
Noise Auditing																												
3.3	<p>Within 90 days of the project reaching annual throughput of 50,000 TEU, 150,000 TEU and 250,000 TEU, and within commencement of operations in Empty Container Storage Area A, or at such other time as may be directed or agreed by the Planning Secretary, and during a period in which the project is operating under normal operating conditions, the Proponent shall undertake a program to confirm the noise emission performance of the project. The program shall include, but not necessarily be limited to:</p> <ol style="list-style-type: none"> noise monitoring, consistent with the guidelines provided in the <i>New South Wales Industrial Noise Policy</i> (EPA, 2000), to assess compliance with condition 2.17 of this consent; methodologies, locations and frequencies for noise monitoring; identification of monitoring sites at which pre- and post-project development noise levels can be ascertained; details of any complaints received in relation to noise generated by the project; an assessment of night-time use of audible alarm systems; an assessment of the effectiveness of stacked empty containers as acoustic barriers in Empty Container Storage Area A; details of any noise mitigation measures and timetables for implementation; a statement of whether the site is in compliance with the noise limits outlined in condition 2.17; and recommendations and timetables for implementation for any reasonable and feasible additional measures necessary to ensure compliance with the relevant noise-related conditions of this approval. 	Enfield Logistics Centre, Noise Audit Report dated 9 Nov 2017 Report No. 610.16722-R04 from SLR Global Environmental Solutions	<p>The annual throughput of 50,000 was addressed in 2016/17 and falls outside of the audit period.</p> <p>The next noise audit will be required when the project reaches annual throughput of 150,000 TEU. Container throughput for last financial year, FY23, was reported to be 89,815 TEU.</p>	Not Triggered																								
3.4	<p>Within 28 days of conducting the noise monitoring referred to under condition 3.3 of this approval, the Proponent shall provide the Planning Secretary with a copy of the report. If the noise monitoring report identifies any non-compliance with the noise limits specified under this approval, the Proponent shall detail what additional measures would be implemented to ensure compliance, clearly indicating who would implement these measures, when these measures would be implemented, and how the effectiveness of these measures would be measured and reported to the Planning Secretary.</p>	Enfield Logistics Centre, Noise Audit Report dated 9 Nov 2017 Report No. 610.16722-R04 from SLR Global Environmental Solutions	Refer to Condition 3.3. This was addressed in 2016/17 and falls outside of the audit period. The next noise audit will be required when the project reaches annual throughput of 150,000 TEU. Container throughput for last financial year, FY23, was reported to be 89,815 TEU.	Not Triggered																								
3.5	<p>Following consideration of the outcomes of the noise audits referred to under conditions 3.3 and 3.4 of this approval, the Planning Secretary may require the Proponent to implement additional noise mitigation, monitoring or management measures to address noise associated with the project. The Planning Secretary may require any or all of the measures proposed by the Proponent in the noise audit report, or other measures considered appropriate by the Planning Secretary (including on-site and off-site acoustic treatments, noise bunding, noise</p>	Enfield Logistics Centre, Noise Audit Report dated 9 Nov 2017 Report No. 610.16722-R04 from SLR Global Environmental Solutions	CoA 3.3 and 3.4 were addressed in 2016/17. NSW Ports advised that there have been no other requirements from the Planning Secretary during the audit period.	Not Triggered																								

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	walls or noise attenuation works for plant and equipment) to be implemented. The Proponent shall implement the measures required by the Planning Secretary y within such period as the Planning Secretary may specify.	Enfield ILC Compliance Tracking Report 2023, NSW Ports, November 2023, V1		
Traffic Monitoring and Auditing				
3.6	<p>The Proponent shall develop and implement a Traffic and Capacity Monitoring Program to monitor the throughput and traffic generation of the project. The Program shall include, but not necessarily be limited to:</p> <ol style="list-style-type: none"> provisions for monitoring the throughput of the project; provisions for representative monitoring the traffic generation of the project, with reference to traffic generation as a function of project throughput, type of road transport employed, hours of traffic movements and intended road traffic destinations; provisions for periodic monitoring of traffic movements generated by the project in the surrounding road network, with a particular focus on the residential areas of Greenacre to the west of the project, generally between Roberts Road, Boronia Road and the Hume Highway, and principal road transport routes to and from the site; and a framework for recording and reporting the outcomes of the Program and a system for considering data generated through the Program. 	<p>Overarching Operational Traffic Management Plan – Enfield Intermodal Logistics Centre NSW Ports Dec 2021 Version 5</p> <p>TfNSW Enfield Automatic Number Plate Recognition (ANPR) spreadsheet with traffic counts from 8/12/23 to 11/12/23</p> <p>Enfield Intermodal Traffic Survey FINAL REPORT NSW Ports, 11/09/20 Rev.3 from Aurecon.</p>	<p>2022 Independent Audit Finding</p> <p>The 2022 Audit (and also the 2021) raised an Observation about not ample evidence provided to ensure that all the activities required by the Traffic and Capacity Monitoring Program TCMP (section 14 of the OTMP) had been undertaken during the audit period e.g., classification counts (every 2 years); number of plate recognition survey (every 2 years); road safety audit, etc.</p> <p>Information about activities undertaken to address the TCMP have been provided in the current audit and are discussed below.</p> <p>2023 Independent Audit</p> <p>The Operational Traffic Management Plan (OTMP) was updated during Dec 2021, version 5.0 and a letter was received from the Department approving the plan.</p> <p>The TCMP is incorporated in Section 14 of the NSW Ports Enfield OTMP which sets out the monitoring program. Some requirements of the TCMP include the following:</p> <ul style="list-style-type: none"> Traffic counts in/out 7day, 24h at 3 locations every two years at Mainline Drive (east of Wentworth St), Turnout Drive (west of Cosgrove Rd), Mainline Drive (north of Turnout Drive) (automatic tube traffic counters) Quarterly 24h truck counts using security camaras (use of Cosgrove Rd entrance) Number plate recognition surveys every two years to review use triangle Boronia/Hume/Roberts Truck route surveys (by tenants) coordinated by NSW Ports (Questionnaire in Appendix D of OTMP) random <p>NSW Ports indicated that Traffic movements at Enfield are monitored by the site CCTVs and MSMS security patrols. Traffic issues are logged in Protecht Event Management System and discussed at the quarterly RTCG meetings. It also indicated that from July 2023 vehicle movement data from TfNSW is available to Port Authority for Cosgrove Road and Mainline Road. The Automatic Number Plate Recognition (ANPR) camaras provides total number of vehicles entering and exiting the ILC via Cosgrove Road and Mainline Road.</p> <p>The last traffic survey was completed in 2020. It identifies traffic throughputs, type of transport, hours of movements and destinations. The throughput of containers (reflective of traffic volumes) is also tracked monthly. There were no specific traffic surveys undertaken in 2021-2022. ILC truck movements numbers for FY 22 are provided in the IFTR.</p> <p>NSW Ports has advised that is currently reconsidering the TCMP requirements with the aim of using the ANPR camaras and the CCTV network. The 2023 Compliance Tracking Report indicates that NSW may submit a Mod to the Department in 2024 to amend condition 3.6. The 2023 Compliance Tracking Report indicates that NSW may submit a Mod to DPE in 2024 to amend this condition.</p> <p>Non-compliance: the traffic monitoring program implemented by NSW Ports is inconsistent with the Traffic and Capacity Monitoring Program (TCMP) which forms part of the approved Operational Traffic Management Plan. Whilst traffic data is collected along Cosgrove Road and Mainline Drive, the methods used do not match</p>	Non-Compliant

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			<p>the methods in the TCMP. In addition, there is no evidence that traffic monitoring on the residential areas of Greenacre to the west of the project, generally between Roberts Road, Boronia Road and the Hume Highway, and principal road transport routes to and from the site is undertaken in accordance with 3.6c is undertaken.</p> <p>Recommendation: Review the Traffic and Capacity Monitoring Program in consultation with the Road Transport Coordination Group and submit it to the Department with the Operation Traffic Management Plan.</p>	
3.7	<p>Within 90 days of the project reaching annual throughput of 50,000 TEU, 150,000 TEU and 250,000 TEU, or as may be directed or agreed by the Planning Secretary, and during a period in which the project is operating under normal operating conditions, a Traffic Audit of the project shall be undertaken by an independent qualified person(s) approved by the Planning Secretary. The Audit shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> a) assessment of the traffic performance of the project against the predictions made in the documents referred to under condition 1.1 of this approval; b) consideration of the results of the Traffic and Capacity Monitoring Program required under condition 3.6 of this approval; c) c) consideration of the effectiveness of the traffic management measures implemented by the Proponent and the measures required under this approval; d) consideration of traffic-related issues raised by the TfNSW, Canterbury Bankstown Council and Strathfield Municipal Council; e) e) consideration of the traffic-related complaints recorded in accordance with condition 5.3 of this approval; <p>findings and recommendations with respect to the traffic performance of the project and any additional ensures that may be required to manage traffic associated with the project.</p>	-	<p>The requirement for a Traffic Audit at 50,000 TEU was triggered in 2017, outside the audit period.</p> <p>As discussed in Section 1.1 of the audit report, the ILC has not triggered the 150,000 TEU annual throughput yet.</p>	Not Triggered
3.8	<p>Within 28 days of conducting the traffic auditing referred to under condition 3.7 of this approval, the Proponent shall provide the Planning Secretary with a copy of the audit report. If the audit report identifies any non-compliance with the traffic predictions, principal heavy vehicle routes or local area traffic management measure outlined in the documents referred to under condition 1.1, or specified under this approval, the Proponent shall detail what additional measures would be implemented to ensure compliance, clearly indicating who would implement these measures, when these measures would be implemented, and how the effectiveness of these measures would be measured and reported to the Planning Secretary.</p>	-	<p>This requirement falls outside of the audit period, refer to Condition 3.7.</p>	Not Triggered
3.9	<p>Following consideration of the outcomes of the traffic audits referred to under conditions 3.7 and 3.8 of this approval, the Planning Secretary may require the Proponent to implement additional traffic mitigation, monitoring or management measures to address traffic associated with the project. The Planning Secretary may require any or all of the measures proposed by the Proponent in the traffic audit report, or other measures considered appropriate by the Planning Secretary (including additional local area traffic management measures or on-site traffic management controls) to be implemented. The Proponent shall implement the measures required by the Planning Secretary within such period as the Planning Secretary may specify.</p>	-	<p>NSW Ports have advised that it has not received requirements from the Planning Secretary under this condition during the audit period.</p>	Not Triggered
4. COMPLIANCE MONITORING AND TRACKING				
Compliance Tracking Program				
4.1	<p>The Proponent shall develop and implement a Compliance Tracking Program to track compliance with the requirements of this approval. The Program shall include, but not necessarily limited to:</p> <ul style="list-style-type: none"> a) provisions for periodic review of the compliance status of the project against the requirements of this approval; b) provisions for periodic reporting of compliance status to the Planning Secretary; c) a program for independent environmental auditing at least annually, or as otherwise agreed by the Planning Secretary, in accordance with <i>ISO 19011:2002 - Guidelines for Quality and/ or Environmental Management Systems Auditing</i>; and d) mechanisms for rectifying any non-compliance identified during environmental auditing or review of compliance. 	<p>Enfield Intermodal Logistics Centre Compliance Tracking Program – November 2017 - posted in NSW Ports' website: https://www.nswports.com.au/enfield-</p>	<p>NSW Ports has prepared the Enfield ILC Compliance Tracking Program –November 2017 which is posted in NSW Ports' website and addresses 4.1a-d.</p> <p>Annual compliance tracking reports are prepared and submitted to the Department. During the audit period, NSW Ports prepared the Enfield ILC Compliance Tracking Annual report 2023, NSW Ports, Nov 2023, Version 1, and submitted it to the Department in December 2023 (record of submission sighted).</p> <p>Independent Audit Reports are undertaken annually and all audit reports are posted in the project website.</p> <p>In addition, an independent audit of the IMT was undertaken by Ardent (re: Environmental Compliance Audit Report 2023 – Swift Intermodal Enfield Terminal, Ardent Group dated 16 November</p>	Compliant

Unique ID	Condition	Evidence at the 2023 audit	Findings and Recommendations at the 2023 audit	Compliance Status
		intermodal-logistics-centre-compliance-tracking-program Enfield ILC Compliance Tracking Annual report 2023, NSW Ports, Nov 2023, Version 1 DPE Planning Portal receipt of submission of Compliance Tracking Report 2023 WolfPeak, Independent Audit Report, February 2023 Environmental Compliance Audit Report 2023 – Swift Intermodal Enfield Terminal, Ardent Group dated 16 November 2023	2023). The audit found no non-compliances with the conditions of approval and the OEMP documentation.	
5. COMMUNITY INFORMATION, CONSULTATION AND INVOLVEMENT				
5.1	Subject to confidentiality, the Proponent shall make all documents required under this approval available for public inspection on request.	https://www.nswports.com.au/enfield-intermodal-logistics-centre https://www.nswports.com.au/community	The Enfield ILC website is comprehensive in publishing documents required under the CoA. NSW Ports reported that any other documents not published are considered confidential.	Compliant
Complaints and Enquiries Procedure				
5.2	Prior to the commencement of construction of the project, the Proponent shall ensure that the following are available for community complaints and enquiries for the life of the project (including construction and operation): <ol style="list-style-type: none"> a telephone number on which complaints and enquiries about construction and operational activities at the site may be registered; a postal address to which written complaints and enquires may be sent; and an email address to which electronic complaints and enquiries may be transmitted. The telephone number, the postal address and the email address shall be displayed on a sign near the entrance to the site, in a position that is clearly visible to the public, and which clearly indicates the purposes of the sign. This information is also to be provided on the Proponent's website.	https://www.nswports.com.au/contact	No construction activities occurred during the reporting period. The website includes a phone number – 1300 922 524 Two postal addresses included on the website for Port Botany and Port Kembla. The website contains an email address – enquiries@nswports.com.au A sign is located at the Cosgrove Road entrance with the contact details.	Compliant
5.3	The Proponent shall record details of all complaints received through the means listed under condition 5.2 of this approval in an up-to-date Complaints Register. The Register shall record, but not necessarily be limited to: <ol style="list-style-type: none"> the date and time, where relevant, of the complaint; the means by which the complaint was made (telephone, mail or email); any personal details of the complainant that were provided, or if no details were provided, a note to that effect; the nature of the complaint; record of operational and meteorological condition contributing to the complaint; any action(s) taken by the Proponent in relation to the complaint, including any follow-up contact with the complainant; and if no action was taken by the Proponent in relation to the complaint, the reason(s) why no action was taken. The Complaints Register shall be made available for inspection by the Planning Secretary upon request.	Protect – Online Complaints Register - current to 20/11/2023	The NSW Ports complaints register for the audit period was sighted. The complaints management system can capture each of the requirements in a) – g). Two complaints were logged in the complaints register during the audit period. The two complaints were related to noise generated from ILC. The first complaint related to a noisy reach-stacker with a failing cooling fan, initially recorded on the 11 December 2022. The complaint was investigated and NSW Ports confirmed with Swift that equipment has been repaired and place back in service in January 2023. No further complaints regarding this issue were raised in 2023. The second complaint was raised on the 19 April 2023 related to two explosions heard by a resident in relation to fire on a reach stacker at LINX. The explosions were the result of the reach stacker fire causing the wheels to blow off. The fire, which occurred within the IMT located on the concrete handstand, was stopped and no environmental damage recorded. This event was also recorded in the Incident Register and was reported to the EPA and SafeWork NSW as discussed in Section 3.8. All complaints have closed out accordingly following the investigation and action. The Auditor considers the management of complaints to be adequate.	Compliant
Provision of Electronic Information				

Unique ID	Condition	Evidence at the 2023 audit	Findings and Recommendations at the 2023 audit	Compliance Status
5.4	<p>The Proponent shall establish and maintain a new website, or dedicated pages within its existing website for the provision of electronic information associated with the project. The Proponent shall publish and maintain up-to-date information on this website or dedicated pages including, but not necessarily limited to:</p> <ul style="list-style-type: none"> a) a copy of the documents referred to under condition 1.1 of this approval, and any documentation supporting modifications to this approval that may be granted from time to time; b) a copy of this approval and each relevant environmental approval, licence or permit required and obtained in relation to the project; c) a copy of each strategy, plan, program and audit required under this approval; and d) the outcomes of compliance tracking in accordance with condition 4.1 of this approval. 	<p>https://www.nswports.com.au/enfield-intermodal-logistics-centre https://www.nswports.com.au/enfield-intermodal-logistics-centre-approval-documentation https://www.nswports.com.au/enfield-operational-environmental-management-plans https://www.nswports.com.au/enfield-intermodal-logistics-centre-compliance-tracking-program</p>	<p>The Enfield ILC website is comprehensive in publishing documents required under the CoA.</p> <p>The website contains the required information except as otherwise discussed below.</p> <p>Observation: MOD 15 documentation, approved on the 22 November 2023, was not uploaded in the website at the time of this audit</p> <p>Recommendation: Upload MOD 15 in the project website in accordance with Condition 5.4a)</p>	Compliant
6. ENVIRONMENTAL MANAGEMENT				
Environmental Representative				
6.1	<p>Prior to the commencement of operation of the project, the Proponent shall nominate a suitably qualified and experienced Environmental Representative(s) for the approval of the Planning Secretary. The Proponent shall employ the Environmental Representative(s) on a full-time basis, or as otherwise agreed by the Planning Secretary, during the operation of the project. The Environmental Representative shall be:</p> <ul style="list-style-type: none"> a) the primary contact point in relation to the environmental performance of the project; b) responsible for all management plans and monitoring programs required under this approval; c) responsible for considering and advising on matters specified in the conditions of this approval, and all other licences and approvals related to the environmental performance and impacts of the project; d) responsible for receiving and responding to complaints in accordance with condition 5.2 and 5.3 of this approval; and e) given the authority and independence to require reasonable steps be taken to avoid or minimise unintended or adverse environmental impacts, and failing the effectiveness of such steps, to direct that relevant actions be ceased immediately should an adverse impact on the environment be likely to occur. <p>The Proponent shall notify the Planning Secretary of any changes to that appointment that may occur from time to time.</p>	<p>Letter – NSW Ports to DPIE, Enfield Intermodal Logistics Centre (ILC) Nomination of Environmental Representative Role for NSW Ports, 11/03/21</p> <p>Letter – DPIE to NSW Ports, Enfield Intermodal Terminal Environmental Representative, 13/04/21</p>	<p>A letter from the Department to NSW Ports dated 13 April 2021 approved the appointment of a new Environmental Representative as 'Environment Manager'.</p> <p>The Environmental Representative is also the Environment Manager for NSW Ports. The same Environmental Representative approved by the Department on the 13/04/2021 remained on this position during the audit period.</p>	Compliant
Construction Environmental Management Plan				

Unique ID	Condition	Evidence at the 2023 audit	Findings and Recommendations at the 2023 audit	Compliance Status
6.2	<p>Prior to the commencement of site preparation works or construction of the project, the Proponent shall prepare and submit for the approval of the Planning Secretary a Construction Environmental Management Plan to detail an environmental management framework, practices and procedures to be followed during site preparation and construction of the project. The Plan shall be prepared in accordance with <i>Guideline for the Preparation of Environmental Management Plans</i> (DIPNR 2004) and shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> a) a framework consistent with that presented in Chapter 21 of the document referred to under condition 1.1b) of this approval; f) a description of all activities to be undertaken on site during site establishment and construction of the project including an indication of stages of construction, where relevant; g) statutory and other obligations that the Proponent is required to fulfil during site establishment and construction, including all approvals, consultations and agreements required from authorities and other stakeholders, and key legislation and policies; h) specific consideration of measures to address any requirements of the EPA during site establishment and construction; i) a description of the roles and responsibilities for all relevant employees involved in the site establishment or construction of the project. j) details of how the environmental performance of the site preparation and construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts. In particular, the following environmental performance issues shall be addressed in the Plan: <ul style="list-style-type: none"> i. measures to monitor and manage dust emissions; ii. measures to monitor and minimise soil erosion and the discharge of sediment and other pollutants to lands and/ or waters during construction activities; and iii. measures to monitor and control noise emissions during construction works; k) a description of the roles and responsibilities for all relevant employees involved in site preparation and construction of the project and a program for how these employees will be trained in responsibilities identified in the plan; l) complaints handling procedures to be applied during operation of the project (conditions 5.2 and condition 5.3 of this approval); m) the issue-specific management plans listed under condition 6.3 of this approval. <p>The Construction Environmental Plan shall be made available for inspection by the public upon request following its approval by the Planning Secretary.</p>	<p>Enfield ILC Overarching Construction Environmental Management Plan Enfield Intermodal Logistics Centre NSW Ports May 2020 Version 4 https://www.nswports.com.au/sites/default/files/Enfield%20ILC%20NSW%20Ports%20Overarching%20CEMP%20v4%20May%202020_0.pdf</p>	<p>No construction activities occurred during the audit period. CEMP - May 2020, Revision 4 - approved by the Department on 8 July 2020. The CEMP is publicly available on the project website.</p>	Not Triggered
6.2A	<p>Prior to the commencement of construction under MP05_00147 Mod 15, the Proponent must update the CEMP required under condition 6.2 and submit the updated CEMP to the Planning Secretary for approval.</p>		<p>No construction activities occurred during the audit period. Tarpaulin Factory works associated with MOD 15 are expected to commence in 2024.</p>	Not Triggered

Unique ID	Condition	Evidence at the 2023 audit	Findings and Recommendations at the 2023 audit	Compliance Status
6.3	<p>As part of the Construction Environmental Management Plan for the project, required under condition 6.2 of this approval, the Proponent shall prepare and implement the following Management Plans:</p> <p>a) a Construction Noise Management Plan to outline construction noise mitigation, monitoring and management measures to be implemented to include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> iv. details of construction activities and a schedule for construction works; v. identification of construction activities that have the potential to generate noise and/ or vibration impacts on surrounding land uses, particularly residential areas; vi. where the relevant construction noise goals contained in the Noise Management Guideline – Construction Noise (formerly published as Chapter 171 of the Environmental Noise Control Manual) are predicted to be exceeded at sensitive receivers, provision for the application of all practicable and reasonable noise mitigation measures to seek to achieve the relevant construction noise goals; vii. procedures for notifying residents of construction activities that are likely to effect their noise and vibration amenity, as well as procedures for dealing with and responding to noise complaints; and viii. a description of how the effectiveness of these actions and measures would be monitored during the proposed works, clearly indicating how often this monitoring would be conducted, how the results of this monitoring would be recorded; and, if any non-compliance is detected. 	<p>Enfield ILC Overarching Construction Environmental Management Plan Enfield Intermodal Logistics Centre NSW Ports May 2020 Version 4</p>	<p>No construction activities occurred during the audit period. CEMP section 3.3.3 Construction Noise Management Plan</p>	Not triggered
	<p>b) Construction traffic measures including:</p> <ul style="list-style-type: none"> i. a Construction Traffic Management Protocol to detail how heavy vehicle movements associated with the project will be managed during construction. The Protocol shall specifically address the movement of oversize loads to and from the site, the management of construction traffic, restrictions to the hours of heavy vehicle movements to avoid road use conflicts, and the transport of construction waste materials; and ii. a Driver's Code of Conduct which details traffic management measures to be implemented during construction to: <ul style="list-style-type: none"> o minimise impacts of the project on the local and regional road network, o minimise conflicts with other road users, o ensure truck drivers use specific routes and access points, including no left turn access from Cosgrove Road, and o minimise traffic noise, particularly during night times hours; 	<p>Enfield ILC Overarching Construction Environmental Management Plan Enfield Intermodal Logistics Centre NSW Ports May 2020 Version 4</p>	<p>No construction activities occurred during the audit period. CEMP section 3.3.1 Construction Traffic Management Protocol</p>	
	<p>c) a Heritage Interpretation Plan and Strategy to detail how heritage items to be retain on-site will be protected during site preparation and construction, and how relocated heritage items will be protected and maintained during those works. The Plan shall include a strategy for the on-going management and interpretation of heritage items and values on the site, and shall be prepared in accordance with OEH (Heritage Division) guidelines;</p>	<p>Enfield ILC Overarching Construction Environmental Management Plan Enfield Intermodal Logistics Centre NSW Ports May 2020 Version 4</p>	<p>CEMP section 3.3.4. The HIPS remains unchanged from that approved prior to the audit period.</p>	
	<p>d) a Landscape and Ecological Area Management Plan to detail how the site will be landscaped and maintained. The Plan shall be generally consistent with the Landscape Masterplan presented in the document referred to under condition 1.1b) of this approval and shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> i. provision for the use of locally-endemic native species for landscaping the site; ii. consideration of landscaping locations and densities to maximise visual screening of the project from residential receptors and public open space; iii. measures to maximise the retention of locally-endemic native species existing on the site, and removal of weeds and non-indigenous vegetation; and iv. measures for the enhancement, revegetation and on-going management of the Ecological Area on the site, including measures to provide suitable habitat for <i>Litoria Aurea</i>; 	<p>Enfield ILC Overarching Construction Environmental Management Plan Enfield Intermodal Logistics Centre NSW Ports May 2020 Version 4 Enfield ILC Landscape and Ecological Area Management Plan Enfield Intermodal Logistics Centre NSW Ports August 2020 Version 3</p>	<p>The LEAMP was revised in 2020 and a document was submitted with a new drawing package to DPIE for approval on 03/09/20. Although this document was prepared under the CEMP for the construction phase, it is relevant to operations and is currently implemented as discussed elsewhere in the report.</p>	
	<p>e) a Construction Dust Management Protocol to detail how dust impacts will be mitigated, monitored and managed during construction of the project. The Plan shall include procedures for the identification of situations in which site preparation or construction works may contribute to an ambient PM10 concentration (24-hour) of greater than 50 mgm-3 at any off-site residential receptor, with details of measures to be</p>	<p>Enfield ILC Overarching Construction Environmental Management Plan Enfield Intermodal Logistics Centre NSW Ports May 2020 Version 4</p>	<p>CEMP section 3.3.2 Constructio Dust Management Protocol</p>	

Unique ID	Condition	Evidence at the 2023 audit	Findings and Recommendations at the 2023 audit	Compliance Status
	<p>implemented (including alteration or cessation of works, as may be relevant) to prevent or minimise exceedance of this criterion, in so far as the exceedance may relate to activities associated with the project.</p> <p>f) A Mt Enfield Stabilisation Management Plan to detail how the batters of Mt Enfield and associated drainage will be managed during construction and until such time as it is stabilised with vegetation. The plan shall include but not be limited to:</p> <p>(a) measures to prevent soil erosion and the discharge of sedimentation to lands or waters, including to the Green and Golden Bell Frog Habitat Creation Area and Cox's Creek;</p> <p>(b) identification of where runoff from Mt Enfield is to be directed to, indicating ponding and flow paths to ensure runoff volume and increased flow velocity has been provided for, with the objective of not exceeding current rates;</p> <p>(c) measures to mitigate potential dust impacts on sensitive receivers including the Green and Golden Bell Frog Habitat Creation Area and surrounding residences; and</p> <p>(d) measures for the enhancement, revegetation and on-going landscape management of the Mt Enfield site, undertaken in consultation with Strathfield Municipal Council and Canterbury Bankstown Council, and the local community.</p> <p>The ongoing management of drainage structures and landscaping associated with Mt Enfield shall be incorporated into the Operation Environmental Management Plan required under condition 6.4 of this approval.</p>	<p>Enfield ILC Overarching Construction Environmental Management Plan Enfield Intermodal Logistics Centre NSW Ports May 2020 Version 4</p>	<p>CEMP section 3.3.6 Mount Enfield Stabilisation Management Plan Although this document was prepared under the CEMP for the construction phase, it is relevant to operations and is currently implemented as discussed elsewhere in the report.</p>	
	<p>Tarpaulin Factory Area Earthworks Environmental Management Plan which shall include but not be limited to:</p> <p>(i) the measures contained in the letter – Green and Golden Bell Frog Conservation Measures Tarpaulin Shed Site Enfield, prepared by Biosphere Environmental Consultants, 27 November 2016;</p> <p>(ii) measures to minimise dust emissions in accordance with conditions 2.22 to 2.27 including measures to mitigate potential dust impacts on Green and Golden Bell Frog habitat;</p> <p>(iii) an air quality monitoring program for asbestos during earthworks that disturb contaminated material;</p> <p>(iv) measures to address groundwater inflow during excavation of the Mt Enfield eastern flank and the burrow pit for the placement of unsuitable material. The measures must include dewatering of groundwater and disposal of potentially contaminated groundwater at EPA licensed sites;</p> <p>(v) measures to minimise soil erosion in accordance with condition 2.29 and to ensure only clean surface water flows are discharged to the frog ponds;</p> <p>(vi) management of stockpiles in accordance with condition 2.30;</p> <p>(vii) management of waste and remediation of the Tarpaulin Factory Site in accordance with conditions 2.39 to 2.42, 2.44 and the Remedial Action Plan (RAP)127 Cosgrove Road, South Strathfield, NSW, Flower Power Group, prepared by Geosyntec Consultants dated 21 December 2021;</p> <p>(viii) measures to verify that imported material is consistent with that specified in the RAP;</p> <p>(ix) landscaping of disturbed areas in accordance with the Landscape and Ecological Area Management Plan under condition 6.3(d);</p> <p>(x) protection of heritage items including the relocated Pillar Water Tank; and</p> <p>(xi) unexpected finds protocol.</p> <p>A copy of the approved Tarpaulin Factory Area Earthworks Environmental Management Plan is to be provided to Strathfield Council.</p>	<p>Site Inspection 1/12/2023</p>	<p>Not applicable – relevant to Tarpaulin Factory works which are yet to commenced. The site has not been disturbed by NSW Ports during the audit period.</p>	
	<p>h) a Fill Importation Protocol (FIP) outlining the requirements of the imported fill, including the source and type, and containing the requirement to place and compact imported material as fill immediately upon arrival to the site. The FIP is to include the requirement that only virgin excavated natural material/ excavated natural material can be imported from off-site. All bulk earthworks should be undertaken in accordance with the approved FIP. The Construction Environmental Management Plan required under this condition and Condition 6.2 shall be updated (where necessary) to reflect any changes arising from modifications to this approval.</p>	<p>Enfield ILC Overarching Construction Environmental Management Plan Enfield Intermodal Logistics Centre NSW Ports May 2020 Version 4</p>	<p>CEMP section 3.3.6 Mount Enfield Stabilisation Management Plan CEMP Appendix G – Fill Importation Protocol</p>	
Operation Environmental Management Plan				
6.4	<p>Prior to the commencement of operation of the project, the Proponent shall prepare and submit for the approval of the Planning Secretary an Operation Environmental Management Plan (OEMP) to detail an environmental management framework, practices and procedures to be followed during the operation of the project. The Plan</p>	<p>Enfield ILC Operational Environmental Management Plan</p>	<p>The 2022 Independent Audit Report indicates that the Department approved the NSW Ports' OEMP (July 2020, Version 6) on 1 February 2021. Since then, and during the audit period, NSW Ports updated the OEMP (Nov 23, Version 7). The updated version involved a review</p>	<p>Compliant</p>

Unique ID	Condition	Evidence at the 2023 audit	Findings and Recommendations at the 2023 audit	Compliance Status
	<p>shall be consistent with the Department's <i>Guideline for the Preparation of Environmental Management Plans</i> (DIPNR 2004), and shall include, but not necessarily be limited to:</p> <p>a) a framework consistent with that presented in Chapter 21 of the document referred to under condition 1.1b) of this approval;</p>	<p>(OEMP), NSW Ports, November 2023 Version 7</p> <p>Enfield Intermodal Logistics Centre OEMP, NSW Ports July 2020 Version 6</p> <p>Letter – DPIE to NSW Ports, Approval of updated Overarching Operational Environmental Management Plan, as required under condition 6.4, 01/02/21</p> <p>LINX Enfield Intermodal Terminal Operational Environmental Plan (September 2020 Version 04)</p> <p>Swift Operational Environmental Management Plan (Updated 30.08.22)</p> <p>Progress Rail Enfield Environmental Management Plan (12 February 2020)</p> <p>Northside Fine Foods OEMP Precinct C – Warehouse C1 (ASBG, November 2023)</p> <p>Spandex OEMP Precinct C – Warehouse C2 (ASBG, November 2023)</p> <p>Shin Mi OEMP Precinct F – Warehouse F1 (ASBG, November 2023)</p> <p>Gomaps OEMP Precinct F – Warehouse F2 (ASBG, November 2023)</p> <p>DCE Global OEMP Precinct F – Warehouse F3 (ASBG, November 2023)</p> <p>Mapei Australia OEMP Precinct H – Warehouse H1 (ASBG, November 2023)</p> <p>Harris Farm Markets OEMP Precinct H – Warehouse H2 (ASBG, November 2023)</p> <p>Marinucci Australia Pty Ltd OEMP Precinct H – Warehouse H3 (ASBG, November 2023)</p> <p>Site Inspection and interviews on 1/12/2023</p> <p>GW Environmental Reports Mt Enfield June, July, August, September 2023</p> <p>GW Environmental Reports Basins February, June, October 2023</p> <p>Linx Environmental inspections on Jan, Mar and June 23</p>	<p>with administrative updates (updated figures, terminology), includes the 2023 NSW HSE Policy, includes the noise monitoring program and changes to tenant OEMP requirements, with two levels of OEMP; one for high risk tenants (LINX, Swift) and one for low risk tenants (warehouses, Progress Rail). Mitigation measures remain basically unchanged from the last version.</p> <p>Tenants are required to prepared their own OEMP under the NSW Ports' OEMP. The Warehouses OEMPs have also recently being reviewed (all of them dated November 2023). A recommendation has been made under Condition 6.6 to submit the revised OEMPs to the Department.</p> <p>NSW Ports implements its OEMP and monitors the implementation of the tenants OEMP. The ER allocates at least 2 visits per month to the site (October 23 calendar shows evidence of site visits sighted, since September 23, before quarterly) to inspect general site conditions and meet tenants as required. The inspections are not documented unless a finding needs to be actioned (e.g., plastic litter observed by the ER on the 20/2/23 at one of the tenants ShinMi warehouse, and photos were taken and the tenant was required by email to clean up the site – communications sighted). Street sweeper is used regularly for the roads, 7/10/23 invoice sighted docket 79553:All sweeper Hirer. In 2023 nine street sweeper event organised. Security 24/7 monitor illegal dumping and other illegal activities (including environmental, access etc). The site has CCTV camaras (7) managed by NSW Ports, showing the site roads and key parts of the site. The tenants issue annual compliance reports/checklist (Warehouse F3 DCE Global compliance check, dated November 2023 sighted). Tenants undertake their own inspections under their respective OEMPs (Linx Environmental inspections on Jan, Mar and June 23 were sighted).</p> <p>NSW Ports' contractors and consultants maintain and monitor the Frog Habitat Creation area as discussed in Condition 2.48. NSW Port' contractors, GW Environmental, also maintain the basins, Mt Enfield and landscaping areas. GW Environmental, prepares monthly Landscape and Ecological Area Management Plan (LEAMP) Conditions reports reporting on LEAMP implementation compliance and status. GW Environmental prepares regular progress reports on the maintenance of the stormwater detection basins and Mt Enfield. Enfield site Inductions are undertaken using the electronic Rapid Global system. The system was sighted and provides details of personnel inducted, courses, induction date, status etc.</p> <p>NSW Ports maintains a Section 170 Register under the Heritage Act 1977. A copy of the register was sighted. Two items on site are listed in the register, the Pilar Water Tank and the Tarpaulin Factory.</p>	
	<p>b) description of all activities to be undertaken on the site during operation of the project;</p>	<p>As above</p>	<p>NSW Ports' OEMP Section 1.1 and 1.2</p>	

Unique ID	Condition	Evidence at the 2023 audit	Findings and Recommendations at the 2023 audit	Compliance Status
	<p>c) statutory and other obligations that the Proponent is required to fulfil during operation, including all approvals, consultations and agreements required from authorities and other stakeholders, and key legislation and policies;</p> <p>d) specific consideration of measures to address the reasonable requirements of Strathfield Municipal Council, Canterbury Bankstown Council and the EPA during operation;</p> <p>e) details of how the environmental performance of operations will be monitored, and what actions will be taken to address identified adverse environmental impacts;</p> <p>f) a description of the roles and responsibilities for all relevant employees involved in the operation of the project and a program for how these employees will be trained in responsibilities identified in the plan;</p> <p>g) complaints handling procedures to be applied during operation of the project (conditions 5.2 and condition 5.3 of this approval).</p> <p>h) the issue-specific management plans listed under condition 6.5 of this approval.</p>	As above	<p>NSW Ports' OEMP Section 1.4 and Appendix A</p> <p>NSW Ports' OEMP Sections 2.4, 2.7, 2.9 and 2.11</p> <p>NSW Ports' OEMP Section 2.5, 2.6, Tables 4-10 and Appendices F-H</p> <p>NSW Ports' OEMP Section 2.3</p> <p>NSW Ports' OEMP Section 2.4</p> <p>NSW Ports' OEMP Appendices F and G, refer also to below.</p>	
6.5	<p>As part of the Operation Environmental Management Plan for the project, required under condition 6.4 of this approval, the Proponent shall prepare and implement the following Management Plans:</p> <p>a) an Operation Noise Management Plan to outline monitoring, management procedures and measures to minimise operational noise impacts associated with the project, including traffic-related noise. The Plan shall include, but not necessarily be limited to:</p> <ol style="list-style-type: none"> i. identification of all relevant receivers and the applicable criteria at those receivers commensurate with the noise limits specified under this approval; ii. identification of activities that will be carried out in relation to the project and the associated noise sources; iii. assessment of project noise impacts at the relevant receivers against the noise limits specified under this approval; iv. details of management measures, methods and procedures that will be implemented to control individual and overall noise emissions from the site and specific land uses to ensure compliance with condition 2.17; v. details of the management measures and procedures that will be implemented in Empty Container Storage Areas A and B to ensure that acoustic barriers constructed from empty storage containers are established at the correct time, height, length, and location to ensure compliance with condition 2.17; vi. details of the management measures that will be undertaken to ensure that activities undertaken in Empty Container Storage Area B in the area to the north of the northern noise wall, including the restriction of container stacking, comply with the requirements of condition 2.17; vii. development of reactive and pro-active strategies for dealing promptly with any noise complaints; viii. noise monitoring and reporting procedures; and ix. regular internal audits of compliance of all plant and equipment with acceptable design noise. 	As above	NSW Ports' OEMP Appendix G: Operational Noise Management Plan	Compliant
	<p>b) an Operation Traffic Management Plan to outline measures to minimise and manage any impacts from the operation of the project on the local road network. The Plan shall include, but not necessarily be limited to:</p> <ol style="list-style-type: none"> i. i) a driver education program to ensure that heavy vehicles comply with the requirements of this approval and the commitments made in the documents referred to under condition 1.1, particularly with respect to heavy vehicle routes; ii. i-a) a Driver's Code of Conduct which details traffic management measures to iii. be implemented during operation to: <ul style="list-style-type: none"> • minimise impacts of the project on the local and regional road network, • minimise conflicts with other road users, • ensure truck drivers use specific routes and access points, including no • left turn access from Cosgrove Road, and 	<p>Overarching Operational Traffic management Plan (Rev 5, dated December 2021)</p> <p>DPIE letter to NSW Ports dated 9/3/2022</p>	<p>NSW Ports' OEMP Appendix F: Operational Traffic Management Plan.</p> <p>Overarching Operational Traffic Management Plan 21 Dec 2021 – version 5.0 was approved by the Department on the 9/3/2022.</p>	Compliant

Unique ID	Condition	Evidence at the 2023 audit	Findings and Recommendations at the 2023 audit	Compliance Status
	<ul style="list-style-type: none"> • minimise traffic noise, particularly during night times hours; ii) movement scheduling where practicable to reduce impacts during sensitive time periods; iii) specific measures for ensuring that all heavy vehicle operators associated with the project are aware of and implement the Plan; iv) a system for identifying and ensuring conformance with the Plan, including conformance monitoring, procedures for implementing and monitoring corrective and preventative action, and penalties for breaches of the Plan; and v) a continuous improvement process for assessing Plan effectiveness and implementing improvements to the Plan. 			
	<p>c) a Long Term Environmental Management Plan, where required to manage interactions with the site as remediated. The Plan must be prepared to the satisfaction of the Planning Secretary, and must:</p> <p>(i) be prepared by a suitably qualified and experienced person whose appointment has been endorsed by the Planning Secretary in consultation with EPA;</p> <p>(ii) be submitted to EPA for review and be approved by the Planning Secretary within one month of the completion of remediation works, unless otherwise agreed by the Planning Secretary; and</p> <p>NSW Government Department of Planning and Environment 31 (iii) include, but not be limited to:</p> <ul style="list-style-type: none"> • a description of the nature and location of any contamination remaining on site; • provisions to manage and monitor any remaining contamination, including details of any restrictions placed on the land to prevent development over the containment cell; • a description of the procedures for managing any leachate generated from the containment cell, including any requirements for testing, pumping, treatment and/or disposal; • a description of the procedures for monitoring the integrity of the containment cell; • a surface and groundwater monitoring program; • mechanisms to report results to relevant agencies; • triggers that would indicate if further remediation is required; and • details of any contingency measures that the Applicant is to carry out to address any ongoing contamination. <p>Upon completion of the remediation works, the Applicant must manage the site in accordance with the LTEMP and any on-going maintenance of remediation notice issued by EPA under <i>the Contaminated Land Management Act 1997</i>.</p>	<p>https://www.nswports.com.au/enfield-intermodal-logistics-centre-construction-environmental-management-plans</p>	<p>NSW Ports' OEMP Section 3.3.8.</p> <p>Remediation of areas on site have occurred, and areas that have been capped, and are subject to final Site Audit Statements (SAS) with requirement to implement Site Management Plans or long-term environmental management plans, issued by the Site Auditor are shown in Appendix C of the NSW Ports' OEMP.</p> <p>All Site Audit Statements issued for the site are posted in the NSW Ports' website.</p>	<p>Compliant</p>

Unique ID	Condition	Evidence at the 2023 audit	Findings and Recommendations at the 2023 audit	Compliance Status
6.6	<p>The Operation Environmental Management Plan required under conditions 6.4 and 6.5 shall be periodically reviewed and maintained, to reflect any phasing of implementation of the project, and any operational changes that may be made from time to time, and updated (where necessary) to reflect any changes arising from modifications to this approval.</p>	<p>Enfield ILC Operational Environmental Management Plan Enfield Intermodal Logistics Centre (NSW Ports) November 2023 Version 7</p> <p>LINX Enfield Intermodal Terminal Operational Environmental Plan (September 2020 Version 04)</p> <p>Swift Operational Environmental Management Plan (Updated 30.08.22)</p> <p>Progress Rail Enfield Environmental Management Plan (12 February 2020)</p> <p>Northside Fine Foods OEMP Precinct C – Warehouse C1 (ASBG, November 2023)</p> <p>Spandex OEMP Precinct C – Warehouse C2 (ASBG, November 2023)</p> <p>Shin Mi OEMP Precinct F – Warehouse F1 (ASBG, November 2023)</p> <p>Gomaps OEMP Precinct F – Warehouse F2 (ASBG, November 2023)</p> <p>DCE Global OEMP Precinct F – Warehouse F3 (ASBG, November 2023)</p> <p>Mapei Australia OEMP Precinct H – Warehouse H1 (ASBG, November 2023)</p> <p>Harris Farm Markets OEMP Precinct H – Warehouse H2 (ASBG, November 2023)</p> <p>Marinucci Australia Pty Ltd OEMP Precinct H – Warehouse H3 (ASBG, November 2023)</p> <p>Site Inspection and interviews on 1/12/2023</p>	<p>The latest review and update of NSW Ports OEMP occurred in November 2023. The review history table of the OEMP indicates that the V7 review included the following: Review with administrative updates and changes to tenant OEMP requirements, with two levels of OEMP; one for high risk tenants (LINX, Swift) and one for low risk tenants (warehouses, Progress Rail).</p> <p>As indicated in Section 1.1, in June 2023 Swift acquired the LINX intermodal operations. At the time of the audit, Swift was updating its OEMP to consolidate the former LINX operations in its OEMP.</p> <p>The Warehouses OEMP have all being reviewed in November 2023.</p> <p>Observation: The revised version of the NSW OEMP (Nov 23) and revised versions of tenants OEMPs have not been submitted to the Department (noting that the planning approval does not specifically require that OEMP revisions be submitted to the Department for approval or information)</p> <p>Recommendation: It is recommended that NSW Ports submit copies of revised versions of the NSW Port OEMP and tenants' OEMP to the Department for information and feedback if necessary.</p>	Compliant
7. Environmental Reporting				
Incident Reporting				
7.1	<p>The Proponent shall notify the Planning Secretary of any incident with actual or potential significant off-Site impacts on people or the biophysical environment as soon as practicable after the occurrence of the incident. The Proponent shall provide written details of the incident to the Planning Secretary within seven days of the date on which the incident occurred.</p>	<p>Enfield ILC Operational Environmental Management Plan Enfield Intermodal Logistics Centre NSW Ports November 2023 Version 7</p> <p>Incidents Register current to 20 Nov 2023.</p> <p>Site interviews on 1/12/23</p> <p>Swift email to NSW Ports dated 20/4/23</p>	<p>NSW Ports' OEMP Section 2.10: Emergency Response and Incident Management</p> <p>Five incidents were reported in the Incident Register during audit period. A review of the incidents record indicate that no incidents with actual significant off-site impacts on people or the biophysical environment were recorded during the audit period.</p> <p>Three (3) of the incidents were minor safety/security related events which do not required further consideration in this report. An incident on the 3 January 2023 involved a 300-500L leak from a diesel fuel</p>	Compliant





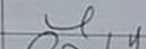
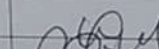
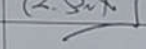

Unique ID	Condition	Evidence at the 2023 audit	Findings and Recommendations at the 2023 audit	Compliance Status
			<p>truck at the IMT. The diesel leak was reportedly contained within the site and cleaned up after the event. LINX and NSW Ports considered that this incident did not cause environmental impacts or off-site releases and therefore was not reportable under Section 5.7 of the Protection of the Environment Operations Act 1997 (POEO Act).</p> <p>The most significant incident occurred on the 19 April 2023 and involved a fire on a reach stacker at the IMT. The fire caused two explosions when wheels of the reach stacker got on fire. The fire was stopped and no harm to the environment reportedly occurred. Fire and Rescue NSW and NSW Ambulance attended the event, and the reach stacker driver was taken to hospital for smoke inhalation and cuts, bruises and abrasions from smashing the cab window. NSW Ports and Swift advised that the incident was reported to the EPA and SafeWork NSW. Swift email dated 20/4/23 to NSW Ports indicate that SafeWork NSW attended the site on the 19 April 2023 and that the EPA was notified that same day. NSW Ports advised that no response was received from the EPA. The LINX incident report to NSW Ports dated 13 July 2023 was sighted. A toolbox including status of investigation and operating process reviews was prepared as mitigation measure (toolbox dated 10 May 2023 provided to NSW Ports – sighted). The toolbox refers to a detailed incident investigation which included questions and input from SafeWork NSW and subject matter experts amongst others. It indicates that SafeWork NSW had issued a prohibition notice to remove reach stacker 9317 from the site, and that risk management documentation and safe method of works statements created by Clark Equipment had been submitted to SafeWork NSW. It further indicated that findings from the risk assessment process will determine the preferred operating position of the reach stacker cab. Other items covered by the toolbox included emergency egress (exit), line of fire risks during emergency response, cease operation in the event of malfunction and LINX employee assistance program. The item is closed in the Incident Register.</p> <p>Observation: An incident involving a reach stacker fire on the 19 April 2023 was reported to SafeWork NSW and the EPA. The Incident Register indicates that the incident was a “Notifiable Incident” but it was not reported the Department’s Planning Secretary in accordance with Condition 7.1. The auditee advised that the incident did not result in any off-site impact on people or the bio-physical environment and therefore did not require notification to the Planning Secretary.</p> <p>Recommendation: amend the Incident Register and incident notification procedures in the OEMP to clarify what incidents require notification to the Planning Secretary under Condition 7.1.</p>	
7.2	The Proponent shall maintain a register of accidents, incidents and potential incidents with actual or potential significant off-Site impacts on people or the biophysical environment. The register shall be made available for inspection at any time by the independent qualified person or team conducting the Environmental Audit and/or the Planning Secretary.	Interview with Auditees 1/12/2023 Incidents Register current to Nov 2022.	Incidents Register was available and current to 20 Nov 2023 at the time of the site inspection.	Compliant
7.3	The Proponent shall meet the requirements of the Planning Secretary to address the cause or impact of any incident, as it relates to this approval, reported in accordance with condition 7.1 of this consent, within such period as the Planning Secretary may agree.	Interview with Auditees 1/12/2023	Incidents Register was available and current to 20 Nov 2023. NSW Ports have advised that no requirements from the Planning Secretary on this matter have been received during the audit period.	Compliant

Unique ID	Condition	Evidence at the 2023 audit	Findings and Recommendations at the 2023 audit	Compliance Status

APPENDIX B – AUDIT MEETING ATTENDANCE



INDEPENDENT AUDIT MEETING ATTENDANCE RECORD

PROJECT (NAME AND APPROVAL NUMBER)		ENFIELD INTERMODAL LOGISTIC CENTRE - PROJECT APPROVAL 05.0147			
LOCATION:		DELEC LANE, ENFIELD			
DATE/TIME (Opening Meeting):		1/12/2023 8:30am	DATE/TIME (Closing Meeting):		1/12/2023
Lead Auditor:		RICARDO PRIETO-CURIEL			
		Audit Scope: 05.0147 CONDITIONS OF APPROVAL			
NAME	POSITION / TITLE	ORGANISATION	SIGNATURE		
			Opening Meeting	Closing Meeting	
BRYAN BEWICKER	ENVIRONMENTAL MANAGER	NSW PORTS			
GEOFF DE SANTIS	OPS, SAFETY & COMP. MGR	SWIFT			
MARK GOODALL	FACILITIES MGR	NSW PORTS			
RICARDO PRIETO-CURIEL	LEAD AUDITOR	WOLFPEAK			



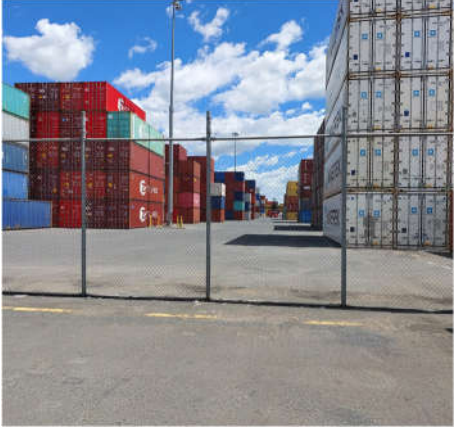

WolfPeak Pty Ltd | ABN 52 152 940 586

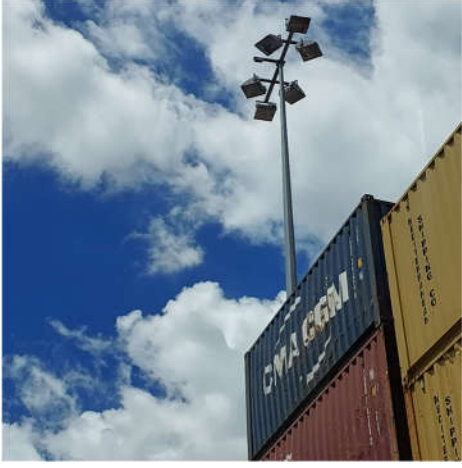


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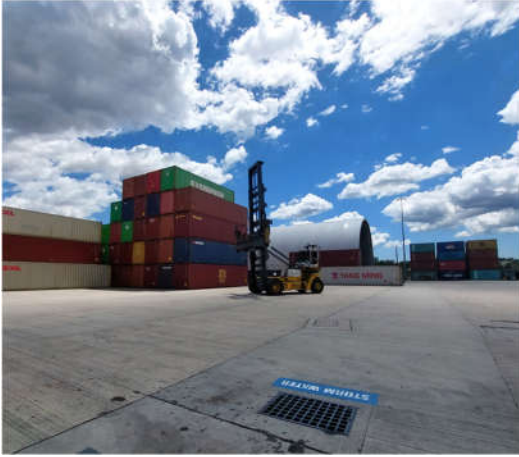
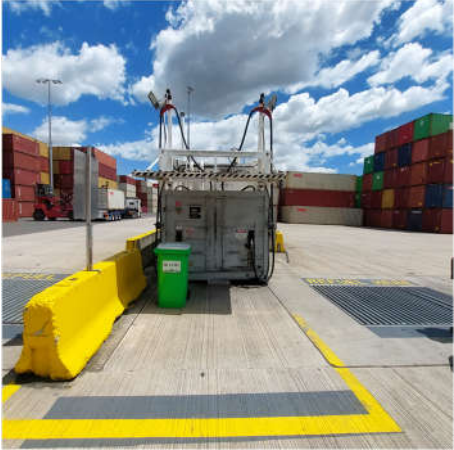
APPENDIX C – SITE INSPECTION PHOTOS

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

Table 4: Site inspection photographs

N o.	Comment	Photograph
01	IMT site – containers at terminal.	
02	IMT site – Reach stacker at the terminal.	




N o.	Comment	Photograph
03	<p>IMT site – Lights directed downwards at the terminal.</p>	
04	<p>IMT site – Containers stacked in defined areas.</p>	
05	<p>IMT site – container wash area.</p>	





N o.	Comment	Photograph
06	<p>IMT site – 2,500L self-bunded diesel tank to service refrigerated containers. Self fuelling system.</p>	
07	<p>IMT site – view of terminal</p>	
08	<p>IMT Refuelling Bay – area – above ground self bunded fuel tank and spill kit. Area delineated and separated from internal roads</p>	





N o.	Comment	Photograph
09	<p>Refuelling Bay at the IMT - stormwater pit adjacent to the refuelling bay has been marked to inform people that the line discharges to environment (not sewer or bund)</p>	
10	<p>Vehicle transporting container entering the IMT via the Swift Yard.</p>	
11	<p>Swift main yard (unsealed) used for trailer parking.</p>	


N o.	Comment	Photograph
12	<p>Swift main yard – current vehicle movement arrangement</p>	
13	<p>Swift main yard – jersey kerbs separate unsealed area from sealed truck access</p>	
14	<p>Swift warehouse - packaging.</p>	


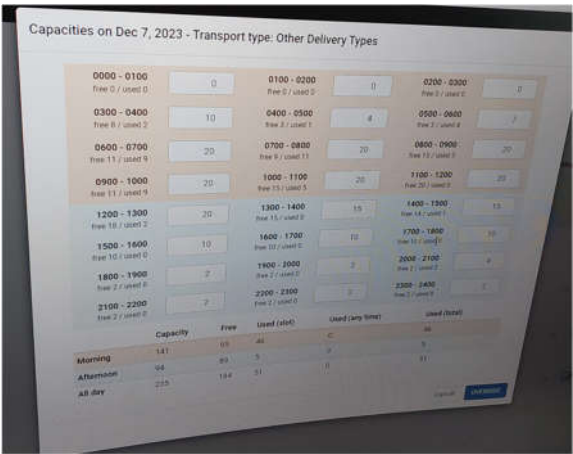
N o.	Comment	Photograph
	<p>Swift warehouse – pain containers in banded area</p>	
15	<p>Swift warehouse yard – segregated waste containers.</p>	
16	<p>ACM Stockpiles in Area A were observed to be covered and established</p>	

N o.	Comment	Photograph
17	Southern stormwater basin	
18	Mt Enfield – revegetated area	
19	Frog Pond and frog fence	

N o.	Comment	Photograph
20	Frog Pond and Frog Habitat creation area	
21	Rainwater tanks in Frog Habitat Creation Area	
22	Tarpaulin Shed – fenced off to avoid access	
23	Pilar Water Tank	

N o.	Comment	Photograph
24	Southern noise wall	
25	Area B (undeveloped)	
26	Rail Line leading to IMT	
27	Area I (undeveloped)	

N o.	Comment	Photograph
28	North-easter noise wall.	
29	Stormwater basin (northern)	
30	Warehouse H2 and bicycle parking areas	

N o.	Comment	Photograph
31	Internal bridge and road	
32	IMT truck booking system	

APPENDIX D – AUDITOR TEAM APPROVAL

Department of Planning and Environment



Our ref: MP05_0147-PA-32

Bryan Beudeker
Environment Manager
PORT BOTANY OPERATIONS PTY LIMITED
Level 2, Brotherson House Gate B103, Penrhyn Road
Botany New South Wales 2036
22/11/2023

Sent via the Major Projects Portal only

Subject: Enfield Intermodal Terminal - 2023 Independent Auditor Nomination Request

Dear Mr Beudeker

Reference is made to your post approval matter, MP05_0147-PA-32, request for the Planning Secretary's approval of suitably qualified, experienced, and independent persons to conduct an Independent Audit of the Enfield Intermodal Terminal, submitted as required by Condition C4.1c) of MP05_0147 as modified (**Consent**) to NSW Department of Planning and Environment (**NSW Planning**) on 13 November 2023.

NSW Planning has reviewed the independent auditor nominations and based on the information you have provided is satisfied that the proposed persons are suitably qualified, experienced, and independent.

In accordance with Condition 4.1c) of the Consent, as nominee of the Planning Secretary, I endorse the following independent audit team from WolfPeak Pty Ltd:

- Mr Ricardo Prieto-Curiel – Lead Auditor
- Mr Derek Low – Alternate Lead Auditor
- Ms Ana Maria Munoz – Support 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 conditions of Consent and ISO 19011:2002 - Guidelines for Quality and/ or Environmental Management Systems Auditing. Failure to meet these requirements will require revision and resubmission. NSW Planning also requests the Audit be prepared, undertaken, and finalised in accordance with NSW Planning's *Independent Audit Post Approval Requirements (2020)*.

NSW Planning reserves the right to request an alternate auditor or audit team for future audits.

Department of Planning and Environment



Notwithstanding the endorsement of the above independent audit team for the project, each respective independent audit requires a request for endorsement of the independent auditor or audit team be submitted to NSW Planning, for consideration of the Planning 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.

Should you wish to discuss the matter further, please contact Astrid Christensen, (Compliance Officer) on 9274 6170 or email compliance@planning.nsw.gov.au

Yours sincerely



Julia Pope
Team Leader Compliance - Metro
Compliance

As nominee of the Planning Secretary