

INDEPENDENT ENVIRONMENTAL AUDIT

BULK LIQUIDS BERTH No 2 – OPERATIONS

FINAL REPORT



Auditee:	Port Botany Operations Pty Limited (operating as NSW Ports).
Project:	Bulk Liquids Berth No 2 (BLB2) (Operations)
Scope:	Assessment of Compliance with the Conditions of Approval for the operation of BLB2 under Approval 07_0061, Statement of Commitments; and requirements of the Operational Environmental Management Plan.
Location(s)	Bulk Liquids Berth No 2 – Fishburn Road, Port Botany
Audit Dates:	11 and 12 December 2023

Revision no.	Author / Lead Auditor	Purpose / Change	Date
0.1	Julie Dickson	Draft for review	19/12/2023
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EXECUTIVE SUMMARY

The purpose of the audit was to undertake the required independent assessment and review of compliance required by the Ministers Conditions of Approval (MCoA) for the Bulk Liquids Berth No.2 (BLB2). Condition 4.1 (d). The condition requires that a program for independent environmental auditing is to be implemented at least annually or as otherwise agreed by the Director-General (now the Secretary) in accordance with ISO 19011:2002 (now 2018) Guidelines for Management Systems Auditing. In 2015, the Secretary approved a revised Compliance Tracking Program (CTP) which allows for future compliance to be demonstrated through environmental audits undertaken every three years (rather than through compliance tracking reports).

This is the fourth Independent Environmental Audit (IEA) of the operation of BLB2. According to the CTP, compliance reporting will include:

- An independent environmental audit that will review NSW Ports Compliance Tracking system and level of compliance with the condition of approval; and;
- A report summarising the details of any complaints received, including the means by which they were addressed and whether resolution was reached with or without mediation. This will be included with the Environmental Audit.

This IEA therefore includes a review of the NSW Ports Compliance Tracking system, level of compliance with condition 4.1 (d) and a review of the complaints relating to the BLB2. No complaints have been recorded at the BLB2 since the last audit, however a non-compliance has been raised regarding ongoing recording of compliance tracking reviews (see below).

The on-site component of this audit was conducted over two days on 11 and 12 December 2023 and included an inspection of the entire site, observation of the setting-up for the transfer of liquids from ships, interviews with NSW Ports, Vopak and Quantem management, and review of relevant documentation and records.

The purpose and scope of the audit was to:

- Assess the level of compliance with the Conditions of Approval and Statement of Commitments;
- Assess the environmental performance of the project and undertake any works necessary to determine whether it is complying with the relevant standards, performance measures and statutory requirements;
- Review the adequacy of any strategy / plan / program required under the approval;
- Assess the effectiveness of environmental management measures, including performance, against commitments made in the Bulk Liquid Berth 2 Operational Environmental Management Plan (OEMP); and
- Recommend measures or actions to improve the environmental performance of the project, and/or strategy/plan/program required under the approval.

Summary of findings

- One (1) non-compliance against the MCoA (lack of formal documented compliance tracking reviews in 2021 and 2022),
- No non-compliances against the Statements of Commitments (SoC) or Operational Environmental Management Plan (OEMP);
- Three (3) observations relating to items identified during the site inspection; and
- One (1) opportunity for improvement relating to the prescriptive nature of some OEMP requirements.

Environmental performance and effectiveness of environmental management measures

Overall, the audit result was positive, and the auditor found that the facility continues to be well managed. Since the last audit, NSW Ports has demonstrated proactive engagement with the community regarding ship noise around the Port Botany precinct and there has been significant improvement in the control and accessibility of documents, a comprehensive update of the OEMP, the Operations Manual and the Safety Management System.

Adequacy of any strategy, plan / program required under the approval

The previous IEA identified issues in relation to document version control. This was fully rectified, and a review of the revised OEMP, Operations Manual and Safety Management System noted positive improvements. Other plans and programs were found to be adequate and appropriate.

Previous findings:

The non-compliances, observations and opportunities from the 2020 audit have been satisfactorily closed.

GLOSSARY - ABBREVIATIONS

Term / abbreviation	Explanation
EA	Environmental Assessment
EPA	Environment Protection Authority of NSW
BLB2	Bulk Liquids Berth No. 2 (subject of this audit)
BLB1	Bulk Liquids Berth No. 1 (older facility – not subject to this audit)
DG	Director-General (title now The Secretary)
CEMP	Construction Environmental Management Plan
CTP	Compliance Tracking Program
DECA	Dickson Environmental Consulting and Audit (Independent Auditor)
DECC	Department of Environment and Climate Change (now OEHL/EPA)
DPE	Department of Planning and Environment
DPIE	Department of Planning, Industry and Environment (previous name for DPE)
EIS	Environmental Impact Statement
EPA	Environment Protection Authority
EPL	Environment Protection Licence
GPT	Gross Pollutant Trap
IEA	Independent Environmental Audit
LPG	Liquid Petroleum Gas
NC	Non-compliance
MCoA	Ministers Conditions of Approval
NSWP	NSW Ports
OEMP	Operation Environmental Management Plan
OWS	Oil / water separator
PANSW	Port Authority of NSW
PIMP	Pipeline Integrity Management Plan
Secretary, the	The Secretary of DPE (replaces title Director-General)
SMS	Safety Management System
SWMS	Safe Work Method Statement
SoC	Statement of Commitment (from EA Draft)
SPC	Sydney Port Corporation (previous name for Port Authority of NSW)
ULP	Unleaded Petrol
VAM	Vinyl Acetate Monomer

Document Information	
Title:	Independent Environmental Audit - Operations – Bulk Liquids Berth 2
Audit Organisation	Dickson Environmental Consulting and Audit
Auditor & Author	Julie Dickson (Lead Auditor)
Preliminary findings issued:	18/12/2023
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1 INTRODUCTION

1.1 Purpose and requirement for this audit

This independent environmental audit was conducted as an independent and objective assessment of the environmental performance and compliance status of the operation of the BLB2 project.

Condition 4.1 (d) of the MCoA requires that a program for independent environmental auditing is to be implemented at least annually or as otherwise agreed by the Director General in accordance with ISO 19011:2002 (now 2018) Guidelines for Auditing Management Systems.

Following the first independent environmental audit in November 2014, NSW Ports proposed to the then Department of Planning and Environment (DPE) that future compliance is to be demonstrated through environmental audits undertaken every three years (rather than through compliance tracking reports). DPE accepted this proposal in a letter dated 17 March 2015 and requested a revision and resubmission of the Compliance Tracking Program by 30 April 2015.

According to the revised Compliance Tracking Program (V2 April 2015), compliance reporting will include:

- An independent environmental audit that will review NSW Ports Compliance Tracking system and level of compliance with the condition of approval (this audit); and
- A report summarising the details of any complaints received, including the means by which they were addressed and whether resolution was reached with or without mediation. This will be included with the Environmental Audit.

Section 2.3 of the Compliance Tracking program notes that NSW Ports will implement a program for independent environmental auditing in accordance with ISO 19011, and the scope of the independent environmental audits will include (but not necessarily be limited to) the following:

- assessment of compliance with the conditions of approval and project commitments;
- assessment of environmental performance against relevant environmental project criteria; and
- assessment of environmental mitigation measures and recommendations provided in environmental management plans.

Section 2.3 also requires that *“Environmental audits will be undertaken every 3 years to coincide with the Hazard Audit required under CoA 3.3 and will include an assessment of NSW Ports’ compliance with the conditions of approval. The environmental audit report will be submitted to the Secretary of Department and Planning within two months of each audit being completed.”*

1.2 Background of the project

The development of the Bulk Liquids Berth No. 2 (BLB2) commenced in mid-2011 and was designed to ensure New South Wales has adequate berth capacity to satisfy existing and future forecast demands for the import and export of bulk liquids including chemical, petroleum and gas products.

The Bulk Liquids Berth 2 (BLB2) is the second purpose-built bulk liquids facility located at Port Botany, adjacent to the BLB1. Port Botany Operations Pty Limited, trading as NSW Ports, is responsible for the management of the port facilities at Port Botany, NSW. The main role and responsibility of NSW Ports is to maintain the Port infrastructure for the tenants and Port users.

Vopak Terminals Pty Ltd submitted a Major Project Application (07_0061) under Part 3A of the Environmental Planning and Assessment Act 1979 (now repealed) for the construction and operation of the BLB2 facility at Port Botany, on behalf of the then Sydney Ports Corporation (SPC), now Port Authority NSW. On 20 March 2008 planning approval was granted for the project. NSW Ports assumed control of the facility on 1 June 2013 as part of the 99-year lease of Port Botany and is responsible for overall compliance with the Conditions of Approval.

The BLB2 has been operating since 5 December 2013.

1.2.1 Location

The site of the BLB2 is located on the west side of privately owned Fishburn Road, adjacent to the boundary of Vopak Site B and the Elgas Caverns, in the suburb of Port Botany (see Figure 1). BLB2 is located adjacent to the existing Bulk Liquids Berth (BLB1) at the south-western end of Brotherson Dock, approximately 11 km south of the Sydney CBD. Port Botany has been substantially developed for industrial purposes relating to shipping and port activities.

Figure 1 – Project Location



1.2.2 Operational Activities

The main products handled at the BLB are refined fuels, gases and chemicals. The BLB2 comprises a concrete deck on a steel piled pier berth adjacent to the existing BLB1; associated infrastructure such as marine loading arms, fire-fighting equipment, onshore support facilities and pipelines from existing “user sites” to the new berth. The open access, multi-user berth operates on a 24 hour/7 days per week basis. BLB2 has been designed to accommodate 120,000 dead weight tonne vessels to a maximum of 270m length overall. BLB2 also allows for the servicing of ships at the berth. The following companies have established bulk liquids/gas storage terminals at the Port and are current tenants of NSW Ports at the BLB:

- Vopak Terminals Australia;
- Quantem Pty Ltd;
- Qenos Australia Pty Ltd (Hydrocarbon Storage Facility);
- Origin Energy; and
- Elgas Pty Ltd.

Environmental Protection Licences (EPLs) issued by the EPA are required to be held by each of the operating users and it is the responsibility of those users to ensure that they meet the conditions of those licenses. The EPLs of the main users include the scheduled activity “Shipping in Bulk” which allows Vopak >5000000 T of annual capacity to load and unload and allows Terminals (now Quantem) 100000 to 500000 T of annual capacity to load and unload. NSW Ports will not place conditions on users that contradict the requirements of the EPLs.

The operation of the BLB2 consists of the following key relevant components:

- A central working platform and working area, with berthing face (including bollards and fenders) and pipe manifold/marine loading arm arrangements;
- Adjacent berthing dolphins on each side of the working platform designed to accommodate the maximum design length vessel;
- Two mooring dolphins on each side of the working platform (four in total);
- Walkways (catwalks) connecting the dolphins and working platform;
- An access bridge structure connecting the working platform with the shore, providing vehicle access and pipeline support structures; and
- Support infrastructure including fire control facilities (pumps, foam/water monitors and associated tanks), amenities buildings and services such as water, sewer, electrical and communications; and
- Berth infrastructure, including fire-fighting monitors and operator shelter;
- Pipelines to user facilities including support and access structures such as pipe racks and culverts.

1.3 Auditor Credentials

Audit Organisation:	Dickson Environmental Consulting and Audit Pty Ltd
Auditor & Report Author:	Julie Dickson
Auditor Qualification:	Exemplar Global Master / Lead Environmental Auditor Accreditation no. 13573 (exp. June 2024)
Affiliations:	EIANZ Certified Environmental Practitioner, Reg. no. 221

1.4 Audit objectives, scope and criteria

The objective of the audit was to assess compliance with project environmental criteria in accordance with the scope below:

- Assess the level of compliance with the Conditions of Approval and Statement of Commitments;
- Assess the environmental performance of the project and undertake any works necessary to determine whether it is complying with the relevant standards, performance measures and statutory requirements;
- Review the adequacy of any strategy/plan/program required under the approval;
- Assess the effectiveness of environmental management measures including performance against commitments made in the Bulk Liquid Berth 2 Operational Environmental Management Plan (OEMP); and
- Recommend measures or actions to improve the environmental performance of the project, and or strategy/plan/program required under the approval.

The scope of the audit included an assessment of the operations of the facility and any ongoing requirements relating to the Conditions of Approval.

1.5 Methodology

The audit was conducted in accordance with the principles of ISO19011:2018 (supersedes ISO 19011:2002) by a master / lead certified environmental auditor to meet the requirements of Condition 4.1 (d) of the Minister's Conditions of Approval for the Construction of the Bulk Liquids Berth No 2 project.

The audit methodology included a physical site inspection, interviews with key NSW Ports, Vopak, Quantem and other site personnel and a review of relevant documentation and records. The audit was conducted at the BLB1 and BLB2 operational site, control rooms and offices on 11 and 12 December 2023. The site inspection included the observation of the liquid transfer of diesel operations via the Marine Loading Arm (MLA) from ship to shore (Vopak pipework) and the transfer of VAM and other chemicals via hoses from ship to shore (Quantem). Photos were taken during the site inspection (including the use of an intrinsically safe phone camera on the wharf provided by NSW Ports). These are presented in Section 3.8 of this report. Additional assessment of documentation and records was also conducted off-site.

An audit table incorporating all relevant Conditions of Approval (including modifications), commitments made in the Statement of Commitments (SoC) and commitments made in the current OEMP was used as the primary audit tool. Section 2.2 of the OEMP (Environmental Aspects and Mitigation Measures) including Tables 6 to 10 provided the general basis for the assessment of effectiveness of environmental mitigation measures. Key requirements were included in the Audit Tables. Recommendations to improve the environmental performance of the facility are based on auditor experience and expertise and are included in the Audit Findings table.

2 AUDIT PROCESS AND METHODOLOGY

This is the fourth Independent Environmental Audit of the operation of the BLB2 and was conducted in accordance with 2015 Compliance Tracking Program (CTP) for the project.

Pre-audit activities included a review of the revised OEMP and the development and issue of an Audit Plan and Scope, which defined the audit objectives, audit scope, audit methodology, proposed/required attendees and timeframes for interviews and document reviews. A copy of the Audit Plan and Scope is included in Appendix D of this report.

An audit table/checklist was developed based on the Conditions of Approval, Statement of Commitments and the Operational Environmental Management Plan (OEMP) prior to the first operational audit. The audit tables have been reviewed, revised and updated prior to each audit, and the tables were again revised with additional information in the 2023 version of the OEMP.

The Independent Audit Post-Approval Requirements (June 2018 and May 2020) were taken into consideration in the format and content of the Audit Tables and this Independent Environmental Audit Report. The completed Audit Table/checklist is included in Appendix E of this report.

The audit commenced with an opening meeting at the NSW Ports BLB office to provide the auditees with an overview of the objectives, scope and methodology. The audit consisted of:

- Interviews with key project personnel;
- Site inspections that included the whole facility including the observation of the transfer of product by Quantem (Day 1) and Vopak (Day 2);
- A review of documented evidence including plans, procedures, systems, and records to determine compliance against all relevant Conditions of Approvals (CoAs), implementation of the Compliance Tracking Program, Statement of Commitments, commitments made in the OEMP and overall environmental performance;
- A review of actions taken to address previous audit findings; and

The audit concluded with a closing meeting on Day 2 of the audit, attended by relevant project personnel in which interim audit findings were presented. Evidence provided was further assessed off-site, and the full findings of the audit were presented remotely via Teams on the following Monday 18 December.

Post audit activities included provision of an audit findings table, follow-up on areas requiring clarification, and communications with the auditees to address audit findings prior to issue of draft and final audit reports.

The audit was conducted according to the Audit Plan and Scope (Appendix C) and in accordance with AS / NZS / ISO 19011:2018 – Guidelines for Auditing Management Systems.

2.1 Audit Attendees

Refer to Appendix B for Audit Attendance Register

2.2 Audit Disclaimer

This report is based on the scope provided in the project Audit Program and does not assert to be a definitive confirmation of compliance or otherwise to all Conditions of Approval or conformance obligations contained within the Project documents. The audit was conducted on a sampling basis in accordance with the principles of ISO 19011. Whilst all due care, diligence and professional judgment were exercised, it cannot be guaranteed that all areas of non-compliance have been detected or identified.

3 AUDIT FINDINGS

3.1 Summary of Environmental Performance

Overall, the audit result was positive, and the auditor found that the facility continues to be well managed. Since the last audit, there has been notable improvements in the control and accessibility of documents, a comprehensive update of the OEMP which included the integration of BLB1 operations, changes to the work permit system and updates of the Operations Manual and Safety Management System.

Key strengths included:

- Continuing monitoring and oversight of activities by users of the facilities;
- Implementation of a Tenant Portal allowing information sharing between NSW Ports and tenants;
- Proactive community engagement to reduce the impact of shipping noise on the local community, leading to a significant drop in the number of complaints around Port Botany (not BLB2 specific) as acknowledged by the NSW EPA;
- Electronic completion of ship to shore checklists and other key checks via the Smartflow program;
- Implementation of the document management system “The Hold”, which minimises document duplication to ensure only the latest documentation is available to end users;
- Proactive plans to phase out the use of currently permitted fire protection foams containing PFAS;
- Proactive communications with relevant stakeholders;
- Management of security;
- Personnel were trained and aware of control measures and procedures to prevent spills and report conditions that may lead to environmental harm;
- High standards of housekeeping and implementation of control measures were noted during the site inspection (see site photos in Section 3.8);
- Frequent daily inspections of the site during transfer operations and use of CCTV by Operators continue to be key monitoring and control measures.

Whilst the audit reported a positive result, one (1) non-compliance was raised regarding annual CTP tracking, and three (3) observations were raised regarding biosecurity (response kit and potential for pooling water) and spill bin contents. One (1) opportunity for improvement was raised regarding prescriptive requirements in the OEMP.

Actions and recommendations are included in the Audit Findings table - Table 4 in Section 3.5.

3.2 Compliance Summary – Table 1

Table 1 – Summary of compliance against audit criteria and areas of focus

Focus Area	Key Criteria	No. of conditions audited	STATUS		
			Compliant		Non-Compliant
			OFI	OBS	NC
Conditions of Approval including CTP compliance tracking	All conditions relevant to operations	38			1
Statement of Commitments	SoCs relevant to operation of BLB2: 7, 9, 11, 13, 14, 19, 20, 21, 23, and 27,	10			
OEMP Implementation / site inspection	OEMP sections App E, Table 6, Physical inspection of areas under BLB2 control:	41		3	
Document suitability	OEMP, Operations Manual, Safety Management System	3	1		
TOTALS		92	1	3	1

3.3 Compliance Status Descriptors – Table 2

Table 2: Compliance status descriptors (as per DPIE Independent Audit Post Approval Requirements May 2020)

Status	Description
Compliant	The auditor has collected sufficient verifiable evidence collected 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	The requirement has an activation or timing trigger that has not been met during the temporal scope of the audit being undertaken (may be a retrospective or future requirement), therefore an assessment of compliance is not relevant.

3.4 Explanations of finding classifications – Table 3

Table 3 - Audit Findings classifications (within “compliant” status descriptors)

Status	Explanation
Observation (OBS)	Documented requirement and/or implementation issue which may not strictly affect required performance or compliance outcomes. Also termed a non-conformance (as opposed to non-compliance) in the industry, observations could be an early indication of potential non-compliance and/or an adverse performance outcome.
Opportunity for Improvement (OFI)	A suggestion or opportunity to implement a good or better practice to improve effectiveness, further reduce exposure to risk or improve information management. When specifically stated as a Recommendation, a formal response and action plan are required.

3.5 Audit Findings - Table 4

Condition / requirement Reference	Findings	Agreed Actions / Recommendations	Finding rating (NC / OBS / OFI)	Compliance Status
CoA 4.1a CTP Section 2.1	<p>Condition 4.1a requires the Proponent to develop and implement a Compliance Tracking Program (CTP) to track compliance with the requirements of this approval.</p> <p>Section 2.1 of the CTP requires that the compliance status will be reviewed annually, and evidence will be documented within the compliance tracking systems.</p> <p>Whilst evidence of a compliance status review was provided for November 2023, there no was evidence of a formal annual review documented for the years 2021 and 2022.</p>	<p>Agreed Actions</p> <ul style="list-style-type: none"> – Reminders of Annual CTP reporting requirements to be included as part of the NSW Ports new electronic Compliance Register; – Conduct documented annual reviews within the new electronic Compliance Register in 2024 and on an ongoing basis as per the CTP. 	NC 1	Non-compliant
OEMP App E Biosecurity Incident Response Procedure Site inspection observation	<p>The Biosecurity Emergency Response kit included a disinfectant powder packet (Virkon) which had expired in 2020. Virkon is listed as an item required to be included in the Biosecurity Emergency Response kit.</p>	<p>Agreed Actions:</p> <ul style="list-style-type: none"> – Replace the Virkon in the Biosecurity Incident Response Kit with new, in-date product; – Include the regular inspection and review of contents of the Biosecurity Incident Response Kit in MEX and replace items as required. 	OBS 1	Compliant Observation
OEMP App E Biosecurity Incident Response Procedure Site inspection observation	<p>The site inspection identified that drip trays on the berth were filling with water after rain. This provides a potential breeding ground for mosquitos. (It was noted that the trays were emptied on the day and the issue was initially identified by NSW Ports during the audit site inspection)</p>	<p>Agreed Actions</p> <ul style="list-style-type: none"> – Decommission the fixed trays and use portable trays that are easier to deploy and empty. 	OBS 2	Compliant Observation

Condition / requirement Reference	Findings	Agreed Actions / Recommendations	Finding rating (NC / OBS / OFI)	Compliance Status
OEMP Table 6 Site inspection observation	The site inspection identified that the large black spill bins include bags of unknown material / purpose (shredded plastic / nylon). Following discussions with various persons on site, it is assumed that the material in the bags are waste packaging material.	Agreed Actions: <ul style="list-style-type: none"> - Remove and dispose of the material; - Restock the black spill bins to include only appropriate materials for spill cleanup; - Schedule and undertake periodic inspections of the spill bins to ensure they include only suitable spill clean-up materials (no rubbish). 	OBS 3	Compliant Observation
OEMP	NSW Ports could consider reviewing some of the prescriptive requirements documented in the OEMP and requiring the users to document the specific requirements for operating pipes and hoses (as appropriate). Examples of prescriptive requirements documented in the OEMP which are not necessarily implemented by the users include: <ul style="list-style-type: none"> • Hydrostatic testing; • Requirement to test pipes to 800 for liquids and 900 kpa for gases. (current methods use only 200 kpa) 	Agreed Actions: <ul style="list-style-type: none"> - Review prescriptive clauses in the OEMP, and where appropriate, insert clauses that are less prescriptive and are more performance based. - Require the operators (Vopak and Quantem) to provide the more detailed requirements in their own OEMPs / operating procedures and; - Review any changes to ensure they align with NSW Ports expectations, Australian Standard and best practice; 	OFI 1	Compliant Opportunity for Improvement

3.6 Non-compliance Details – Table 5

Table 5 – Non-compliances (for recommendations and agreed actions – see Table 4 above)

Cond / Reqt	Compliance Requirement	Audit Finding / reason for non-compliance
<p>CoA 4.1a</p> <p>CTP Section 2.1</p>	<p>The Proponent shall develop and implement a Compliance Tracking Program (CTP) to track compliance with the requirements of this approval. The program shall be submitted to the Director-General for approval prior to the commencement of construction. The program shall relate to both construction and operational stages of the project and shall include, but not necessarily be limited to;</p> <p style="margin-left: 40px;">a. provisions for periodic review of the compliance status of the project against the requirements of this approval;</p> <p>NSW Ports will review the compliance status of the project annually and document evidence of compliance within the compliance tracking system to be included in the Environmental Audit</p> <p>NSW Ports has a compliance tracking system in place to review and track the compliance of the project against the Conditions of Approval". For each CoA the following information is provided:</p> <ul style="list-style-type: none"> – the project phase to which the condition is applicable (construction, operation, etc.); – the status of the Condition (open, in progress, completed compliant, or reviewed closed); – the Condition requirements from the Project Approval; – responsibility for carrying out the requirements of the Condition (NSW Ports, Contractor, User); and – evidence of compliance including a record of all Approvals issued to date by the Secretary of the Department of Planning and Environment (DP&E). 	<p>Section 2.1 of the CTP includes the provisions for periodic review of the compliance status of the project against the requirements of the approval. As noted in section 2.1 of the CTP, the review of compliance status will be reviewed annually and documented in the compliance tracking system.</p> <p>Whilst evidence of a compliance status review was provided for November 2023, there was no formal annual review documented for the years 2021 and 2022.</p>

3.7 Detailed Assessment of environmental performance of the project

Compliance Tracking System

NSW Ports is required to maintain the “BLB2 Development Approval Current Compliance Tracking Spreadsheet” as part of the requirements of the CTP which provides the compliance status of all conditions of approval. The spreadsheet was updated in November 2023, however evidence was not provided to demonstrate that the compliance status was formally reviewed and documented in 2021 or 2023. **As such, a non-compliance was raised against Condition 4.1a.** Refer to findings table and Non-compliance table.

Complaints Management

A complaints register continues to be maintained as required. There have been no complaints recorded specifically relating to the operation of the BLB2. Positive comments have been made by the EPA regarding the overall management of noise complaints, and the efforts by NSW Ports to understand and reduce noise from ships, thereby reducing the overall number of complaints in the Port Botany area.

Training and Awareness:

NSW Ports continues to ensure that employees, contractors and subcontractors are made aware of the existence of and requirements to comply with the Conditions of Approval through inductions. BLB Officers continue to be trained by their employers, OPEC.

Incident Reporting and investigation:

Environmental incidents that are not insignificant continue to be reported by the operators to NSW Ports and logged into the event reporting system, Protecht. Ports NSW encourage proactive reporting of all environmental incidents including minor spills.

Emergency Response - spill prevention and preparedness

- A specific BLB Emergency Plan continues to be in place as an appendix to the reviewed and revised Operations Manual. The Plan is site specific and provides detailed information on what officers are required to do until handed over to emergency services.
- All BLB Officers are trained in hazmat emergencies.
- Spill response kits are available at various locations on the site provided by the users with back up materials provided by NSW Ports and two large black spill bins are maintained by NSW Ports near the BLB2 control room.
- An oil boom facility is available to be deployed from Brotherson dock in case of a major spill to water (Port Authority of NSW responsibility), however was not visited as part of this audit.
- Diesel fire pump system is installed which can pump sea water to combat fire. Fresh water is used in the testing of the system to reduce corrosion impacts. The fire control system was tested on the day of the audit.
- Ships emergency documentation is required to be in place in box/tube at entrance to wharf entrance road. The site inspection confirmed that these documents were present in the box and tube.
- Emergency exercises were undertaken in September 2022 (Vopak) March 2023 (Elgas), May 2023 (Qenos) and December 2022 (Quantem) and included debriefs, analysis of issues encountered, and recommendations for response improvement.
- Emergency preparedness is included in the training and competency program for the BLB1 and BLB2.
- Emergency Contacts lists and emergency evacuation diagrams are posted on the Noticeboards in the BLB Offices.

3.7.1 Outcomes of site inspection / review of operational controls

On day 1 of the audit, Quantem was transferring VAM, Acetone, Butyl Acrylate, Palm Olein and ETRO4 products from the Stolt Renge (set up for transfer the day prior) via various transfer hoses. On Day 2 of the audit, the berth was in the process of being set up by Vopak for the transfer of diesel via the MLA from the Blue Butterfly. The diesel transfer set-up process was observed live through the SCADA system and CCT cameras from the BLB2 control room.

The effectiveness of environmental mitigation measures was assessed through observation of operations, inspection of the facilities for spill prevention and preparedness and overall

housekeeping, a review of the ISGOTT Checks pre-arrival Ship/Shore Safety checklist, and a review of key operational documentation.

Actual performance was also assessed against the commitments made in the revised Operational Environmental Management Plan (OEMP). Interviews were held with NSW Ports, OPEC, Vopak and Quantem personnel to discuss key processes and determine levels of awareness of environmental issues. The specific mitigation measures assessed are provided in more detail below and in Table 6 – Photographs.

Stormwater and Water Quality

- Spill containment bunded tank installed and operational;
- A BLB Safety Skid was station on the wharf and included a spill kit (see photos);
- Minor spill incidents have been reported by the operators and are included in the Protecht event system. There have been no significant spills at the BLB2 that required notification to DPE;
- The MLA was being set up for transfer of diesel at the time of the audit, The SCADA system showed that the working platform was bunded and closed off in preparation for transfer;
- CCT cameras are in operation at all times, and electronic monitoring of transfer systems were set up to allow monitoring from the operations building during liquid transfer as required;
- Wind speed continues to be monitored from BLB1 and information is relayed to the BLB2 operators to allow decision making if wind speeds rise during transfer;
- One large spill control box and a smaller, mobile emergency spill kit was located close to the MLA for emergency response purposes. The spill box and the mobile spill kit were sealed;
- Some of the metal spill trays on the wharf were filled with water (valve were opened during the audit inspection to empty them) The trays pose a potential breeding ground for mosquitos, which is a biosecurity risk (**refer to Observation 2**);
- Additional spill materials were available onshore near the BLB2 control room in large black spill bins. It was noted that shredded plastic/nylon material was present in the spill bins and no one interviewed on site knew what the material was for (**refer to Observation 3**).
- Pipes are emptied and are liquid-free between transfers;
- “White level inspections” continue to be conducted on a regular basis (twice per shift, around 6 times per day including at night time) to ensure no leakages are occurring. A BLB Officer was interviewed;
- Grounds were well maintained – no noxious weeds sighted;
- GPT and oil water separator continue to operate, and are cleaned out annually;

Waste and litter management.

- Minimal waste is generated on site. Small quantities of waste are generated in the site offices and are removed by approved waste contractors, Remondis.
- The gross pollutant trap (GPT) and Oil/Water separator were cleaned out and waste was removed by an appropriately licenced contractor to a facility that can legally accept the waste,
- Quarantine waste bins are located at the BLB2 offices in case ships need to dispose of quarantine waste. Quarantine waste is removed from site by approved waste contractors, Veolia.
- Minimal litter was observed on the site.

Operational Controls / housekeeping

- A number of checklists continue to be in place to ensure appropriate checks are made before, during and after transfers including Pre-Arrival Checklist, Ship to Shore Checklists and operational 3-way agreement, Wharf Clearance Certificate (completed by users – declaration that wharf has been cleaned up prior to departure), and Departure checklist (checks by NSW Ports that user has cleaned up).
- A suite of documents is in place for every ship that transfers products.
- Contractors are required to remove all rubbish from site and to ensure they have SDSs for any substances brought onto site.
- “White Level Inspections” are undertaken regularly during the day and night to proactively identify hazards including environmental hazards.
- The site inspection conducted during the audit did not identify any evidence of spills.
- Any potential issues noted during inspections or on CCTV are reported, investigated and acted upon immediately.
- Site housekeeping was noted to be maintained at a high level. Minimal litter was observed.

3.8 Adequacy of Strategies, Plans and Programs required under the approval

The scope of the audit included an assessment of the adequacy of strategies, plans and programs required under the Approval. The following plans and programs were reviewed during the audit (strategies included within the plans and programs):

- Operation Environmental Management Plan v4.0 October 2023;
- BLB Operations Manual v7 October 2023
- Safety Management System v 7.3 Aug 2023 (briefly – in scope of Hazard Audit);
- Emergency Response Procedures (Section 9 and Appendix 15 of Operations Manual);
- Compliance Tracking Program 2015;

Operations Environmental Management Plan:

The previous audit identified that the OEMP did not include adequate document control or recording of document reviews. The OEMP has since been extensively reviewed and revised and the BLB1 operations have been integrated into the document. Revised sections of the OEMP were taken into consideration in the revision and update of the audit checklists and in the audit site inspection checklist. The document continues to meet the requirements of the approval and is considered to be adequate and appropriate. An Opportunity for Improvement was raised at this audit recommending a review be undertaken to remove some prescriptive requirements and require the users to provide the technical details.

Safety Management System

The Safety Management System was reviewed and revised by NSW Ports in August 2023 and was briefly reviewed as part of the assessment of Condition 2.2 of the conditions of approval. It was noted that the SMS has been maintained; however, it is scheduled to be formally assessed during the Hazard Audit in January 2024.

Emergency Plan

Various levels of Emergency Plans continue to be in place, from the Botany Bay Emergency Plan to the Port Botany Emergency Plan which sits beneath it. There is also a specific BLB Emergency Plan in place, located within Appendix 15 of the Operations Manual. The Plan is site specific on what officers are required to do until handed over to emergency services.

The Emergency Plans are comprehensive, well tested and appear to be adequate and appropriate for the activities undertaken and products transferred at the BLB.

Operations Manual

The Operations Manual is a key document for BLB1 and BLB2 and provides the detailed requirements for the operation of the facility including detailed emergency response procedures. The Operations Manual contains additional detailed information including emergency response procedures that support the effective management of the facility.

Fire Safety Study

Whilst the Fire Safety Study (FSS) was a pre-construction requirement, the previous three audits identified that a revised FSS was submitted to Fire and Rescue NSW (FRNSW) seeking clarification on several issues. A non-compliance was raised at the 2017 and remained open at the 2020 audit, as the issue had still not been resolved. Evidence was provided post-audit in 2023 audit to allow the non-compliance to be closed. (Refer to Appendix A – previous audit findings).

Compliance Tracking Program (CTP)

There have been no changes to the CTP since the last audit (2015), and the document remains adequate and appropriate. The CTP allows compliance to be demonstrated through independent environmental audits undertaken every three years rather than through compliance tracking reports. Internally, NSW Ports are required to review the compliance status of the project annually and document evidence of compliance within the tracking system.

A non-compliance was raised in the 2017 audit as annual compliance reviews had not been documented for 2015 or 2016. A follow-up review in the 2020 audit found that improvements had been made to the tracking spreadsheet, recording the annual internal compliance status reviews in Dec 2018, March 2020 and Nov 2020. A follow-up review at this 2023 audit found that whilst the 2023 review was conducted, annual compliance reviews had not been conducted for 2021 or 2022. As such, a non-compliance has been raised against Condition 4.1a.

Training and Competency Program

The Operations Manual and the BLB Induction training package (Rapid Global) continues to include references to key project approval documentation, policies and relevant environmental information and controls. The online training package automatically records evidence of training completed and sets intervals for refresher training.

3.9 Photographs – BLB2 Site Inspection - Table 6

Photographs – BLB2 Operations Site Inspection Monday 11 and Tuesday 12 Dec



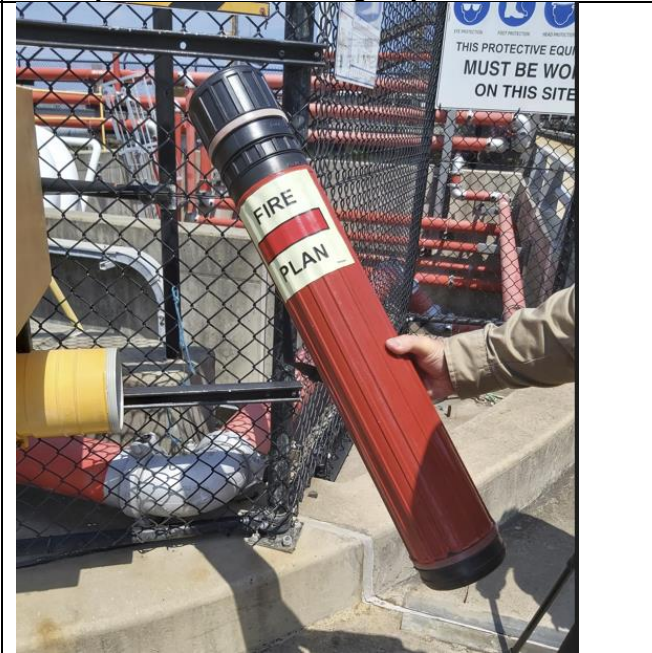
View of entry to site – all visitors are required to sign in at the office prior to the gates being opened



Signage as required by the Conditions of Approval, security measures and emergency information.



Emergency document box and tube for current documents relating to products being transferred



Fire plan and other documents were located in the box and tube



Fire fighting foam tank for BLB2



Spill kit stationed near the fire tank and apparatus.

Photographs – BLB2 Operations Site Inspection Monday 11 and Tuesday 12 Dec



Signage indicating the location of the Biosecurity Incident Response Kit in BLB1 Office



Biosecurity Incident Response Kit located inside the cupboard. (Virkon sachet was out of date)



Berth spill containment tank (empty) – fully bunded. For use in case of spill at the berth and on site



Humes Gross pollutant trap /oil water separator (underground). Cleaned out annually



Photographs – BLB2 Operations Site Inspection Monday 11 and Tuesday 12 Dec



Black spill bins managed by NSW Ports and ships sewage tank. Tank is rarely used.



Contents of one of the spill bins – bag with what is believed to be old packaging material (see OBS)



Walkway over water between berths



Quantem BLB2 Safety skid – includes spill kit and personal protective equipment for emergency use

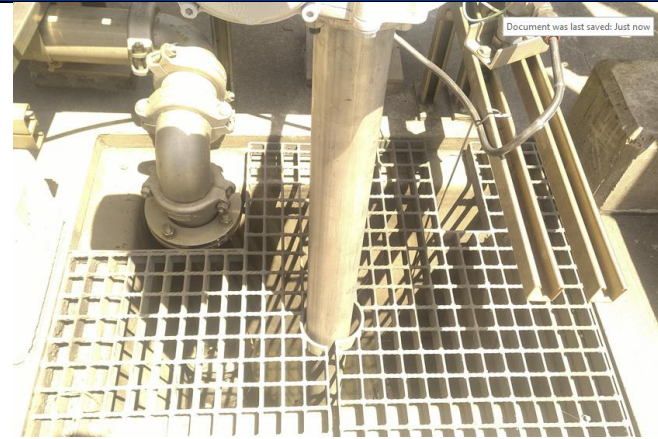


Spill trays full of water – being drained from the tap / valve (potential breeding ground for mosquitos)



Large, secured spill kit (Vopak)

Photographs – BLB2 Operations Site Inspection Monday 11 and Tuesday 12 Dec



Wharf pump pit



Hoses connected to the Stolt Renge for transfer of product

4 Appendix A – Status Update - Previous Audit Findings (2020)

Condition / requirement Reference	Findings	Proposed Actions / Recommendations	Follow-up comments Dec 2023	Finding rating (NC / OBS / OFI)	Status
DoP Letter 14/04/11 (CoA 2.1(a)) From 2017 IEA	Fire Safety Study The 2014, 2017 and 2020 audits identified that the updated Fire Safety Study had not yet been approved by the DG / Secretary and was a work in progress.	Ongoing required actions: <ul style="list-style-type: none"> – Obtain Fire and Rescue feedback on the updated Fire Safety Study; – Submit document to DPIE / DPE for approval once the formal review has been completed. 	<p>An FSS Addendum was formally submitted to Fire and Rescue on 17 October 2023, requesting review of the submitted FSS Addendum.</p> <p>Fire and Rescue responded on 26 October 2023 and noted in their letter that <i>"FRNSW have reviewed the FSS Addendum, supporting Fire Safety Study and emailed responses to previous FRNSW comments (dated: 16/10/2023). The current version of the FSS had not been prepared to the satisfaction of FRNSW".</i> The letter indicated that FRNSW approval is dependent on their comments being appropriately addressed.</p> <p>A further submission was prepared by Worley Consulting and submitted to FRNSW, responding to the above letter, addressing their concerns dated 15 December 2023.</p> <p>FRNSW responded to the above letter on 21 December 2023, noting that the <i>"The current version of the FSS has been prepared to the satisfaction of FRNSW"</i>.</p> <p>Following receipt of the FRNSW approval, NSW Ports submitted the Worley submission and the FRNSW response and approval letter to DPE</p>	NC2 2017 NC 2020 (remained open)	Closed

Condition / requirement Reference	Findings	Proposed Actions / Recommendations	Follow-up comments Dec 2023	Finding rating (NC / OBS / OFI)	Status
			<p>via the online portal noting that: “A technical letter titled BLB2 Fire Safety Study by Troy Millen of Worley Consulting dated 15 December 2023 was subsequently submitted to FRNSW resulting in its approval by the Fire Safety Study Addendum on 21 December 2023”.</p> <p>Whilst the correspondence from FRNSW had not yet been received prior to the issue of the draft report, and formal DPE approval had not yet been granted at the time of this final report, based on the above, it is considered that adequate evidence has been provided to close out this non-compliance.</p>		
CoA 1.1	<p>Non-compliance due to other non-compliances Three (3) non-compliance were raised at this audit, which has triggered this overall non-compliance</p>	No action required.		NC1 2020	Closed
CoA 2.13 SoC 23	<p>Waste Records / trackable waste Waste records for oily water removed from the GPT / Oil Water separator had not been retained by NSW Ports, and the liquid waste has been incorrectly classified and disposed of as “stormwater” rather than as a “waste that must be tracked”.</p>	<p>Proposed Actions: - NSW Ports to develop a trackable waste procedure including waste classifications, disposal and documentation requirements and distribute to staff who engage waste contractors. Responsibility: Environment and Sustainability Coordinator Proposed Completion Date: April 2021</p>	<p>NSW Ports have engaged appropriately licenced was contractors to remove the GPT / oily water waste and now retain copies of the required dockets. Dockets were sighted for:</p> <ul style="list-style-type: none"> - 7/12/2023 by Bulk Recovery Services / Total Drain Cleaning (EPA Licence 20797) – J120 2.52 t - 9/11/2022 by Bulk Recovery Services / Total Drain Cleaning – J120 1.32t 	NC2 2020	Closed

Condition / requirement Reference	Findings	Proposed Actions / Recommendations	Follow-up comments Dec 2023	Finding rating (NC / OBS / OFI)	Status
	<p>Waste records for the oily water collection in Sept 2020 was obtained from the liquid waste removal Contractor (Online Pipe and Cable Locating) following the audit. The weighbridge ticket issued by the liquid waste facility (Demast) identified the waste stream as “Stormwater”.</p> <p>Under the POEO (Waste) Regulation 2014, waste water removed from an oil water separator would be classified as trackable waste J120 - “waste oil / water, hydrocarbons / water mixtures or emulsions” unless the water was tested to indicate otherwise.</p> <p>It was identified that the Demast waste facility is not legally permitted to accept J120 trackable waste.</p>	<p>Completed Actions:</p> <ul style="list-style-type: none"> - Investigated why the oily water waste stream was not appropriately classified and disposed; - Issued a “Lessons Learnt” email notification to all asset management staff informing them of this incident and outlining procedures for issuing of waste removal service orders (sent 8/1/21) - Asset management system has been updated to stipulate the requirement for waste disposal tracking records to be provided as a part of the service contract (completed 17/12/20). <p>Responsibility: Asset System Manager/ Port Development Manager</p> <p>Completion Date: 08/01/2021</p>	<p>A new Section 3.4 has been added to the OEMP which now requires that oily wastewater, sediments and general waste is tracked and recorded in The Hold system.</p>		
CoA 3.3	<p>Submission of Hazard Audit (2017)</p> <p>Condition 3.3 requires that Hazard Audits will be carried out every three years and a report of each audit <i>shall be submitted to the Director General within one month of each audit completion date.</i></p>	<p>Agreed Actions:</p> <ul style="list-style-type: none"> – Ensure the next (2021) Hazard Audit is submitted within the required time frame – NSW Ports is proposing to undertake a review of available systems to automate compliance tracking obligations, assign 	<p>The previous Hazard Audit was conducted in 2021 and was submitted to DPIE on 26 February 2021. Acknowledgement of submission was sighted.</p> <p>Submission was acknowledged in a letter from DPIE date 09/04/2021 “Bulk</p>	NC3 2020	Closed

Condition / requirement Reference	Findings	Proposed Actions / Recommendations	Follow-up comments Dec 2023	Finding rating (NC / OBS / OFI)	Status
	<p>The 2017 Hazard Audit had not been submitted to DPIE within one month of the completion date as required by the condition of approval.</p> <p>The Hazard Audit report was submitted to DPIE on 19 October 2020.</p>	<p>responsibility and issue reminders for key dates/tasks.</p> <p>Responsibility: NSW Ports Environment and Sustainability Coordinator</p> <p>Proposed Completion Date: March 2021 and Dec 2021 respectively</p>	<p>Liquids Berth No. 2 (MP07_0061) Hazard Audit 2021".</p> <p>The next Hazard Audit is scheduled for 18 – 23 January 2024, which is in line with the 3 yearly requirement.</p>		
CoA 4.1	<p>Submission of Independent Environmental Audit (2017)</p> <p>Condition 4.1 requires that a Compliance Tracking Program (CTP) is developed, implemented and approved. The current CTP dated April 2015 requires that Environmental audits will be undertaken every 3 years, and the environmental audit report will be submitted to the Secretary within two months of each audit being completed.</p> <p>The 2017 Independent environmental audit had not been submitted to DPIE within two months of the completion date as required by the condition. The IEA Report was submitted to DPIE on 19 October 2020.</p>	<p>Agreed Actions:</p> <ul style="list-style-type: none"> – Ensure this 2020 Independent Environmental Audit Report is submitted within the required time frame. – NSW Ports is proposing to undertake a review of available systems to automate compliance tracking obligations, assign responsibility and issue reminders for key dates/tasks. <p>Responsibility: NSW Ports Environment and Sustainability Coordinator</p> <p>Proposed Completion Date: Jan 2021 and Dec 2021 respectively</p>	<p>Evidence was provided to verify that the 2020 Independent Environmental Audit was submitted to the Department on 15 January 2021. Evidence included:</p> <ul style="list-style-type: none"> – Letter from DPIE dated 8 March 2021 noting that the IEA Report was submitted on 15 January 2021 and generally satisfies the requirement of Sch 2, Cond 4.1(d); – Warning Letter from DPIE dated 3 May 2021 regarding the non-compliance to CoA 2.13, noting a breach to that condition, however stated that no formal enforcement action was warranted in the circumstances. <p>Further actions have been undertaken to prevent a recurrence of this non-compliance including setting up of reminders in Protecht and NSW Ports are also investigating the upgrade of the current Protecht system through the addition of a compliance module.</p>	NC4 2020	Closed

Condition / requirement Reference	Findings	Proposed Actions / Recommendations	Follow-up comments Dec 2023	Finding rating (NC / OBS / OFI)	Status
<p>OEMP Sect 2.2 Table 6, OEMP Sect 2.2 Table 7</p>	<p>Pressure / hydrostatic testing</p> <p>The OEMP requires that hydrostatic testing of pipes and commissioning is to be conducted every two years (or when maintenance is performed on pipelines). This is based on recommendations made in the Project EIS and Statement of Commitments. The operating terminals / Port is allocated responsibility for this requirement in the OEMP.</p> <p>The OEMP also requires that <i>“leakages from pipes and hoses will be minimised by monitoring pressure and regular inspections”</i>.</p> <p>Hydrostatic testing was conducted by Vopak in January 2018 (approx. 11 months overdue).</p> <p>Whilst hydrostatic testing is technically overdue, evidence was provided that significant work has been undertaken by one of the Users to assess more effective and efficient methods of pipe testing (other than hydrostatic testing and monitoring pressure), including Long Range Guided -Wave Ultrasonic Testing and the adoption of the methods detailed</p>	<p>Proposed Actions:</p> <ul style="list-style-type: none"> – Issue new requirements for pipeline management reporting to pipeline licensees, this will include consultation with tenants, implementation of records keeping procedures and updates to documentation accordingly <p>Responsibility: NSW Ports / Users</p> <p>Proposed Completion Date: Requirements to be developed by 30 June 2021 with a further 12 months of consultation, implementation and document updates.</p>	<p>Changes have been made to the OEMP and new requirements for pipeline management reporting has been implemented as per the proposed actions.</p> <p>Vopak continue to Long Range Guided -Wave Ultrasonic Testing and the adoption of the methods detailed within the Australian Standard AS2885.3 (Gas and liquid petroleum Operation and maintenance).</p> <p>Evidence was provided that Quantem provide Pipeline Integrity Compliance Reports annually under Licence T440 (varied Oct 2022) to NSW Ports and that includes undertaking hydro testing of their dock lines and hoses.</p> <p>This Observation is closed, however, a new Opportunity for Improvement has been raised regarding ensuring the information in the OEMP is consistent with actual practice, is not overly prescriptive or potentially contradictory with tenants OEMPs.</p>	<p>Observation</p> <p>OBS 1 2020</p>	<p>Closed</p>

Condition / requirement Reference	Findings	Proposed Actions / Recommendations	Follow-up comments Dec 2023	Finding rating (NC / OBS / OFI)	Status
	<p>within the Australian Standard AS2885.3 (Gas and liquid petroleum Operation and maintenance).</p> <p>Further work is required to ensure pipeline monitoring and testing is consistent with best practice, applicable Australian Standards, the OEMP, the Approval and regulatory requirements.</p>				
CoA 6.3	<p>OEMP Review</p> <p>A non-compliance was raised in the 2017 audit identifying that the OEMP was overdue for review (refer closed NC in Appendix A).</p> <p>Whilst the OEMP was reviewed and revised in October 2020 and submitted to DPIE, there was limited evidence that the document had been reviewed between 2013 and October 2020.</p> <p>It was identified that the neither the OEMP nor the Operations Manual) included a review / revision history information.</p>	<p>Completed Actions</p> <ul style="list-style-type: none"> - Documentation relating to BLB operations reviewed for appropriate document control. - OEMP revised (Ver 3.1 Dec 2020) to include revision history table, populated to reflect revisions in Oct 2015, Feb 2018 (internal), and July 2020 (DPIE approved) (7/12/2020) - BLB 1&2 Port Botany Operations Manual revised (Ver 5.0 Dec 2020) to include revision history table (7/12/2020) - BLB Safety Management System (v1.4 Dec 2020) document revised to include revision history table (7/12/2020). 	<p>Significant work has been undertaken since the previous audit to update the OEMP, Operations Manual and Safety Management System. The current OEMP and other system documents now include review / history information.</p>	<p>Observation OBS 2 2020</p>	<p>Closed</p>

Condition / requirement Reference	Findings	Proposed Actions / Recommendations	Follow-up comments Dec 2023	Finding rating (NC / OBS / OFI)	Status
		Completion Date: 07/12/2020			
OEMP S 3.1	Environmental Monitoring and Inspections Document references and frequency of actual inspections in the OEMP are not always consistent with current documents (e.g. – MP 3.15 – noxious weeds in OEMP requires monthly inspection, however in CIPM Task 104 – roads inspections are 6 monthly)	Proposed Actions: – Review Section 3.1 Table 11 of the OEMP and align frequencies and naming of inspections. Responsibility: Environment and Sustainability Coordinator Proposed Completion Date: April 2021	Since the previous audit, consistency has improved. The OEMP has been extensively revised and updated.	Opportunity for Improvement OFI 1 2020	Closed

5 Appendix B – Audit Attendance Register

NAME	ORGANISATION	POSITION	ENTRY	EXIT
Bryan Beudeker	NSW Ports	Environment Manager – NSW Ports	✓	✓
Trevor Brown	NSW Ports	WHS & Risk Manager	✓	✓
Robert Brooks	NSW Ports	BLB Operations Manager	✓	✓
Other audit participants / interviewees				✓
Richard McGrath	Quantem	Botany Engineer		✓
Steve Barclay	Quantem	Terminal Manager		✓
Trent Martin	Vopak	Terminal Manager		✓
Avishek Biswas	Vopak	SHEQ Manager		✓
Joanne Liaropoulos	Vopak	Training and SHEQ Coordinator		✓
Ashley Rangott	NSW Ports	Assets Manager		✓
Cale Talut	OPEC	BLB Officer		✓
Joe Davey	OPEC	BLB Officer		✓

6 Appendix C Independent Audit Declaration Form

Project Name: Bulk Liquid Berth 2

Consent Number: 07_0061

Description of Project: Operation of Bulk Liquid Berth 2

Project Address: Fishburn Road, Port Botany

Proponent: NSW Ports

Title of Audit: Independent Environmental Audit: – BLB2

Date: 19/12/2023

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

- the audit has been undertaken in accordance with relevant condition(s) of consent and the Independent Audit Post Approval Requirements (Department 2018);
- the findings of the audit are reported truthfully, accurately and completely;
- I have exercised due diligence and professional judgement in conducting the audit;
- I have acted professionally, objectively and in an unbiased manner;
- I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child;
- I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
- neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit; and
- I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.

Notes:

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

Name of Auditor: Julie Dickson

Signature: 

Qualification: Exemplar Global Lead Environmental Auditor – Registration No 13573

Company: Dickson Environmental Consulting and Audit Pty Ltd

Company Contact Details: julie@dicksonconsulting.com.au

7 Appendix D – Audit Plan and Scope

Project:	Bulk Loading Berth No 2 (BLB2) – Operational		
Audit Title:	Independent Environmental Audit – Operations		
Auditor:	Julie Dickson DECA Pty Ltd		
Date (s) of Audit:	11 & 12 Dec 2023 (on-site)		
Time:	08.30 – 4.45 daily		
Location (s):	BLB1 & 2; Gate B42 Charlotte Road Port Botany.		
Audit Objective:	The objective of this Independent Environmental Audit is to assess the environmental compliance of Approval 07_0061 in accordance with Condition 4.1 (d) of the Minister’s Conditions of Approval		
Audit Scope:	<ul style="list-style-type: none"> – Compliance with the Conditions of Approval and Statement of Commitments – Assess the environmental performance of the project and undertake any works necessary to determine whether it is complying with the relevant standards, performance measures and statutory requirements; – Review the adequacy of any strategy / plan / program required under the approval; – Assess of the effectiveness of environmental management measures including performance against commitments made in the Bulk Liquid Berth 2 Operational Environmental Management Plan (OEMP) and; – Recommend measures or actions to improve the environmental performance of the project, and or strategy/plan/program required under the approval. 		
Audit Methodology	The Audit will be undertaken in accordance with ISO 19011:2018 and will include document and record reviews, interviews, and site inspection.		
	Name:	Organisation	Role
Audit Invitees (Required)	Bryan Beudeker	NSW Ports	Environment Manager – NSW Ports
	Trevor Brown	NSW Ports	WHS & Risk Manager
	Robert Brooks	NSW Ports	BLB Operations Manager
	Steve Cowley	NSW Ports	Operations Control Manager
	Trent Martin	Vopak	Terminal Manager
	Avishek Biswas	Vopak	SHEQ Manager
	Steve Barclay	Quantem	Terminal Manager
Invitees (Optional)	Jonathan Lafforgue	NSW Ports	General Manager, Operations and Environment
	Rose Day	NSW Ports	HSE Systems Coordinator

AUDIT PLAN - Day 1

DAY 1 – Monday 11 December 2023		
Indicative time	Agenda item / Areas for review	Proposed attendees
08.30 – 09.00	Opening meeting <ul style="list-style-type: none"> • Introductions, confirmation of scope, criteria, arrangements, methodology, logistics • Overview of changes since last audit 	All NSW Ports
9.00 – 09.30	Review of actions taken to address the non-compliances and Observations raised in the 2020 Independent Audit	NSW Ports
09.30 – 12.00	Site Inspection covering the following: <ul style="list-style-type: none"> – Operations building and control room – Site entry and security, signage – Spill containment tanks and facilities – Emergency facilities and document repositories – Overview of general site – Roadways – Inspection of BLB loading activities (to be scheduled for when activities are occurring) – including interviews with operators (users and NSW Ports – operational) 	
12.00 – 12.45	Interviews with Operators / Users / Tenants (Vopak) <ul style="list-style-type: none"> – Maintenance of own OEMP – Preparation and submission of OEMP Annual Compliance Report – EPL – breaches, EPA notifications or incidents over audit period; – Inspections; – Induction / training; – Involvement in Emergency drills; – Pipe monitoring – leaks, pressure monitoring; – Hydrostatic / other approved pipe testing as per AS2885.3, any changes to methodology; – Awareness / compliance with NSW Ports Operations Manual and own procedures 	Vopak
12.45 – 13.30	Break	
13.30 – 14.00	Interviews with Operator / User Tenant (Quantem). Criteria as above for Vopak where relevant.	Quantem
14.00 – 16.30	Assessment of compliance with relevant MCoAs (Part 1 of checklist). Review of documents and records and conduct interviews with relevant NSW Ports personnel as required	NSW Ports
16.30 – 16.45	End of Day 1 debrief audit progress and outcomes to date (if required).	NSW Ports

AUDIT PLAN - Day 2

DAY 2 – Tuesday 12 December 2020		
Indicative time	Agenda item / Areas for review	Proposed attendees
08.30 – 10.30	– Assessment of compliance with relevant MCoAs (Part 1 of checklist) continued.	NSW Ports
10.30 – 11.30	– Assessment of Compliance with Statement of Commitments (Part 2 of Checklist)	NSW Ports
11.30 – 13.00	– Assessment of conformance / compliance with commitments made in the Operational Environmental Management Plan (Part 3 of checklist)	NSW Ports
13.00 – 13.45	Lunch break	
13.45 – 15.45	Further review of documents and records, follow-up of audit trails as required	NSW Ports
15.45 – 16.15	Auditor review and consolidation of notes	Auditor
16.15 – 16.30pm	Closing meeting, presentation of interim findings	All - NSW Ports
POST AUDIT (off site)		
<ul style="list-style-type: none"> – Report writing and where required, requests for clarification and further evidence. – Issue of draft report for comment; – Issue of final report. 		

* Note – the above plan is flexible to suit availability of personnel and operational requirements. The auditor has the right to vary the plan to assess any additional areas should issues arise during the audit.

8 Appendix E – Audit Tables /checklist

Audit Checklist – for the Operation of the Bulk Liquids Berth No 2, Port Botany Part 1 - Ministers Conditions of Approval (MCoA) - Operations

Item	MCoA No	Resp	Description	Evidence Assessed	Outcomes, findings, recommendations	Compliance Status
	1		ADMINISTRATIVE CONDITIONS			
			Terms of Approval			
1.	1.1	NSW Ports	The Proponent shall carry out the project generally in accordance with the		The project is generally operating in accordance with the required documents. No non-compliances were raised at this audit.	Compliant
			a) Major Projects Application 07_0061;			
			b) Bulk Liquids Berth No. 2 – Port Botany: Environmental Assessment dated November 2007 and prepared by Sinclair Knight Merz Ltd;			
			c) additional information provided by Sinclair Knight Merz Pty Ltd to the Department titled Failure Frequency of the Port Botany Bulk Liquids Berth 2 Marine Loading Arms (letter dated 18 December 2007);			
			d) Response to Submissions Report prepared by Sinclair Knight Merz Pty Ltd and dated 26 February 2008; and			
			e) the conditions of this approval	All relevant conditions assessed in this checklist - refer to balance of checklist		
2.	1.2	NSW Ports	In the event of an inconsistency between:		Noted. No inconsistencies identified	Not triggered

Item	MCoA No	Resp	Description	Evidence Assessed	Outcomes, findings, recommendations	Compliance Status
			<p>a) The conditions of the approval and any document listed from condition 1.1a) to 1.1d) inclusive, the conditions of the approval shall prevail to the extent of the inconsistency</p> <p>b) Any document listed from condition 1.1a) to 1.1d) inclusive, and any other document listed from condition 1.1a) to 1.1d) inclusive, the most recent document shall prevail to the extent of the inconsistency</p>			
3.	1.3	NSW Ports	<p>The Proponent shall comply with any reasonable requirement(s) of the Director-General arising from the Department's assessment of:</p> <p>a) Any reports, plans or correspondence that are submitted in accordance with this approval; and</p> <p>b) The implementation of any actions or measures contained in these reports, plans or correspondence</p>		<p>The Department of Planning, Industry and Environment issued a warning letter regarding the non-compliance to CoA 2.13 raised in the 2020 IEA and the incorrect classification and disposal of oily water as "stormwater". No enforcement action arose from the breach.</p> <p>However, it was noted that Initial and continuing corrective actions have been implemented since the previous audit (refer to previous actions table in the main report.</p> <p>No other instances of requirements arising from the Secretary (previously Director-General) were noted during the audit</p>	Compliant
			Limits of Approval			
4.	1.4	NSW Ports	This approval shall lapse after five years after the date on which it is granted, unless the works the subject of this approval are physically commenced on or before that time.		<i>Noted. The works commenced in September 2011</i>	Not triggered
5.	1.5	NSW Ports / Users	The export of Liquefied Petroleum Gas (LPG) is permitted, provided that a report detailing the reverse flow prevention arrangements for LPG	Interview with NSW Ports, Vopak and Quantem.	As noted in the last 3 audits, there have been no tenants/operators committed to	Not triggered

Item	MCoA No	Resp	Description	Evidence Assessed	Outcomes, findings, recommendations	Compliance Status
			export is firstly submitted to the satisfaction of the Director-General.	LPG is not handled through the BLB2. All LPG handled through BLB1	the import and export of LPG. There has been no change since the last audit.	
			Statutory Requirements			
6.	1.6	NSW Ports /Users	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 approval 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 site at all times during the project.	<p>Vopak Licence no. 6007 Licence version date 13 March 2020, anniversary date 1 July. Shipping in Bulk (5000000 t) is listed as a scheduled activity.</p> <p>Terminals (trading as Quantem) Licence No. 1048 Licence Version date 30 Oct 2020, anniversary date 7 February. Shipping in Bulk is listed as a scheduled activity (100000 – 500000 t)</p> <p>First Point of Entry Determination 2019 under the Commonwealth Biosecurity Act - Determination letter in place . Bulk Liquids Berths 1 and 2 listed as biosecurity entry points.</p>	<p>Environmental Protection Licences (EPLs) are held by Users- Vopak and Terminal (Quantem). NSW Ports are not required to hold an EPA licence.</p> <p>Biosecurity measures are in place at the BLB2 facility</p>	Compliant
7.	1.7	NSW Ports / Users	The Proponent shall ensure that employees, contractors and subcontractors are aware of, and comply with, the conditions of this approval relevant to their respective activities.	<p>Rapid Global HSE Induction Material (online content with competency quiz)</p> <p>Rapid Global BLB Induction material (online content with competency quiz)</p>	<p>The key requirements of the conditions of approval are embedded within the OEMP and Operations Manuals. BLB Officers and Management were aware of these requirements.</p> <p>Employees and contractors must undertake the Rapid Global Safety and Environment online inductions - one is general HSE Information, and the BLB induction provides more detailed information regarding specific requirements.</p>	Compliant

Item	MCoA No	Resp	Description	Evidence Assessed	Outcomes, findings, recommendations	Compliance Status
					<p>Emergency Response Training is also provided and this is complemented with the quarterly exercise program.</p> <p>OPEC Services (BLB Officers) continue to provide specialist personnel with who are trained in the core requirements of the jobs. Interview with a BLB Officer provided evidence of competence.</p> <p>The Auditor was required to undertake both inductions prior to coming onto site.</p>	
8.	1.8	NSW Ports	The Proponent shall be responsible for environmental impacts resulting from the actions of all persons on site, including contractors, subcontractors and visitors.	<p>Site Inspection: Spill kits / bins provided by NSW Ports</p> <p>"Clearance to Work" form (broader than previous permit to work - includes items such as fire system testing, alarm testing, waste oil removal, GPT).</p> <p>Hot and Cold Permits to Work</p>	<p>Since the previous audit, there have been no significant environmental incidents / impacts within the scope of the BLB2.</p> <p>Vopak and Quantem (operators on the site) hold the Environment Protection Licences and continue to be responsible for managing potential and actual site impacts, however NSW Ports provide oversight and a permit system.</p> <p>There have been recent changes to the permit system, with NSW Ports now operating "Clearance to Work" for tenants as an alternative to operating parallel permits to work. NSW Ports now require the completion of the broader "Clearance to Work" prior to tenants undertaking</p>	Compliant

Item	MCoA No	Resp	Description	Evidence Assessed	Outcomes, findings, recommendations	Compliance Status
					<p>work using their own work permit system.</p> <p>For works commissioned by NSW Ports, the scope of the permits have been broadened to include more than hot and cold works permits (broader range of hazards).</p> <p>NSW Ports provides spill control materials as a back-up and requires users of the berth to provide their own spill control materials during liquid transfers.</p>	
			Utilities and Services			
9.	1.9	Constructor / NSW Ports	Prior to commencement of construction, the Proponent shall identify (including, but not limited to the position and level of service) all public utility services on the site, roadway, footpath, public reserve or any public areas that are associated with, and / or adjacent to the site, and/or likely to be affected by the construction and operation of the project.		Completed This was assessed at the construction phase audit and deemed compliant.	Not triggered
10.	1.1	NSW Ports	The Proponent shall consult with the relevant utility provider(s) for those services identified under condition 1.9 and make arrangements to adjust and/or relocate services as required. The Proponent shall bear the full cost associated with providing utilities and services to the site, and restoring any public utilities that may be damaged during the proposed works.		There have been no additional requirements to consult with utilities since the last audit	Not triggered
11.	1.11	NSW Ports	Prior to the commencement of construction works that may affect services/utilities; the Proponent shall provide documentary evidence		Pre- construction requirement. All works have now been completed. Previously	Not triggered

Item	MCoA No	Resp	Description	Evidence Assessed	Outcomes, findings, recommendations	Compliance Status
			to the Director-General that the requirements of the relevant utility provider(s) have been met.		deemed compliant. No new construction works	
	2		SPECIFIC ENVIRONMENTAL CONDITIONS			
			Hazards and Risk			
	2.1		Note – most preconstruction conditions removed as they are not relevant to the scope of this audit			
12.	2.1(a)	NSW Ports	<p>Fire Safety Study (Pre-construction)</p> <p>The Users' designers are to review the Fire Safety Study (re CoA 2.1 a) as part of the design process and amend it based on the proposed gas and liquid transfer and infrastructure installed. The updated FSS shall then be submitted to Sydney Ports for review prior to the finalisation of the detailed design works for the berth. The Users are to confirm the that recommended safety features have been incorporated for the Marine Loading Arms during design of the pipeline facilities. The updated FSS is to be submitted to the DG for approval</p>	<p>Letter from Fire and Rescue dated 26 October 2023 - File Ref. No: FRN20/3506 BFS23/5987 8000031436 "Re: Review of Fire Safety Study (FSS) - BULK LIQUIDS BERTH 2 – GATE B42 CHARLOTTE ROAD, PORT BOTANY"</p> <p>Letter from Worley Consulting dated 15 December 2023 (Ref: 411010-00918-SR-LET-0001) responding to the letter from Fire and Rescue NSW FRN20/3506 BFS23/5987 8000031436.</p> <p>Letter from Fire and Rescue NSW dated 21 December 2023 "Re: Review of Fire Safety Study (FSS) - BULK LIQUIDS BERTH 2 – GATE B42 CHARLOTTE ROAD, PORT BOTANY" noting that: "FRNSW have reviewed the FSS Addendum and supporting FSS Addendum Response. The current version of the FSS has been prepared to the satisfaction of FRNSW".</p> <p>Post Approval submission (no date) from NSW Ports to DPE, attaching the two documents listed.</p>	<p>A non-compliance was raised at the 2017 audit regarding NSW Fire & Rescue approval of the Fire Safety Study addenda. The non-compliance was followed up at the 2020 audit, however, whilst progress had been made, the issue had not been resolved, and the non-compliance remained open.</p> <p>The non-compliance was followed up at this 2023 audit. Evidence was provided to satisfactorily close out the non-compliance (Refer to Appendix A – previous findings follow-up for full details).</p>	Compliant

Item	MCoA No	Resp	Description	Evidence Assessed	Outcomes, findings, recommendations	Compliance Status
13.	2.2	NSW Ports	Pre-Commissioning			
			Two months prior to the commencement of project commissioning, or within such period otherwise agreed by the Director-General, the Proponent shall develop and implement the following plans and systems and submit them for approval to the Director-General:			Not triggered
14.	2.2 (a)	NSW Ports	Emergency Plan	BLB Operations Manual Version 7 last updated October 2023. Emergency Management - Section 9 Appendix 15 (Emergency Response Procedures)	Section 9 of the BLB Operations Manual provides overall emergency requirements for the BLB. Appendix 15 of the Operations Manual provides an overview of the procedures, listing 7 specific Emergency Response Procedures: Fire on Wharf; Fire on Vessel, surrounding water or wharf during cargo operations; Spill on Wharf of Ship; Gas Leak; Fire or Spill on Pipe Bridge or Road Bridge; Fire or spill in Charlotte Road or Fishburn Road Pipeline Corridor or Isolation Valve Pit; and Security Breach (Intruder).	Compliant
			A comprehensive Emergency Plan and detailed emergency procedures for the project prepared in accordance with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 1 - Industry Emergency Planning Guidelines, and submit them for the approval of the Director-General.	Sampled Emergency Exercises: * Quantem Emergency Exercise - After Action Report - Exercise 2 Nov 2023. The intention of the exercise was to provide insight and review the response capabilities of all entities involved in the exercise including the Terminal Operator (Quantem), NSW Ports, and FRNSW to a dual incident (loss of containment and a	A separate ERP in table form is provided for each of the scenarios listed above.	

Item	MCoA No	Resp	Description	Evidence Assessed	Outcomes, findings, recommendations	Compliance Status
				<p>man down);</p> <p>* Vopak Overwater and Waterside Rescue 2 Sept 2022;</p> <p>* Elgas Emergency Exercised - The Release of Pressurised LPG Liquid - March 2023</p> <p>* Qenos - Pipeline Loss of Containment and Flammable Gas Leak - May 2023.</p> <p>Quantem Emergency Exercise - Debrief December 2022 - Chemical Spill and Vapour Cloud</p>	A sample of emergency exercises conducted by the 4 tenants were sighted and reviewed (some not based at BLB2, however exercises relevant for both BLB1 and BLB2 berths). Key learnings and actions to improve responses were documented.	
15.	2.2 (b)	NSW Ports	<p>Safety Management System</p> <p>Two months prior to the commencement of project commissioning, or within such period otherwise agreed by the Director-General, the Proponent shall develop and implement a comprehensive Safety Management System covering all on-site operations and associated transport activities involving hazardous materials. The document shall clearly specify all safety related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to the procedures. Records shall be kept on-site and shall be available for inspection by the Director-General upon request. The Safety Management System shall be developed in accordance with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 9 - Safety Management.</p>	<p>NSW Ports Bulk Liquids Berth 1 & 2 Safety Management System August 2023 Ver 7.3</p>	<p>The Safety Management System (SMS) has been in place since the commencement of operations, has been progressively updated and was last reviewed and updated in August 2023. There have been 7 updates since the last audit, and the changes are reflected in the document control panel. The SMS incorporates both the BLB1 and BLB2 Operations.</p>	Compliant

Item	MCoA No	Resp	Description	Evidence Assessed	Outcomes, findings, recommendations	Compliance Status
			Air Quality Impacts			
			Odour			
16.	2.3	NSW Ports/Users	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 the site unless as otherwise permitted by an Environment Protection Licence.	Complaints register (nil entries relating to odour)	Odour complaints are recorded in NSW Ports Complaints register and investigated. There have been no odour complaints associated with BLB2 operations in last 3 years Odour was not identified as an issue during the site inspection conducted during the audit	Compliant
			Dust Emissions			
17.	2.4	NSW Ports	The Proponent shall undertake the project in a manner that minimises or prevents dust emissions from the site. Including wind-blown and traffic generated dust. Should visible dust emissions occur at any time, the Proponent shall identify and implement all practicable dust mitigation measures, including cessation of relevant works, as appropriate, such that emissions of visible dust cease.	Site Inspection	This condition primarily applies to the construction phase as there are minimal to no dust sources at the built facility. The site inspection did not identify any dust issues at the site.	Compliant
			Noise Impacts			
			Operation Noise Impacts			
18.	2.9	NSW Ports	The Proponent shall minimise noise emissions from plant and equipment operated on the site by installing and maintaining, wherever practicable, efficient silencers and low-noise mufflers (residential standard).	Site Inspection Complaints Register Port Botany Ship Noise Monitoring report - PB Neptunes (Noise Exploration Program to Understand Noise Emitted by	The OEMP addresses noise and is addressed in the site induction material. All noise complaints are recorded in NSW Ports Complaints Register. There have been no noise complaints associated with BLB2 ops since last audit in 2020.	Compliant

Item	MCoA No	Resp	Description	Evidence Assessed	Outcomes, findings, recommendations	Compliance Status
				<p>Seagoing Ships) 28 May 2021 by Wilkinson Murray.</p> <p>Letter from EPA dated 30 May 2023 - in relation to actions taken by NSW Ports to address low frequency noise around Port Botany.</p>	<p>Minimal plant and equipment is operated at the BLB (e.g. - forklift). The most significant noise source is the ships in port.</p> <p>Whilst the monitoring and minimisation of noise from ships is not a requirement of this approval, it is noted that significant work has been undertaken in recent years to understand the source of the ship noise (identification of individual ships).</p> <p>A letter was received by NSW Ports from the NSW EPA acknowledging <i>"in understanding low frequency noise from shipping at Port Botany, the value of NSW Ports' investigations /interventions to reduce low frequency noise, and the systems it has put in place to engage with the community. The letter also noted "The EPA appreciates the proactive role that NSW Ports is taking towards reducing noise from vessels berthed at Port Botany and the impacts on the local community."</i></p>	
19.	2.10	NSW Ports	<p>The Proponent shall design, operate and maintain the project to ensure that the noise contributions from the project do not exceed the maximum allowable noise contributions specified in Table 1, at those locations and during those periods indicated. The maximum allowable noise contributions apply under:</p> <p>a) meteorological condition of wind speeds up to 3 ms⁻¹ (measured at 10 metres above ground level); or</p>	<p>Ship Noise Monitoring Report - 27 February 2014</p> <p>Port Botany Ship Noise Monitoring report - PB Neptunes (Noise Exploration Program to Understand Noise Emitted by Seagoing Ships) 28 May 2021 by Wilkinson Murray.</p>	<p>A noise audit/ Ship Noise Monitoring Report was conducted on 27 February 2014 as reported in previous audits. The monitoring report concluded that "Noise levels predicted at the four receiver locations complied with the noise limits specified in the Approval, for both operation of BLB2 as well as BLB1 and BLB2 together.</p>	Compliant

Item	MCoA No	Resp	Description	Evidence Assessed	Outcomes, findings, recommendations	Compliance Status
			b) temperature inversion conditions up to 30C per 100 metres and wind speeds up to 2ms-1 (measured at 10 metres above ground level).		A further Ship Noise Monitoring Report was undertaken in May 2021, however ship noise is not covered by the BLB2 approval. See Condition 2.9 above. There have been no changes since the last audit, with no changes to activities or infrastructure that would affect noise levels.	
20.	2.11	NSW Ports	<p>For the purpose of assessment of noise contributions specified under condition 2.10 of this approval, noise from the project shall be:</p> <p>a) Measured at the most affected point on or within the residential boundary to determine compliance with the LAeq(15 minute) and LAeq(night) noise limits outlined in condition 2.10; and</p> <p>b) subject to the modification factors provided in Section 4 of the New South Wales Industrial Noise Policy (EPA, 2000), where applicable.</p> <p>Notwithstanding, should direct measurement of noise from the premises be impractical, the Proponent may employ an alternative noise assessment method deemed acceptable by the DECC (refer to Section 11 of the <i>New South Wales Industrial Noise Policy</i> (EPA, 2000)). Details of such an alternative noise assessment method accepted by the DECC shall be submitted to the Director-General prior to the implementation of the assessment method.</p>	Ship Noise Monitoring Report - 27 February 2014	<p>An Alternative noise assessment methodology was accepted by EPA (14/2/14) and submitted to DP&E (14/2/14) prior to undertaking the 2014 noise audit as reported in previous audit reports.</p> <p>As noted above, a Ship Noise Monitoring Report was prepared in May 2021.</p> <p>There have been no further noise assessments relating to noise emitted from BLB2 as reported in previous audit reports.</p>	Compliant
			Soil and Water Impacts			

Item	MCoA No	Resp	Description	Evidence Assessed	Outcomes, findings, recommendations	Compliance Status
21.	2.12	NSW Ports	The proponent shall ensure that all stormwater on the working platform is directed to a stormwater treatment unit/pollutant trap capable of removing gross pollutants, oil, grease and sediments, prior to it being discharged to Botany Bay.	Stormwater Drainage Plan and Drainage Pit Schedule DRG No: 301015-01655-CI-DWG-0051 Rev 0	Completed – the stormwater system is installed and operating - Addressed in design. The stormwater treatment unit was visited during the audit site inspection; however, all infrastructure is underground and could not be directly viewed.	Compliant
22.	2.13	NSW Ports	The Proponent shall ensure that all oil and grease or other pollutants in the wastewater storage tank and the stormwater treatment unit is regularly collected and disposed of off-site at a waste management facility lawfully permitted to accept this waste.	OEMP v4.0 – Table 6 – Stormwater and water quality management Docket :7/12/2023 by Bulk Recovery Services / Total Drain Cleaning (EPA Licence 20797) – J120 2.52 t Docket: 9/11/2022 by Bulk Recovery Services / Total Drain Cleaning – J120 1.32t	Clean out of the gross pollutant trap (GPT and Oil Water Separator is scheduled every 2 years, however, has been cleaned out yearly since 2021. A non-compliance was raised at the previous audit relating to the incorrect classification and disposal of the oily water waste. This has been subsequently addressed and closed out. Refer to previous findings table in the main report. Since the previous audit, a new Section 3.4 has been added to the OEMP which now requires that oily waste water, sediments and general waste is tracked and recorded in the Hold system. Dockets provided indicate that the wastes have been disposed of at an off-site facility that can lawfully accept this waste.	Compliant
	3	NSW Ports	ENVIRONMENTAL MONITORING AND AUDITING			
			Noise Audit			

Item	MCoA No	Resp	Description	Evidence Assessed	Outcomes, findings, recommendations	Compliance Status
23.	3.1	NSW Ports	<p>Within 90 days of commencement of operations associated with the project and during a period in which the project is operating under normal operating conditions, the Proponent shall undertake a noise audit to detail the noise emission performance of the facility. This audit shall meet the requirements of the DECC, and shall include, but not necessarily be limited to:</p> <p>a) noise monitoring, consistent with the guidelines provided in <i>New South Wales Industrial Noise Policy</i> (EPA, 2000) to assess compliance with the criteria specified in Table 1 of this approval;</p> <p>b) methodologies for noise monitoring;</p> <p>c) location(s) of noise monitoring;</p> <p>d) frequency of noise monitoring;</p> <p>e) identification of monitoring sites at which pre-and post-project levels can be ascertained; and</p> <p>f) provision of details of any complaints received relating to noise generated by the project, and action taken to respond to those complaints.</p>		This condition was assessed at previous audits and deemed compliant and no further monitoring was recommended in the noise monitoring report issued in 2014.	Not triggered

Item	MCoA No	Resp	Description	Evidence Assessed	Outcomes, findings, recommendations	Compliance Status
24.	3.2	NSW Ports	Within 28 days of conducting the noise audit referred to under condition 3.1 of this approval, the Proponent shall provide the Director-General and DECC with a copy of the report. If the noise audit identifies any non-compliance with the noise limits imposed 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 Director-General.		<p>This condition was assessed at previous audits and deemed compliant.</p> <p>Previous audits noted that an email was received on 20/05/14 from DP&I requesting clarification on a number of points and an email response was provided. Letter received from DPE on 4/6/14 that acknowledged that the noise audit report was consistent with Conditions 3.1 and 3.2 and notes no exceedances of the noise limits were recorded and no further action is required at this time. There have been no changes since last audit.</p>	Not triggered
			Hazard Audit			
25.	3.3	NSW Ports	<p>Twelve months after the commencement of operations of the project or within such period otherwise agreed by the Director-General, the Proponent shall carry out a comprehensive Hazard Audit of the project and within one month of its completion submit the audit report to the Director General.</p> <p>The audit shall be carried out at the Proponent's expense by a duly qualified independent person or team approved by the Director General prior to commencement of the audit.</p>	CV of the Hazard Auditor - Dr Raghu Raman	<p>Undertaken at commencement of operations and deemed compliant at that time.</p> <p>The Hazard Auditor was qualified to undertake the Hazard audit</p>	<p>Not triggered</p> <p>Compliant</p>

Item	MCoA No	Resp	Description	Evidence Assessed	Outcomes, findings, recommendations	Compliance Status
			Further audits shall be carried out every three years or as determined by the Director General and a report of each audit <i>shall be submitted to the Director General within one month of each audit completion date</i> . All hazard audits shall be carried out in accordance with the Department of Planning's <i>Hazardous Industry Planning Advisory Paper No.5 - Hazard Audit Guidelines</i> . Each audit shall include a review of the site Safety Management System and a review of all entries made in the incident register since the previous audit. Each audit report must be accompanied by a program for the implementation of all recommendations made in the audit report. If the Proponent intends to defer the implementation of a recommendation, justification must be included.	NSW Ports Port Botany - 2021 Hazard Audit 25 February 2021 Rev 0 by Arriscar Pty Ltd Acknowledgement of submission of post approval document 26 Feb 2021 via the Planning Portal. Post Approval Form Letter from DPIE to NSW Ports Bulk Liquids Berth No. 2 (MP07_0061) Hazard Audit 2021 dated 09/04/2021.	The Hazard Audit was conducted as required in 2021 (delayed due to the availability of the auditor). A non-compliance was raised at the previous audit due to the timing of the audit being greater than 3 years. The next Hazard Audit is scheduled to be conducted in January 2024 (originally scheduled for Dec 2023 to be held concurrently with this IEA. This meets the requirements of this condition at this audit.	
	4		COMPLIANCE MONITORING AND TRACKING			
			Compliance Tracking Program			
26.	4.1	NSW Ports	The Proponent shall develop and implement a Compliance Tracking Program to track compliance with the requirements of this approval. The program shall be submitted to the Director-General for approval prior to the commencement of construction. The program shall relate to both construction and operational stages of the project and shall include, but not necessarily be limited to;	Compliance Tracking Program (CTP) v2.0 dated April 2015	Compliance tracking program was submitted and approved in 2015. No changes have been made since the last audit	Compliant
27.			a. provisions for periodic review of the compliance status of the project against the requirements of this approval;	Compliance Tracking spreadsheet - last updated 30/11/2023	Section 2.1 of the CTP includes the provisions for periodic review of the compliance status of the project against the requirements of the approval. They are:	Non-compliant

Item	MCoA No	Resp	Description	Evidence Assessed	Outcomes, findings, recommendations	Compliance Status
					<p>"NSW Ports will review the compliance status of the project annually and document evidence of compliance within the compliance tracking system to be included in the Environmental Audit"</p> <p>NSW Ports has a compliance tracking system in place to review and tracks the compliance of the project against the Conditions of Approval. For each CoA the following information is provided:</p> <ul style="list-style-type: none"> * the project phase to which the condition is applicable (construction, operation, etc.); * the status of the Condition (open, in progress, completed compliant, or reviewed closed); * the Condition requirements from the Project Approval; * responsibility for carrying out the requirements of the Condition (NSW Ports, Contractor, User); and * evidence of compliance including a record of all Approvals issued to date by the Secretary of the Department of Planning and Environment (DP&E). <p>Whilst a compliance status review was undertaken in November 2023 prior to the IEA, there was no formal review documented for the years 2021 and 2022.</p>	
28.						Compliant

Item	MCoA No	Resp	Description	Evidence Assessed	Outcomes, findings, recommendations	Compliance Status
			b. provision for periodic reporting of compliance status to the Director-General;	2020 Independent Environmental Audit Report	As per the CTP, periodic reporting of compliance status is through the Independent Environmental Audits (this report) to be conducted every 3 years.	
29.			c. provisions for specific reporting requirements as required by conditions 4.2 and 4.3;		Requirement satisfied previously - not triggered at this audit	Not triggered
30.			d. a program for independent environmental auditing at least annually, or as otherwise agreed by the Director-General, in accordance with ISO 19011:2002 – Guidelines for Quality and/or Environmental Management Systems Auditing; and	Independent Environmental Audit Report - Bulk Liquids Berth No 2 - Operations - Final Report dated 14 January 2021 by DECA.	The CTP requires that independent environmental audits are conducted every 3 years as agreed by the DG/Secretary. This 2023 IEA was conducted within the 3-year timeframe specified within the CTP.	Compliant
				Letter from DPIE dated 8 March 2021 noting that the IEA Report was submitted on 15 January 2021 and generally satisfies the requirement of Sch 2, Cond 4.1(d);	Evidence was provided to verify that the 2020 Independent Environmental Audit was submitted to the Department on 15 January 2021.	
31.	4.1		e. mechanisms for rectifying any non-compliance identified during environmental auditing or review or compliance.	Review of 2020 audit non-compliance entries in Protecht,	<p>The mechanism for rectifying internal and external non-compliances is through Protecht. Closed actions including actions taken were sighted and reviewed.</p> <p>Rectification of non-compliances identified through the Independent Environmental Audits is also through direct response to the auditor, inclusion of responses in report and findings table and Action Plan submission to DPIE</p> <p>The audit risk and compliance committee review outcomes of the audits at executive board level.</p>	Compliant

Item	MCoA No	Resp	Description	Evidence Assessed	Outcomes, findings, recommendations	Compliance Status
32.	4.2	NSW Ports	One month prior to the commencement of project operations, the Proponent shall submit to the Director-General a Pre-Startup Compliance Report detailing compliance with conditions 2.1 and 2.2, including:		The Pre-Start Up Compliance Report was prepared by NSW Ports and submitted to DP&I on 16/10/13. This was a one-off requirement	Not triggered
			a) dates of study/plan/system submission, approval, commencement of construction and commissioning;			
			b) actions taken or proposed to implement recommendations made in the studies/plans/systems; and			
			c) response to any requirements imposed by the Director-General under condition 1.3.			
33.	4.3	NSW Ports	Three months after the commencement of project operations, the Proponent shall submit to the Director-General, a Post-Startup Compliance Report verifying that:		The Post-Start Up Compliance Report was prepared by NSW Ports and submitted to DP&I on 4/3/14. This was a one-off requirement	Not triggered
			a) the Emergency Plan required under condition 2.2a) is in place and effective and that at least one emergency exercise has been conducted; and			
			b) the Safety Management System required under condition 2.2b) has been fully implemented and that records required by that system are being kept on site.			
			COMMUNITY INFORMATION, CONSULTATION AND INVOLVEMENT			
34.	5.1	NSW Ports	Subject to confidentiality, the Proponent shall make all documents required under this approval available for public inspection on request	https://www.nswports.com.au/port-botany	A review of the NSW Ports website found that all documents required under this approval were located on the website. They were organised in various tabs, being:	Compliant

Item	MCoA No	Resp	Description	Evidence Assessed	Outcomes, findings, recommendations	Compliance Status
					* Planning Approvals and Documentation * Compliance Tracking and Auditing - included CTRs 2011 to Nov 2014, the Compliance Tracking Program, Start up Compliance Reports, and the BLB2 Independent Environmental Audit Reports for 2012, 2013, 2014, 2017 and 2020. * Environmental Management - BLB1 and BLB2 Operational Management Plan (latest version)	
			Complaints Procedure			
35.	5.2	NSW Ports	<p>Prior to the commencement of construction of the project, the Proponent shall ensure that the following are available for community complaints for the life of the project (including construction and operation):</p> <p>a) A telephone number on which complaints about construction and operational activities at the site may be registered;</p> <p>b) A postal address to which written complaints may be sent; and</p> <p>c) And email address to which electronic complaints may be transmitted.</p> <p>The telephone number, the postal address and the email address shall be displayed on a sign near the entrance to the site, in a position that is clearly visible to the public, and which clearly indicates the purposes of the sign.</p>	<p>Site Inspection - signage at entry to site</p> <p>https://www.nswports.com.au/contact</p>	<p>Signage with the required information is displayed at the entrance to the facility (see photos)</p> <p>There has been no change to email address or phone number since the last audit. No complaints have been received to date for BLB2 operations.</p> <p>The NSW Ports website has link to "contact us" / "Environmental Concerns" and can enter data into online form for direct submission to Protecht. There has been an enhancement to Protecht since the last audit with the addition of the field "Observation" to the "Complaints" form to allow members of the public to raise concerns without formally raising a complaint.</p>	Compliant
36.	5.3	NSW Ports	The Proponent shall record details of all complaints received through the means listed under condition 5.2 of this approval in an up-to-	Complaints Register on Protecht –sorted for BLB2 - no complaints recorded. Protecht records the required data.	There have been no complaints specifically for BLB2, however there have been complaints relating noise from	Compliant

Item	MCoA No	Resp	Description	Evidence Assessed	Outcomes, findings, recommendations	Compliance Status
			<p>date Complaints Register. The Register shall record, but not necessarily be limited to;</p> <p>a. the date and time, where relevant, of the complaint;</p> <p>b. the means by which the complaint was made (telephone, mail or email);</p> <p>c. details of the complainant that were provided, or if no details were provided, a note to that effect;</p> <p>d. the nature of the complaint;</p> <p>e. any action(s) taken by the Proponent in relation to the complaint, including any follow-up contact with the complainant; and</p> <p>f. if no was taken by the Proponent in relation to the complaint, the reason(s) why no action was taken</p> <p>The Complaints Register shall be made available for inspection by the Director-General upon request.</p>		ships. NSW Ports has been working on the identification of noisy ships to minimise complaints in the Port Botany area. See section on noise management.	
	6		ENVIRONMENTAL MANAGEMENT			
			Operation Environmental Management Plan			
37.	6.3	NSW Ports	<p>Prior to the commencement of operation of the project, the Proponent shall prepare and submit for the approval of the Director-General an Operation Environmental Management Plan to detail an environmental management framework, practices and procedures to be followed during the operation of the project. The Plan shall be consistent with the Department's <i>Guideline for the Preparation of Environmental Management Plans</i> (DIPNR</p>	Operational Environmental Management Plan Bulk Liquids Berths (BLB1 & BLB2) – Port Botany - October 2023 Ver 4.0 Final	The Operational Environmental Management Plan has been extensively revised and updated since the previous audit. The previous OEMP addressed only BLB2, and the decision was made by NSW Ports to combine the BLB1 and BLB2 operations into a single Plan. This has reduced duplication and provided a comprehensive overview of the BLB operational requirements.	Compliant

Item	MCoA No	Resp	Description	Evidence Assessed	Outcomes, findings, recommendations	Compliance Status
			<p>2004), and shall include, but not necessarily be limited to:</p> <p>a) a description of all activities to be undertaken on the site during operation of the project;</p> <p>b) 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>c) specific consideration of measures to address any requirements of Council and the DECC during operation;</p> <p>d) 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>e) 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; and</p> <p>f) complaints handling procedures to be applied during operation of the project (conditions 5.2 and condition 5.3 of this approval)</p>		<p>The document control process has significantly improved since the previous audit, with revision information now included on the document control panel</p> <p>The revised OEMP includes the requirements listed in this condition.</p>	
38.	7.1	NSW Ports	The Proponent shall notify the director-General of any incident with actual or potential significant off-site impacts on people or the biophysical environment within 12 hours of becoming aware of the incident. The Proponent shall provide full written details of the incident	<p>NSW Ports Incident Register - exported from Protecht Quantem Incident Register.</p> <p>Example - minor spill on ship Forever Splendour - the spill was contained within</p>	There have been some minor incidents that have been reported to NSW Ports by Quantem and Vopak since the last audit, however none have been deemed to be significant, triggering notification to the DG/ Secretary.	Compliant

Item	MCoA No	Resp	Description	Evidence Assessed	Outcomes, findings, recommendations	Compliance Status
			to the Director-General within 24 hours of any incident or potential incident occurring. A further detailed report shall be prepared and submitted following investigations of the cause and identification of necessary additional preventive measures. The detailed report is to be submitted to the Director-General no later than 14 days after the incident or potential incident.	the ship and did not result in a pollution incident.		

Part 2 - Statement of Commitments

ID	SoC No	Resp	Description	Evidence Assessed	Outcomes, findings, recommendations	Compliance Status
			CONTAMINATION			
39	7	NSW Ports Users	Contamination Leakages from pipes would be minimised by pressure pipe monitoring, with any required urgent corrective actions, and regular general inspections.	Refer to OEMP Section 2.2 – Table 6 Stormwater and water quality management Site inspections and interview Pipeline Integrity Management Plan (Quantem) Pipeline Integrity Compliance Report – Contract Reference T440 and T649	Pipes are monitored by the Users, and Ports NSW required users to prepare Pipeline Integrity Compliance Reports. Regular inspections are also undertaken by NSW Ports to ensure no leakages are occurring. BLB Officers continue to undertake “White Level inspections” on a regular basis (twice per shift, around 6 times per day including at night time) Corrective actions would be reported and actioned through Protecht.	Compliant
40	9	NSW Ports / Users	Appropriate disposal of any contaminated water or soil in accordance with DECC waste management guidelines	Site inspections and interview	The only potentially contaminated waste removed from site would be from the clean-out of the GPT and oil water separator. The oily water was appropriately disposed of. Refer to response to CoA 2.13	Compliant
			WATER QUALITY			
41	11	NSW Ports	The working platform and manifold areas would be bunded and would drain to wastewater storage tank. All water collected in the manifold area would be assessed, treated and/or	Stormwater Drainage Plan and Drainage Pit Schedule DRG No: 301015-01655-CI-DWG-0051 Rev 0	This was addressed in design and continues to operate. This commitment relates to design of the stormwater management system and the	Compliant

ID	SoC No	Resp	Description	Evidence Assessed	Outcomes, findings, recommendations	Compliance Status
			disposed of at an appropriately licensed liquid waste management facility. Water from the working platform would initially be assessed to determine whether it is unpolluted and suitable for release to Botany Bay – or requires disposal at an appropriately licensed liquid waste management facility.		infrastructure completed prior to commencement of Operations. The facility was also sighted as part of the inspection during this audit.	
42	13	PANSW	An oil boom facility would be readily available to be deployed rapidly from the nearby Brotherson Dock and brought to BLB2 in the event of a spill.	Interviews Previous site visit	An oil boom facility is in place as part of the existing emergency oil spill response team located in Brotherson Dock and is the responsibility of the Port Authority. The availability of the oil boom facility is referenced in the OEMP and Emergency Procedures. The Brotherson Dock was not visited as part of this audit	Compliant
43	14	NSW Ports	Procedures for spills and leaks including notifications and clean ups would be developed	BLB Operations Manual Version 7 last updated October 2023. Emergency Management - Section 9.2 and Appendix 15 (Emergency Response Procedures) OEMP Sections 3.5.3, 3.5.5, 3.5.6 (Spill response procedures including general, to water and landside).	Emergency Plans are in place as above in commitment no.13 and is addressed in Section 3.4 of the OEMP.	Compliant
			SECURITY			

ID	SoC No	Resp	Description	Evidence Assessed	Outcomes, findings, recommendations	Compliance Status
44	19	PANSW / NSW Ports	A review of both the existing security assessment and the approved MSP would be undertaken to ensure appropriate security measures are maintained.		This was assessed initially at the construction audit as a one-off assessment and was deemed compliant. Security was being appropriately maintained at the facility	Not triggered
45	20	PANSW / NSW Ports / Users	Government issued personal identity (ID) cards including Maritime Security Identification [MSIC] cards which require the applicant to have undergone a number of background security checks) would be a pre-requisite for any personnel to gain access to BLB2.	Interviews site visit	As per previous audits and as stated in the Port Operating Protocol (POP), other than the master of any Construction Vessel or supervisor of any Works Under Contract (WUC), for Contractor's activities within the Marine Works Area (MWA), possession of a MSIC will not be required. For Contractor's activities outside the MWA, possession of a valid MSIC will be required by Contractor's personnel and agents, or they will be required to be under constant supervision by a valid MSIC holder.	Compliant
46	21	NSW Ports	Operating Company vehicles (forklifts, vehicles carrying product discharge equipment - hoses, pumps and ancillaries) would only gain access the BLB2 through the controlled gates adjacent to the personnel access gate at BLB1.	Site inspection	The site inspection confirmed that the vehicles access the site through the controlled gates adjacent to the personnel access gate on Charlotte Road at BLB1 (refer to photos photos).	Compliant
47	27	NSW Ports	Operation of the BLB2 will be carried out in accordance with the Operations Manual which includes operational	BLB Operations Manual Version 7 last updated October 2023.	The Operations Manual continues to be the primary document that informs operators of the requirements for operation of the BLB2.	Compliant

ID	SoC No	Resp	Description	Evidence Assessed	Outcomes, findings, recommendations	Compliance Status
			environmental management procedures.	Interviews with BLB Officers and the BLB Operations Manager	OPEC staff (BLB Officers) are fully trained in the requirements of the Operations Manual. This was supported by interviews undertaken with BLB Officers.	
			WASTE MANAGEMENT			
48	23	NSW Ports / Users	All waste generated would be removed from the work area as soon as practicable and disposed in accordance with DECC waste management guidelines (<i>Assessment, Classification and Management of Liquid and Non-Liquid Waste 1995</i>).	Site Inspection Interviews Waste record spreadsheet Dockets for wastewater from GPT / Oil Water separator	Minimal waste is generated at the BLB site, and this would be in the site offices. The waste is removed by an approved contractor as required. Quarantine waste bins that provide facilities for the ships to store quarantine was are located near the BLB2 Offices. All bins were empty at the time of the site inspection. Waste removal records are maintained.	Compliant

Part 3 – Operational Environmental Management Plan requirements

ID	OEMP Sect	Description	Evidence Assessed	Outcomes, findings, recommendations	Compliance Status
49.	1.1.2	<p>Each BLB user is also required to develop, implement, and maintain their own OEMP, a copy of which is provided to NSW Ports</p> <p>The BLB users are also required to provide an Annual Compliance Report confirming compliance with the OEMP</p> <p>Note: BLB Users include Quantem, Qenos, Elgas and Vopak Terminals Australia, however only Quantem and Vopak operate at the BLB2..</p>	<p>Quantem Environmental Management Plan Port Botany Terminal - Site C 16/09/2022</p> <p>Quantem Environmental Management Plan Port Botany Terminal - Site A 21/8/2022</p> <p>Operational Environmental Management Plan (OEMP) Vopak Site B and B4a Ver 4.1 August 2022</p> <p>Quantem Pipeline Integrity Compliance Report Contract Ref T440 and T649</p> <p>Variation of (pipeline) Licence - Terminals T440 - and Quantem and T611 for Vopak - added Pipeline reporting obligations table Annexure 2</p>	<p>Each BLB2 User (Quantem and Vopak) have developed and maintain their own OEMP / EMPs.</p> <p>Quantem Compliance report was sighted</p>	Compliant
	2.2	Stormwater and water quality management			
50.	Table 6	Fire safety system testing and critical equipment checks will occur prior to ships commencing transfer	<p>Site inspection - fire safety test was being conducted prior to transfer of diesel from the Blue Butterfly. This is standard practice.</p> <p>Smartflow ISGOTT checklist – completed for Stolt Renge</p>	<p>Detailed systems checks are undertaken by the BLB Officers through the Ship / shore Safety Checklists prior to transfer of products.</p> <p>For each transfer, the ship / Shore Safety Checklists are completed (electronically through Smartflow - the electronic version of ISGOTT) - all key equipment is checked prior to transfer</p>	Compliant

ID	OEMP Sect	Description	Evidence Assessed	Outcomes, findings, recommendations	Compliance Status
51.		All hoses will be pressure tested annually and tested with nitrogen prior to each use	<p>Pipeline Integrity Compliance Report - Quantem - 1/5/2023</p> <p>ISGOTT Checks pre-arrival Ship - Shore Safety Checklist - completed for Stolt Renge - discharge of product VAM , Acetone, Butyl Acrylate, ETRO4 on 10/12/2023.</p> <p>Interview Site Inspection</p>	Interview - it was confirmed that hoses are tested with nitrogen prior to each use. The Pipeline Integrity Report indicated that dock lines are hydrotested annually.	Compliant
52.		New gaskets will be used for each transfer	Interview	it was confirmed that new gaskets are used for each transfer	Compliant
53.		- Hydrostatic testing of pipes and commissioning is to be conducted every two years (or when maintenance is performed on pipelines);	<p>Pipeline Integrity Compliance Report - Quantem - 1/5/2023</p> <p>Interview Site Inspection</p>	<p>Quantem undertake hydrostatic testing of pipes as reported in the Pipeline Integrity Compliance Reports.</p> <p>As noted in the 2020 IEA Report, Vopak adopt pipe testing methods other than Hydrostatic testing including Long Range Guided -Wave Ultrasonic Testing and the adoption of the methods detailed within the Australian Standard AS2885.3 (Gas and liquid petroleum Operation and maintenance)</p>	Compliant
54.		- Pipes are to be empty and liquid free between transfers	<p>Site Inspection. Part of operational procedures</p> <p>Completed ISGOTT Checks pre-arrival Ship - Shore Safety Checklist - Stolt Renge</p>	Pigs are used to clear the pipelines between transfer (sighted pigs on the wharf)	Compliant

ID	OEMP Sect	Description	Evidence Assessed	Outcomes, findings, recommendations	Compliance Status
55.		- An operator will be stationed in the vicinity of the transfer point to respond to any incidents and initiate isolation of the transfer in the event of an incident	Site inspection, interview with BLB Officer in control room, video surveillance cameras - live and recorded.	2 persons are stationed on the wharf during transfer - one may attend to other duties or leave the post - however one must always be on duty. All activities are also monitored via surveillance cameras in the BLB2 Control room (observed during audit)	Compliant
56.		- The working platform is to be banded and closed off when bulk liquid pumping is being undertaken	Scada system - verification of closed valves The working platform design includes bunds. It is part of the BLB Officers role / responsibility to close relevant valves prior to bulk liquid pumping operations.	Scada systems sighted in operation prior to transfer of diesel at the BLB2 Control room. Confirmed valves were / would be closed during transfer.	Compliant
57.		When pumping operations are underway, the bund drain valve would be closed and any liquid within the banded area sump would be inspected to determine whether to discharge to sea or to drain to the wastewater storage tank.	Interview Review of ship to shore checklist (Smartflow)	The working platform design includes bunds. It is part of the BLB Officers role / responsibility to close relevant valves prior to bulk liquid pumping operations. Inspections are undertaken regularly during transfer - Scada system shows closed, however this is backed up with physical inspections during the transfer (interview and sighted Scada in operation in preparation for transfer)	Compliant
58.	2.2 Table 6	To minimise the impact of marine pests and biofouling: Ballast water and hull fouling from visiting ships would continue to be managed as per DAFF requirements – i.e. no unapproved release of ballast water into Botany Bay - No hull cleaning is permitted, excluding propeller polishing.	Interviews with management and operators	Interviews confirmed no hull cleaning is permitted at BLB	Compliant
59.		Monitoring			Compliant

ID	OEMP Sect	Description	Evidence Assessed	Outcomes, findings, recommendations	Compliance Status
		<ul style="list-style-type: none"> - Trained terminal operators are in attendance during the full product transfer cycle to monitor all equipment for leaks and the potential for spills to occur and have full radio communication with the wharf and shore operations. - Regular visual inspection, including CCTV of the water and wharf areas will be undertaken during operations to ensure there is no accidental spillage of materials into the Bay. 	Site Inspection Interviews Review of live cameras / Scada / Smartflow system in preparation for transfer of product operations	Site inspection, interviews and review of systems provided evidence that monitoring processes are implemented.	
	2.2	Soil and Groundwater quality management			
60.	Table 7	<ul style="list-style-type: none"> - Leakages from pipes and hoses will be minimised by monitoring pressure and regular inspections 	Site Inspection Interviews Pipeline Integrity Management Plan (Quantem) Pipeline Integrity Compliance Report – Contract Reference T440 and T649.	Regular inspections are conducted during transfer operations (white level inspections) approximately every 2 hours. The Scada system in the Operations Centre monitors various parameters.	Compliant
61.		In the event that contaminated groundwater is discovered, a groundwater management plan and remediation plan will be developed	Remediation Action Plan - Jet pipeline spill area - Vopak Terminals by WSP August 2019. Jet Pipeline Spill Remediation Implementation Plan by WSP for Vopak 22 May 2020. 2023 Annual Groundwater and Soil Vapour Monitoring Report Incorporating February 2023 Quarterly Monitoring - Pipeline Corridor Adjacent Fishburn Road, Port Botany, NSW 17 May 2023.	In May 2019 (prior to previous audit) a spill occurred which resulted in soil and groundwater contamination. A Remediation Implementation Plan has been developed and treatments have been applied in situ. Monitoring for effectiveness is currently being undertaken - a report was in progress at the time of the audit. Stage 3 remediation is being recommended.	Compliant

ID	OEMP Sect	Description	Evidence Assessed	Outcomes, findings, recommendations	Compliance Status
62.		- Appropriate disposal of any contaminated soil or water will be undertaken in accordance with OEH waste management guidelines	OEMP v4.0 – Table 6 – Stormwater and water quality management Docket :7/12/2023 by Bulk Recovery Services / Total Drain Cleaning (EPA Licence 20797) – J120 2.52 t Docket: 9/11/2022 by Bulk Recovery Services / Total Drain Cleaning – J120 1.32t	Clean out of the gross pollutant trap (GPT and Oil Water Separator is scheduled every 2 years, however, has been cleaned out yearly since 2021.	Compliant
63.		- Any excavations undertaken on the BLB2 site that will reach depths of 1 metre or greater will require the preparation of an Acid Sulfate Soils Management Plan	Interviews Site Inspection	It was advised that there have been no excavations deeper than 1m on the site since the previous audit	Compliant
	2.2	Local Amenity (noise and air) quality management			Compliant
64.	Table 8	- BLB officers will investigate ships that are emitting excess/abnormal amounts of noise and/or emissions	Interviews with management and BLB Officer	BLB Officers undertake approx. 2 hourly inspections and are encouraged to look, listen and smell to detect anything abnormal. No specific issues reported, however ship noise monitoring is being undertaken. Refer to COA 2.9 and 2.20 for further detail.	Compliant
65.		- Ensure noise levels from operations are below a night time noise criteria of 40dB(A) at the nominated locations in Table 1	Site inspection	Minimal plant and equipment on site and are only operated rarely	Compliant
66.		- Any plant and equipment on site will be correctly maintained and fitted, where practicable with efficient silencers and low-noise mufflers (residential standard).	Site Inspection Fire pumps operate inside a building during the day.	Fire pumps operate inside a building during the day. Minimal plant and equipment on site and are only operated rarely	Compliant
67.		- Where available, EPA approved vapour emission controls will be used on operational vehicles and equipment	Site inspection	Minimal operational vehicles and equipment held on sit. No specialist vapour emission controls required	Compliant

ID	OEMP Sect	Description	Evidence Assessed	Outcomes, findings, recommendations	Compliance Status
	2.2	Waste Management			Compliant
68.	Table 9	- Waste minimisation will occur according to the hierarchy of avoidance, reuse, recycle and disposal. Where possible, recyclable waste will be segregated and sent to appropriate facilities for recycling	Site Inspection Interviews	Minimal waste is generated at BLB2 – primarily kitchen and office waste. Recycling bins are available. Quarantine bins (Veolia) are located on site in case quarantine waste from ships is required to be removed. Veolia is an approved quarantine waste supplier.	
69.		- On-site waste storage facilities of suitable scale and number shall be provided. All external rubbish bins are to comply with the development guidelines for the relevant statutory authorities' requirements	Site inspection	Appropriate sized bins were located on site	
70.		- Wastewater from the bunds will be collected in the wastewater storage tank and analysed before being released. If contaminated, the water will be treated and disposed of in accordance with the EPA Waste Classification Guidelines	Interviews	It was advised that the wastewater storage tank has not been used or required to be emptied since the last audit. There was a recent event in which rain water accumulated on the platform. The small amount of water was pumped to the waste water tank bund and was allowed to evaporate.	
	2.2	Biosecurity			Compliant
71.	Table 10	- Implement weed control programs in accordance with the requirements of the Noxious Weeds Act	Site Inspection	Weeds were adequately controlled on site - Skyline Landscapes are contracted to maintain the grounds	

ID	OEMP Sect	Description	Evidence Assessed	Outcomes, findings, recommendations	Compliance Status
72.		- Notify Biosecurity agents of any suspected invasive or exotic pests in cargo and work with them to control/prevent an incursion	NSW Ports work closely with Biosecurity personnel. - there have been no notifications since the last audit.	Quarantine waste bins are provided at BLB2 near the control room (see photos). No specific incidents have been required to be reported to Biosecurity agents at BLB2. Greatest risk is mosquitos.	
73.		- Provide biosecurity identification training to operational staff and contractors to assist in identifying and responding to potential biosecurity threats	Induction material – Rapid Global	Basic training on biosecurity matters is included in the induction material	
74.		- Develop and maintain Biosecurity Incident Response Procedures in consultation with the Department of Agriculture and Water Resources	Biosecurity procedure in OEMP	Biosecurity Incident Response procedures are included in the OEMP and a hard copy is provided in the Biosecurity incidence response kit.	
75.		- Permethrin-based knockdown insecticide is maintained and accessible to berth users.	Site inspection - biosecurity incident response kit	A biosecurity kit was inspected at the BLB1 office and gatehouse (see photos). A knockdown spray containing permethrin was in the kit as required.	
76.		- A biosecurity waste receptacle is available in the event that there is spillage of goods subject to biosecurity control in the port precinct	Site inspection	Quarantine waste bins are provided at BLB2 near the control room.	
77.	App E	Biosecurity Incident Response Procedure A Biosecurity Incident Response Kit is available at the BLB1 office. Each kit contains the following; * Gloves	Site Inspection	A Biosecurity Incident Response Kit was available at the BLB1 office in a room with signage. All items listed were included in the kit, however it was found that the Virkon packet had expired in 2020.	

ID	OEMP Sect	Description	Evidence Assessed	Outcomes, findings, recommendations	Compliance Status
		<ul style="list-style-type: none"> * Face shield/Mask * 2 x collection jars for biosecurity specimens * Hazard tape * A copy of this Biosecurity Incident Response Procedure * Waste bag * Knockdown Spray (insect spray) * Virkon medical grade disinfectant 		<p>Recommendations:</p> <p>Replace the Virkon in the Biosecurity Incident Response Kit with new, in-date product</p> <p>* Include the regular inspection and review of contents of the Biosecurity Incident Response Kit in MEX and replace items as required.</p>	
78.	2.2	Each BLB User is also required to undertake routine inspections, monitoring and maintenance inspections of their respective BLB equipment (e.g. Mechanical Loading arms) and pipelines	Interviews with Vopak and Quantem management	The Users EMP / OEMP include the requirements to undertake routine inspections	Compliant
	Table 11		<p>Quantem Environmental Management Plan Port Botany Terminal - Site C 16/09/2022</p> <p>Quantem Environmental Management Plan Port Botany Terminal - Site A 21/8/2022</p> <p>Operational Environmental Management Plan (OEMP) Vopak Site B and B4a Ver 4.1 August 2022</p>		
79.	2.2 cont'd	<p>Decide in consultation with the BLB Operations Manager, Senior Shore Officer from the Operating Company and the ships Master, when to cease cargo transfer operation and disconnect the hoses or loading arm due to weather conditions.</p> <p>Wind criteria is in the ship/shore safety check list and is as follows: Stop pumping and clear the loading arms and hoses at 35 knots, Disconnect at 40 knots</p>	Interview with NSW Ports Operations Manager	Discussions with the BLB Operations Manager indicated that disconnection does not necessarily occur during high wind events as this may pose a higher level of risk (however pumping is ceased at 35 knots).	Compliant

ID	OEMP Sect	Description	Evidence Assessed	Outcomes, findings, recommendations	Compliance Status
80.		Ensure the vessels emergency documents are returned to the vessel shortly before vessels departure	Site Inspection, Interview.	The emergency documents were located in the Emergency Documents box as required. Refer to photos in the report.	Compliant
81.	3.1 Table 11	<p>Environmental Monitoring and Inspections</p> <p>Waste dumping - weekly (MEX)</p> <p>Noxious Weeds - Monthly (MEX)</p> <p>Stormwater drains and treatment devices - Annual - Visual inspection and pump-out of GPT and separator</p> <p>Landscaping / pesticide use - as needed - visual inspection and application of pesticides</p> <p>BLBs - Spill containment systems - Daily or as needed - Visual inspection to release rain water.</p>	<p>Interviews with BLB Office and NSW Port Operations Manager</p> <p>Property Service Reports 8, 21, 22 and 23 Nov 2023 by Skyline Landscape services</p>	<p>Daily inspections undertaken (white level inspections) are undertaken and regular landscaping services and undertaken by a contractor</p> <p>It was confirmed that spill containment systems are inspected regularly during transfer operations. No noxious weeds were sighted in the BLB2 area.</p> <p>As noted in the CoA checklist, the GPT and Oil water separator are cleaned out annually.</p>	Compliant

ID	OEMP Sect	Description	Evidence Assessed	Outcomes, findings, recommendations	Compliance Status
82.	3.2	<p>Induction and Training</p> <p>All staff and contractors working at the site will need to complete the NSW Ports' BLB1 & BLB2 induction course prior to commencing any work or activity at the BLB2. The site-specific induction course will include:</p> <ul style="list-style-type: none"> * Control procedures for operational activities that can be followed to minimise; * environmental impacts (as outlined in the OEMP); * Site layout * Safety procedures * Hazardous materials and their safe use * Environmental emergency response procedure * Fire fighting * Fuel handling and spillage * Biosecurity response requirements from relevant government departments * Documentation systems 	<p>Rapid Global HSE Induction Material (online content with competency quiz)</p> <p>Rapid Global BLB Induction material (online content with competency quiz)</p>	<p>OPEC Services provide specialist personnel with who are trained in the core requirements of the jobs</p> <p>The key requirements of the conditions of approval are embedded within the OEMP and Operations Manuals. BLB Officers and Management were aware of these requirements.</p> <p>Employees and contractors must undertake the Rapid Global Safety and Environment online inductions - one is general HSE Information, and the BLB induction provides more detailed information regarding specific requirements.</p> <p>Emergency Response Training is also provided and this is complemented with the quarterly exercise program.</p> <p>OPEC Services (BLB Officers) continue to provide specialist personnel with who are trained in the core requirements of the jobs. Interview with a BLB Officer provided evidence of competence.</p>	Compliant
83.	3.5.8	<p>Incident Records</p> <p>All environmental incidents and emergencies that occur within the Port Area (i.e. on NSW Ports managed areas and tenanted/licensed areas when notified to NSW Ports) will be recorded in the NSW Ports Protecht Incident Register.</p>	Incident report summary spreadsheet	All incidents area entered into the Protecht system and can be sorted according to location	Compliant

ID	OEMP Sect	Description	Evidence Assessed	Outcomes, findings, recommendations	Compliance Status
		Tenants and licensees within the Port Area are also required to prepare and maintain an incident register. (See OEMP for details that must be recorded)			
84.	3.4	<p>Spill into the water</p> <ul style="list-style-type: none"> - In the event of a spill from a ship into the waters of Botany Bay, the first step is for the BLB officers with the assistance of the ship's crew to isolate the cause of the spill and prevent as much product from entering the water as possible - The next step is to notify PANSW VTS centre on 02 9296 4003 which has trained staff and equipment (such as oil booms) on duty 24/7 at Brotherson Dock for rapid deployment. - In the event of a spill, NSW Ports will make staff available to participate in the Incident Response Team under the direction of PANSW <p>Sydney Ports' personnel are trained in spill containment and recovery of spilt materials with emergency exercises conducted at least annually</p>	<p>Interview</p> <p>Review of Protecht incident register</p>	<p>It was advised that there have been no spills into the water since the last audit</p>	Compliant
85.	3.4	<p>Spill on the landside/bunded areas</p> <ul style="list-style-type: none"> - In the event of a significant spill on the work platform, the liquid material will be pumped out from the bund to the wastewater storage tank and/or an approved waste road tanker and taken off-site for appropriate disposal. In the event of a minor spill, the spilled liquid will be cleaned up by operational personnel using spill kits that are located at the end of the wharf. All BLB2 officers are trained in the use of spill kits. 	<p>Interview</p> <p>Review of Protecht incident register</p>	<p>It was advised that there have been no significant spills on the work platform since the last audit.</p>	Compliant
86.	3.6	Compliance Reporting and Auditing			Compliant

ID	OEMP Sect	Description	Evidence Assessed	Outcomes, findings, recommendations	Compliance Status
		<p>The original Compliance Tracking Program which had separate components for Compliance Tracking Reports and Annual Environmental Audits was revised in 2015 and a new Compliance Tracking Program (available on the NSW Ports BLB2 project website) was approved by the Secretary of DPIE in May 2015.</p> <p>The program specified independent environmental audits will instead be conducted every three years in conjunction with the three yearly hazard audits and that formal compliance tracking reports are no longer required. Environmental audit reports are available for public inspection on request.</p>	Independent Environmental Audit Report - Bulk Liquids Berth No 2 - Operations - Final Report dated 14 January 2021 by DECA.	Independent Environmental Audits have been conducted every 3 years in conjunction with Hazard audits as required	
87.	3.6	<p>Reporting and Auditing</p> <p>The currency of all copies of the OEMP shall be reviewed annually to ensure that current versions of the OEMP are available to staff and contractors and obsolete versions are removed to avoid errors and confusion.</p> <p>The current version of the OEMP will be available on the NSW Ports' website</p>	Operational Environmental Management Plan Bulk Liquids Berths (BLB1 & BLB2) – Port Botany - October 2023 Ver 4.0 Final	<p>The Operational Environmental Management Plan has been extensively revised and updated since the previous audit.</p> <p>The document control process has significantly improved since the previous audit, with revision information now included on the document control panel and made available via "The Hold".</p> <p>The current version of the OEMP was verified as being on the NSW Ports website.</p>	Compliant
88.	3.6	<p>Action Tracking Register / Compliance Tracking</p> <p>NSW Ports maintains a register of compliance with the project approval. Non-conformances / corrective actions as a result of events, incidents, audits or inspections will be documented and issued through NSW Ports Protecht Action Register</p>	Protecht system - sighted live	<p>The Protecht system is a web based program that records events, incidents, etc and the corrective actions arising.</p> <p>However, as noted in the audit of the CoA and the CTP, the Compliance Tracking Register was not reviewed and updated annually for the years 2021 and 2022.</p>	Non-compliant
89.	3.6	OEMP Review			Compliant

ID	OEMP Sect	Description	Evidence Assessed	Outcomes, findings, recommendations	Compliance Status
		<p>OEMP follow-up reviews shall take place every three years the first 12 months of operation, or when operations change that warrants an update of the OEMP.</p> <p>The review will be undertaken by NSW Ports' staff and will consider as a minimum:</p> <ul style="list-style-type: none"> - NSW Ports' staff input - Any agency input or response from DPIE - Maintenance/operational activity details - Environmental monitoring outcomes - Incidences and non-conformances - Changes in organisational structure and responsibilities - Changes in standards and legislation - All relevant sub-plans 	<p>Operational Environmental Management Plan Bulk Liquids Berths (BLB1 & BLB2) – Port Botany - October 2023 Ver 4.0 Final</p>	<p>As noted in CoA 6.3 and above, the OEMP has been extensively revised, taking into consideration numerous factors including previous audits, changes in legislation, and included input from NSW Ports staff and management.</p>	