



Independent Environmental Audit 2023

Port Kembla Coal Terminal

8 September 2023

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8 September 2023

Independent Environmental Audit 2023

Port Kembla Coal Terminal



Andrew Lewis
Lead Auditor



Oliver Moore
Partner



Lucas Wilson
Support Auditor

Environmental Resources Management Australia Pty Ltd
Level 14, 207 Kent St
Sydney NSW 2000

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CONTENTS

EXECUTIVE SUMMARY	i
1. INTRODUCTION	1
1.1 Overview of Operations and Approvals	1
1.1.1 Activities undertaken during the audit period	1
1.2 Audit Objectives	3
1.3 Audit Scope	3
1.4 Audit Criteria	4
1.5 Limitations of this Report	4
2. AUDIT METHODOLOGY	5
2.1 Methodology and Process	5
2.2 Agency and Community Consultation	6
2.3 Classification of Audit Findings	9
3. AUDIT FINDINGS	10
3.1 Previous Audit Follow Up	10
3.2 Complaints Summary	20
3.3 Incident Summary	20
3.4 Environmental Monitoring Performance	20
3.4.1 Noise	20
3.4.2 Air quality	20
3.4.3 Water management	21
3.5 Management Plan Adequacy	21
3.6 Environmental Protection Licence	21
3.7 Driver's Code of Conduct	22
3.8 Compliance with Regulatory Instruments	22
4. CONCLUSION	24
 APPENDIX A CONDITIONS OF APPROVAL, ENVIRONMENTAL PROTECTION LICENCE AND DRIVER'S CODE OF CONDUCT AUDIT TABLES	
APPENDIX B PLANNING SECRETARY AUDIT TEAM AGREEMENT	
APPENDIX C CORRESPONDENCE	
APPENDIX D INDEPENDENT AUDIT DECLARATION FORM	

List of Tables

Table E.1 Summary of Audit Findings	i
Table 2.1 Agency and Stakeholder Consultation Summary	7
Table 3.1 Summary of 2020 Audit Findings	11
Table 3.2 Summary of 2023 Audit Findings	23
Table 4.1 Summary of Audit Findings	24

EXECUTIVE SUMMARY

Environmental Resources Management Australia Pty Ltd (ERM) was commissioned to perform an Independent Environmental Audit (IEA) of the Port Kembla Coal Terminal ('PKCT') on behalf of Port Kembla Coal Terminal Limited. The primary purpose of the audit was to satisfy the Department of Planning and Environment (DPE) Ministers' Conditions of Approval (CoA) Project Approval number PA 08_0009, which requires completion of an independent audit every three years from the date of the approval. The audit period assessed in this IEA is 6 August 2020 through 1 August 2023 (the date the prior to the Site visit undertaken as part of this audit).

The audit included a review of:

- DPIE, Ministers Conditions of Approval PA 08_0009 including the Driver's Code of Conduct (DCC);
- Environment Protection Licence (EPL) 1625; and
- Implementation of Management Plans developed as part of the Ministers' Conditions of Approval.

PKCT has established the control systems generally required for the stage of development i.e. operational. All staff interviewed demonstrated a high level of understanding of requirements and a commitment to the application of the requisite management systems and plans.

A qualitative risk assessment was also completed on the findings, consistent with ISO 31000 - Risk Management and as described in the Department of Planning & Environment publication "Post Approval Requirements – Independent Audit" issued May 2020. The number of non-conformances with the statutory conditions and implementation of the management plans is summarised in *Table E1* below.

Table E.1 Summary of Audit Findings

Review	Non-compliances (NC)	Observations (Obs NC)	Observations (Obs C)
Statutory Instruments	1	Nil	Nil
Implementation of Plans	Nil	Nil	Nil

An action table addressing all findings of the audit has been developed by PKCT and will be issued separately to this report.

1. INTRODUCTION

Environmental Resources Management Australia Pty Ltd (ERM) was commissioned to perform an Independent Environmental Audit (IEA) of the Port Kembla Coal Terminal (PKCT), on behalf of Port Kembla Coal Terminal Limited. The Site is located on the north side of Port Kembla Inner Harbour, south of Wollongong, New South Wales (NSW). The primary purpose of the audit was to satisfy the Department of Planning and Environment (DPE) Ministers' Conditions of Approval (CoA) Project Approval number PA 08_0009), which requires completion of an independent audit every three years from the date of the approval. The audit period assessed in this IEA is 6 August 2020 through 1 August 2023 (the date the prior to the Site visit undertaken as part of this audit).

In accordance with the Conditions of Approval, the audit must:

- be conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;
- include consultation with the relevant agencies;
- assess the environmental performance of the project and assess whether it is complying with the relevant requirements of this approval and any relevant mining lease or EPL (including any strategy, plan or program required under these approvals);
- review the adequacy of strategies, plans or programs required under these approvals; and, if appropriate; and
- recommend measures or actions to improve the environmental performance of the project, and/or any strategy, plan or program required under these approvals.

The Proponent shall submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report.

1.1 Overview of Operations and Approvals

PKCT receives, stockpiles and loads coal from coalfields located in southern and western NSW for transport to internal and domestic markets. The Site is the major coal intermodal facility in southern NSW for the transfer of coal from road and rail to ship.

PKCT is leased from NSW Ports on a 20 year lease agreement, with a 20 year option. The lease commenced in 1990 and is due to expire in 2030. Six equal shareholders, namely Illawarra Services Proprietary Limited (South 32), Oakbridge Proprietary Limited (Glencore), Centennial Coal Company Limited, Simec Mining, Metropolitan Collieries Proprietary Limited (Peabody) and Wollongong Coal Limited (formerly Gujarat NRE), form the Board of PKCT. South 32, reporting to the PKCT Board, manages PKCT under a management contract.

The Site holds Environment Protection Licence (EPL) 1625 which was last varied during the audit period on 2 June 2021.

1.1.1 Activities undertaken during the audit period

Activities undertaken during the audit period include the following:

1.1.1.1 Coal transport

The quantity of coal received (financial year) by PKCT during the audit period was:

- 2020-2021: 7.9 MT;
- 2021-2022: 7.4 MT; and
- 2022-2023: 8.1 MT.

The CoA limits the quantity of coal and bulk products received by public road at the Site to not more than 7.5 million tonnes in any calendar year without the written approval of the Secretary.

The quantity of coal received by road during the financial years covered by the audit period were as follows:

- July 2020 – June 2021: 2.6 MT;
- July 2021 – June 2022: 3.1 MT; and
- July 2022 – June 2023: 2.65 MT.

1.1.1.2 Maintenance activities

Routine maintenance of the stackers, reclaimer and ship loaders is conducted on-site by external contractors. The workshops located on-site are primarily used for storage of parts and equipment and for minor maintenance activities. The workshop contains oil, fuel and waste material in small quantities, stored in bunded IBCs.

1.1.1.3 Waste management

Wastes generated at the Site include:

- General waste;
- Waste oil;
- Septic waste;
- Cardboard;
- Oil filters;
- Controlled waste residues; and
- Scrap metal.

All wastes are collected by Veolia for off-site disposal. During the audit, waste was noted to be well segregated.

1.1.1.4 Water management

Water management at PKCT is undertaken in accordance with the Water Management Plan. The main components of water-related infrastructure include:

- Perimeter road with kerb and drains to capture runoff;
- Satellite storage ponds capturing runoff from site sub catchments; and
- Settlement lagoon which removes solids before reuse on-site for dust suppression or discharge to Inner Harbour via licensed discharge point LDP16.

1.1.1.5 Air quality management

Air quality is managed in accordance with the Air Quality Management Plan. Sources of emissions to air include coal stockpiles, coal receipt and ship loading, roads and unsealed areas. The main air quality controls include:

- Stockpile spray system installed around the stockyards, comprising manual and automatic spray systems;
- Road cleaning;
- Paving of roadways and around transfer points;
- Enclosed rail receipt with water spray if required;

- Enclosed receival conveyors;
- Coal berth stockyard conveyors and machines with wind guards;
- All transfer points are enclosed;
- Conveyor belt washing station;
- Truck washes;
- Ship loader chutes discharge within ship's hatch;
- Variable height stackers minimise drop height to stockpile;
- Conveyor sprays at various locations on receival and ship loading flow paths;
- Weather forecast monitoring;
- Continuous air quality monitoring and dust monitoring network; and
- Truck driver rules and Code of Conduct.

1.2 Audit Objectives

The primary objectives of the audit included:

- assess the environmental performance of the project and whether it is complying with the requirements in the CoA, EPL or DCC (including any assessment, plan or program required under these approvals);
- review the adequacy of any approved strategy, plan, or program required under the abovementioned consents/approvals; and
- recommend appropriate measures or actions to improve the environmental performance of the project, and/or any assessment, plan or program required under the abovementioned approvals.

1.3 Audit Scope

The scope of works in order to complete the audit included the following:

- the audit was carried out in accordance with DP&E's Guidelines for Independent Audits and AS/NZS ISO 19011:2018: Guidelines for auditing management systems;
- review of compliance against the documentation identified in CoA (as it relates to the current activities at the PKCT) which included;
 - document review of compliance against the CoA, statement of commitments, and any other relevant consents/approvals;
 - a site inspection to assess compliance against field implementation of the active CoA;
 - review of supporting plans developed as part of the CoA and assessment of their adequacy towards effective environmental performance;
- review of monitoring results and trends with comparison of monitoring results against regulatory limits and CoA limits (where applicable);
- confirmation of any additional monitoring required for identified trends;
- reviewing community complaints and assessing any trends and identifying the source of an established trend;
- review of any regulatory actions including any letters, penalty notices and prosecutions;
- review of previous IEA report to verify close-out of actions;

- consultation with the relevant agencies such as Department of Planning and Environment (DPE), Environment Protection Authority (EPA) and PKCT Community Consultative Committee (CCC);
- draft report with results of compliance assessment to be issued for comment to PKCT; and
- final report to be issued for submission to the DPE.

The audit covers the period 6 August 2020 through 1 August 2023 (the date prior to the Site visit undertaken as part of this audit) and is limited to assessing the activities completed during the audit period.

1.4 Audit Criteria

The audit covered the following specifications and standards, with a particular focus on activities associated with the current stages of operation. The documents relevant to this audit included:

- Conditions of Approval PA 08_0009, including Driver's Code of Conduct;
- EPL 1625; and
- Implementation of approved Management Plans:
 - Air Quality Management Plan
 - Water Management Plan
 - Environmental Management Strategy
 - Greenhouse Gas and Energy Efficiency Management Plan
 - Landscape Management Plan
 - Green and Gold Bell Frog Management Plan
 - Waste Management Plan
 - Pollution Incident Response Management Plan
 - Noise Management Plan

1.5 Limitations of this Report

This disclaimer, together with any limitations specified in the report, applies to this report and its use.

This report was prepared in accordance with the contracted scope of services for the specific purpose stated and subject to the applicable cost, time and other constraints. In preparing this report, ERM relied on:

- a) client/third party information which was not verified by ERM except to the extent required by the scope of services, and ERM do not accept responsibility for omissions or inaccuracies in the client/third party information; and
- b) information taken at or under the particular times and conditions specified, and ERM do not accept responsibility for any subsequent changes.

This report has been prepared solely for use by, and is confidential to, the client and ERM accepts no responsibility for its use by other persons. This report is subject to copyright protection and the copyright owner reserves its rights. This report does not constitute legal or financial advice.

2. AUDIT METHODOLOGY

2.1 Methodology and Process

The audit comprised a Site inspection during the dates 2 and 3 August 2023, interviews with key personnel, and review of records and other related documentation.

The audit process included the following primary components:

- development of a Terms of Reference, which included:
 - audit scope and objectives;
 - date and location of audit;
 - members of audit team;
 - list of people to be audited; and
 - list of reference documents and audit criteria;
- a project inception meeting was held on 28 July 2023 to confirm details of the Terms of Reference, site inspection logistics and request for documentation required prior to the Site inspection component of the audit;
- an opening meeting was held on 2 August 2023 at Site to confirm the audit objectives and scope for the Site inspection. Attendees included:
 - Andrew Lewis (ERM Lead Auditor)
 - Lucas Wilson (ERM Support Auditor)
 - Luke Pascot (Site Environment Specialist)
 - Michael Curley (Site HSER Superintendent)
 - Amanda Ivaneza (Human Resources Lead)
 - Mark Beale (Planning and Logistics Lead)
 - Bruce Chapple (Asset Manager)
 - David Zancolich (Senior Process & Reliability Technician)
- Site inspections were undertaken between 2 and 3 August 2023;
- A debrief/closeout meeting was held at the Site on 3 August 2023 to discuss initial findings and recommendations. Attendees were:
 - Andrew Lewis (ERM Lead Auditor)
 - Lucas Wilson (ERM Support Auditor)
 - Luke Pascot (Site Environment Specialist)
 - Michael Curley (Site HSER Superintendent)
 - Bruce Chapple (Asset Manager)
 - Mark Beale (Planning and Logistics Lead)
 - Darren Coleman (Operations Manager)
 - Patricia Oehme (Financial Controller - Acting Business Services Manager)
- Preparation of the draft audit report (this report).

2.2 Agency and Community Consultation

ERM consulted with the agencies and stakeholders as required including Department of Planning and Environment (DPE) (including its various departments; Compliance, Post approvals), CCC, New South Wales Environment Protection Authority (NSW EPA). Emails were issued on 17 July 2023, with a follow up email submitted on 18 July 2023 to the EPA. A phone call meeting with Chris Kelly (EPA Officer) was further conducted on 31 July 2023 to discuss the IEA. Responses are outlined in *Table 2.1*.

Table 2.1 Agency and Stakeholder Consultation Summary

Agency/Stakeholder	Method	Consultation summary	Response Quotes	Location Addressed in Report
Department of Planning and Environment (DPE)	Email on 17 July 2023	Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.	Apart from the consent condition requirement pertaining to the IEA, we have no additional concerns to single out at this time.	The consent condition requirement finding pertaining to the IEA is reported within Table 3.2 of the report and Appendix A. ERM noted during the audit that the 2023 IEA had not been commissioned by 31 March as per PA Sch 4-5.
New South Wales Environment Protection Authority (NSW EPA)	Email on 17 July 2023 and 18 July 2023	Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.	As discussed in the meeting, although the EPA does not currently have any major areas of concern with the operation at PKCT, we would recommend particular focus on the following aspects: <ul style="list-style-type: none"> ■ Air quality impacts, particularly management and monitoring of dust generation. ■ Adequacy of the truck wash, including material 'drag out' ■ Adequacy of and compliance with site surface water controls and discharges 	Audit findings as pertain to PKCT Air Quality management and impacts are addressed in Sections 3.4.2, 3.4.3 and in Appendix A. PKCT have demonstrated they are employing a developed dust suppression program, inclusive of automated stockpile sprays, enclosed dust generation housing at material transfer points and appropriate housekeeping measures. Truck wash station dust suppression measures included, enclosure of the tipping point, automated truck wash with visual inspection and layby area with hose for additional wash down as identified. Site surface management system was observed to be well maintained in terms of collection pond de-sedimentation requirements, water quality monitoring and ongoing testing investigations to better manage water quality, especially around flocculation improvements.
Community Consultation Committee (CCC)	Email on 17 July 2023	Provision of Audit Terms of Reference, introduction to team,	Barry Peden (of CCC), I think PKCT are generally doing a good job at complying with the environmental standards that currently exist.	Audit findings as pertain to Air Quality and dust are addressed in Section 3.4.2 and in Appendix A.

Agency/Stakeholder	Method	Consultation summary	Response Quotes	Location Addressed in Report
		outline date of audit and provide opportunity to comment.	<p>One lingering concern for me is “what can be done about the black dust that appears on my balcony?” (and in the whole area) Is it just a fact of living in an industrial region?</p> <p>I am satisfied that the so-called “black dust” is not coal dust (typically less than 10% of the dust is coal).</p> <p>The questions to be answered are: what are the components of the dust, where does it come from, what health risks do they present, and what can be done to mitigate it?</p>	<p>PKCT has implemented a mature dust management program that includes automated suppression measures and a monitoring program that includes assessments of PKCT’s contribution to dust samples at 3 representative residential monitoring locations. Within the audit period the assessments have concluded that PKCT’s contributions have remained within the approved criteria.</p> <p>Results of the dust monitoring program are available on the company website within Annual Environmental Management Reports and Monthly Environmental Monitoring Reports.</p>

In each case, an email was sent to representatives of each agency requesting feedback on those issues considered most relevant by their Departments at the time of the audit. The consultation outlining the terms of reference was provided prior to the Site inspection to obtain feedback and draw attention to any key issues, within the agreed scope of the audit. The Departmental correspondence is provided in Appendix C.

Responses received required the audit to focus on compliance against CoA as well as environmental monitoring relating to air quality, water management and bushfire management. These areas are captured in the audit findings.

2.3 Classification of Audit Findings

Findings resulting from an assessment of audit evidence were divided into six categories as follows:

- **Compliant (C):** the intent and all elements of the audit criteria requirements have been complied with within the scope of the audit.
- **Non-compliant (NC):** Failure to meet the audit requirements, failure to achieve the field performance outcomes identified in documentation, or ineffective environmental management of the activity.
- **Not Triggered (NT):** A regulatory approval requirement has an activation or timing trigger that had not been met at the time of the audit inspection, and therefore a determination of compliance could not be made.
- **Note:** A statement or fact, where no assessment of compliance is required.
- **Obs:** Observations are recorded where the audit identified issues of concern which do not strictly relate to the scope of the audit or assessment of compliance.

A qualitative risk assessment was also completed on the findings, consistent with ISO 31000 - Risk and as described in the DPIE publication "Post Approval Requirements – Independent Audit" issued May 2020.

The overall level of risk was estimated by combining the likelihood of harm occurring with the estimated level of harm associated with each finding. Risk levels have been assigned as follows:

- **High:** Non-compliance with potential for significant environmental consequences, regardless of the likelihood of occurrence;
- **Medium:** Non-compliance with:
 - potential for serious environmental consequences, but is unlikely to occur; or
 - potential for moderate environmental consequences, but is likely to occur;
- **Low:** Non-compliance with:
 - potential for moderate environmental consequences, but is unlikely to occur; or
 - potential for low environmental consequences, but is likely to occur.

3. AUDIT FINDINGS

3.1 Previous Audit Follow Up

The last audit was conducted by ERM for the period 11 April 2017 through 5 August 2020. A summary of the 2020 audit findings and their status is summarised below in *Table 3.1*.

Table 3.1 Summary of 2020 Audit Findings

Item No	Assessment Requirement	2020 Comment	2020 Audit Classification	PKCT Response/Action	2023 Status															
Minister's Conditions of Approval PA 08_0009																				
2.9	With the approval of the Director-General, the Proponent may submit any management plan or monitoring program required by this approval on a progressive basis.	Evidence was sighted that management plans are routinely reviewed, updated and submitted to the Department for approval, however the Department has not responded to the submitted management plans or provided approval for the updates. PKCT has been operating under the updated management plans despite the plans not receiving approval from the Department.	NC	PKCT will formally contact DPI&E and confirm status of previously submitted Management Plans. PKCT will assume that the Dept. accepts the plans until such time as formal notification is received from the Dept.	Deemed as Compliant during this audit.															
3.3	The Proponent shall: (a) continue to implement all reasonable and feasible best practice noise mitigation measures; (b) continue to investigate ways to reduce the noise generated by the project, including maximum noise levels which may result in sleep disturbance; and (c) report on these investigations and the implementation and effectiveness of these measures in the AEMR to the satisfaction of the Director-General.	In 2017, PKCT committed to investigating the hanging metal tubes in the northern truck-wash to assess whether noise levels may be problematic and adding checks for operating vehicles to the internal audit worksheet to minimise noise. The outcome of this investigation and confirmation of the changes to the audit worksheet were not included in subsequent AEMRs. Site management reported that the hanging metal tubes were not investigated during the audit period due to alternative monitoring systems being considered which would include removal of the hanging metal tubes. An alternative monitoring mechanism was not in place at the time of the audit.	NC	PKCT had intended to implement a project where the metal tubes would be removed. This project has been placed on hold. PKCT has not received any noise complaints associated with the Project as a whole, nor with the hanging metal tubes. Based on this finding, PKCT will engage a noise consultant to review potential noise associated with the hanging metal tubes and recommend actions.	Deemed as Compliant during this audit.															
3.7	<p>The Proponent shall ensure that dust generated by the project does not cause additional exceedances of the criteria listed in Tables 3 to 5 at any residence.</p> <p>Table 3: Long term impact assessment criteria for particulate matter</p> <table><tr><th>Pollutant</th><th>Averaging period</th><th>^d Criterion</th></tr><tr><td>Total suspended particulate (TSP) matter</td><td>Annual</td><td>^a 90 µg/m3</td></tr><tr><td>Particulate matter < 10 µm (PM10)</td><td>Annual</td><td>^a 30 µg/m3</td></tr></table> <p>Table 4: Short term impact assessment criteria for particulate matter</p> <table><tr><th>Pollutant</th><th>Averaging period</th><th>^d Criterion</th></tr><tr><td>Particulate matter < 10 µm (PM10)</td><td>24 hour</td><td>^a 50 µg/m3</td></tr></table> <p>Table 5: Long term impact assessment criteria for deposited dust</p>	Pollutant	Averaging period	^d Criterion	Total suspended particulate (TSP) matter	Annual	^a 90 µg/m3	Particulate matter < 10 µm (PM10)	Annual	^a 30 µg/m3	Pollutant	Averaging period	^d Criterion	Particulate matter < 10 µm (PM10)	24 hour	^a 50 µg/m3	<p>PKCT monitors residential dust at three locations, with 11 additional monitoring points throughout the Site to assist with dust management practices. According to the AEMRs, there were no instances of exceedances of the criteria at any of the residential locations.</p> <p>The AEMRs for the audit period reported one month where the criteria were exceeded at one of the 11 industrial gauges, in March 2017. However, there was no associated exceedance reported at any of the residential gauges.</p> <p>Exceedances of the short term criteria were reported on 115 occasions during the audit period (43 in 2016/2017, 44 in 2017/2018 and 28 in 2018/2019). Of these</p>	C(Obs)	PKCT will update the document to correctly state the current version.	Deemed as Compliant during this audit.
Pollutant	Averaging period	^d Criterion																		
Total suspended particulate (TSP) matter	Annual	^a 90 µg/m3																		
Particulate matter < 10 µm (PM10)	Annual	^a 30 µg/m3																		
Pollutant	Averaging period	^d Criterion																		
Particulate matter < 10 µm (PM10)	24 hour	^a 50 µg/m3																		

Item No	Assessment Requirement				2020 Comment	2020 Audit Classification	PKCT Response/Action	2023 Status
	Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total deposited dust level				
	Deposited dust	Annual	^b 2g/m ² /month	^a 4g/m ² /month	<p>exceedances, PKCT was assessed as having made either no, minimal or minor contributions to the results (i.e. <30%) for 107 events. Of the remaining 8 events, PKCT was assessed as having contributed a moderate amount (30% to 70%) on four occasions and the remaining four were unable to be assessed. PKCT was not assessed as being a major contributor (70% - 100%) to the results for any exceedance event. On average, PKCT was estimated to have contributed between 2% and 10% on days where exceedances were reported.</p> <p>Given that the only reported exceedances occurred on days where PKCT contributed only a minor proportion of the dust measured, ERM considers PKCT to be compliant with this condition.</p>			
	<p><i>Note: Deposited dust is assessed as insoluble solids as defined by Standards Australia, 1991, AS 3580.10.1-1991: Methods for Sampling and Analysis of Ambient Air - Determination of Particulates - Deposited Matter - Gravimetric Method.</i></p> <p>However, if the Proponent has a written negotiated air quality agreement with any landowner to exceed the air quality limits in Table 3, 4 and/or 5, and a copy of this agreement has been forwarded to the Department and DECC, then the Proponent may exceed the air limits in Table 3, 4 and/or 5 in accordance with the negotiated air quality agreement.</p>							
3.12	Except as may be expressly provided in an EPL for the project, the Proponent shall comply with Section 120 of the <i>Protection of the Environment Operations Act 1997</i> .				<p>PKCT has been operating generally in compliance with Section 120 of the <i>Protection of the Environment Operations Act 1997</i> with the exception of events identified within this audit, including reported water quality exceedances during discharge events. ERM have therefore assessed PKCT as non-compliant with this condition. Specific instances of non-compliance are addressed throughout this report.</p>	NC	<p>PKCT accepts the findings of non-compliance associated with this finding occurred as a result of specific events that occurred during the reporting period. For each of the events, PKCT has implemented remedial measures to limit the potential of future occurrences.</p> <p>PKCT continues to operate in line with its approved Policies, Procedures and Management Plans. PKCT continues to maintain accreditation to ISO14001 and ISO9001.</p> <p>The events and associated actions have been reported to, and closed off by the EPA. PKCT does not propose any further actions associated with this non-compliance.</p>	Deemed as Compliant during this audit.
3.15	<p>The Proponent shall:</p> <p>(a) ensure no external lights shine above the horizontal;</p> <p>(b) ensure that all external lighting associated with the project complies with Australian Standard AS4282 (INT) 1995 – Control of Obtrusive Effects of Outdoor Lighting, or its latest version, and</p> <p>(c) take all reasonable and feasible measures to mitigate off-site lighting impacts from the project to the satisfaction of the Director-General.</p>				<p>Previous IEAs have reported that an external consultant reviewed Site lighting in 2011 and reported that PKCT was compliant with AS 4282. The 2018 - 2019 AEMR reported that a major restoration project had been completed including ensuring all new lighting complies with AS 4282 and using LED lighting and ensure lighting emissions are either local to access and stairway areas or elevated and directed towards the ground or stockpiles.</p>	NC	<p>Lights in the Bulk Products area are changed out on failure rather than on a defined schedule. PKCT will adjust the angle of the lights in the area on a progressive basis to ensure compliance with the AS. PKCT's maintenance schedule will be updated to include this requirement.</p>	Deemed as Compliant during this audit.

Item No	Assessment Requirement	2020 Comment	2020 Audit Classification	PKCT Response/Action	2023 Status
		ERM reviewed an audit report titled Port Kembla Coal Terminal External Lighting Audit, AS/NZS 4282 Control of the Obtrusive Effects of Outdoor Lighting dated 16th March 2020. The audit concluded any report detailing that lighting is in accordance with AS4282 (INT) 1995 – Control of Obtrusive Effects of Outdoor Lighting with the exception of the Bulk Products Area, which should be upgraded as part of the next scheduled maintenance for those lights. ERM reviewed the community complaints register which confirmed that there were no complaints related to lighting during the audit period.			

Item No	Assessment Requirement	2020 Comment	2020 Audit Classification	PKCT Response/Action	2023 Status
4.1	<p>The Proponent shall prepare and implement an Environmental Management Strategy for the project to the satisfaction of the Director-General.</p> <p>This strategy must:</p> <ul style="list-style-type: none"> (a) be submitted to the Director-General for approval within 12 months of this project approval or otherwise agreed by the Director-General; (b) provide for the strategic context for the environmental management of the project; (c) identify the statutory requirements that apply to the project; (d) describe the procedures that would be implemented to: <ul style="list-style-type: none"> ▪ keep the local community and relevant agencies informed about the operation and environmental performance of the project; ▪ receive, handle, respond to, and record complaints; ▪ resolve any disputes that may arise during the course of the project; ▪ respond to any non-compliance; ▪ manage cumulative impacts; and ▪ respond to emergencies; (e) include an environmental monitoring program for the project that includes all the monitoring requirements of this approval; (f) describe how the various incident and approval reporting requirements of the project would be integrated into a single reporting system; and (g) describe the role, responsibility, authority and accountability of all the key personnel involved in the environmental management of the project. 	<p>PKCT operates under the PKCT Environmental Management Strategy (EMS), Version 13.0, last updated on 10th July 2020.</p> <ul style="list-style-type: none"> a) The development application was approved in 2009 and the EMS is now in Version 13.0. It is unclear whether the EMS was first submitted within 12 months of approval, however given the 12 month submittal period falls outside the audit period it has not been raised as a finding. b) The strategic context is presented in Section 5.0 c) Statutory requirements are presented in Section 6.0 d) Systems to keep the local community and relevant agencies informed are presented in Section 11. Procedures to respond to non-compliance and manage cumulative impacts are presented in Section 7.0 and emergency response procedures are presented in Section 8.1. e) The environmental monitoring program includes monitoring requirements from this approval (traffic, received quantities, noise, dust, meteorology, surface water, biodiversity, greenhouse gas emissions and waste) and is presented in Section 9.0. f) A comprehensive reporting framework is presented in Section 9.0. g) Key personnel roles and responsibilities are described in Section 4.0. <p>Implementation</p> <p>PKCT maintains regular correspondence with the local community via the community consultative committee and relevant agencies via routine reporting through AEMRs, Annual Returns and Management Plan submissions and on an as needed basis by self-reporting environmental incidents to the regulator. ERM received a response from one Community Consultative Committee member, Barry, who reported that he had no concerns at the time of writing and is happy with his interaction with PKCT.</p> <p>ERM reviewed correspondence between the regulator and PKCT following actual and</p>	C(Obs)	<p>PKCT has updated the Environmental Management Strategy to Version 15. Changes have been made as per audit suggestions. Reference to EIP U3 has been removed as well as removing reference to Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2008 from Section 6.3.</p>	Deemed as Compliant during this audit.

Item No	Assessment Requirement	2020 Comment	2020 Audit Classification	PKCT Response/Action	2023 Status																		
		potential environmental breaches of the PKCT EPL. In general, correspondence between PKCT and the EPA was positive and the pro-active steps taken by PKCT during these events was noted by EPA. ERM observed a daily pre-start meeting between Site management which included a component focused on discussing potential environmental issues concerned with the day's activities. PKCT has received minimal community complaints during the audit period, with complaints recorded, tracked, investigated and closed out.																					
Driver's Code of Conduct																							
No non-compliances were identified.																							
Environmental Protection Licence 1625																							
L2.4	Water and/or Land Concentration Limits Point 16 <table><tr><th>Pollutant</th><th>Unit of measure</th><th>50 percentile concentration limit</th><th>90 percentile concentration limit</th><th>3DGM concentration limit</th><th>100 percentile concentration limit</th></tr><tr><td>Oil and grease</td><td>Visible</td><td>-</td><td>-</td><td>-</td><td>Not visible</td></tr><tr><td>Total suspended solids</td><td>Milligrams per litre</td><td>-</td><td>-</td><td>-</td><td>50</td></tr></table>	Pollutant	Unit of measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit	Oil and grease	Visible	-	-	-	Not visible	Total suspended solids	Milligrams per litre	-	-	-	50	All samples from the audit period were compliant with this condition with the exception of the following samples which exceeded the total suspended solids limit of 50 mg/L: <ul style="list-style-type: none">15th March 2019 (84 mg/L);5th June 2019 (97 mg/L);30th August 2019 (96 mg/L); and17th January 2020 (62 mg/L). The NSW EPA issued a formal warning in April 2019 due to the March TSS exceedance with no further formal action proposed. Following the June exceedance event, PKCT installed an additional coagulant dosing system, automated the existing system and further progressed capital projects to increase Site capabilities to manage stormwater. The August exceedance was caused by a coding error that caused the polymer dosing system to under-dose when backup mode was initiated. The coding error was rectified, additional alarms and system checks implemented, water quality monitoring increased and a strategic review undertaken to prevent recurrence. Following the January exceedance, PKCT installed a new automated coagulant	NC	PKCT accepts the findings of non-compliance associated with this finding occurred as a result of specific events that occurred during the reporting period. For each of the events, PKCT has implemented remedial measures to limit the potential of future occurrences. PKCT continues to operate in line with its approved Policies, Procedures and Management Plans. PKCT continues to maintain accreditation to ISO14001 and ISO9001. The events and associated actions have been reported to, and closed off by the EPA. PKCT does not propose any further actions associated with this non-compliance.	Deemed as compliant during this audit.
Pollutant	Unit of measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit																		
Oil and grease	Visible	-	-	-	Not visible																		
Total suspended solids	Milligrams per litre	-	-	-	50																		

Item No	Assessment Requirement	2020 Comment	2020 Audit Classification	PKCT Response/Action	2023 Status
		<p>treatment plant at the Northern Pond to assist with clay removal following pond cleaning.</p> <p>Due to the TSS exceedances noted above, PKCT has breached this EPL requirement.</p> <p>Condition L2.5 provides for circumstances where the 50 mg/L limit can be exceeded during discharge. The circumstances are limited to a 5 day rainfall depth value of 90 mm over a consecutive 5 day period. For the four exceedance events noted from the audit period, rainfalls immediately preceding the exceedances were high intensity, short duration events, therefore condition L2.5 was not triggered.</p> <p>In the April 2019 formal warning letter, the EPA acknowledged that a high intensity, short duration rainfall contributed to the March exceedance and stated that there is merit in discussing the requirements of L2.5.</p>			
O3.1	The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.	<p>PKCT utilises a water cart to wet down areas of the Site which may potentially emit dust from the premises. Real-time weather monitoring is used to guide PKCT's planning and Site preparations to minimise dust emissions, such as applying additional water to coal stockpiles.</p> <p>A truck wash is present at the road receival exit and it is mandatory for all trucks to pass through the truck wash to minimise emissions of dust from road transport vehicles accessing PKCT.</p> <p>PKCT monitors residential dust at three locations, with 11 additional monitoring points throughout the Site to assist with dust management practices. According to the AEMRs, there were no instances of exceedances of the criteria at any of the residential locations.</p> <p>The AEMRs for the audit period reported one month where the criteria were exceeded at one of the 11 industrial gauges, in March 2017. However, there was no associated exceedance reported at any of the residential gauges.</p>	C (Obs)	PKCT has reviewed and updated the Air Quality Management Plan to adjust the headers, footers and document version.	Deemed as compliant during this audit.
M2.2	Air monitoring requirements Point 1,2,3,4,5,6,7,8,9,12,15,17,18,19	The annual returns contained monthly results for Particulates – deposited matter - for all points listed in Condition M2.2 with the	NC	Action completed. PKCT proposes no further action on this non-conformance.	Deemed as compliant during this audit.

Item No	Assessment Requirement				2020 Comment	2020 Audit Classification	PKCT Response/Action	2023 Status
	Pollutant	Units of measure	Frequency	Sampling method	exception of P6, which did not have a result for November 2018 due to a broken sample bottle which had been blown over due to strong winds. The Contractor in charge of collecting PKCT dust gauges undertook a full review following this event and repaired any gauges likely to fail. ERM reviewed the real time continuous dust monitoring system and reviewed a spreadsheet containing continuous dust monitoring results from the locations identified in Condition M2.2. ERM did not observe the sampling of dust gauges and is unable to confirm the method complies with AM-19.			
	Particulates – deposited matter	Grams per square metre per month	Monthly	AM-19				
	Point 20,21							
	Pollutant	Units of measure	Frequency	Sampling method				
	PM10	Micrograms per cubic metre	Continuous	Continuously				
	PM2.5	Micrograms per cubic metre	Continuous	Continuously				
	Total Solid Particle	Micrograms per cubic metre	Continuous	Continuously				
R2.2	The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred. Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.				ERM reviewed the following emails relating to notified incidents: <ul style="list-style-type: none">Notification of TSS exceedances during discharge on 30th August 2019, dated 6th September 2019;Notification of dust emanating from stockpiles on 2nd March 2020, dated 9th March 2020;Notification of Dirty Water Discharging from the Iron Chieftain from PKCT to Port Authority of NSW (forwarded to EPA on the same day) on 13th March 2018, dated 13th March 2018;Notification of dust emanating from stockpiles on 23rd November 2018, dated 30th November 2018; andNotification of TSS exceedances during discharge on 15th March 2019, dated 27th March 2019. ERM understands that PKCT notified the EPA of the exceedance on 27th March 2019 following receipt of laboratory analysis on 25th March 2019 confirming the exceedance.	C(Obs)	With reference to the observation, PKCT will engage with our lab to strengthen reporting timeframes to minimise the likelihood of a future issue.	Condition deemed as not triggered during this audit.
R4.1	The following must be submitted to the EPA with the Annual Return: A brief summary of the results for all Total Suspended Particulate (TSP) matter, Particulate Matter (PM10) and Particulate Matter (PM2.5) monitoring. Tabular presentation of all TSP, PM10 and PM2.5 levels for monitoring/discharge point 20 and 21. The average result for TSP and PM10 must be detailed within the table.				ERM reviewed annual returns attachments and confirmed that: <ul style="list-style-type: none">A brief summary of the results for all TSP, PM10 and PM2.5 monitoring is presented in Section 2.0;Tabular presentation of all TSP, PM10 and PM2.5 levels for	NC	PKCT has discussed with our dust consultant and will include assessments for all exceedances of TSP and PM10 thresholds at Point 21 in future Annual Returns.	Deemed as compliant during this audit.

Item No	Assessment Requirement	2020 Comment	2020 Audit Classification	PKCT Response/Action	2023 Status
	<p>Where the 24-hour concentration of TSP exceeds 90 µg/m³ at point 21, the licensee must undertake an assessment to determine the likely reason for the elevated level, including:</p> <ul style="list-style-type: none"> weather data; a comparison of TSP levels at monitoring/discharge point 20 and 21; the proportion of TSP that is PM₁₀, PM_{2.5} and PM₁; the contribution of operating conditions; and other relevant factors. <p>Where the 24-hour concentration of PM₁₀ exceeds 50 µg/m³ at point 21, the licensee must undertake an assessment to determine the likely reason for the elevated level, including:</p> <ul style="list-style-type: none"> weather data; a comparison of PM₁₀ levels at monitoring/discharge point 20 and 21; the proportion of PM₁₀ that is PM_{2.5} and PM₁; the contribution of operating conditions; and other relevant factors. <p>Ambient air quality information used to inform the licensee's Annual Environmental Monitoring Report for the financial year preceding 30 June in the reporting period and information used to inform the licensee's Interim Annual Environmental Monitoring Report for the six-month period from 1 July to 31 December in the reporting period may be used to satisfy Condition R4.1. Information collected from 1 January to 31 March in the reporting period may be submitted to the EPA with the next Annual Return.</p>	<p>monitoring/discharge points 20 and 21 including the average result for TSP and PM₁₀ is included in Attachment B in the 2017/2018 and 2018/2019 annual returns and Attachment C in the 2019/2020 annual return;</p> <ul style="list-style-type: none"> PKCT has included excerpts from assessments for events where the 24-hour concentration of TSP exceeded 90 µg/m³ at point 21, however, this is only undertaken when analysis shows that PKCT is likely to have contributed more than 30% to the exceeding concentration of TSP, which is in accordance with the PKCT Dust Monitoring Program. According to the annual returns summary tables, exceedances of the 24-hour concentration of TSP at the point 21 occurred 17 times in 2017/2018 and 2018/2019 and 10 times in 2019/2020, however the annual returns attachments only included investigations for two events in 2017/2018, zero events in 2018/2019 and three events in 2019/2020. Therefore, there are instances where the reporting required by this condition has not been included in the annual returns and this condition has not been met; and PKCT has included excerpts from assessments for events where the 24-hour concentration of PM₁₀ exceeded 50 µg/m³ at point 21, however, this is only undertaken when analysis shows that PKCT is likely to have contributed more than 30% to the exceeding concentration of PM₁₀, which is in accordance with the PKCT Dust Monitoring Program. According to the annual returns summary tables, exceedances of the 24-hour concentration of PM₁₀ at point 21 occurred 41 times in 2017/2018, 31 times in 2018/2019 and 23 times in 2019/2020, however the annual returns attachments only included investigations for one event in 2017/2018, zero events in 2018/2019 and seven events in 			

Item No	Assessment Requirement	2020 Comment	2020 Audit Classification	PKCT Response/Action	2023 Status
		2019/2020. Therefore, there are instances where the reporting required by this condition has not been included in the annual returns and this condition has not been met.			
R4.2	<p>The following must be submitted to the EPA with the Annual Return:</p> <p>Details of any overflow from Point 22, Point 23, Point 24, Point 25 and/or Point 26 specified by Conditions P1.2 and P1.3. The following information must be provided for each overflow:</p> <ul style="list-style-type: none"> a tabular presentation of the concentration of each pollutant specified in Condition M2.3; date and time of the commencement of each overflow; an estimate of the volume of each stormwater overflow and over what time period the overflow occurred; the weather conditions at the time of each overflow, specifying the amount of rainfall on a daily basis that had fallen a) on the day(s) of the overflow and b) for each day of the 7 day period prior to the overflow; an explanation as to why the overflow occurred 	ERM reviewed annual returns attachments and confirmed that details of any overflow from Point 22, 23, 24, 25 or 26 included the items required by this condition.	C (Obs)	PKCT agrees that details of any overflows from Point 27 should be included with the annual returns. PKCT will consult with the EPA and request to have the licence updated to reflect this recommendation.	Deemed as compliant during this audit.
G1.1	A copy of this licence must be kept at the premises to which the licence applies.	ERM confirmed the presence of a copy of the EPL at the premises. The PKCT website also links to a copy of the EPL, however when ERM tested this, the link connected to the incorrect version of the EPL on the EPA website.	C (Obs)	PKCT has rectified the website link to the correct version of the EPL. The link now takes the user	Deemed as compliant during this audit.

3.2 Complaints Summary

Complaints registers for the auditing period were available for on-site review and summarised online within the AEMRs. Complaints over the reporting period include:

- 2020/2021 - 5 complaints received, 2 related to noise, 3 to coal drag-out, spillage on road;
- 2021/2022 – 2 complaints received, both related to road dust; and
- 2022/2023 - 0 complaint received.

Evidence was provided that all complaints were investigated and actioned to the satisfaction of the EPA (where required) and the complainant.

3.3 Incident Summary

PKCT manage all incidents within their Event Management System (EMS). A review of the incidents was undertaken via the PKCT incident register which included a total of 156 registered 'incidents' or 'events' during the audit period (noting the earliest registered incident took place on 9th September 2020).

The majority of these related to minor spills of coal or hydraulic oil releases from plant and equipment or other products on the berth. There were no reportable incidents of material harm no reportable incidents provided to the EPA or DPE during the audit period.

3.4 Environmental Monitoring Performance

3.4.1 Noise

Condition M7.2 of the EPL provides for circumstances where noise monitoring may be ceased by PKCT. The noise monitoring program must be routinely reviewed and provided no exceedances of the stipulated criteria have occurred for 6 years and the EPA is satisfied with the program review, noise monitoring is not required to continue.

PKCT wrote to the NSW Department of Planning & Environment requesting permission to cease noise monitoring and received a response on 16 March 2017, confirming that noise monitoring is no longer required to be undertaken by PKCT given that noise levels were below the criteria in all noise surveys conducted since 2009.

According to an email received from NSW EPA by PKCT on 15th August 2017, the cessation of noise monitoring was acknowledged by the EPA and no formal change to the EPL was considered necessary.

While the noise limits are still applicable to the Site, the requirement to monitor is no longer applicable. Noise monitoring obligations were removed by DPIE on 16 March 2017. Given operations have not changed significantly at the Site since the previous audit and no noise complaints have been reported during the audit period, ERM has deemed that PKCT is compliant with the requirements of this condition.

3.4.2 Air quality

PKCT currently has a network of twelve (12) dust deposition gauges, six (6) located on Site, three (3) at off-site residential properties, three (3) at off-site industrial properties and two (2) continuous dust monitors.

Whilst PKCT had experienced exceedances of air quality trigger limits during the audit period at residential monitoring locations including deposited dust at one deposition gauge and particulate matter at the offsite northern continuous monitor, further investigations were carried out in accordance with the relevant assessment criteria as required by the Planning Approval and Environmental

Protection Licence. ERM did not identify non-compliances in relation to air quality conditions contained within the Planning Approval or EPL.

ERM sighted the weather station located onsite, which provides real time meteorological data to the Main Control Room. Meteorological data from the onsite weather station was observed in real time in the Main Control Room and extracted data was provided as evidence to confirm compliance with related conditions as part of the audit.

3.4.3 Water management

Surface water management comprises a series of satellite water storage ponds used to collect stormwater runoff before being pumped to a settlement lagoon for discharge to the Inner Harbour. Flocculent is added to the settlement pond to enhance settlement of solids. Water discharges to the harbour via an overflow weir as authorised in the EPL. Water is also available for on-site reuse for dust suppression.

During the audit period, the following exceedances of the 50 mg/L limit for TSS were experienced:

- 58 mg/L on 25 February 2022; and
- 59 mg/L on 27 March 2022.

During these periods, there were rainfall events whereby the 5 day rainfall depth value exceeded 90 mm over a consecutive 5 day period:

- 21 – 25 February: 154 mm
- 23 – 27 March 2022: 109.8 mm

Both exceedances are permitted according to the Site's EPL condition L2.5 due to the discharges occurring solely as a result of rainfall at the premises. Further, there was no evidence identified during the audit to indicate that PKCT are non-compliant with the Project Approval or EPL CoA.

3.5 Management Plan Adequacy

The Management Plans for the Site were reviewed and the adequacy in meeting the relevant approval requirements was assessed in view of current operations at the Site. Following the divestment of the southern portion of the Site, PKCT management plans were reviewed and updated in accordance with the Project Approval in 2021 to account for the changes to site and were subsequently approved by the DPE. The Management Plans have received an administrative update of date in September 2022, but don't constitute a change of content of the plans and hence don't trigger requirement for approval from the Secretary.

In general, Management Plans were considered to be appropriate for the Site's operations at the time of the Site visit. The findings of the Management Plan review are outlined in *Table 3.2* and *Appendix A*.

3.6 Environmental Protection Licence

The Site operates under Environment Protection Licence (EPL) 1625 issued to Port Kembla Coal Terminal Ltd. The EPL has been varied numerous times, the last was during the audit period on 2 June 2021.

The Site submitted Annual Returns to the EPA, as required for the audit period. During the audit period, no non-compliances were identified against the Site's EPL 1625.

3.7 Driver's Code of Conduct

Traffic management at the Site is managed through the implementation of the Driver's Code of Conduct (DCC). The DCC was developed to ensure compliance with the Project Approval, Appendix 3. The primary objectives of the DCC are:

- Minimise impacts on the community from road haulage activities;
- Encourage an environment for safe operations associated with PKCT road delivery operations; and
- Maximise public safety by adhering to Australian road rules and ensure all potential road safety issues are reported.

The DCC requires coal transport drivers to follow designated road routes and specific requirements related to permitted times for receipt of coal at PKCT. Haulage companies are required to sign up to the DCC and implement the requirements.

Compliance with the DCC is subject to regular audits by PKCT and road transport providers. PKCT operates a '3-Strikes Policy' for non-compliance with the DCC.

DCC conditions and the summary of audit findings are provided in *Table 3.2* and *Appendix A*.

3.8 Compliance with Regulatory Instruments

A compliance check of the CoA and EPL conditions as well as management plan review has been completed and is provided in Appendix A. Non-compliances and observations for each component are summarised in *Table 3.2*.

As discussed in *Section 2.3*, a qualitative risk assessment was also completed on the findings as follows:

- non-compliance assessed as 'high' have been colour coded red;
- non-compliance assessed as 'moderate' have been colour coded orange; and
- non-compliance assessed as 'low' have been colour coded yellow.

Table 3.2 Summary of 2023 Audit Findings

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
Minister's Conditions of Approval PA 08_0009				
Sch. 4-5	<p>By 31 March 2011, and every 3 years thereafter, unless the Director-General directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the project. This audit must:</p> <p>(a) be conducted by a suitably qualified, experienced, and independent team of experts whose appointment has been endorsed by the Director-General;</p> <p>(b) include consultation with the relevant agencies;</p> <p>(c) assess the environmental performance of the project and whether it is complying with the relevant requirements in this approval and any relevant EPL (including any strategy, plan or program required under these approvals); and</p> <p>(d) review the adequacy of strategies, plans and/or programs required under these approvals; and, if appropriate,</p> <p>(e) recommend measures or actions to improve the environmental performance of the project, and/or any strategy, plan or program required under these approvals.</p> <p><i>Note: This audit team should be led by a suitably qualified auditor, and include experts in the field of noise, air quality and traffic management.</i></p>	<p>Independent environmental audits were conducted by AECOM in 2011, 2014, 2017 and ERM in 2020.</p> <p>This audit was commissioned on 6 June 2023. Following the approved extension from DPE to the submittal due date of the 2020 IEA (due to Covid-19) to 31 September 2020, PKCT stated they planned the 2023 audit period to be 3 years following the delayed 2020 audit. The approval for the submission extension in 2020 however does not state any change to the ongoing requirements of this condition for the Proponent to commission and pay for the IEA by 31 March on an audit year.</p> <p>a) The lead auditor was approved by the Secretary and the audit team comprises suitably qualified experts in the fields of noise, air quality and traffic management;</p> <p>b) The IEA included consultation with DPE, EPA, and CCC;</p> <p>c) This report assesses the environmental performance of the project and compliance with relevant requirements in the approval and EPL;</p> <p>d) The adequacy of strategies, plans and/or programs required under the approval and EPL were reviewed as part of this audit; and</p> <p>e) Improvement recommendations have been provided (where applicable) as part of audit.</p> <p>ERM considers that the requirements of this Condition have been met, aside from the date of commissioning the 2023 IEA.</p>	NC	ERM recommends PKCT revert to commissioning the IEAs by 31 March on an audit year and set up a reminder within PKCT scheduling systems.
Driver's Code of Conduct				
No non-compliances have been identified.				
Environmental Protection Licence 1625				
No non-compliances have been identified.				

4. CONCLUSION

An audit of CoA and Environmental Protection Licence conditions has been completed as well as a check against commitments made in the management plans developed as part of CoA conditions for the Site.

Overall, compliance was generally achieved with the audit documents that were reviewed. The number of non-compliances with the statutory conditions and implementation of the management plans is summarised in *Table 4.1* below.

Table 4.1 Summary of Audit Findings

Review	Non-compliances (NC)	Observations (Obs NC)	Observations (Obs C)
Statutory Instruments	1	Nil	Nil
Implementation of Plans	Nil	Nil	Nil

An action response table has been developed by PKCT addressing all audit findings and will be submitted separately to this report.

APPENDIX A CONDITIONS OF APPROVAL, ENVIRONMENTAL PROTECTION LICENCE AND DRIVER'S CODE OF CONDUCT AUDIT TABLES

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
SCHEDULE 2 – ADMINISTRATIVE CONDITIONS					
OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT					
1.	The Proponent shall implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the operation of the project.	▪ Note	Noted	Note	N/A
Terms of Approval					
2.	The Proponent shall carry out the project generally in accordance with the: (a) EA; (b) Response to Submissions; (c) Statement of Commitments (see Appendix 2); and (d) Conditions of this approval.	▪ Note	Compliance with this condition is as reported in the following report.	Note	N/A
3.	If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this approval shall prevail to the extent of any inconsistency.	▪ Note	This condition has been applied to this audit.	Note	N/A
4.	The Proponent shall prepare revisions of any strategies, plans or programs required under this consent if directed to do so by the Director-General. Such revisions shall be prepared to the satisfaction of, and within a timeframe approved by, the Director-General.	<ul style="list-style-type: none"> ▪ Environmental Supervisor and Management Interviews ▪ Driver's Code of Conduct (DCC) March 2021 and Department of Planning Environment (DPE) approval 12 March 2021. ▪ Driver's Code of Conduct (DCC) Implementation Plan 2020 and DPE approval 12 March 2021. ▪ Greenhouse Gas & Energy Efficiency (GHG&EE) Management Plan 2020 and DPE approval 19 March 2021. ▪ EMS April 2021 and DPE approval 21 April 2021. ▪ Green and Golden Bellfrog (GGBF) Management Plan March 2021 and DPE approval 12 March 2021. ▪ Air Quality Management Plan (AQMP) March 2021 and DPE approval 19 March 2021. ▪ Landscape Management Plan (LMP) March 2021 and DPE approval 19 March 2021. ▪ Noise Management Plan (NMP) March 2021 and DPE approval 26 March 2021. 	<p>PKCT during the audit period reached a commercial agreement with NSW Ports and Australia Industrial Energy (AIE) to surrender the southern area of its lease to AIE. The date of surrender was 31/03/2021. The revised site boundary for PKCT, has resulted in a change in PKCT's site operations, infrastructure and environmental management strategies and therefore necessitated the updating of a number of management plans. Updates were made to the plans to the satisfaction of the Director-General and submitted within the required timeframe, as evidenced by the DPE planning portal post approvals.</p> <p>Fire Management Plan and Waste Management Plan don't require Secretary's approval but were submitted for consultation. The DPE had no comment or further action required.</p> <p>The currently available versions of the management plans are dated September 2022. This was just an administrative update of the dates and doesn't constitute a revision to any of the plans' content and therefore does not trigger the requirement for approval by the Director-General.</p>	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
		<ul style="list-style-type: none"> Water Management Plan (WMP) March 2021 and DPE approval 23 March 2021. 			
5.	<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, programs, strategies 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, programs, strategies or correspondence.</p>	<ul style="list-style-type: none"> As above 	<p>PKCT has gained the required Director-General approval of the current project management plans. AEMRs are submitted each year and accepted by the DPE.</p> <p>The updated management plans and strategies requirements, actions and measures have been implemented by PKCT.</p>	C	N/A
Limits On Approval					
6.	<p>The Proponent shall not receive more than 7.5 million tonnes of coal and bulk products at the site by public road in any calendar year without the written approval of the Director-General. In seeking this approval, the Proponent shall submit a report to the Director-General that:</p> <p>(a) reviews the transport related impacts associated with the trucks being used to deliver coal and bulk products to the terminal;</p> <p>(b) demonstrates that these impacts are generally consistent with the predicted and/or approved impacts; and</p> <p>(c) examines whether there any other reasonable and feasible measures that could be implemented to minimise these impacts.</p> <p>Once this approval has been obtained, the Proponent shall not receive more than 10 million tonnes of coal and bulk products at the site by public road in any calendar year.</p>	<ul style="list-style-type: none"> AEMRs for 2020/2021, 2021/2022 and 2022/2023 Spreadsheet detailing monthly quantities of coal received by road and rail and ship-loading quantities, (PKCT tonnes and throughput.xls) Monthly supplier delivery dockets 	<p>In keeping with previous audits, ERM reviewed quantities of coal received for the following periods: July 2020 – June 2021, July 2021 – June 2022 and July 2022 to June 2023. According to the AEMRs, the following quantities were received by public road during the financial years covered by the audit period:</p> <ul style="list-style-type: none"> July 2020 – June 2021: 2.6 Mt; July 2021 – June 2022: 3.1 Mt; and July 2022 – June 2023: 2.65 Mt. <p>ERM reviewed a management spreadsheet documenting the quantities of coal received by financial year and confirmed the amounts recorded in the tracking spreadsheet were congruent with the AEMR reports.</p> <p>ERM reviewed example monthly supplier delivery dockets and confirmed that the amounts of coal delivered to the site were included on the dockets.</p> <p>For all years reviewed, the total quantity of coal and bulk products received at the site by road did not exceed 7.5 Mt, therefore the requirement to apply for written approval from the Director-General was not triggered.</p>	C	N/A
7.	<p>The Proponent shall only receive coal dispatched from NRE No 1 Colliery at Russell Vale if that coal has been dispatched between the hours of:</p> <p>(a) 7 am to 10 pm Monday to Friday; and</p> <p>(b) 8 am to 6 pm Saturday and Sunday or Public Holidays unless in accordance with a project approval granted to that Colliery under Part 3A of the EP&A Act.</p>	<ul style="list-style-type: none"> Environmental Supervisor and Management Interviews DCC March 2021 Spreadsheet detailing monthly quantities of coal received by road and rail and ship-loading quantities, (PKCT tonnes and throughput.xls) Monthly supplier delivery dockets 	<p>Environmental Supervisor reported that coal received from No 1 Colliery at Russell Vale during the audit period occurred within the stated times.</p> <p>ERM notes that the Driver's Code of Conduct states delivery times in line with this condition.</p>	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
8.	Subject to conditions 6 and 7 of this schedule, coal and bulk products may be received by the Proponent at the site by road delivery twenty four hours per day, seven days per week.	<ul style="list-style-type: none"> Environmental Supervisor and Management Interviews 	Notwithstanding the events detailed against Approval Items 6 and 7, above, coal and bulk products have been received at the site by road delivery 24 hours per day, seven days per week.	C	N/A
Management Plans/Monitoring Programs					
9.	With the approval of the Director-General, the Proponent may submit any management plan or monitoring program required by this approval on a progressive basis.	<ul style="list-style-type: none"> Environmental Supervisor and Management Interviews PKCT Management Plans DPE correspondence and approvals 	Management Plans required by this approval have not been submitted on a progressive basis during the audit period.	NT	N/A
Surrender of Consents					
10.	Within 12 months of the date of this approval, the Proponent shall surrender all existing development consents and existing use rights associated with operations at the site in accordance with clause 97 of the EP&A Regulation.	<ul style="list-style-type: none"> AECOM, June 2017, 2017 Independent Environmental Audit, Port Kembla Coal Terminal 	This requirement was addressed as part of a previous audit and is considered to be closed.	NT	N/A
Structural Adequacy					
11.	<p>The Proponent shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA.</p> <p>Notes:</p> <ul style="list-style-type: none"> Under Part 4A of the EP&A Act, the Proponent is required to obtain construction and occupation certificates for the proposed building works. Part 8 of the EP&A Regulation sets out the requirements for the certification of the project. 	<ul style="list-style-type: none"> AEMRs for 2020/2021, 2021/2022 and 2022/2023 Site Environmental Supervisor and Management Interviews Structure Compliance Statements and Design Certificates Historical aerial imagery review 	<p>The AEMRs reported that all building maintenance is conducted in accordance with the Building Code of Australia.</p> <p>PKCT undertook three renovations within the audit period, one required certification, two were exempt as follows:</p> <ul style="list-style-type: none"> Admin Building Level 1 old Server Room (GHD Structural Engineers report for new doorway, Exempt Development) MCR refurbishment project (Complying Development) <ul style="list-style-type: none"> Occupancy Certificate CFT-37026 Brian Pratt Structural Engineers certificate for Structural Items Coastwide installation certificate for Structural items Halco Structural Design certificate for Façade / Glazing Coastal Windows installation certificate for glazing SHRS installation certificate for roofing Innovatus Projects BCA compliance letter Workshop Transformer Enclosure (Exempt Development) 	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			<ul style="list-style-type: none"> Innova Services C10 Fire Engineers compliance report <p>The auditor reviewed the referenced certification documentation for the works and noted no issues.</p>		
Demolition					
12.	The Proponent shall ensure that all demolition work is carried out in accordance with Australian Standard AS 2601-2001: The Demolition of Structures, or its latest version.	<ul style="list-style-type: none"> AEMRs for 2020/2021, 2021/2022 and 2022/2023 Site Environmental Supervisor and Management Interviews Demolition Work Plan PKCT – Pump House TS2, 31-10-2022 Demolition Work Plan PKCT – Server Room, 18-09-2020. Historical aerial imagery review 	<p>The AEMRs reported that all demolition work is conducted in accordance with the AS 2601-2001.</p> <p>PKCT undertook some two minor demolitions of structure within the audit. ERM reviewed the Demolition Plans prepared by Affective Services Civil & Demolition Contractors for the demolition of the Server Room and Pump House TS2 and noted they were prepared in accordance with AS 2601-2001.</p>	C	N/A
Operation Of Plant And Equipment					
13.	The Proponent shall ensure that all plant and equipment used on site is: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.	<ul style="list-style-type: none"> Spreadsheet summarising work orders (Environ_PMs_0420) Example operator competency records Example Work Orders 2020/2021, 2021/2022 and 2022/2023 Annual Returns Training records Monitoring equipment calibration and service reports. 	<p>PKCT uses TechONE computer management system for tracking maintenance, creating Work Orders etc.</p> <p>ERM viewed system maintenance logs for generating and tracking work orders. Maintenance logs include sign off for works completed and include any relevant feedback on equipment condition and use. Also, tradespeople provide feedback which is discussed at weekly meetings.</p> <p>Sample pre-requisite training logs for operators competency was reviewed by ERM.</p>	C	N/A
Dispute Resolution					
14.	In the event that the Proponent and the Council or a Government agency, other than the Department, cannot agree on the specification or requirements of this approval, the matter may be referred by either party to the Director-General for resolution, whose determination of the disagreement shall be final and binding on the parties.	<ul style="list-style-type: none"> AEMRs for 2020/2021, 2021/2022 and 2022/2023 	<p>The AEMRs did not record any disputes requiring determination by the Secretary during the audit period.</p> <p>Site management reported that no disputes with council or government agency occurred during the audit period, therefore this condition is not applicable</p>	NT	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations																								
SCHEDULE 3 – ENVIRONMENTAL CONDITIONS – MINING AREA																													
NOISE																													
Impact Assessment Criteria																													
1.	<p>The Proponent shall ensure that the noise generated by the project at any privately-owned residence does not exceed the criteria specified in Table 1 for the location nearest to that residence.</p> <p>Table 1: Noise impact assessment criteria dB(A) L_{Aeq} (15 min)</p> <table><tr><th>Location</th><th>Time period</th><th>Noise Criteria L_{Aeq} (15 min) (dBA)</th></tr><tr><td rowspan="3">Cnr of Swan/Kembla Sts</td><td>Day</td><td>51</td></tr><tr><td>Evening</td><td>50</td></tr><tr><td>Night</td><td>49</td></tr><tr><td rowspan="3">Cnr of Swan/Corrimal Sts</td><td>Day</td><td>51</td></tr><tr><td>Evening</td><td>50</td></tr><tr><td>Night</td><td>49</td></tr><tr><td rowspan="3">Cnr of Keira/Fox Sts</td><td>Day</td><td>55</td></tr><tr><td>Evening</td><td>49</td></tr><tr><td>Night</td><td>45</td></tr></table> <p>Notes: a) To determine compliance with the L_{Aeq} (15 minute) noise level limits in the above table, noise from the project is to be measured at the most affected point within the residential boundary. Where it can be demonstrated that direct measurement of noise from the project is impractical, the DECC may accept alternative means of determining compliance (see Chapter 11 of the NSW Industrial Noise Policy). The modification factors in Section 4 of the NSW Industrial Noise Policy shall also be applied to the measured noise levels where applicable.</p> <p>b) The noise emission limits identified in the above table apply under meteorological conditions of:</p> <ul style="list-style-type: none">o wind speeds of up to 3 m/s at 10 metres above ground level; oro temperature inversion conditions of up to 3°C/100m, plus a 2 m/s source-to-receiver component drainage flow wind at 10 metres above ground level for those receivers where applicable in accordance with the NSW Industrial Noise Policy. <p>However, if the Proponent has a written negotiated noise agreement with any landowner of the land listed in Table 1, and a copy of this agreement has been forwarded to the Department and DECC, then the Proponent may exceed the noise limits in Table 1 in accordance with the negotiated noise agreement.</p>	Location	Time period	Noise Criteria L _{Aeq} (15 min) (dBA)	Cnr of Swan/Kembla Sts	Day	51	Evening	50	Night	49	Cnr of Swan/Corrimal Sts	Day	51	Evening	50	Night	49	Cnr of Keira/Fox Sts	Day	55	Evening	49	Night	45	<ul style="list-style-type: none">Email communication between PKCT Environmental Specialist and NSW EPA: PKCT EPL Noise Monitoring Requirements, 15-08-2017.Letter from NSW Department of Planning & Environment to PKCT: Port Kembla Coal Terminal Project Approval 08-0009 – amendments to monitoring, surveying and reporting, 16-03-2017.Complaints Register, 2020-2023.AEMRs for 2020/2021, 2021/2022 and 2022/2023	<p>According to the letter from the NSW Department of Planning & Environment, dated 16th March 2017, noise monitoring is no longer required to be undertaken by PKCT given that noise levels were below the criteria in all noise surveys conducted since 2009.</p> <p>According to an email received from NSW EPA by PKCT on 15th August 2017, the cessation of noise monitoring was acknowledged by the EPA and no formal change to the EPL was considered necessary.</p> <p>ERM notes that 2 noise complaints were made in 2020 (08-09-2020 and 06-10-2020) which PKCT investigated (determining noise not attributable to PKCT) and responded to the member of the public.</p> <p>While the noise limits are still applicable to the site, the requirement to monitor is no longer applicable. Given operations have not changed significantly at the site since the previous audit and no ongoing noise issues have been identified during the audit period, ERM has deemed that PKCT is compliant with the requirements of this condition.</p>	C	N/A
Location	Time period	Noise Criteria L _{Aeq} (15 min) (dBA)																											
Cnr of Swan/Kembla Sts	Day	51																											
	Evening	50																											
	Night	49																											
Cnr of Swan/Corrimal Sts	Day	51																											
	Evening	50																											
	Night	49																											
Cnr of Keira/Fox Sts	Day	55																											
	Evening	49																											
	Night	45																											
Noise Monitoring Program																													
2.	<p>The Proponent shall prepare and implement a Noise Monitoring Program for the project to the satisfaction of the Director-General. This program must:</p> <p>(a) be developed in consultation with DECC;</p>	<ul style="list-style-type: none">Noise Management Plan Sept. 2022	<p>According to previous audits, the Noise Management Plan (NMP) was approved by the Secretary (formerly the Director-General) on 5th April 2012 and the</p>	C	N/A																								

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>(b) be submitted to the Director-General for approval within 6 months from the date of this approval, or as otherwise agreed by the Director-General; and</p> <p>(c) include a:</p> <ul style="list-style-type: none"> • combination of attended and unattended noise monitoring measures; • noise monitoring protocol for evaluating compliance with the noise impact assessment criteria in this approval; and • reasonable and feasible best practice noise mitigation measures to ensure project specific noise criteria are met. 	<ul style="list-style-type: none"> ▪ Letter from NSW Department of Planning & Environment to PKCT: Port Kembla Coal Terminal Project Approval 08-0009 – amendments to monitoring, surveying and reporting ▪ Extract from complaints register 	<p>requirements of the plan were met, including consultation requirements. The previous audit recommended that the NMP be updated to indicate that routine noise monitoring is no longer required as per the letter from NSW Department of Planning & Environment, dated 16th March 2017.</p> <p>ERM reviewed the current NMP (September 2022) which includes the updates recommended as part of the previous audit.</p> <p>According to the complaints register and interviews with site management, two community complaints related to noise during the audit period were reported. PKCT investigated (determining noise not attributable to PKCT) and responded to the member of the public.</p>		
Continuous Improvement					
3.	<p>The Proponent shall:</p> <p>(a) continue to implement all reasonable and feasible best practice noise mitigation measures;</p> <p>(b) continue to investigate ways to reduce the noise generated by the project, including maximum noise levels which may result in sleep disturbance; and</p> <p>(c) report on these investigations and the implementation and effectiveness of these measures in the AEMR to the satisfaction of the Director-General.</p>	<ul style="list-style-type: none"> ▪ Noise Management Plan September 2022 ▪ AEMRs for 2020/2021, 2021/2022 and 2022/2023 ▪ Port Kembla Coal Terminal Restoration & Compliance Project, Performance and Design Requirements for Design, Supply and Construction of Stackers ▪ RWDI Australia North Truck Wash Chimes Letter 15 March 2021 	<p>In 2017, PKCT committed to investigating the hanging metal tubes in the northern truck-wash to assess whether noise levels may be problematic and adding checks for operating vehicles to the internal audit worksheet to minimise noise.</p> <p>During the previous audit it was noted that this investigation had not been undertaken.</p> <p>ERM confirmed during this audit period the investigation had been undertaken by RWDI Australia which concluded that in current configuration they do not represent a noise risk.</p>	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
TRANSPORT					
Monitoring of Coal Transport					
4.	The Proponent shall keep records of the amount of coal and bulk products received at the site each year, and include these records in the AEMR.	<ul style="list-style-type: none"> AEMRs for 2020/2021, 2021/2022 and 2022/2023 Spreadsheet detailing monthly quantities of coal received by road and rail and shiploading quantities, (PKCT tonnes and throughput.xls) Sample monthly supplier delivery dockets 	<p>According to the AEMRs, the following quantities were received by road and rail during the financial years covered by the audit period::</p> <ul style="list-style-type: none"> July 2020 – June 2021: 2.6 Mt; July 2021 – June 2022: 3.1 Mt; and July 2022 – June 2023: 2.65 Mt. <p>ERM reviewed a management spreadsheet documenting the quantities of coal received by financial year and confirmed the amounts recorded in the tracking spreadsheet were congruent with the AEMR reports.</p> <p>ERM reviewed example monthly supplier delivery dockets and confirmed that the amounts of coal delivered to the site were included on the dockets.</p>	C	N/A
Traffic Management					
5.	The Proponent shall ensure that vehicles waiting to deliver coal or bulk products to the site do not queue or park on public roads other than Port Kembla Road.	<ul style="list-style-type: none"> Environmental Supervisor and Management Interviews Driver's Code of Conduct, Version 11.0 September 2022 PKCT, Implementation Program for Driver's Code of Conduct, Version 13.0, September 2022 Example PKCT, Truck Drivers Code of Conduct, Observation Sheets 	<p>All drivers prior to undertaking deliveries must complete the DCC's heavy haulage induction, which covers the mine sites they deliver from to the Port. Drivers and haulage companies have signed acknowledgement of agreement that they can't park on roads other than Port Kembla Rd.</p> <p>PKCT undertake regular inspections and use iAuditor to record internal surveillance audits. The auditor sighted examples of the DCC observation sheets and auditor results for which PKCT undertake compliance management for this condition.</p>	C	N/A
Driver's Code of Conduct					
6.	<p>The Proponent shall, in consultation with affected mines and principal haulage operators, develop a program to implement the Driver's Code of Conduct (see Appendix 3) to the satisfaction of the Director-General. This program must:</p> <p>(a) be submitted to the Director-General for approval within 6 months from the date of this approval, or as otherwise agreed by the Director-General;</p> <p>(b) include a driver induction program to cover (but not be limited to) speed limits, compression braking, truck washing, load covering and queuing on local roads; and</p> <p>(c) include measures to ensure the Driver's Code of Conduct is enforced.</p>	<ul style="list-style-type: none"> PKCT, Implementation Program for Driver's Code of Conduct, Version 13.0, September 2022 AEMRs for 2020/2021, 2021/2022 and 2022/2023 Example PKCT, Truck Drivers Code of Conduct, Observation Sheets Training matrices for South32, Linfox and BulkTrans drivers 	<p>The Previous IEA's assessed that the Driver's Code of Conduct (DCC) Implementation Program had been prepared and submitted in accordance with the approval and this has not been assessed as part of this IEA.</p> <p>ERM reviewed the drivers' induction program which included speed limits, compression braking, truck washing, load covering and queuing on local roads.</p> <p>Routine audits of truck drivers are undertaken which include checking speed limits, compression braking, truck washing, load covering and queuing on local roads. ERM reviewed a sample of audits and no non-</p>	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
		<ul style="list-style-type: none">Road Users Group meetings presentationsDriver observations and auditsMonthly compliance reports and complaints recordsDriver Induction Program	compliances were identified. Annual audits of trucking providers also includes checks to confirm the DCC is provided to drivers, drivers are familiar with the DCC and the DCC is up to date. According to the minutes of the road transport providers regularly meetings with PKCT, the enforcement of the DCC is regularly discussed with transport providers.		

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations																							
AIR QUALITY																												
Impact Assessment Criteria																												
7.	<p>The Proponent shall ensure that dust generated by the project does not cause additional exceedances of the criteria listed in Tables 3 to 5 at any residence.</p> <p><i>Table 3: Long term impact assessment criteria for particulate matter</i></p> <table><tr><th>Pollutant</th><th>Averaging period</th><th>Criterion</th></tr><tr><td>Total suspended particulate (TSP) matter</td><td>Annual</td><td>90 µg/m³</td></tr><tr><td>Particulate matter < 10 µm (PM10)</td><td>Annual</td><td>30 µg/m³</td></tr></table> <p><i>Table 4: Short term impact assessment criteria for particulate matter</i></p> <table><tr><th>Pollutant</th><th>Averaging period</th><th>Criterion</th></tr><tr><td>Particulate matter < 10 µm (PM10)</td><td>24 hour</td><td>50 µg/m³</td></tr></table> <p><i>Table 5: Long term impact assessment criteria for deposited dust</i></p> <table><tr><th>Pollutant</th><th>Averaging period</th><th>Maximum increase in deposited dust level</th><th>Maximum total deposited dust level</th></tr><tr><td>Deposited dust</td><td>Annual</td><td>2g/m²/month</td><td>4g/m²/month</td></tr></table> <p><i>Note: Deposited dust is assessed as insoluble solids as defined by Standards Australia, 1991, AS 3580.10.1-1991: Methods for Sampling and Analysis of Ambient Air - Determination of Particulates - Deposited Matter - Gravimetric Method.</i></p> <p>However, if the Proponent has a written negotiated air quality agreement with any landowner to exceed the air quality limits in Table 3, 4 and/or 5, and a copy of this agreement has been forwarded to the Department and DECC, then the Proponent may exceed the air limits in Table 3, 4 and/or 5 in accordance with the negotiated air quality agreement.</p>	Pollutant	Averaging period	Criterion	Total suspended particulate (TSP) matter	Annual	90 µg/m³	Particulate matter < 10 µm (PM10)	Annual	30 µg/m³	Pollutant	Averaging period	Criterion	Particulate matter < 10 µm (PM10)	24 hour	50 µg/m³	Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total deposited dust level	Deposited dust	Annual	2g/m²/month	4g/m²/month	<ul style="list-style-type: none">PKCT, Air Quality Management Plan and Monitoring Program, September 2022AEMRs for 2020/2021, 2021/2022 and 2022/2023Observations of real time sampling and monitoring of dust and alert system	<p>No agreements to exceed air quality limits are in place.</p> <p>PKCT monitors dust at three residences, with nine additional monitoring points throughout the site to assist with dust management practices. According to the AEMRs, there were no instances of exceedances of the criteria at any of the residential locations.</p> <p>A review of the project AEMRs and monitoring data during the audit period reported that trigger level exceedances were recorded at deposition gauges for insoluble solids and combustible matter at one residential site (Links Seaside Apartments) during 2021-2022 and 2022-2023.</p> <p>As per the protocol outlined in the AQMP, an exceedance occurs if PKCT's contribution to the elevated level is found to be moderate or higher (with 30% selected as an indication of when a moderate contribution has occurred). The investigations into the elevated annual average insoluble solids at Links Seaside Apartment included visual analysis of the deposited dust, which for all but one month of elevated combustible measurements indicated coal solids would probably be < 1 g/m2/month. The investigation concluded that the contribution of PKCT to the elevated annual average dust deposition rates was likely to be low.</p> <p>Given that the only reported exceedances occurred on days where PKCT contributed only a minor proportion of the dust measured, ERM considers PKCT to be compliant with this condition.</p>	C	N/A
Pollutant	Averaging period	Criterion																										
Total suspended particulate (TSP) matter	Annual	90 µg/m³																										
Particulate matter < 10 µm (PM10)	Annual	30 µg/m³																										
Pollutant	Averaging period	Criterion																										
Particulate matter < 10 µm (PM10)	24 hour	50 µg/m³																										
Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total deposited dust level																									
Deposited dust	Annual	2g/m²/month	4g/m²/month																									
Operations																												
8.	<p>The Proponent shall:</p> <p>(a) ensure any visible air pollution generated by the project is both minimised and recorded, and that operations are modified as required to minimise any resultant air quality impacts on nearby residences;</p> <p>(b) ensure that the real-time air quality monitoring and meteorological monitoring data is assessed regularly; and</p>	<ul style="list-style-type: none">PKCT, Air Quality Management Plan and Monitoring Program, Version 18.0, September 2022AEMRs for 2020/2021, 2021/2022 and 2022/2023	<p>(a) PKCT report dust minimisation improvements in the AEMRs. PKCT maintain a belt scraper to minimise coal spillage, sealed access roads, spray gun network, sealed portion of the bulk products storage area, new stackers with advanced dust control systems, return scraper upgrades, windshields audit, Ship-loader 2</p>	C	N/A																							

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	(c) where dust is generated by the project, that operations are modified and/or stopped as required to ensure compliance with the relevant air quality criteria to the satisfaction of the Director-General.	<ul style="list-style-type: none"> Observations of real-time dust monitoring in the main control room Observations of the Event Management System (EMS) 	<p>laundry and washdown and additional hardstand re-sealing.</p> <p>(b) PKCT provides 24/7 site operational control via the Main Control Room (MCR). ERM observed the real-time monitoring system for air quality during the site inspection. If dust is observed, action is taken through the operation of sprays or other available controls. The system also employs moisture monitoring of coal storages and will automatically activate the spray system when moisture levels drop below a predefined limit.</p> <p>(c) Dust events observed which emanate beyond the immediate source with a potential to have off site impacts are entered into PKCT's Event Management System, requiring investigation and corrective action.</p> <p>PKCT also has an auditing process in place which includes site observations of dust, dust associated with truck movements and the assessment of associated controls. ERM reviewed example task observations which included regular assessment of dust generating capacity of different site areas.</p> <p>Given the systems in place to monitor and manage air pollution, PKCT is considered to be compliant with the requirements of this condition.</p>		
9.	<p>During carrying out of the project, the Proponent shall ensure that:</p> <p>(a) all loaded trucks entering or leaving the site have their loads covered; and</p> <p>(b) trucks associated with the project pass through a truck wash before entering the public road network to the satisfaction of the Director-General.</p>	<ul style="list-style-type: none"> PKCT, Driver's Code of Conduct, Version 11.0, September 2022 AEMRs for 2020/2021, 2021/2022 and 2022/2023 Example driver observations and audits by PKCT and trucking companies Complaints register 	<p>The Driver's Code of Conduct includes requirements to have loads covered and pass through the truck wash prior to entering public roads.</p> <p>ERM reviewed the induction program and confirmed that covering trucks and truck wash practices are included in the induction material.</p> <p>Routine task observations and audits were completed throughout the audit period, focussing on compliance against the Driver's Code of Conduct and PKCT's approval conditions. ERM reviewed a sample of driver audits and observed that load covering and truck wash practices are included in the audits. No examples of breaches were reported.</p> <p>Annual audits of the trucking providers by PKCT includes specific assessment on the induction requirements including load covering and truck wash practices.</p> <p>The AEMRs report EPL and regulatory breaches related to trucking based on Road Transport Provider observations, Trucksafe/NHVAS and other audits. There were no EPL or regulatory breaches reported during the audit period.</p>	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			Site management confirmed that there were no incidents during the audit period and ERM observed the only way for trucks to leave site following unloading was through the truck wash. A visual inspection station is included for truck drivers to observe effectiveness of the wash and that the cover is in place.		

Air Quality Monitoring Program

10.	<p>The Proponent shall prepare and implement an Air Quality Monitoring Program for the project to the satisfaction of the Director-General. This program must:</p> <p>(a) be developed in consultation with DECC;</p> <p>(b) be submitted to the Director-General for approval within 6 months from the date of this approval, or as otherwise agreed by the Director-General; and</p> <p>(c) include:</p> <ul style="list-style-type: none"> real-time sampling to monitor the dust emissions of the project; an air quality monitoring protocol for evaluating compliance with the air quality impact assessment criteria in this approval; and reasonable and feasible best practice emissions mitigation measures to ensure project specific assessment criteria are met. 	<ul style="list-style-type: none"> PKCT, Air Quality Management Plan and Monitoring Program, September 2022 AEMRs for 2020/2021, 2021/2022 and 2022/2023 Observations of real time sampling and monitoring of dust and alert system 	<p>PKCT operates under an Air Quality Management Plan and Monitoring Program (AQMPMP), which includes requirements for continuous dust monitoring, real-time sampling and alarm system and evaluation against the relevant screening criteria. Management strategies to ensure compliance with the approval criteria included in Section 5.</p> <p>ERM observed that continuous monitoring of dust occurs and that a real-time alarm system is in place to alert staff to potential dust issues in real-time. The coal stockpile spray system is automated and will spray the stockpiles once a moisture limit is triggered.</p> <p>As discussed against Approval condition 7, the only reported air quality exceedances occurred on days where PKCT contributed only a minor proportion of the dust measured and ERM considers PKCT to be implementing the AQMPMP appropriately.</p>	C	N/A
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METEOROLOGICAL MONITORING

10.	<p>During the life of the project, the Proponent shall ensure that there is a suitable meteorological station on or in the vicinity of the site that generally complies with the requirements in the Approved Methods for Sampling of Air Pollutants in New South Wales guideline.</p>	<ul style="list-style-type: none"> AEMRs for 2020/2021, 2021/2022 and 2022/2023 Site observations of active monitoring station and up to date monitoring records TBRG Calibration and Condition Report, Dated 6 August 2021 	<p>PKCT operates an on-site weather monitoring station. PKCT reports the weather monitoring results in the AEMRs, measuring wind speed and direction, rainfall, air pressure, temperature and humidity. PKCT reports the results of the monitoring against historical monitoring results in the AEMRs.</p> <p>ERM observed the active weather monitoring station and the up to date weather monitoring data in the Main Control Room as part of the site inspection, as well as a calibration record for the rain gauge from 2021 which identified the station to be operating within acceptable tolerances.</p>	C	N/A
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SURFACE WATER

Discharge Limits

12.	<p>Except as may be expressly provided in an EPL for the project, the Proponent shall comply with Section 120 of the <i>Protection of the Environment Operations Act 1997</i>.</p>	<ul style="list-style-type: none"> Water Management Plan, September 2022. AEMRs for 2020/2021, 2021/2022 and 2022/2023 	<p>ERM did not note any issues with PKCT water management and operation during the audit period that would constitute a compliance issue with Section 120 of</p>	C	N/A
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
		<ul style="list-style-type: none"> Annual Returns 2020/2021, 2021/2022 and 2022/2023 Surface water monitoring results 'Surface Water Sampling Data for LDP16.xls' 	the <i>Protection of the Environment Operations Act 1997</i> within this audit period.		
Water Management Plan					
13.	<p>The Proponent shall prepare and implement a Water Management Plan to the satisfaction of the Director General.</p> <p>This Plan must:</p> <p>(a) be prepared in consultation with DECC;</p> <p>(b) be submitted to the Director-General for approval within 12 months of this approval or as otherwise agreed by the Director-General; and</p> <p>(c) include:</p> <ul style="list-style-type: none"> a site water balance, which includes details of sources of water supply, on-site water use and management and off-site water discharges and investigates and describes measures to minimise water use by the project; a sediment control plan for surface works on the site that is consistent with the requirements of the Managing Urban Stormwater: Soils and Construction Manual (Landcom 2004, or its latest version); a surface water monitoring program that includes: <ul style="list-style-type: none"> stormwater effluent discharge criteria; a monitoring protocol for evaluating compliance with the stormwater effluent discharge criteria; and reasonable and feasible mitigation measures to ensure the stormwater effluent discharge criteria are met. 	<ul style="list-style-type: none"> ERM, 2020 Independent Environmental Audit, Port Kembla Coal Terminal Water Management Plan, September 2022 AEMRs for 2020/2021, 2021/2022 and 2022/2023 Annual Returns 2020/2021, 2021/2022 and 2022/2023 Surface water monitoring results 'Surface Water Sampling Data for LDP16.xls' 	<p>PKCT operates under a currently approved Water Management Plan (WMP).</p> <p>The WMP includes a site water balance as Attachment A. Water balance calibration has confirmed model was achieving similar statistical output to the recorded overflows.</p> <p>The WMP includes planning requirements to manage sediment during any construction activities at the site and references the Wollongong Development Control Plan 2009, which references the publication titled 'Managing Urban Stormwater: Soils and Construction' (Landcom 2004 or latest edition).</p> <p>The WMP describes the effluent discharge criteria, includes requirements to measure stormwater effluent during periods of discharge and outlines mitigation measures to ensure compliance with discharge criteria including system monitoring and automated alerts to site staff.</p>	C	N/A
BIODIVERSITY					
Green and Golden Bell Frog Management Plan					
14.	<p>The Proponent shall prepare and implement a Green and Golden Bell Frog Management Plan for the project to the satisfaction of the Director-General. This program must:</p> <p>(a) be developed in consultation with DECC; and</p> <p>(b) be submitted to the Director-General for approval within 12 months from the date of this approval, or as otherwise agreed by the Director-General.</p>	<ul style="list-style-type: none"> ERM, 2020 Independent Environmental Audit, Port Kembla Coal Terminal GGBF Management Plan, September 2022 AEMRs for 2020/2021, 2021/2022 and 2022/2023 Green and Golden Bell Frog Survey Reports GGBF inductions slide and employee questions 	<p>PKCT operates under a currently approved GGBF Management Plan.</p> <p>According to the AEMRs, surveys were conducted by specialist consultants in accordance with the GGBFMP on the following dates:</p> <ul style="list-style-type: none"> 24 March 2021; 14 March 2022; and 15 February 2023. <p>The surveys did not identify any Green and Golden Bell Frogs on site.</p> <p>PKCT stated that at toolbox talks refreshers are provided to site personnel on identification and procedure if Green and Golden Bell Frogs are present on site.</p>	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			ERM reviewed the GGBF Survey Reports for 2020, 2021 and 2022. No GGBF were observed as part of any of the survey exercises. ERM also observed the induction material which contains information concerning the GGBF and quiz questions following the completion of the induction program.		

VISUAL AMENITY

Lighting Emissions

15.	<p>The Proponent shall:</p> <p>(a) ensure no external lights shine above the horizontal;</p> <p>(b) ensure that all external lighting associated with the project complies with <i>Australian Standard AS4282 (INT) 1995 – Control of Obtrusive Effects of Outdoor Lighting</i>, or its latest version, and</p> <p>(c) take all reasonable and feasible measures to mitigate off-site lighting impacts from the project to the satisfaction of the Director-General.</p>	<ul style="list-style-type: none"> ERM 2020 Independent Environmental Audit, Port Kembla Coal Terminal AEMRs for 2020/2021, 2021/2022 and 2022/2023 Community Complaints Register Port Kembla Coal Terminal External Lighting Audit, AS/NZS 4282 Control of the Obtrusive Effects of Outdoor Lighting, 16th March 2020 	<p>ERM reviewed the community complaints register which confirmed that there were no complaints related to lighting during the audit period.</p> <p>Previous IEAs have reported that an external consultant reviewed site lighting in 2011 and reported that PKCT was compliant with AS 4282. The 2018 - 2019 AEMR reported that a major restoration project had been completed including ensuring all new lighting complies with AS 4282 and using LED lighting and ensure lighting emissions are either local to access and stairway areas or elevated and directed towards the ground or stockpiles.</p> <p>The 2020 ERM audit concluded after reviewing Port Kembla Coal Terminal External Lighting Audit, AS/NZS 4282 Control of the Obtrusive Effects of Outdoor Lighting audit report dated 16th March 2020 that lighting is in accordance with AS4282 (INT) 1995 with the exception of the Bulk Products Area, which was recommended to be upgraded as part of the next scheduled maintenance for those lights.</p> <p>During this 2020-2023 IEA, ERM notes that the Bulk Products Area has since been divested of and no longer constitutes part of the PKCT site.</p>	C	N/A
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Landscape Management Plan

16.	<p>The Proponent shall prepare and implement a Landscape Management Plan to the satisfaction of the Director-General. This Plan must:</p> <p>(a) be submitted to the Director-General for approval within 12 months of this approval, or as otherwise agreed by the Director-General; and</p> <p>(b) include;</p> <ul style="list-style-type: none"> details of screening trees to be planted on the road receiveal earth bund and along the northern site boundary; and an implementation program. 	<ul style="list-style-type: none"> PKCT, Landscape Management Plan, September 2022 Weed spraying notification forms Monthly Performance Summary Report, June 2020, CBC Facilities Maintenance AEMRs for 2020/2021, 2021/2022 and 2022/2023 Site observations 	<p>The preparation of the Landscape Management Plan (LMP), including the timing of the submission and the satisfaction of the Secretary (formerly Director-General) was assessed as part of previous audits. The LMP includes details of the screening trees planting program and an implementation program.</p> <p>The 2021 – 2022 AEMR reported PKCT continued the ongoing landscaping upgrades aimed at developing a visual screen for residents to the west of the terminal, shielding truck tipping activities through the planting of 600 trees and approximately 200 sedges on the</p>	C	N/A
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			adjacent berm. The trees planted were a mix of native trees, shrubs and sedges and will take around 3-5 years to become established. ERM observed tree growth and new plantings at screening locations.		

GREENHOUSE & ENERGY EFFICIENCY

Operating Conditions

17.	The Proponent shall implement all reasonable and feasible measures to minimise: (a) energy use on site; and (b) greenhouse gas emissions from the project to the satisfaction of the Director-General.	<ul style="list-style-type: none"> PKCT, Greenhouse Gas and Energy Efficiency Management Plan, September 2022 AEMRs for 2020/2021, 2021/2022 and 2022/2023 	<p>The Greenhouse Gas and Energy Efficiency Management Plan (GGEEMP) identifies processes to identify and implement reasonable and feasible measures to minimise energy (electricity) use and greenhouse gas (GHG) emissions.</p> <p>PKCT have completed the major restoration program to replace traditional lighting to LEDs and variable speed drives and power factor correction was applied to reduce energy losses in the distribution system.</p>	C	N/A
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Greenhouse and Energy Efficiency Plan

18.	<p>Within 12 months of this approval or as otherwise agreed by the Director-General, the Proponent shall prepare and implement a Greenhouse and Energy Efficiency Plan for the project. This plan must:</p> <p>(a) be prepared generally in accordance with the Guidelines for Energy Savings Action Plans (DEUS 2005, or its latest version);</p> <p>(b) be submitted to the Director-General for approval;</p> <p>(c) include a program to estimate/monitor greenhouse gas emissions and energy use generated by the project;</p> <p>(d) include a framework for investigating and implementing measures to reduce greenhouse gas emissions and energy use at the project;</p> <p>(e) describe how the performance of these measures would be monitored over time; and</p> <p>(f) report on the project's greenhouse gas emissions and minimisation measures in the AEMR to the satisfaction of the Director-General.</p>	<ul style="list-style-type: none"> PKCT, Greenhouse Gas and Energy Efficiency Management Plan, September 2022 AEMRs for 2020/2021, 2021/2022 and 2022/2023 	<p>Energy use is measured at PKCT on a monthly basis. Energy use generally follows the same trend as throughput at the site, i.e. when there is an increase in throughput, energy use also increases.</p> <p>PKCT measures energy efficiency against its baseline energy efficiency target of 1.655 kWh/tonne. This figure is calculated by dividing the energy used at the premises (kWh) by throughput (tonnes).</p> <p>PKCT monitors greenhouse gas generated by the site annually. At this stage, greenhouse gas emissions and reportable energy are below the legislated reporting thresholds.</p> <p>A summary of the actions undertaken for the reporting period related to Energy Efficiency is presented below.</p> <ul style="list-style-type: none"> PKCT continues to look for energy savings wherever possible. PKCT has revised the Greenhouse Gas and Energy Efficiency Management Plan and has reinstated the review group for the Energy Savings Action Plan. A maintenance program has been initiated in which energy efficient LED lighting is being installed across the plant as replacement of older units occurs. 	C	N/A
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WASTE

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
Operating Conditions					
19.	<p>The Proponent shall:</p> <p>(a) monitor the amount of waste generated by the project;</p> <p>(b) investigate ways to minimise waste generated by the project;</p> <p>(c) implement reasonable and feasible measures to minimise waste generated by the project; and</p> <p>(d) report on waste management and minimisation in the AEMR to the satisfaction of the Director-General.</p>	<ul style="list-style-type: none"> PKCT, Waste Management Plan, September 2022 Example monthly waste provider reports Example waste transport certificate Waste tracking spreadsheet AEMRs for 2020/2021, 2021/2022 and 2022/2023 	<p>PKCT generates multiple waste types, including general waste, recyclables (cardboard), oily rags, waste oil, pressure packs, batteries and scrap metal. All waste services are provided by Veolia except for scrap metal which is removed by a separate contractor. ERM observed waste on-site to be segregated into waste streams.</p> <p>Waste is monitored and tracked in a central database that was sighted by the auditor during the site visit. Information pertaining to waste generation, investigations and minimisation programs is presented in Section 5.9 of the AEMRs.</p> <p>Upgrades to the waste management process during the audit period include, PKCT installed an e-waste recycling bin on site which is proving successful and its operation continues. The bin is used as a common collection point for both PKCT business related e-waste as well as PKCT personnel home generated e-waste. 95% of materials can be recovered from e-waste minimising the load on landfill. Greenacres Industries, who manage this waste recycling service, provide sustainable employment and training opportunities for people with disabilities within the Illawarra area.</p> <p>During the reporting period, PKCT purchased a purpose built waste oil storage container to replace the outdated IBC's that were being used. The storage container is self-bunded and provides simpler, safer cleaner, purpose designed solution for the transfer and storage process.</p> <p>PKCT removed a legacy stockpile of general solid waste that was stored adjacent to the road receival area. The stockpile was tested and provided with a waste classification code. The material was subsequently sent off site for recycling and to general landfill where required.</p>	C	N/A
HAZARDS					
Dangerous Goods					
20.	<p>The Proponent shall ensure that storage, handling and transport of dangerous goods are done in accordance with the relevant Australian Standards, particularly AS1940 and AS1596, and the <i>Dangerous Goods Code</i>.</p>	<ul style="list-style-type: none"> Site observations Environmental Supervisor and Management Interviews 	<p>Site management reported that dangerous goods are not stored on-site in large quantities and that dangerous goods chemicals (spray cans, paint tins, etc) are all stored in dangerous goods cabinets.</p> <p>ERM observed the dangerous goods cabinet on-site, which primarily contained paints, thinners, sealants, coatings and aerosols. Site management reported that</p>	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			fuel is not stored on-site and that there has been no other storage, transport or handling of dangerous goods in bulk quantities during the audit period.		
Fire Control					
21.	During the project, the Proponent shall: (a) ensure that it maintains suitable equipment to respond to any fires on site; and (b) assist the fire and emergency services as much as possible if there is a fire on site.	<ul style="list-style-type: none"> PKCT, Fire Management Plan, , September 2022 AEMRs for 2020/2021, 2021/2022 and 2022/2023 Servicing and compliance checks of fire-fighting systems Site observations of monitored fire panel system 	<p>According to the AEMRs and site management, there have been no fires on site during the audit period.</p> <p>ERM reviewed an example work order which details the fire panels and fire-fighting equipment maintenance and servicing. Monthly tests and inspections of the deluge systems and 5 yearly tests and servicing of the fire panels is undertaken by an external contractor to maintain the fire-fighting equipment.</p> <p>In addition, PKCT has previously hosted Fire and Rescue NSW for pre-incident planning and site familiarise exercises.</p>	C	N/A
22.	The Proponent shall ensure that it maintains a Fire Management Plan for the site.	<ul style="list-style-type: none"> PKCT, Fire Management Plan, September 2022 	PKCT operates under a Fire Management Plan which was last updated in 2022.	C	N/A

SCHEDULE 4 - ENVIRONMENTAL MANAGEMENT, MONITORING, AUDITING AND REPORTING

ENVIRONMENTAL MANAGEMENT

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
1.	<p>The Proponent shall prepare and implement an Environmental Management Strategy for the project to the satisfaction of the Director-General. This strategy must:</p> <p>(a) be submitted to the Director-General for approval within 12 months of this project approval or otherwise agreed by the Director-General;</p> <p>(b) provide for the strategic context for the environmental management of the project;</p> <p>(c) identify the statutory requirements that apply to the project;</p> <p>(d) describe the procedures that would be implemented to:</p> <ul style="list-style-type: none"> keep the local community and relevant agencies informed about the operation and environmental performance of the project; receive, handle, respond to, and record complaints; resolve any disputes that may arise during the course of the project; respond to any non-compliance; manage cumulative impacts; and respond to emergencies; <p>(e) include an environmental monitoring program for the project that includes all the monitoring requirements of this approval;</p> <p>(f) describe how the various incident and approval reporting requirements of the project would be integrated into a single reporting system; and</p> <p>(g) describe the role, responsibility, authority and accountability of all the key personnel involved in the environmental management of the project.</p>	<ul style="list-style-type: none"> PKCT, Environmental Management Strategy, September 2022 AEMRs for 2020/2021, 2021/2022 and 2022/2023 Internal (WERC – WIP (Work In Progress) Event Risk Change – management system (1 month old at time of audit). Previously EMS - Event Management System 	<p>PKCT operates under an approved Environmental Management Strategy (EMS).</p> <p>a) The development application was approved in 2009 and the EMS is now in Version 13.0. It is unclear whether the EMS was first submitted within 12 months of approval, however given the 12 month submittal period falls outside the audit period it has not been raised as a finding.</p> <p>b) The strategic context is presented in Section 5.0</p> <p>c) Statutory requirements are presented in Section 6.0</p> <p>d) Systems to keep the local community and relevant agencies informed are presented in Section 11. Procedures to respond to non-compliance and manage cumulative impacts are presented in Section 7.0 and emergency response procedures are presented in Section 8.1.</p> <p>e) The environmental monitoring program includes monitoring requirements from this approval (traffic, received quantities, noise, dust, meteorology, surface water, biodiversity, greenhouse gas emissions and waste) and is presented in Section 9.0.</p> <p>f) A comprehensive reporting framework is presented in Section 9.0.</p> <p>g) Key personnel roles and responsibilities are described in Section 4.0.</p> <p>Implementation</p> <p>PKCT maintains regular correspondence with the local community via the community consultative committee and relevant agencies via routine reporting through AEMRs, Annual Returns and Management Plan submissions and on an as needed basis by self-reporting environmental incidents to the regulator.</p> <p>ERM observed a daily pre-start meeting between site management which included a component focused on discussing potential environmental issues concerned with the day's activities.</p> <p>PKCT has received minimal community complaints during the audit period, with complaints recorded, tracked, investigated and closed out.</p>	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
REPORTING					
Incident Reporting					
2.	Within 24 hours of detecting the occurrence of an incident that causes (or may cause) material harm to the environment, the Proponent shall notify the Department and other relevant agencies of the incident.	<ul style="list-style-type: none"> AEMRs for 2020/2021, 2021/2022 and 2022/2023 Environmental Supervisor and Management Interviews 	<p>Nothing in audit period.</p> <p>According to the AEMRs and Environmental Supervisor and Management Interviews, there were no incidents of 'material harm' during the audit period therefore this condition has not been triggered.</p>	NT	N/A
3.	<p>Within 21 days of notifying the Department and other relevant agencies of such an incident, the Proponent shall provide the Department and these agencies with a written report that:</p> <p>(a) describes the date, time, and nature of the incident;</p> <p>(b) identifies the cause (or likely cause) of the incident;</p> <p>(c) describes what action has been taken to date; and</p> <p>(d) describes the proposed measures to address the incident.</p>	<ul style="list-style-type: none"> AEMRs for 2020/2021, 2021/2022 and 2022/2023 Environmental Supervisor and Management Interviews 	<p>There were no notifications of 'material harm' to DPE during the audit period therefore this condition has not been triggered.</p>	NT	N/A
Annual Reporting					
4.	<p>Within 12 months of this approval, and annually thereafter, the Proponent shall submit an AEMR to the Director-General and all relevant agencies. This report must:</p> <p>(a) identify the standards and performance measures that apply to project;</p> <p>(b) describe the works carried out in the last 12 months;</p> <p>(c) describe the works planned to be carried out in the next 12 months;</p> <p>(d) include a summary of the complaints received during the past year, and compare this to the complaints received in previous years;</p> <p>(e) include a summary of the monitoring results for the project during the past year;</p> <p>(f) include an analysis of these monitoring results against the relevant:</p> <ul style="list-style-type: none"> • impact assessment criteria/limits; • monitoring results from previous years; and • predictions in the EA or other documents listed in condition 2 of schedule 2; <p>(g) identify and discuss all exceedances of approval and licence conditions and other applicable standards and performance measures;</p> <p>(h) identify any trends in the monitoring results over the life of the project;</p> <p>(i) identify any non-compliance during the previous year; and</p> <p>(j) describe what actions were, or are being, taken to ensure compliance.</p>	<ul style="list-style-type: none"> AEMRs for 2020/2021, 2021/2022 and 2022/2023 	<p>Annual environmental reports were submitted to the Secretary and relevant agencies.</p> <p>The reports addressed the requirements below as required by this condition:</p> <p>a) The standards and performance measures applicable to the project are included for noise, transport, air quality, meteorology, surface water, biodiversity, visual amenity, greenhouse and energy efficiency, waste, hazards and fire control in each relevant section of the AEMR.</p> <p>b) The works planned for noise, transport, air quality, surface water, biodiversity, visual amenity, greenhouse and energy efficiency, waste and fire control are included in each relevant section of the AEMR</p> <p>c) The works carried out for noise, transport, air quality, surface water, biodiversity, visual amenity, greenhouse and energy efficiency, waste and fire control are included in each relevant section of the AEMR</p> <p>d) Complaints are summarised in the Community section of each AEMR and a graph comparing number of complaints by type is also presented.</p> <p>e) Monitoring results compared to compliance criteria are provided for noise, transport, air quality, meteorology, surface water, biodiversity, visual amenity, greenhouse and energy efficiency, waste, hazards and fire control.</p> <p>f) Monitoring results are compared against the relevant impact assessment criteria/limits and historical results for noise, transport, air quality, meteorology, surface</p>	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			<p>water, biodiversity, visual amenity, greenhouse and energy efficiency, waste, hazards (monitoring of performance standards only) and fire control (monitoring of performance standards only) in each relevant section of the AEMR.</p> <p>g) Non-compliances (if any) are discussed in each of the relevant sections of the AEMR including actions undertaken to ensure compliance.</p> <p>h) Trends in monitoring results over the life of the project are presented in each relevant section of the AEMR for noise, transport, air quality, weather, surface water, biodiversity, visual amenity, energy efficiency and waste.</p> <p>i) The Statement of Compliance in Section 2.0 of each AEMR contains a summary of non-compliances during the previous year. Section 8.0 contains a summary of the actions which were taken or are being taken to ensure ongoing compliance.</p>		

INDEPENDENT ENVIRONMENTAL AUDIT

5.	<p>By 31 March 2011, and every 3 years thereafter, unless the Director-General directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the project. This audit must:</p> <p>(a) be conducted by a suitably qualified, experienced, and independent team of experts whose appointment has been endorsed by the Director-General;</p> <p>(b) include consultation with the relevant agencies;</p> <p>(c) assess the environmental performance of the project and whether it is complying with the relevant requirements in this approval and any relevant EPL (including any strategy, plan or program required under these approvals); and</p> <p>(d) review the adequacy of strategies, plans and/or programs required under these approvals; and, if appropriate,</p> <p>(e) recommend measures or actions to improve the environmental performance of the project, and/or any strategy, plan or program required under these approvals.</p> <p><i>Note: This audit team should be led by a suitably qualified auditor, and include experts in the field of noise, air quality and traffic management.</i></p>	<ul style="list-style-type: none"> DPE letter dated 29 June 2023 approving audit team. Previous years IEA reports. 	<p>Independent environmental audits were conducted by AECOM in 1011, 2014, 2017 and ERM in 2020.</p> <p>This audit was commissioned on 6 June 2023.</p> <p>Following the approved extension from DPE to the submittal due date of the 2020 IEA (due to Covid-19) to 31 September 2020, PKCT stated they planned the 2023 audit period to be 3 years following the delayed 2020 audit. The approval for the submission extension in 2020 though doesn't state any change to the ongoing requirements of this condition for the Proponent to commission and pay for the IEA by 31 March on an audit year.</p> <p>a) The lead auditor was approved by the Secretary and the audit team comprises suitably qualified experts in the fields of noise, air quality and traffic management;</p> <p>b) The IEA included consultation with DPE, EPA, and CCC;</p> <p>c) This report assesses the environmental performance of the project and compliance with relevant requirements in the approval and EPL;</p> <p>d) The adequacy of strategies, plans and/or programs required under the approval and EPL were reviewed as part of this audit; and</p> <p>e) Improvement recommendations have been provided (where applicable) as part of audit.</p>	NC	ERM recommends PKCT revert to commissioning the IEAs by 31 March on an audit year and set up a reminder within PKCT scheduling systems.
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			ERM considers that the requirements of this Condition have been met, aside from the date of commissioning the 2023 IEA.		
6.	Within 6 weeks of completing this audit, or as otherwise agreed by the Director-General, the Proponent shall submit a copy of the audit report to the Director-General with a response to any recommendations contained in the audit report.	<ul style="list-style-type: none"> Independent Environmental Audit 2020 (conducted by ERM) dated 14 September 2020. Receipt of IEA (2020) submission to DPE dated 23 September 2020. DPI&E letter dated 21st April 2020 granting IEA extension on the submission date until 31 September 2020. Port Kembla Coal Terminal August 2020 IEA Action Plan Receipt of Submission from DPE dated 23 September 2020 for the PKCT 2020 IEA Action Plan. 	<p>The previous IEA report states the site component of the audit was undertaken on 5 August 2020 and the report was submitted 23 September 2020. While the submission was outside the stated 6 weeks of this condition, the DPI&E (now DPE) had already granted an extension to the submission timeframe (extended until 31 September 2020) due to Covid-19. ERM does not consider this a non-compliance.</p> <p>The PKCT IEA Action Plan was submitted on the same date as the IEA.</p>	C	N/A
7.	Within 3 months of submitting the audit report to the Director-General, the Proponent shall review and if necessary revise the strategies/plans/programs required under this approval, to the satisfaction of the Director-General.	<ul style="list-style-type: none"> AEMR for 2020 to 2022 PKCT IEA Action Plan August 2020. Email from PKCT to NSW Department of Planning, Industry and Environment, 'PKCT Triennial Independent External Audit - Management Plan review submissions', dated 12th September 2017 and 11th January 2018. 	According to the AEMR for 2020/2021, PKCT submitted the previous IEA Audit Report and Action Plan to the DPI&E on 23 September 2020. As a result of the 2020 IEA two management plans required updating, the Air Quality Management Plan and Environmental Management Strategy required minor updates which were closed out during September 2020, which is within 3 months of submitting the audit report to the Secretary (formerly Director-General).	C	N/A

ACCESS TO INFORMATION

8.	Within 3 months of the approval of any strategy/plan/program required under this approval (or any subsequent revision of these strategies/plans/programs), or the completion of the audits or AEMR, required under this approval, the Proponent shall: (a) provide a copy of the relevant document/s to the relevant agencies; (b) place a copy of the document/s on its website; and (c) remove superseded copies of strategies/plans/programs from its website.	<ul style="list-style-type: none"> PKCT website Emails from PKCT to Planning NSW Management Plan approvals 	ERM reviewed emails detailing the provision of updated plans and programs to the relevant agencies. ERM reviewed the PKCT website and confirmed that the management plans were up to date. The previous contextual update to the management plans followed the divestment of the southern portion of the PKCT site which required an update of the plans which were submitted within 3 months, therefore PKCT is considered to be compliant with this condition.	C	N/A
9.	During the project, the Proponent shall: (a) make a summary of monitoring results required under this approval publicly available on its website; and (b) update these results on a regular basis (at least every 6 months).	<ul style="list-style-type: none"> AEMRs for 2020/2021, 2021/2022 and 2022/2023 	AEMRs, including summaries of the monitoring results required under this approval, are publicly available on the PKCT website on the Community & Environment page.	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
		<ul style="list-style-type: none">PKCT website - Regulatory Documents Port Kembla Coal Terminal (pkct.com.au)	According to previous IEAs, PKCT was granted approval from the DPE to discontinue preparation of the Interim Environmental Monitoring Reports, which were prepared up until 2016, therefore only the annual reports are available. Therefore, the requirements of this condition are considered to have been met.		

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations									
1 ADMINISTRATIVE CONDITIONS														
A1 What the licence authorises and regulates														
A1.1	<p>This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.</p> <p>Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.</p> <table><tr><th>Scheduled Activity</th><th>Fee Based Activity</th><th>Scale</th></tr><tr><td>Coal works</td><td>Coal works</td><td>> 5,000,000 T annual handling capacity</td></tr><tr><td>Shipping in bulk</td><td>Shipping in bulk</td><td>> 500,000 T of annual capacity to load and unload</td></tr></table>	Scheduled Activity	Fee Based Activity	Scale	Coal works	Coal works	> 5,000,000 T annual handling capacity	Shipping in bulk	Shipping in bulk	> 500,000 T of annual capacity to load and unload	<ul style="list-style-type: none">Annual returns for 2020-2021, 2021-2022 and 2022-2023AEMRs for 2020-2021, 2021-2022 and 2022-2023Spreadsheet detailing monthly quantities of coal received by road and rail and ship loading quantities, (PKCT tonnes and throughput.xls)	<ul style="list-style-type: none">AEMRs were reviewed during the audit which report the annual handling capacity of coal for road receipt (private and public road) and rail.The following quantities were received by road and rail during the financial years covered during the audit period:<ul style="list-style-type: none">2020-2021: 7.9 Mt2021-2022: 7.4 Mt2022-2023: 8.1 MtDuring the audit, ERM reviewed tracking tools to determine the quantities of coal received during each reporting period and confirmed the amounts recorded in the tracking spreadsheet were congruent with the AEMR reports.	C	N/A
Scheduled Activity	Fee Based Activity	Scale												
Coal works	Coal works	> 5,000,000 T annual handling capacity												
Shipping in bulk	Shipping in bulk	> 500,000 T of annual capacity to load and unload												
A2 Premises or plant to which this licence applies														
A2.1	<p>The licence applies to the following premises:</p> <p>Premises Details</p> <p>PORT KEMBLA COAL TERMINAL LIMITED</p> <p>PORT KEMBLA ROAD</p> <p>WOLLONGONG</p> <p>NSW 2500</p> <p>LOT 1 DP 1125445, LOT 3 DP 1125445, LOT 22 DP 1128396, LOT 8 DP 1154760</p>	N/A	Noted	Note	N/A									
A2.2	<p>The premises location is shown on the map below.</p>	N/A	Noted	Note	N/A									

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
					
A2.3	Note: In relation to Condition A2.1, the premises excludes pipelines, infrastructure and operations associated with the holder of Environment Protection Licence No. 654 issued under the Protection of the Environment Operations Act 1997.	N/A	Noted	Note	N/A

A3 Information supplied to the EPA

A3.1	<p>Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.</p> <p>In this condition the reference to "the licence application" includes a reference to:</p> <p>(a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and</p> <p>(b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.</p>	<ul style="list-style-type: none">EPL 1625, Licence version date: 2-Jun-2021	ERM considers PKCT to be conducting works and activities during the audit period in accordance with EPL 1625.	C	N/A
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Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations																				
2 DISCHARGES TO AIR AND WATER AND APPLICATIONS TO LAND																									
P1 Location of monitoring/discharge points and areas																									
P1.1	<div>The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point.</div> <div>Air</div> <table><tr><th>EPA ID no.</th><th>Type of monitoring point</th><th>Type of discharge point</th><th>Location description</th></tr><tr><td>3</td><td>Dust deposition monitoring</td><td></td><td>P3 40m east of Bulk Products Berth stockyard E307198 N6184856</td></tr><tr><td>4</td><td>Dust deposition monitoring</td><td></td><td>P4 40m east of Coal Berth stockyard E307103 N6185818</td></tr><tr><td>5</td><td>Dust deposition monitoring</td><td></td><td>P5 Northern pond E306916 N6186282</td></tr><tr><td>6</td><td>Dust deposition monitoring</td><td></td><td>P6 40m west of Coal Berth stockyard E306908 N6185720</td></tr></table>	EPA ID no.	Type of monitoring point	Type of discharge point	Location description	3	Dust deposition monitoring		P3 40m east of Bulk Products Berth stockyard E307198 N6184856	4	Dust deposition monitoring		P4 40m east of Coal Berth stockyard E307103 N6185818	5	Dust deposition monitoring		P5 Northern pond E306916 N6186282	6	Dust deposition monitoring		P6 40m west of Coal Berth stockyard E306908 N6185720	<ul style="list-style-type: none">▪ Annual returns for 2020-2021, 2021-2022 and 2022-2023▪ AEMRs for 2020-2021, 2021-2022 and 2022-2023▪ Environment Protection Licence 1625 Monthly Reports for 2020, 2021 and 2022▪ Site observations▪ Dust monitoring calibration certificates	<p>During the Site audit, ERM inspected a sample of dust deposition gauges and all ambient air monitoring locations. ERM confirms that the points identified reflected those listed within P1.1 of EPL 1625, with the exception of the southern air monitor (EPA ID 20) which was relocated approximately 400m further north from its original location in March 2021 due to the updated site boundary line following the redevelopment of the southern area of the site for a gas terminal.</p> <p>Dust deposition monitoring gauges appeared to be maintained in good condition and were free of potential inhibitors to the collection of dust.</p> <p>Evidence of dust monitoring calibration certificates were provided indicating that the calibration of instrumentation is up to date.</p>	C	N/A
EPA ID no.	Type of monitoring point	Type of discharge point	Location description																						
3	Dust deposition monitoring		P3 40m east of Bulk Products Berth stockyard E307198 N6184856																						
4	Dust deposition monitoring		P4 40m east of Coal Berth stockyard E307103 N6185818																						
5	Dust deposition monitoring		P5 Northern pond E306916 N6186282																						
6	Dust deposition monitoring		P6 40m west of Coal Berth stockyard E306908 N6185720																						

Item	Assessment Requirement				Reference/ Evidence	Comments	Compliance	Recommendations
	7	Dust deposition monitoring		P7 250m west of Coal Berth stockyard E306673 N6185865				
	8	Dust deposition monitoring		P8 Northern truck wash E306744 N6186371				
	9	Dust deposition monitoring		P9 Sydney Water recycled water plant E306936 N6186639				
	12	Dust deposition monitoring		P12 157 Church Street Wollongong E306520 N6188025				
	15	Dust deposition monitoring		P15 North of planning office E306859 N6185458				
	17	Dust deposition monitoring		P13 Entry gate to Berth 109 E305867 N6185702				
	18	Dust deposition monitoring		P10 Links Seaside Apartments, 1 Ross Street, Wollongong. E306872 N6187535				
	19	Dust deposition monitoring		P11 Vikings Oval E306710 N6187446				

Item	Assessment Requirement				Reference/ Evidence	Comments	Compliance	Recommendations																												
P1.1	20	Ambient air monitoring		C1 Southern monitoring site Southern Pond E307102 N6184596																																
	21	Ambient air monitoring		C2 Northern monitoring site Sydney Water recycled water plant E306874 N6186945																																
P1.2	<p>The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point.</p> <p>Water and land</p> <table><tr><th>EPA ID no.</th><th>Type of monitoring point</th><th>Type of discharge point</th><th>Location description</th></tr><tr><td>16</td><td>Discharge to waters Water quality monitoring</td><td>Discharge to waters Water quality monitoring</td><td>DP16 Outlet of Settlement Lagoon E306674 N6185924</td></tr><tr><td>22</td><td>Wet weather discharge Discharge quality monitoring</td><td>Wet weather discharge Discharge quality monitoring</td><td>DP22 TS1 Pond E306732 N6186214</td></tr><tr><td>23</td><td>Wet weather discharge Discharge quality monitoring</td><td>Wet weather discharge Discharge quality monitoring</td><td>DP23 Central Pond E306912 N6185207</td></tr><tr><td>24</td><td>Wet weather discharge Discharge quality monitoring</td><td>Wet weather discharge Discharge quality monitoring</td><td>DP24 Tower 3 Pond E306896 N6185046</td></tr><tr><td>25</td><td>Wet weather discharge Discharge quality monitoring</td><td>Wet weather discharge Discharge quality monitoring</td><td>DP25 Southern Pond E307103 N6184594</td></tr><tr><td>26</td><td>Wet weather discharge</td><td>Wet weather discharge</td><td>DP26 Workshop Pond</td></tr></table>				EPA ID no.	Type of monitoring point	Type of discharge point	Location description	16	Discharge to waters Water quality monitoring	Discharge to waters Water quality monitoring	DP16 Outlet of Settlement Lagoon E306674 N6185924	22	Wet weather discharge Discharge quality monitoring	Wet weather discharge Discharge quality monitoring	DP22 TS1 Pond E306732 N6186214	23	Wet weather discharge Discharge quality monitoring	Wet weather discharge Discharge quality monitoring	DP23 Central Pond E306912 N6185207	24	Wet weather discharge Discharge quality monitoring	Wet weather discharge Discharge quality monitoring	DP24 Tower 3 Pond E306896 N6185046	25	Wet weather discharge Discharge quality monitoring	Wet weather discharge Discharge quality monitoring	DP25 Southern Pond E307103 N6184594	26	Wet weather discharge	Wet weather discharge	DP26 Workshop Pond	<ul style="list-style-type: none">Annual returns for 2020-2021, 2021-2022 and 2022-2023AEMRs for 2020-2021, 2021-2022 and 2022-2023Environment Protection Licence 1625 Monthly Reports for 2020, 2021 and 2022Site observations	<p>ERM reviewed the annual returns for the audit period and confirmed that the monitoring points were listed.</p> <p>ERM inspected each of the discharge locations as part of the site tour.</p> <p>ERM reviewed the monthly reports prepared by PKCT to document compliance with EPL monitoring requirements throughout each calendar year. Each month PKCT collates and reviews water usage across the site and discharge water quality.</p> <p>The monthly reports from the audit period included the monitoring points listed in this licence condition.</p>	C	N/A
EPA ID no.	Type of monitoring point	Type of discharge point	Location description																																	
16	Discharge to waters Water quality monitoring	Discharge to waters Water quality monitoring	DP16 Outlet of Settlement Lagoon E306674 N6185924																																	
22	Wet weather discharge Discharge quality monitoring	Wet weather discharge Discharge quality monitoring	DP22 TS1 Pond E306732 N6186214																																	
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25	Wet weather discharge Discharge quality monitoring	Wet weather discharge Discharge quality monitoring	DP25 Southern Pond E307103 N6184594																																	
26	Wet weather discharge	Wet weather discharge	DP26 Workshop Pond																																	

Item	Assessment Requirement				Reference/ Evidence	Comments	Compliance	Recommendations
		Discharge quality monitoring	Discharge quality monitoring	E306816 N6185563				
27	Wet weather discharge	Discharge quality monitoring	Wet weather discharge	DP27 Berth 102 E306817 N6185181				
28	Wet weather discharge	Discharge quality monitoring	Wet weather discharge	DP28 TS8 Sump (Pump 24) E306874 N8185099				
29	Wet weather discharge	Discharge quality monitoring	Wet weather discharge	DP29 South Eastern Pond (Pump 25) E307101 N6185059				

3 LIMIT CONDITIONS

L1 Pollution of Waters

L1.1	Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.	<ul style="list-style-type: none"> Annual returns for 2020-2021, 2021-2022 and 2022-2023 AEMRs for 2020-2021, 2021-2022 and 2022-2023 Management Interviews with the site's Environmental Specialist and Health, Safety, Environment and Risk Lead Rainfall Data_Daily.xlsx 	As part of ERM's review of documentation, site visit and management interviews, there was no evidence identified to indicate that PKCT are non-compliant with section 120 of the Protection of the Environment Operations Act 1997; further details are described in subsequent Conditions L2.1, L2.4 and L2.5.	C	N/A
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L2 Concentration Limits

L2.1	For each monitoring/discharge point or utilisation area specified in the table/s below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.	<ul style="list-style-type: none"> Annual returns for 2020-2021, 2021-2022 and 2022-2023 AEMRs for 2020-2021, 2021-2022 and 2022-2023 Management Interviews with the site's Environmental Specialist and Health, Safety, Environment and Risk Lead Rainfall Data_Daily.xlsx 	As described in L2.4 and L2.5, the site is compliant with this condition on the basis that the exceeded concentrations of Total Suspended Solids (TSS) measured on two occasions during the audit period are permitted due to the discharges occurring solely as a result of rainfall at the premises. Further information of the rainfall events are described in L2.4.	C	N/A
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Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations																		
L2.2	Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.	N/A	N/A	NT	N/A																		
L2.3	To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table/s.	N/A	Noted	Note	N/A																		
L2.4	<p>Water and/or Land Concentration Limits</p> <p>Point 16</p> <table border="1"> <thead> <tr> <th>Pollutant</th><th>Unit of measure</th><th>50 percentile concentration limit</th><th>90 percentile concentration limit</th><th>3DGM concentration limit</th><th>100 percentile concentration limit</th></tr> </thead> <tbody> <tr> <td>Oil and grease</td><td>Visible</td><td>N/A</td><td>N/A</td><td>N/A</td><td>Not visible</td></tr> <tr> <td>Total suspended solids</td><td>Milligrams per litre</td><td>N/A</td><td>N/A</td><td>N/A</td><td>50</td></tr> </tbody> </table>	Pollutant	Unit of measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit	Oil and grease	Visible	N/A	N/A	N/A	Not visible	Total suspended solids	Milligrams per litre	N/A	N/A	N/A	50	<ul style="list-style-type: none"> Annual returns for 2020-2021, 2021-2022 and 2022-2023 AEMRs for 2020-2021, 2021-2022 and 2022-2023 Management Interviews with the site's Environmental Specialist and Health, Safety, Environment and Risk Lead Rainfall Data_Daily.xlsx 	<p>During FY 2022, the site had two exceedances of the 50 mg/L limit for TSS:</p> <ul style="list-style-type: none"> 58 mg/L on 25 February 2022; and 59 mg/L on 27 March 2022. <p>During these periods, there were rainfall events whereby the 5 day rainfall depth value exceeded 90 mm over a consecutive 5 day period:</p> <ul style="list-style-type: none"> 21 – 25 February: 154 mm 23 – 27 March 2022: 109.8 mm <p>It is therefore considered the discharges occurred solely as a result of rainfall compliant with L2.4 and L2.5 of this licence.</p>	C	N/A
Pollutant	Unit of measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit																		
Oil and grease	Visible	N/A	N/A	N/A	Not visible																		
Total suspended solids	Milligrams per litre	N/A	N/A	N/A	50																		
L2.5	Exceeding the limit specified in Condition L2.4 of this licence for Total Suspended Solids for discharges from Point 16 identified by Conditions P1.2 and P1.3 is only permitted when the discharge occurs solely as a result of rainfall measured at the premises. For discharge to be considered to occur solely as a result of rainfall, the rainfall must exceed a 5 day rainfall depth value of 90 mm over a consecutive 5 day period.	<ul style="list-style-type: none"> Annual returns for 2020-2021, 2021-2022 and 2022-2023 AEMRs for 2020-2021, 2021-2022 and 2022-2023 Management Interviews with the site's Environmental Specialist and Health, Safety, Environment and Risk Lead Rainfall Data_Daily.xlsx 	The limit of TSS for discharges was exceeded on two occasions during the audit period, however as described in L2.4, both exceedances are permitted according to L2.5 due to the discharges occurring solely as a result of rainfall at the premises.	C	N/A																		
L2.6	The licensee must provide the EPA with a copy of the statistical correlation assessment methodology and results before using NTU in place of TSS.	<ul style="list-style-type: none"> Monitoring Data Site Observations and Management Interviews with the site's Environmental Specialist and Health, Safety, Environment and Risk Lead 	Results of concentration limits are stated in TSS units, not NTU, hence this condition is not triggered.	NT	N/A																		
L2.7	The licensee must develop and implement a method to enable the ongoing verification of the relationship between NTU and TSS.	<ul style="list-style-type: none"> Monitoring Data 	Results of concentration limits are stated in TSS units, not NTU, hence this condition is not triggered.	NT	N/A																		
L2.8	The licensee must provide the EPA with any amendments the licensee makes to the statistical correlation as a result of the ongoing verification required by Condition L4.2 before using the revised statistical correlation.	<ul style="list-style-type: none"> Site Observations and Management Interviews with the site's Environmental Specialist and Health, Safety, Environment and Risk Lead 	Results of concentration limits are stated in TSS units, not NTU, hence this condition is not triggered.	NT	N/A																		

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations																								
L3 Noise Limits																													
L3.1	<p>The proponent shall ensure that the noise generated by the project at any privately-owned residence does not exceed the limits specified in Table 1 for the location nearest to that residence.</p> <p>Table 1: Noise impact assessment criteria dB(A) LAeq(15 min)</p> <table><tr><th>Location</th><th>Time Period</th><th>Limits (LAeq 15 min dB(A))</th></tr><tr><td rowspan="3">Corner of Swan/Kembla Streets</td><td>Day</td><td>51</td></tr><tr><td>Evening</td><td>50</td></tr><tr><td>Night</td><td>49</td></tr><tr><td rowspan="3">Corner of Swan/Corrimal Streets</td><td>Day</td><td>51</td></tr><tr><td>Evening</td><td>50</td></tr><tr><td>Night</td><td>49</td></tr><tr><td rowspan="3">Corner of Keira/Fox Streets</td><td>Day</td><td>55</td></tr><tr><td>Evening</td><td>49</td></tr><tr><td>Night</td><td>45</td></tr></table> <p>Note: a) To determine compliance with the LAeq(15minute) noise limits in the above table, noise from the project is to be measured at the most affected point within the residential boundary. Where it can be demonstrated that direct measurement of noise from the project is impractical, the DECC may accept alternative means of determining compliance (see Chapter 11 of the NSW Industrial Noise Policy). The modification factors in Section 4 of the NSW Industrial Noise Policy shall also be applied to the measured noise levels where applicable.</p> <p>b) The noise emission limits identified in the above table apply under meteorological conditions of:</p> <ul style="list-style-type: none">- Wind speeds of up to 3 m/s at 10 metres above ground level; or- Temperature inversion conditions of up to 3oC/100m, plus a 2 m/s source-to-receiver component drainage flow wind at 10 metres above ground level for those receivers where applicable in accordance with the NSW Industrial Noise Policy. <p>However, if the proponent has a written negotiated noise agreement with any landowner of the land listed in Table 1, and a copy of this agreement has been forwarded to the Department of Planning and DECC, then the proponent may exceed the noise limits in Table 1 in accordance with the negotiated noise agreement.</p>	Location	Time Period	Limits (LAeq 15 min dB(A))	Corner of Swan/Kembla Streets	Day	51	Evening	50	Night	49	Corner of Swan/Corrimal Streets	Day	51	Evening	50	Night	49	Corner of Keira/Fox Streets	Day	55	Evening	49	Night	45	<ul style="list-style-type: none">Letter from EPA to PKCT dated 15th August 2017Letter from DPIE to PKCT dated 16th March 2017	<p>Condition M7.2 allows for the cessation of noise monitoring following 6 years of compliance with the criteria in Condition L4.1. In accordance with Condition M7.2, the DPIE approved a request from PKCT to cease routine noise monitoring on 16th March 2017, which is prior to the audit period. PKCT notified the EPA that noise monitoring was being ceased in accordance with Condition M7.2 on 15th August 2017 and received a response from EPA on 15th August 2017 stating that the EPL did not require amending to account for the cessation of noise monitoring. Therefore, noise monitoring has not occurred during the audit period.</p> <p>PKCT received two noise related complaints during the audit period (one in September 2020 and one in October 2020). Further to investigation, it was identified that the complaints were not associated with PKCT operational activities and have been closed out.</p>	C	N/A
Location	Time Period	Limits (LAeq 15 min dB(A))																											
Corner of Swan/Kembla Streets	Day	51																											
	Evening	50																											
	Night	49																											
Corner of Swan/Corrimal Streets	Day	51																											
	Evening	50																											
	Night	49																											
Corner of Keira/Fox Streets	Day	55																											
	Evening	49																											
	Night	45																											
L4 Potentially offensive odour																													
L4.1	<p>The licensee must not cause or permit the emission of offensive odour beyond the premises boundary.</p> <p>Note: Section 129 of the Protection of the Environment Operations Act 1997, provides that the licensee must not cause or permit the emission of any offensive odour from the premises but provides a defence if the emission is identified in the relevant environment protection licence as a potentially offensive odour and the odour was emitted in accordance with the conditions of a licence directed at minimising odour.</p>	<ul style="list-style-type: none">PKCT Event Management SystemEnvironmental and Community Events dataAnnual returns for 2020-2021, 2021-2022, 2022-2023	<p>One odour related complaint from a resident was received during the audit period, in 2022.</p> <p>PKCT investigated the complaint and undertook a root cause analysis to identify the potential source of the odour. The root cause analysis concluded that the odour was not caused by the PKCT site as there are no processes undertaken at PKCT that would generated such odour described by the resident. No further issues were raised by the resident and the event has since been closed out.</p>	C	N/A																								

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
			Management confirmed that no other odour complaints were received by PKCT during the audit period. PKCT is considered to be compliant with the requirements of this condition.		
4 Operating Conditions					
O1	Activities must be carried out in a competent manner				
O1.1	<p>Licenced activities must be carried out in a competent manner</p> <p>This includes:</p> <p>a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and</p> <p>b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.</p>	<ul style="list-style-type: none"> PKCT Event Management System Environmental and Community Events data Annual returns for 2020-2021, 2021-2022, 2022-2023; Management Interviews with the site's Environmental Specialist and Health, Safety, Environment and Risk Lead Site observations 	<p>The primary materials and substances used to carry out the licenced activities at PKCT are coal products. PKCT liaises with the shipping companies daily and raise online plans via a customer portal. Forecast throughput for the year allows PKCTC know what the planned tonnes are for the year and day. Coal arrives by road or rail and is transferred by a conveyor system to the coal storage facility where it is stockpiled by stackers. Ship loading is undertaken by collecting coal from the stockpiles using a reclaimers. Coal is transferred by conveyor system and loaded onto ships using a ship loader.</p> <p>PKCT's systems for handling, storing and moving coal is considered to be conducted in a competent manner. Coal delivered from trucks and trains is monitored by CCTV, regular audits and routine maintenance of unloading areas to ensure spillage is minimised and dust generation is mitigated.</p> <p>Stackers are fitted with sprays to wet coal as it is being ejected from the stacker onto the stockpile and weather conditions, including continuous dust measurements are monitored from the main control room. Here, PKCT operate an advanced control system to track and control different variables across the site such as stockpile moisture levels controlled by spray systems to ensure effective dust suppression is run on automated cycles, as well as pond and sump levels controlled by pumps. The automated spray system can be overridden as needed to adapt to changing conditions. The control system has an in-built alarm system to notify of overflow events and follow up actions (such as water sampling requirements).</p> <p>There is monitoring at both the rail and truck unloading areas and there are systems in place to manage potential dust generation</p>	C	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
			<p>based on the condition of the coal arriving to site.</p> <p>The ship loading system minimises coal loss by loading ships from within the ship hold, preventing wind from generating coal dust during ship loading activities.</p> <p>The stormwater network at the site flushes spilled coal to sumps which are routinely cleaned out and the spilled coal is sold back to customers. Routine monitoring and maintenance includes inspections of coal handling areas and the main control room monitors conditions in real time coordinating and managing activities on site.</p>		
O2	Maintenance of plant and equipment				
O2.1	All plant and equipment installed at the premises or used in connection with the licensed activity: a) must be maintained in a proper and efficient condition; and b) must be operated in a proper and efficient manner.	<ul style="list-style-type: none"> Spreadsheet summarising work orders (Environ_PMs_0420) Example operator competency records Example Work Orders 2020/2021, 2021/2022 and 2022/2023 Annual Returns Training records Monitoring equipment calibration and service reports. 	<p>PKCT uses TechONE computer management system for tracking maintenance, creating Work Orders etc.</p> <p>ERM viewed system maintenance logs for generating and tracking work orders. Maintenance logs include sign off for works completed and include any relevant feedback on equipment condition and use. Also, tradespeople provide feedback which is discussed at weekly meetings.</p> <p>Sample pre-requisite training logs for operators competency was reviewed by ERM.</p>	C	N/A
O3	Dust				
O3.1	The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.	<ul style="list-style-type: none"> PKCT Event Management System Annual returns for 2020-2021, 2021-2022, 2022-2023 AEMRs for 2020-2021, 2021-2022 and 2022-2023 PKCT, Air Quality Management Plan, version 18.0, dated 10th September 2022 Dust Monitoring Report for Annual Return (2020-2021, 2021-2022, 2022-2023) by Katestone Site Management Interviews with the site's Environmental 	<p>PKCT utilises a water cart to wet down areas of the site which may potentially emit dust from the premises. Real-time weather monitoring is used to guide PKCT's planning and site preparations to minimise dust emissions, such as applying additional stockpile spraying to coal stockpiles (refer to O1.1 comments for further description of this process).</p> <p>Real time monitoring of system sprays and water coverage are undertaken from within the site's main control tower, allowing for effective management of site wide dust suppression activities. ERM observed this process during the site audit, including examples of live sensor data displaying moisture levels of the stockpiles and</p>	C	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
		<p>Specialist and Health, Safety, Environment and Risk Lead</p> <ul style="list-style-type: none">Site observations	<p>the integration of control signals to operate the sprayers.</p> <p>A truck wash is present at the road receival exit and it is mandatory for all trucks to pass through the truck wash to minimise emissions of dust from road transport vehicles accessing PKCT. The truck wash bay comprises an automated spray system whereby the sprayers are angled to optimise the effective cleaning of dust. After the truck washing process is complete, the driver will review condition of the truck to ensure all dust attached to the truck is removed before leaving the premises. The truck wash access route onsite is a one-way system and allows for trucks to loop back to the truck wash bay for additional washing if required.</p> <p>PKCT monitors dust emissions at locations on-site and off-site. There are a total of three residential depositional dust gauges and one off-site continuous dust monitor to provide data for a range of dust particle sizes including TSP, PM10 and PM2.5. There are an additional nine deposition gauges located at industrial locations (six of which are located offsite), and one additional continuous monitor at the southern boundary, which is setup in accordance with the site's Air Quality Management Plan.</p> <p>Additional management systems in place include the event management system (EMS) and auditing processes.</p> <p>The EMS allows for the recording of a dust event which emanate beyond the beyond the immediate source with a potential to have off site impacts. The EMS requires all events to comprise an investigation and corrective actions by site management. The auditing process includes site observations of dust, dust associated with truck movements and the assessment of associated controls.</p> <p>In view of the above, and based off observations undertaken during the site visit, management interviews and review of information provided, ERM is of the opinion that PKCT maintain and manages the premises in a condition which minimises or prevents the emission of dust off site and thus are considered compliant with this condition.</p>		

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
O3.2	All loaded trucks entering or leaving the premises must have their loads covered.	<ul style="list-style-type: none"> PKCT, Driver's Code of Conduct, Version 6.0, 6th December 2016 Annual returns for 2020-2021, 2021-2022, 2022-2023 AEMRs for 2020-2021, 2021-2022 and 2022-2023 Example driver observations and audits by PKCT and trucking companies Complaints register 	<p>The Driver's Code of Conduct includes requirements to have loads covered. ERM reviewed the induction program and confirmed that covering trucks is included in the induction material.</p> <p>Routine task observations and audits were completed throughout the audit period, focussing on compliance against the Driver's Code of Conduct and PKCT's approval conditions. There is also continuous CCTV monitoring of trucks entering and leaving the site.</p> <p>ERM reviewed a sample of driver audits and observed that load covering was included in the audits. No examples of breaches were reported. During the audit period, it was documented that there were 1,778 inspections according to the Driver's Code of Conduct.</p> <p>Annual audits of the trucking providers by PKCT includes specific assessment on the induction requirements including load covering. It was advised that it is a requirement under Illawarra Coal for truck drivers to complete Heavy Haulage Induction which includes PKCT requirements and the Driver's Code of Conduct.</p> <p>The AEMRs report EPL and regulatory breaches related to trucking based on Road Transport Provider observations, Trucksafe/NHVAS and other audits. There were no EPL or regulatory breaches reported during the audit period.</p> <p>Site management confirmed that there were no incidents during the audit period, therefore PKCT are considered to be compliant with this condition.</p>	C	N/A
O4	Processes and management Sedimentation ponds				
O4.1	<p>The following ponds referred to in the table below are identified in this licence for the purposes of identifying ponds in Condition O4.2.</p> <p>Sedimentation Pond</p> <p>TS1 Pond</p> <p>Northern Pond</p> <p>Settlement Lagoon</p> <p>Workshop Pond</p>	N/A	N/A	Note	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
	Central Pond TS8 Sump South Eastern Pond				
O4.2	The ponds must be maintained to ensure that sedimentation does not reduce their capacity by more than 20% of the design capacity.	<ul style="list-style-type: none"> Annual returns for 2020-2021, 2021-2022 and 2022-2023 AEMRs for 2020-2021, 2021-2022 and 2022-2023 Work orders for routine pond inspections and preventative maintenance Site Observations 	<p>PKCT maintain a number of procedures and processes to ensure the ponds are maintained including the following:</p> <ul style="list-style-type: none"> Use of visual markers attached to PVC pipes to confirm the 20% level; Weekly checks on all ponds; Inbound and outbound inspections (work orders every Monday) which are documented to check sediment levels; Periodic cleaning to prevent excess sediment build up as part of the PKCT's pond sediment and cleaning program; Use of "Floc Blocks" to improve in settlement of sediment at key locations in the pond network; Upgrades to the Central Pond including design and install of a knife gate to allow isolation of significant volume oof the pond for additional sediment storage. <p>There is ongoing work by PKCT to improve the monitoring and management of pond sedimentation. The PKCT Contaminated Water Collection & Treatment (CWCT) Plant Operations Manual (currently in draft).</p> <p>Work orders were reviewed by ERM for pond cleaning during the audit period including the cleaning of the Northern Pond (July 2023), Settling Lagoon cleaning (February 2023) and sample work orders of checks and recording of sediment levels for all ponds. No issues with pond capacity were identified in the inspection records.</p> <p>During the site audit, ERM observed all sedimentation ponds on site (as listed in O4.1) and did not identify any instances where sedimentation had reduced the capacity of a pond by more than 20% of the design capacity.</p> <p>In view of the above, ERM consider PKCT compliant with this condition.</p>	C	N/A

5 Monitoring and Recording Conditions

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
M1	Monitoring records				
M1.1	The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.	<ul style="list-style-type: none"> Annual returns for 2020-2021, 2021-2022 and 2022-2023 Monthly Environmental Monitoring Reports 2021, 2022 and 2023 	ERM considers PKCT compliant with the recording and retention requirements of monitoring results. Further details of this is described in conditions M1.2 – M1.3	C	N/A
M1.2	All records required to be kept by this licence must be: <ol style="list-style-type: none"> in a legible form, or in a form that can readily be reduced to a legible form; kept for at least 4 years after the monitoring or event to which they relate took place; and produced in a legible form to any authorised officer of the EPA who asks to see them. 	<ul style="list-style-type: none"> Annual returns for 2020-2021, 2021-2022 and 2022-2023 Monthly Environmental Monitoring Reports 2021, 2022 and 2023 Site Observations and Management Interviews with the site's Environmental Specialist and Health, Safety, Environment and Risk Lead 	ERM observed and confirm the following during the audit in relation to M1.2: <ul style="list-style-type: none"> Monitoring records were kept in a legible form; Monitoring records are kept longer than the minimum 4 year requirement; It was advised that the EPA have not requested to provide certain monitoring data, however PKCT provided the auditors with evidence the monitoring records required by this licence can be produced in a legible form if requested by an authorised officer of the EPA. 	C	N/A
M1.3	The following records must be kept in respect of any samples required to be collected for the purposes of this licence: <ol style="list-style-type: none"> the date(s) on which the sample was taken; the time(s) at which the sample was collected; the point at which the sample was taken; and the name of the person who collected the sample. 	<ul style="list-style-type: none"> Site observations Annual returns for 2020-2021, 2021-2022 and 2022-2023 AEMRs for 2020-2021, 2021-2022 and 2022-2023 	ERM reviewed records for a sample of monitoring results and confirmed the inclusion of date, time, location and sampler information.	C	N/A
M2	Requirement to monitor concentration of pollutants discharged				
M2.1	For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:	<ul style="list-style-type: none"> Annual returns for 2020-2021, 2021-2022 and 2022-2023 AEMRs for 2020-2021, 2021-2022 and 2022-2023 Monthly Environmental Monitoring Reports 2021, 2022 and 2023 Site Observations and Management Interviews with the site's Environmental Specialist and Health, Safety, Environment and Risk Lead 	ERM confirms that the site monitors the concentration of each pollutant specified in M2.2 and M2.3. ERM directs the reader to the comments included within conditions M2.2 and M2.3.	C	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations																																
M2.2	<div>Air monitoring requirements</div> <div>Point 3,4,5,6,7,8,9,12,15,17,18,19</div> <table><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling method</th></tr><tr><td>Particulates – deposited matter</td><td>Grams per square metre per month</td><td>Monthly</td><td>AM-19</td></tr></table> <div>Point 20,21</div> <table><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling method</th></tr><tr><td>PM10</td><td>Micrograms per cubic metre</td><td>Continuous</td><td>Continuously</td></tr><tr><td>PM2.5</td><td>Micrograms per cubic metre</td><td>Continuous</td><td>Continuously</td></tr><tr><td>Total Solid Particle</td><td>Micrograms per cubic metre</td><td>Continuous</td><td>Continuously</td></tr></table>	Pollutant	Units of measure	Frequency	Sampling method	Particulates – deposited matter	Grams per square metre per month	Monthly	AM-19	Pollutant	Units of measure	Frequency	Sampling method	PM10	Micrograms per cubic metre	Continuous	Continuously	PM2.5	Micrograms per cubic metre	Continuous	Continuously	Total Solid Particle	Micrograms per cubic metre	Continuous	Continuously	<ul style="list-style-type: none">Annual returns for 2020-2021, 2021-2022 and 2022-2023AEMRs for 2020-2021, 2021-2022 and 2022-2023Monthly Environmental Monitoring Reports 2021, 2022 and 2023Site Observations and Management Interviews with the site’s Environmental Specialist and Health, Safety, Environment and Risk LeadQA/QC Compliance Assessments of Dust Monitoring Equipment	During the site audit and further to document reviews, ERM confirm all air monitoring points measure the relevant pollutant specific to the monitor’s location, and record in the required units of measurement and record via the correct sampling frequency and methods as required by this licence.	C	N/A								
Pollutant	Units of measure	Frequency	Sampling method																																		
Particulates – deposited matter	Grams per square metre per month	Monthly	AM-19																																		
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PM2.5	Micrograms per cubic metre	Continuous	Continuously																																		
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M2.3	<div>Water and/or Land Monitoring Requirements</div> <div>Point 16</div> <table><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling method</th></tr><tr><td>Oil and Grease</td><td>Visible</td><td>Daily during any discharge</td><td>Visual inspection</td></tr><tr><td>pH</td><td>pH</td><td>Daily during any discharge</td><td>Grab sample</td></tr><tr><td>Total suspended solids</td><td>Milligrams per litre</td><td>Daily during any discharge</td><td>Grab sample</td></tr></table> <div>Point 22,23,24,25,26,27</div> <table><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling method</th></tr><tr><td>Oil and Grease</td><td>Visible</td><td>Daily during any discharge</td><td>Visual inspection</td></tr><tr><td>pH</td><td>pH</td><td>Daily during any discharge</td><td>Grab sample</td></tr><tr><td>Total suspended solids</td><td>Milligrams per litre</td><td>Daily during any discharge</td><td>Grab sample</td></tr></table>	Pollutant	Units of measure	Frequency	Sampling method	Oil and Grease	Visible	Daily during any discharge	Visual inspection	pH	pH	Daily during any discharge	Grab sample	Total suspended solids	Milligrams per litre	Daily during any discharge	Grab sample	Pollutant	Units of measure	Frequency	Sampling method	Oil and Grease	Visible	Daily during any discharge	Visual inspection	pH	pH	Daily during any discharge	Grab sample	Total suspended solids	Milligrams per litre	Daily during any discharge	Grab sample	<ul style="list-style-type: none">Site observationsAnnual returns for 2020-2021, 2021-2022 and 2022-2023AEMRs for 2020-2021, 2021-2022 and 2022-2023	<div>The AEMRs contain records of discharge water sampling for the audit period in Appendix D for Point 16, which includes analytical results for oil and grease, pH and TSS in the units specified.</div> <div>ERM reviewed the annual returns and did not identify any examples where monitoring at the points specified in this Condition was not undertaken daily during discharge, therefore ERM considers PKCT compliant with this condition.</div>	C	N/A
Pollutant	Units of measure	Frequency	Sampling method																																		
Oil and Grease	Visible	Daily during any discharge	Visual inspection																																		
pH	pH	Daily during any discharge	Grab sample																																		
Total suspended solids	Milligrams per litre	Daily during any discharge	Grab sample																																		
Pollutant	Units of measure	Frequency	Sampling method																																		
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pH	pH	Daily during any discharge	Grab sample																																		
Total suspended solids	Milligrams per litre	Daily during any discharge	Grab sample																																		
M3 Testing Methods – Concentration Limits																																					
M3.1	<div>Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with:</div> <div>a) any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or</div>	<ul style="list-style-type: none">Monthly Environmental Monitoring Reports 2021, 2022 and 2023Site Observations of dust monitoring locations	ERM observed a sample of dust deposition gauges and both continuous dust monitoring stations. The siting for the monthly dust monitoring locations were observed to be compliant with the approved methods for the	C	N/A																																

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
	<p>b) if no such requirement is imposed by or under the Act, any methodology which a condition of this licence requires to be used for that testing; or</p> <p>c) if no such requirement is imposed by or under the Act or by a condition of this licence, any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.</p> <p>Note: The <i>Protection of the Environment Operations (Clean Air) Regulation 2010</i> requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".</p>	<ul style="list-style-type: none"> Management Interviews with the site's Environmental Specialist and Health, Safety, Environment and Risk Lead Calibration records for continuous dust monitoring stations PKCT, Air Quality Management Plan, version 18.0, dated 10th September 2022 	<p>sampling and analysis of air pollutants in NSW, including the following:</p> <ul style="list-style-type: none"> A clear sky angle of 120° was available above sampling inlets; airflow around the sample inlet was not restricted in any direction; The locations were >10 metres from the drip line of buildings or trees; Extraneous dust sources were generally not observed nearby; and The monitoring locations were positioned >5 m from the source. <p>The siting for the continuous monitoring locations were observed to be compliant with the approved methods for the sampling and analysis of air pollutants in NSW, including the following:</p> <ul style="list-style-type: none"> A clear sky angle of 120° was available above the sampling inlet; Airflow was unrestricted for at least 270° around the sample inlet with no obstruction between the major dust source and the sample inlet; The monitors were positioned >10 m from the nearest building or tree drip lines that are higher than 2 m below the height of the sample inlet; Extraneous sources of dust were not present nearby; and The dust monitors were positioned greater than 50 m from the nearest public road. The northern dust monitor is located within 50 m of internal Sydney Water property roads and the southern dust monitor was positioned within 50 m of internal PKCT roads, however traffic movement in the Sydney Water property is minimal and the area of the site adjacent to the southern dust monitor is seldom accessed. <p>Collection of dust samples is undertaken by an external consultant and analysis of dust samples is completed by a NATA accredited laboratory, ALS. Methods of laboratory analysis were reported to be in accordance with AS3580.10.1 – 2003.</p> <p>ERM reviewed example calibration records for the continuous dust monitors, which stated that the stations were tested and calibrated in</p>		

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
			<p>accordance with the World Meteorological Organisation AWS certification standard and procedures.</p> <p>Given the dust monitoring locations are generally located, sampled, calibrated and analysed in accordance with relevant standards and methods, PKCT is compliant with this condition.</p>		
M3.2	Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.	<ul style="list-style-type: none"> Site observations of water sampling locations Example laboratory reports 	<p>ERM observed the water sampling locations at each of the points identified in the EPL. Samples are collected using a clean stainless steel bucket to obtain a representative sample of water from the sample point at the point of discharge. Samples are stored on ice and transported to the laboratory under chain of custody with the details of the sample collection maintained in a register on-site, including sampler and date.</p> <p>Laboratory analyses were undertaken by a laboratory with NATA accreditation and the following methods were used:</p> <ul style="list-style-type: none"> Total suspended solids, APHA 2540D, which is generally consistent with the USEPA (1999) method 160.2 as required by the approved methods publication. pH, in accordance with APHA as required by the approved methods publication. The method for monitoring pollutants discharged to waters is considered to be compliant with the requirements of this condition. 	C	N/A

M4 Environmental Monitoring

M4.1	The licensee is required to install and maintain a rainfall depth measuring device.	<ul style="list-style-type: none"> Rainfall monitoring records spreadsheet (Rainfall Data_Daily.xlsx) Site observations and Management Interviews with the site's Environmental Specialist and Health, Safety, Environment and Risk Lead 	<p>The rainfall depth measuring device is installed at the location of continuous dust monitoring equipment C1 (near the southern boundary).</p> <p>ERM reviewed the rainfall data spreadsheet which contains an entry for each day of the audit period the time each sample is recorded under the "Hourly Rainfall Values" tab. Site management also confirmed that rainfall monitoring is undertaken at the same time each day.</p>	C	N/A
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Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
M4.2	Rainfall at the premises must be measured and recorded in millimetres per 24 hour period, at the same time each day.	<ul style="list-style-type: none"> Rainfall monitoring records spreadsheet (Rainfall Data_Daily.xlsx) Site observations and Management Interviews with the site's Environmental Specialist and Health, Safety, Environment and Risk Lead 	ERM reviewed the rainfall data spreadsheet which records the rainfall data in millimetres, on an hourly, daily and monthly basis. Hourly data is captured at the same time each day (on the hour) as required by this condition.	C	N/A
M5 Recording of pollution complaints					
M5.1	The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.	<ul style="list-style-type: none"> Site observations and Management Interviews with the site's Environmental Specialist and Health, Safety, Environment and Risk Lead 	ERM observed PKCT's Event Management System (EMS) which is an internal system that logs and provides records of complaints made to PKCT, employee or agent as required by this licence. ERM considers PKCT compliant with this condition.	C	N/A
M5.2	<p>The record must include details of the following:</p> <p>a) the date and time of the complaint;</p> <p>b) the method by which the complaint was made;</p> <p>c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;</p> <p>d) the nature of the complaint;</p> <p>e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and</p> <p>f) if no action was taken by the licensee, the reasons why no action was taken.</p>	<ul style="list-style-type: none"> Extracts from the complaints register ACC Contact Centre Call Log Extract Site observations and Management Interviews with the site's Environmental Specialist and Health, Safety, Environment and Risk Lead 	<p>As described in PKCT's Environmental Management Strategy (v17.0) "all events and hazards are entered into PKCT's event management system, and actions tracked to completion." ERM reviewed extracts from the complaint register and confirms that records include the details required by this condition.</p> <p>Complaints via phone which are raised via ACC Contact Centre are issued to the site management via call log emails prior to being logged in the EMS. The call logs include details the time and date of the call, name and company of the complainant, contact details and nature of the complaint.</p> <p>PKCT also have a new event management system in place (WERC) which is a reboot of their EMS, however as it is a newly implemented system there are no records logged for review during the audit.</p>	C	N/A
M5.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	<ul style="list-style-type: none"> Extracts from the complaints register Site observations and Management Interviews with the site's Environmental Specialist and Health, Safety, Environment and Risk Lead 	ERM reviewed complaints within the EMS during the site audit and confirms records are maintained beyond 4 years as required by this condition.	C	N/A
M5.4	The record must be produced to any authorised officer of the EPA who asks to see them.	<ul style="list-style-type: none"> Management Interviews with the site's Environmental 	Management confirmed that complaint records have not been requested by any authorised	NT	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
		Specialist and Health, Safety, Environment and Risk Lead	officer of the EPA during the audit period, therefore this requirement has not been triggered.		
M6 Telephone complaints line					
M6.1	The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.	<ul style="list-style-type: none"> PKCT website Site observations 	<p>It was advised that a telephone complaints line is managed by an offsite provider. The PKCT website includes a 'Hotline' page accessible under the 'Community and Environment' menu, which includes a telephone number and email address for complaints.</p> <p>During the site, ERM called the complaints line and confirmed that the hotline is functioning as intended, therefore this condition has been satisfied.</p>	C	N/A
M6.2	The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.	<ul style="list-style-type: none"> PKCT website Site observations 	The PKCT has a 'Hotline' page accessible under the 'Community and Environment' menu, which details a telephone number and email address for complaints. The website specifically identifies this number as being available for lodging complaints, therefore this requirement has been satisfied.	C	N/A
M6.3	The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.	N/A	Noted	Note	N/A
M7 Other noise monitoring and recording conditions					
Noise monitoring					
M7.1	Noise from the premises must be measured bi-annually (to measure summer and winter levels) via a combination of attended and unattended noise monitoring measures at the potentially affected premises identified in Condition L4.1 of this licence.	<ul style="list-style-type: none"> Letter from EPA to PKCT dated 15th August 2017 Letter from DPIE to PKCT dated 16th March 2017 	Condition M7.2 allows for the cessation of monitoring following 6 years of compliance with noise criteria. In accordance with Condition M7.2, the DPIE approved a request from PKCT to cease routine noise monitoring on 16 th March 2017, which is prior to the audit period. PKCT notified the EPA that noise monitoring was being ceased in accordance with Condition M7.2 on 15 th August 2017 and received a response from EPA on 15 th August 2017 stating that the EPL did not require amending to account for the cessation of noise monitoring. Therefore, noise monitoring has not occurred during the audit period and the requirements of this Condition have not been triggered during the audit period.	NT	N/A
M7.2	The noise monitoring program must be reviewed by the licensee. If no exceedance of the criteria occurs for 6 years and the EPA is satisfied with the review, noise monitoring will not be required to continue.	<ul style="list-style-type: none"> Letter from EPA to PKCT dated 15th August 2017 	The DPIE approved a request from PKCT to cease routine noise monitoring on 16 th March 2017, which is prior to the audit period. PKCT	C	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
		<ul style="list-style-type: none"> Letter from DPIE to PKCT dated 16th March 2017 	notified the EPA that noise monitoring was being ceased in accordance with Condition M7.2 on 15 th August 2017 and received a response from EPA on 15 th August 2017 stating that the EPL did not require amending to account for the cessation of noise monitoring, therefore ERM considers PKCT to be compliant with this condition.		
Availability of Continuous Monitoring Equipment required by this licence					
M7.3	All continuous monitoring equipment must be operated and maintained with the aim of achieving 100% availability in each licence year. Where a monitoring device does not achieve 95% availability, the licensee must report reasons and corrective actions to the EPA in the Annual Return.	<ul style="list-style-type: none"> Dust Monitoring Report for Annual Return (2020-2021, 2021-2022, 2022-2023) by Katestone Annual returns for 2020-2021, 2021-2022, 2022-2023 Management Interviews with the site's Environmental Specialist and Health, Safety, Environment and Risk Lead 	<p>During the audit period, all continuous dust monitoring equipment was confirmed by site management to be operated and maintained to achieve monitoring availability above 95% each year. Within each Port Kembla Coal Terminal Dust Monitoring Reports prepared by Katestone submitted alongside the Annual Returns, the reported availability is provided for each month of the year. The data capture rates for the continuous dust monitors were reported to be:</p> <ul style="list-style-type: none"> 2020-2021: 99.6% (northern monitor) and 97.2% (southern monitor) 2021-2022: 99.2% (northern monitor) and 99.5% (southern monitor) 2022-2023: 99.3% (northern monitor) and 97.4% (southern monitor) 	C	N/A

6 Reporting Conditions

R1 Annual return documents

R1.1	<p>The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:</p> <ol style="list-style-type: none"> a Statement of Compliance, a Monitoring and Complaints Summary, a Statement of Compliance - Licence Conditions, a Statement of Compliance - Load based Fee, a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan, a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and a Statement of Compliance - Environmental Management Systems and Practices. <p>At the end of each reporting period, the EPA will provide to the licensee notification that the Annual Return is due.</p>	<ul style="list-style-type: none"> Annual returns for 2020-2021, 2021-2022, 2022-2023 	ERM reviewed annual returns covering the audit period. The annual returns are supplied to the EPA in the approved form as required, therefore PKCT is compliant with this condition.	C	N/A
R1.2	<p>An Annual Return must be prepared in respect of each reporting period, except as provided below.</p> <p>Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.</p>	<ul style="list-style-type: none"> Annual returns for 2020-2021, 2021-2022, 2022-2023 EPA POEO public register 	ERM reviewed the annual returns covering the audit period, as well as submissions of the annual returns on the NSW EPA public register and copies of administrative fees (comprising	C	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
		<ul style="list-style-type: none"> Annual Return Administrative Fees 	tax invoices) for the environmental management category. ERM confirms the Annual Returns were prepared in respect to each reporting period and completed after the end of the reporting period as required by this condition.		
R1.3	<p>Where this licence is transferred from the licensee to a new licensee:</p> <p>a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and</p> <p>b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.</p> <p>Note: An application to transfer a licence must be made in the approved form for this purpose.</p>	<ul style="list-style-type: none"> Interviews with site management 	Management confirmed that the license has not been transferred during the audit period, therefore this requirement has not been triggered.	C	N/A
R1.4	<p>Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:</p> <p>a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or</p> <p>b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.</p>	<ul style="list-style-type: none"> Interviews with site management 	Management confirmed that the license has not been surrendered or revoked during the audit period, therefore this requirement has not been triggered.	C	N/A
R1.5	The Annual Return for the reporting period must be supplied to the EPA via eConnect EPA or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').	<ul style="list-style-type: none"> Confirmation emails from eConnect EPA 	<p>ERM reviewed the Annual Return confirmation emails from eConnect EPA during the audit period.</p> <p>The annual return period ends on 31st March and the submission deadline is therefore 30th May each year.</p> <p>The submission details from the audit period were reviewed, which confirms the dates of which the annual returns were submitted, which are listed as follows:</p> <ul style="list-style-type: none"> 2020-2021: 26 May 2021 2021-2022: 30 May 2022 2022-2023: 29 May 2023 	C	N/A
R1.6	The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.	<ul style="list-style-type: none"> Annual returns for 2018-2019, 2019-2020, 2020-2021, 2021-2022, 2022-2023 Site observations 	ERM confirms the licensee retains a copy of the Annual Return supplied to the EPA for a period of at least 4 years, and witnessed copies of previous Annual Returns dating back further than 4 years prior to the audit date.	C	N/A
R1.7	<p>Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:</p> <p>a) the licence holder; or</p> <p>b) by a person approved in writing by the EPA to sign on behalf of the licence holder.</p>	<ul style="list-style-type: none"> Annual returns for 2020-2021, 2021-2022, 2022-2023 	ERM reviewed the Statements of Compliance and Monitoring and Complaints Summary and confirmed certification and signatures by a PKCT Director and Secretary, therefore this condition has been satisfied.	C	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
R2 Notification of environmental harm					
R2.1	Notifications must be made by telephoning the Environment Line service on 131 555.	<ul style="list-style-type: none"> Interviews with site management 	As advised by site management, there were no reportable incidents or notifications to the EPA as required by this licence condition. Therefore compliance with this condition has not triggered during the audit period.	NT	N/A
R2.2	<p>The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.</p> <p>Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.</p>	<ul style="list-style-type: none"> Interviews with site management 	As advised by site management and further to review of events logged withing PKCT's EMS, there were no reportable incidents which required PKCT to provide written details of the notification to the EPA as stipulated by this condition. Therefore compliance with this condition has not been triggered during the audit period.	NT	N/A
R3 Written Report					
R3.1	<p>Where an authorised officer of the EPA suspects on reasonable grounds that:</p> <p>a) where this licence applies to premises, an event has occurred at the premises; or</p> <p>b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence,</p> <p>and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.</p>	<ul style="list-style-type: none"> Interviews with site management Extracts from the EMS complaints register 	<p>PKCT provided extracts from the EMS including complaints raised by the community during the audit period. Complaints reviewed by ERM included community complaints raised directly to PKCT or via the EPA.</p> <p>It was advised by management that, whilst there were a small number of community complaints were raised directly and to the EPA during the audit period, authorised officers have not requested any written reports during the audit period, hence this condition has not been triggered.</p>	NT	N/A
R3.2	The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.	<ul style="list-style-type: none"> Interviews with site management Extracts from the EMS complaints register 	Whilst no reports were requested by the EPA during the audit period in relation to a complaint raised, ERM observed an example event registered within the EMS relating to a complaint raised to the EPA for suspected coal dust drag out, on 24 th June 2021 and subsequently logged in the EMS on the 2 nd of July 2021. PKCT undertook a root cause analysis on the event and included suggested actions such as increased auditing of roadway, increased expectations of reporting spillage, additional communication and updating of procedures and increased sanctions on truck drivers not complying with truck washing requirements. ERM considers the inquiries in relation to the event to be robust and reasonable in line with the expectations of this condition.	C	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
R3.3	<p>The request may require a report which includes any or all of the following information:</p> <ul style="list-style-type: none"> a) the cause, time and duration of the event; b) the type, volume and concentration of every pollutant discharged as a result of the event; c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event; d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort; e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants; f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and g) any other relevant matters. 	<ul style="list-style-type: none"> ▪ Management Interviews with the site's Environmental Specialist and Health, Safety, Environment and Risk Lead ▪ Extracts of the EMS complaints register 	Whilst no reports were requested by an authorised officer during the audit period, the EMS enables PKCT to capture the required details to ensure compliance with this condition.	NT	N/A
R3.4	The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.	<ul style="list-style-type: none"> ▪ Management Interviews with the site's Environmental Specialist and Health, Safety, Environment and Risk Lead ▪ Extracts of the EMS complaints register 	As advised by site management, there were no reportable incidents or notifications to the EPA as required by this licence condition. Therefore compliance with this condition has not triggered during the audit period. It should be noted that PKCT were found to be compliant with this condition during the previous IEA.	NT	N/A

R4 Other reporting conditions

Ambient Air Monitoring Report

R4.1	<p>The following must be submitted to the EPA with the Annual Return:</p> <p>A brief summary of the results for all Total Suspended Particulate (TSP) matter, Particulate Matter (PM₁₀) and Particulate Matter (PM_{2.5}) monitoring.</p> <p>Tabular presentation of all TSP, PM₁₀ and PM_{2.5} levels for monitoring/discharge point 20 and 21. The average result for TSP and PM₁₀ must be detailed within the table.</p> <p>Where the 24-hour concentration of TSP exceeds 90 µg/m³ at point 21, the licensee must undertake an assessment to determine the likely reason for the elevated level, including:</p> <ul style="list-style-type: none"> ▪ weather data; ▪ a comparison of TSP levels at monitoring/discharge point 20 and 21; ▪ the proportion of TSP that is PM₁₀, PM_{2.5} and PM₁; ▪ the contribution of operating conditions; and ▪ other relevant factors. <p>Where the 24-hour concentration of PM₁₀ exceeds 50 µg/m³ at point 21, the licensee must undertake an assessment to determine the likely reason for the elevated level, including:</p> <ul style="list-style-type: none"> ▪ weather data; ▪ a comparison of PM₁₀ levels at monitoring/discharge point 20 and 21; ▪ the proportion of PM₁₀ that is PM_{2.5} and PM₁; ▪ the contribution of operating conditions; and 	<ul style="list-style-type: none"> ▪ Dust Monitoring Report for Annual Return (2020-2021, 2021-2022, 2022-2023) by Katestone ▪ Annual returns for 2020-2021, 2021-2022, 2022-2023 ▪ AEMRs for 2020-2021, 2021-2022 and 2022-2023 	<p>During the audit period, PKCT have provided results with the Annual Return for TSP, PM₁₀ and PM_{2.5} monitoring within their Dust Monitoring Reports, and summarised within the AEMRs. The results are tabulated for monitoring points 20 and 21 as required by this licence condition.</p> <p>During the audit period, the 24-hour concentration of TSP exceeded 90 µg/m³ at point 21 as follows:</p> <ul style="list-style-type: none"> ▪ 2020-2021: TSP criteria was exceeded seven times; ▪ 2021-2022: TSP criteria was exceeded on one occasion; and ▪ 2022-2023: TSP criteria was not exceeded. <p>Within the PKCT Dust Monitoring Reports for the Annual Returns (prepared by Katestone), TSP concentrations exceeding the trigger level are subject to further assessment, which includes:</p>	C	N/A
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Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
	<ul style="list-style-type: none"> other relevant factors. <p>Ambient air quality information used to inform the licensee's Annual Environmental Monitoring Report for the financial year preceding 30 June in the reporting period and information used to inform the licensee's Interim Annual Environmental Monitoring Report for the six-month period from 1 July to 31 December in the reporting period may be used to satisfy Condition R4.1. Information collected from 1 January to 31 March in the reporting period may be submitted to the EPA with the next Annual Return.</p>		<ul style="list-style-type: none"> Weather data – including 10-minute average TSP concentrations plotted versus the wind speed and direction for each TSP trigger level exceedance day. Comparative TSP concentrations between the monitoring points presented as a time-series during each reporting period; Each TSP trigger level exceedance event tabulated with the proportions of TSP made up of PM₁₀, PM_{2.5} and PM₁; and PKCT contribution ratings for days when the trigger level for TSP was exceeded. <p>During the audit period, the 24-hour concentration of PM₁₀ exceeded 50 µg/m³ at point 21 as follows:</p> <ul style="list-style-type: none"> 2020-2021: PM₁₀ criteria was exceeded 21 times; 2021-2022: PM₁₀ criteria was exceeded on one occasion; and 2022-2023: PM₁₀ criteria was not exceeded. <p>Within the PKCT Dust Monitoring Reports for the Annual Returns (prepared by Katestone), TSP concentrations exceeding the trigger level are subject to further assessment, which includes:</p> <ul style="list-style-type: none"> Weather data – including 10-minute average PM₁₀ concentrations plotted versus the wind speed and direction for each PM₁₀ trigger level exceedance day; Comparative PM₁₀ concentrations between the monitoring points presented as a time-series during each reporting period; Each PM₁₀ trigger level exceedance event tabulated with the proportions of PM₁₀ made up of PM_{2.5} and PM₁; and PKCT contribution ratings for days when the trigger level for PM₁₀ was exceeded. <p>Further to review of the information provided, ERM considers that the reporting required by this condition has been sufficiently included in the supporting documentation with the annual returns and thus considers that this condition has been met.</p>		

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
Wet Weather Overflow Reporting					
R4.2	<p>The following must be submitted to the EPA with the Annual Return:</p> <p>Details of any overflow from Point 22, Point 23, Point 26, Point 27 and/or Point 29 specified by Conditions P1.2 and P1.3.</p> <p>The following information must be provided for each overflow:</p> <ul style="list-style-type: none"> a tabular presentation of the concentration of each pollutant specified in Condition M2.3; date and time of the commencement of each overflow; an estimate of the volume of each stormwater overflow and over what time period the overflow occurred; the weather conditions at the time of each overflow, specifying the amount of rainfall on a daily basis that had fallen a) on the day(s) of the overflow and b) for each day of the 7 day period prior to the overflow; an explanation as to why the overflow occurred; an estimate of sedimentation as a percentage of the design capacity of the relevant sedimentation pond identified in Condition O4.1; the location(s) of the discharge; and was the discharge permitted by the licence. 	<ul style="list-style-type: none"> Annual returns for 2020-2021, 2021-2022 and 2022-2023 Environmental Monitoring Reports for 2020-2021, 2021-2022 and 2022-2023 	ERM reviewed annual returns attachments and confirmed that details of any overflow from Point 22, Point 23, Point 26, Point 27 and Point 29 included the items required by this condition.	C	N/A
7 General Conditions					
G1	Copy of licence kept at the premises or plant				
G.1.1	A copy of this licence must be kept at the premises to which the licence applies.	<ul style="list-style-type: none"> Site Observations 	ERM observed a copy of the licence kept at the premises. The PKCT website is another source of the EPL which ERM can confirm is up to date.	C	N/A
G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it.	<ul style="list-style-type: none"> Management Interview 	It was advised by site management that an EPA officer has not requested to see the licence during the audit period.	NT	N/A
G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.	<ul style="list-style-type: none"> Site Observations 	ERM confirms that the licence is available for inspection by an employee or agent of the licensee working at the premises.	C	N/A

Item	Assessment Requirement			Reference/ Evidence	Comments	Compliance	Recommendations
G2	Other general conditions						
G2.1	Completed programs						
	Program	Description	Completed date	N/A	Noted	Note	N/A
	PRP 1- Installation of additional dust control for Difficult Coal Types	Dust Control for Difficult Coal Types. Install additional controls and techniques to minimise dust resulting from handling difficult coal type products.	30-November-2004				
	PRP 2 - Water Collection System Performance Upgrade	Water Collection System Performance Upgrade. Determine strategies to improve the performance of the water collection treatment and discharge system.	31-January-2007				
	PRP 3 - Investigate further dust control technique for difficult coal types	Investigate further dust control techniques for difficult coal types. Report the findings of the investigation and preferred dust control strategy.	30-June-2008				
	PRP 4 - Minimise Spillage of Coal from Maintenance Activities at Berth 102	Report on the Spillage Reduction For Berth 102. Options to improve the spillage capture/minimisation performance of Berth 102.	02-April-2009				
	PRP 5 - Reuse of treated effluent from Coniston STP in dust control	Reuse of treated effluent from Coniston STP in Dust Control. Implementation will save approx 1 Mega litre per day of potable water and reduce demand pressure on the Sydney drinking water dams.	30-June-2009				
	PRP 6 – Dust Management Improvement	Dust Management Improvement. Identify ways of improving the effectiveness of dust management and minimising dust emissions.	30-June-2010				
	PRP 7 - Green and Golden Bell Management Plan	Green and Golden Bell Management Plan. Minimise the risk of harm or damage to the GGBF and its habitat from any actual or potential pollution from the premises.	30-June-2009				

Item	Assessment Requirement			Reference/ Evidence	Comments	Compliance	Recommendations
	PRP 8 - Identify options to improve the performance of the stormwater pollution control system	Identify options to improve the performance of the stormwater pollution control system. To improve the effectiveness of the stormwater pollution control system at the Port Kembla Coal Terminal.	31-August-2010				
	PRP 9 - Performance upgrades to the stormwater control system	Performance upgrades to the stormwater control system to improve the system's ability to control suspended solids discharged into Port Kembla Harbour.	30-June-2012				
	PRP10 - Environmental Improvement Program, Review Truck Wash Performance	Environmental Improvement Program, Review Truck Wash Performance	30-July-2011				
	PRP11 - Environmental Improvement Program, Install Northern Truck Wash Upgrades	The effectiveness of the northern truck wash can be improved. This PRP is for the purpose of improving the effectiveness of the northern truck wash. The work involves civil and electrical refurbishments & installations together with new operating procedures to be followed by trucking companies using the facility.	06-February-2015				
	PRP 12 - Implement upgrades to stormwater pollution control system	Implement recommendations from the Port Kembla Coal Terminal Pond Maintenance report or, if not reasonably practical, by alternate measures at the Central, North and TS1 Ponds, and Coal Stockyard area.	09-December-2016				
	PRP 13 - Algae control trial in Settlement Lagoon	The licensee submitted a proposal to trial the use of Eco-Tabs as a measure to prevent and treat algal growth in the Settlement Lagoon to EPA.	31-March-2014				

Item	Assessment Requirement			Reference/ Evidence	Comments	Compliance	Recommendations
	Wagon Monitoring and Reporting Environmental Improvement Program	Implement a program of monitoring and reporting on the condition of loaded wagons received at the premises. All trains entering the dump-station will be assessed against criteria relating to likelihood that coal may have been spilt within the rail corridor during the trains most recent journey.	30-September-2016				
	EIP - Particulate Matter Control Best Practice Study	The licensee must conduct a Site-Specific Best Management Practice Study to identify the most practicable means to reduce particle emissions.	26-July-2017				
	EIP - Use of Real Time Particulate Monitoring Data for Operational Control	The licensee must review the effectiveness of the real time particulate monitoring system used at Port Kembla Coal Terminal and the associated management systems in place aimed at reducing dust emissions on site.	06-April-2017				
	EIP - Train Condition Exception Reporting	The licensee must complete visual train condition assessments for all trains arriving at the premises. The aim of this condition assessment is to identify wagons that are consistently loaded in a manner that clearly is likely to contribute to spillage of coal in the rail corridor.	30-November-2017				
	Implement Stockyard Spray Optimisation	Implement improvements to existing stockyard spray system. Follow up actions from U2 - Particulate Matter Control Best Practice Study	29-June-2018				
	Develop Management Plan for Southern Pads/bulk products area	Develop Management Plan for Southern Pads/Bulk products area. Follow up actions from U2 - Particulate Matter Control Best Practice Study	21-May-2018				
	Review Inbound Moisture Meters	Review current inbound moisture meter. Follow up actions from U2 - Particulate Matter Control Best Practice Study	29-June-2018				

Item	Assessment Requirement			Reference/ Evidence	Comments	Compliance	Recommendations
	Environmental Improvement Program (EIP) - Install Moisture Meters Road Receival	Purchase, install and commission an inbound moisture meter on road receival system (in line with meter of rail receival system). Complete the integration of the new inbound road and rail receival moisture meters tor automatically report to PKCT's electronic monitoring system.	28-August-2020				

No	Assessment Requirement	Reference/Evidence	Comments	Compliance Status	Recommendations										
Drivers Code of Conduct															
1. Introduction, 2. Scope and 3. Objectives do not require assessment.															
4. HAULAGE ROUTES															
	<p>All haulage trucks travelling to and from PKCT will do so by using major arterial roads as outlined in the sections below. Primarily, the major arterial roads associated with deliveries to PKCT are shown in Table 3 below. The haulage routes provide PKCT a concise understanding of PKCT’s requirements relating to trucking operations when arriving to the site. It is provided in support of and shall be read in conjunction with the PKCT Site Induction and Heavy Vehicle Haulage Induction.</p> <p>Table 3 Haulage Route Summary</p> <table><tr><th>Role</th><th>Responsibility</th></tr><tr><td>Appin Road</td><td>Appin Road is a combination of divided and undivided road with a speed limit of 90km/hr. Frequent overtaking lanes are found along this route.</td></tr><tr><td>Mt Ousley Road</td><td>Mt Ousley Road traverses through hilly country with steep grades and tight curves. The speed limit is 80Km/hr however the truck speed limit down Mt Ousley is 40km/hr, with trucks being restricted to the outer 2 lanes. Emergency stopping bays are provided in both directions. As Mt Ousley is close to residential receivers, drivers are requested to limit noise wherever possible. Transport for NSW (TfNSW) advise peak hour traffic is as follows:<ul style="list-style-type: none">6:00am to 8:00 am - Monday to Friday northbound3:00pm to 7:00pm – Monday to Friday southbound.All breakdowns must be reported to the TfNSW Transport Management Centre (TMC) by calling 131700. The vehicle must be protected in accordance with the RMS Heavy Vehicle Drivers handbook.</td></tr><tr><td>Bellambi Lane</td><td>Receival of coal from Wollongong Coal at PKCT is only permitted from 7.30am onwards and until 10.30 pm Monday to Friday and from 8.30am to 6.30pm on weekends and public holidays. The speed limit on Bellambi Lane is 60km/hr. Bellambi Lane has a high number of commuter vehicles, drivers are required to be vigilant regarding separation distances. As Bellambi Lane is close to residential receivers, drivers are requested to limit noise wherever possible.</td></tr><tr><td>Northern Distributor</td><td>The Northern Distributor links Bellambi Lane with the Southern Freeway. The speed limit along the Northern Distributor varies between 80km/hr & 90Km/hr. Several traffic lighted intersections are found along this route. Transport for NSW (TfNSW) advise peak hour traffic is as follows:<ul style="list-style-type: none">6:00am to 9:00 am - Monday to Friday northbound3:00pm to 6:00pm – Monday to Friday southbound.All breakdowns must be reported to the TfNSW Transport Management Centre (TMC) by calling 131700. The</td></tr></table>	Role	Responsibility	Appin Road	Appin Road is a combination of divided and undivided road with a speed limit of 90km/hr. Frequent overtaking lanes are found along this route.	Mt Ousley Road	Mt Ousley Road traverses through hilly country with steep grades and tight curves. The speed limit is 80Km/hr however the truck speed limit down Mt Ousley is 40km/hr, with trucks being restricted to the outer 2 lanes. Emergency stopping bays are provided in both directions. As Mt Ousley is close to residential receivers, drivers are requested to limit noise wherever possible. Transport for NSW (TfNSW) advise peak hour traffic is as follows: <ul style="list-style-type: none">6:00am to 8:00 am - Monday to Friday northbound3:00pm to 7:00pm – Monday to Friday southbound. All breakdowns must be reported to the TfNSW Transport Management Centre (TMC) by calling 131700. The vehicle must be protected in accordance with the RMS Heavy Vehicle Drivers handbook.	Bellambi Lane	Receival of coal from Wollongong Coal at PKCT is only permitted from 7.30am onwards and until 10.30 pm Monday to Friday and from 8.30am to 6.30pm on weekends and public holidays. The speed limit on Bellambi Lane is 60km/hr. Bellambi Lane has a high number of commuter vehicles, drivers are required to be vigilant regarding separation distances. As Bellambi Lane is close to residential receivers, drivers are requested to limit noise wherever possible.	Northern Distributor	The Northern Distributor links Bellambi Lane with the Southern Freeway. The speed limit along the Northern Distributor varies between 80km/hr & 90Km/hr. Several traffic lighted intersections are found along this route. Transport for NSW (TfNSW) advise peak hour traffic is as follows: <ul style="list-style-type: none">6:00am to 9:00 am - Monday to Friday northbound3:00pm to 6:00pm – Monday to Friday southbound. All breakdowns must be reported to the TfNSW Transport Management Centre (TMC) by calling 131700. The	<p>Driver’s Code of Conduct Implementation Plans – signed and acknowledged.</p> <ul style="list-style-type: none">PKCT Driver’s Code of Conduct September 2022PKCT Driver’s Code of Conduct Implementation Plan September 2022PKCT - Drivers Code of Conduct Compliance AuditsLinfox – Drivers Code of Conduct Compliance AuditsS32 - Drivers Code of Conduct Compliance AuditsHeavy Haulage Induction ScriptHeavy Haulage Induction Question and AnswersExample PKCT Task Coach and Observation Sheets	<p>PKCT, Linfox and South32 conduct routine audits of trucking activities to confirm compliance with the Drivers Code of Conduct (DCC). The task coach and observation audit sheets include an assessment of whether the trucks are using the main arterial roads detailed in the DCC. ERM reviewed example audit sheets and confirmed that the trucks were utilising the major arterial roads from the DCC.</p> <p>In addition to routine audits by the trucking company and PKCT, the trucking company management reported that all trucks are tracked by GPS to ensure the correct routes are taken.</p>	C	N/A
Role	Responsibility														
Appin Road	Appin Road is a combination of divided and undivided road with a speed limit of 90km/hr. Frequent overtaking lanes are found along this route.														
Mt Ousley Road	Mt Ousley Road traverses through hilly country with steep grades and tight curves. The speed limit is 80Km/hr however the truck speed limit down Mt Ousley is 40km/hr, with trucks being restricted to the outer 2 lanes. Emergency stopping bays are provided in both directions. As Mt Ousley is close to residential receivers, drivers are requested to limit noise wherever possible. Transport for NSW (TfNSW) advise peak hour traffic is as follows: <ul style="list-style-type: none">6:00am to 8:00 am - Monday to Friday northbound3:00pm to 7:00pm – Monday to Friday southbound. All breakdowns must be reported to the TfNSW Transport Management Centre (TMC) by calling 131700. The vehicle must be protected in accordance with the RMS Heavy Vehicle Drivers handbook.														
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Northern Distributor	The Northern Distributor links Bellambi Lane with the Southern Freeway. The speed limit along the Northern Distributor varies between 80km/hr & 90Km/hr. Several traffic lighted intersections are found along this route. Transport for NSW (TfNSW) advise peak hour traffic is as follows: <ul style="list-style-type: none">6:00am to 9:00 am - Monday to Friday northbound3:00pm to 6:00pm – Monday to Friday southbound. All breakdowns must be reported to the TfNSW Transport Management Centre (TMC) by calling 131700. The														

No	Assessment Requirement	Reference/Evidence	Comments	Compliance Status	Recommendations
	<p>vehicle must be protected in accordance with the RMS Heavy Vehicle Drivers handbook.</p> <p>The Southern Freeway forms part of the arterial link between Sydney and Wollongong. The speed limit varies from 80km/hr to 100km/hr on this route. Caution should be observed around merging lanes.</p> <p>Transport for NSW (TfNSW) advise peak hour traffic is as follows:</p> <ul style="list-style-type: none"> 6:00am to 10:00 am - Monday to Friday northbound and southbound 3:00pm to 6:00pm – Monday to Friday northbound and southbound. <p>All breakdowns must be reported to the TfNSW Transport Management Centre (TMC) by calling 131700. The vehicle must be protected in accordance with the RMS Heavy Vehicle Drivers handbook.</p> <p>Masters Road is a 1.3 km road with three lanes in either direction separated by a centre median island. The speed limit on Masters Road is 80Km/hr. Traffic lights are located in the left hand turning lane which allows vehicles to turn onto Springhill Road. Compression braking on this route should be avoided due to community disturbance. Interactions with other heavy vehicle users will be frequent in this area.</p> <p>The northbound exit to Figtree and Wollongong is located within 200 metres south of the 'The Avenue, Figtree' overpass of the location shown in the image below. The on-road ramp can experience morning peaks.</p> <p>The section of Springhill Road between Masters Road and Port Kembla Road is 2.3 km in length, is 3 lanes wide and divided by a median strip. The speed limit is 80km/hr. Several traffic lights and intersections are found along this section of road and drivers are required to pay particular attention to other vehicles crossing the traffic flow. Due to the close proximity to residents, compression brakes are not to be used on the approach to the lights at Springhill and Port Kembla Road wherever possible. Interactions with other heavy vehicle users will be frequent in this area.</p> <p>Port Kembla Road is a two lane undivided road. The speed limit on Port Kembla Road is 50km/hr. Port Kembla Road is a public road and drivers should ensure that they remove any residual coal on their vehicles prior to entering the road from PKCT.</p>				

5. NOISE MINIMISATION CONTROLS

<p>This section designates the specific noise mitigation measures which must be adhered to. This includes rules on compression braking, tipping practices and speed limits for the approach to PKCT, when travelling on the site, tipping and leaving the site.</p> <p>Due to the relatively close proximity to residential areas, drivers are requested to limit the noise created in this area as much as possible.</p> <p>PKCT's Noise Monitoring Program is provided as part of the Noise Management Plan. The noise monitoring program has been prepared by Wilkinson Murray titled PKCT Noise Monitoring Program (Version D) (report reference: 07355-D).</p> <p>It is noted within the PKCT Noise Monitoring Program that the Conditions Approval require both attended and non-attended noise monitoring, however, the acoustic environment in the area is complex and given the fact the residential receivers are separated by roads and a</p>	<ul style="list-style-type: none"> PKCT Driver's Code of Conduct September 2022 PKCT Driver's Code of Conduct Implementation Plan September 2022 Implementation Plans & Induction protocols and acknowledgements. PKCT - Drivers Code of Conduct Compliance Audits 	<p>PKCT, Linfox and South32 conduct routine audits of trucking activities to confirm compliance with the Drivers Code of Conduct (DCC).</p> <p>Drivers are instructed on requirements as relate to noise from driving as part of induction process.</p> <p>No complaints related to road traffic noise received during the audit period.</p>	C	N/A
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No	Assessment Requirement	Reference/Evidence	Comments	Compliance Status	Recommendations
	<p>park, unattended noise monitoring is unlikely to provide any useful information regarding the noise from PKCT.</p> <p>The Program shall be implemented in accordance with Section 9.2 of the Noise Management Plan. PKCT shall ensure suitably qualified external service providers and/or consultants are engaged to carry out the work. Service providers shall ensure that the equipment/instruments used are suitably calibrated in accordance with the relevant Australian Standards and manufacturer's specification.</p>				
5.1	<p>Compression Breaking Noise</p> <p>Compression brakes can be extremely noisy and adversely impact on public amenity. Wherever possible, use of engine brakes near residences and in built up areas should be avoided. Compression brakes must not be used on the approach to Port Kembla Rd/ Springhill Rd lights when entering or exiting PKCT wherever possible.</p>	<ul style="list-style-type: none"> PKCT Driver's Code of Conduct September 2022 PKCT Driver's Code of Conduct Implementation Plan September 2022 Implementation Plans & Induction protocols and acknowledgements. PKCT - Drivers Code of Conduct Compliance Audits 	<p>PKCT, Linfox and South32 conduct routine audits of trucking activities to confirm compliance with the Drivers Code of Conduct (DCC).</p> <p>Drivers are instructed on requirements as relate to noise, including compression braking from driving as part of induction process.</p>	C	N/A
5.2	<p>Tailgate noise</p> <p>Drivers must ensure that, following tipping, the tailgate is locked before leaving PKCT.</p>	<ul style="list-style-type: none"> PKCT Driver's Code of Conduct September 2022 PKCT Driver's Code of Conduct Implementation Plan September 2022 Implementation Plans & Induction protocols and acknowledgements. PKCT - Drivers Code of Conduct Compliance Audits 	<p>PKCT, Linfox and South32 conduct routine audits of trucking activities to confirm compliance with the Drivers Code of Conduct (DCC).</p> <p>Drivers are instructed on requirements as relate to tailgate noise from driving as part of induction process.</p> <p>At the truck wash station the drivers have video feed footage of their trailers to inspect the tailgate is in locked position prior to leaving site.</p>	C	N/A
5.3	<p>Speed hump noise</p> <p>When traversing the speed hump at the gate of PKCT, drivers are to approach slowly to ensure that excessive noise is not created.</p>	<ul style="list-style-type: none"> PKCT Driver's Code of Conduct September 2022 PKCT Driver's Code of Conduct Implementation Plan September 2022 Implementation Plans & Induction protocols and acknowledgements. PKCT - Drivers Code of Conduct Compliance Audits 	<p>PKCT conduct routine audits of trucking activities to confirm compliance with the Drivers Code of Conduct (DCC).</p> <p>Drivers are instructed on requirements as relate to speed hump noise from driving as part of induction process.</p> <p>The guard station is also at the speed hump and enforces required speed for trucks at speed hump.</p>	C	N/A
5.4	<p>Queuing</p> <p>Queuing at the truck receival area is permitted on Tom Thumb Road and Port Kembla Road. No trucks are permitted to queue on Springhill Road.</p>	<ul style="list-style-type: none"> PKCT Driver's Code of Conduct September 2022 PKCT Driver's Code of Conduct Implementation Plan September 2022 	<p>PKCT, Linfox and South32 conduct routine audits of trucking activities to confirm compliance with the Drivers Code of Conduct (DCC).</p> <p>Drivers are instructed on requirements as relate to queuing as part of induction process.</p>	C	N/A

No	Assessment Requirement	Reference/Evidence	Comments	Compliance Status	Recommendations
		<ul style="list-style-type: none"> Implementation Plans & Induction protocols and acknowledgements. PKCT - Drivers Code of Conduct Compliance Audits 			
5.5	Braking Brakes must be applied so as not to create excessive noise that could disturb local residents. Compression braking on Springhill and Masters Road should be avoided, and are not to be used at the intersection of Port Kembla Road and Springhill Road wherever possible.	<ul style="list-style-type: none"> PKCT Driver's Code of Conduct September 2022 PKCT Driver's Code of Conduct Implementation Plan September 2022 Implementation Plans & Induction protocols and acknowledgements. PKCT - Drivers Code of Conduct Compliance Audits 	PKCT, Linfox and South32 conduct routine audits of trucking activities to confirm compliance with the Drivers Code of Conduct (DCC). Drivers are instructed on requirements as relate to noise, including compression braking from driving and that is not to be used at the intersection of Port Kembla Road and Springhill Road as part of induction process.	C	N/A
6. SAFE DRIVING AT PKCT					
	The gates at the end of Port Kembla road denote the start of the PKCT Road Receival Area. The speed limit is 40 km/hr in this area. A boom gate is installed at the crest of the hill to prevent unauthorised public vehicles entering the area. Drivers should slow down as they approach the gate to allow it to automatically open.	<ul style="list-style-type: none"> PKCT Driver's Code of Conduct September 2022 PKCT Driver's Code of Conduct Implementation Plan September 2022 Implementation Plans & Induction protocols and acknowledgements. PKCT - Drivers Code of Conduct Compliance Audits 	PKCT conduct routine audits of trucking activities to confirm compliance with the Drivers Code of Conduct (DCC). Drivers are instructed on requirements as relate to the speed limit at the boom gate as part of induction process. The guard station is also at the boom gate and enforces required speed for trucks at boom gate.	C	N/A
7. PKCT PERSONAL PROTECTIVE EQUIPMENT (PPE) REQUIREMENTS					
	The minimum PPE requirements for truck drivers when outside of their trucks is as stipulated in the PKCT Induction include: Safety hard hat Safety glasses Long sleeve day-night hi-vis shirt (with sleeves rolled down) or a long sleeve shirt with a day-night hi-vis safety vest worn in accordance with manufacturers specifications Long pants/trousers Safety footwear.	<ul style="list-style-type: none"> PKCT Driver's Code of Conduct September 2022 PKCT Driver's Code of Conduct Implementation Plan September 2022 Implementation Plans & Induction protocols and acknowledgements. PKCT - Drivers Code of Conduct Compliance Audits 	PKCT conduct routine audits of trucking activities to confirm compliance with the Drivers Code of Conduct (DCC). Drivers are instructed on requirements as relate to PPE requirements as part of induction process.	C	N/A
8. GENERAL PKCT HEALTH AND SAFETY REQUIREMENTS					
	The following health and safety rules apply when working at PKCT: Drivers shall not to exit the truck cab at any time while the Road Receival circuit is active. No queuing within area from amenities to bin top boom gate.	<ul style="list-style-type: none"> PKCT Driver's Code of Conduct September 2022 PKCT Driver's Code of Conduct Implementation Plan September 2022 	PKCT conduct routine audits of trucking activities to confirm compliance with the Drivers Code of Conduct (DCC). Drivers are instructed on requirements as relate to health and safety requirements as part of induction process.	C	N/A

No	Assessment Requirement	Reference/Evidence	Comments	Compliance Status	Recommendations
	<p>The dumping of rubbish of any form is prohibited.</p> <p>Drivers are authorised to enter the site to carry out their allocated tasks. Access to other areas of the plant is prohibited.</p> <p>Drivers shall take care to ensure product being delivered isn't contaminated with rubbish or other foreign objects eg. timber, tarps. Contamination may be observed at the mine site during loading or during delivery and discharge at PKCT's premises. If sighted in coal, the truck driver shall notify his/her supervisor, relevant mine personnel or PKCT Shift Supervisor, as appropriate, and arrange for such objects' safe removal and offsite disposal.</p> <p>Where necessary, liaise with PKCT personnel on site. Report any safety, environmental or other incidents.</p> <p>Walk, don't run; beware of slip, trip and fall hazards, especially when exiting a vehicle.</p> <p>Standing between the trailer body and the tail gate with the hoist raised is not permitted.</p> <p>Lowering Trays: take care to ensure trays are lowered after unloading.</p> <p>If trucks/trailers are required to be inspected on the PKCT site, the truck shall be parked in a designated parking area. The vehicle shall be fundamentally stabled prior to inspection. Maxi brakes in addition to chocks shall be used to secure any vehicle that is to be stabled.</p> <p>Standing or working under raised trailers is not permitted. Trailer bodies requiring inspection shall be appropriately propped before accessing the equipment.</p> <p>Climbing or standing on trailers is not permitted.</p> <p>Standing behind Tailgate Grain Doors is not permitted when the trailer contains material.</p>	<ul style="list-style-type: none"> Implementation Plans & Induction protocols and acknowledgements. PKCT - Drivers Code of Conduct Compliance Audits 	<p>Protocols are in place for removing foreign objects / waste in coal load based on notifying relevant personnel.</p>		

9. SPEED LIMITS

	<p>All drivers shall observe and comply with the speed limits posted at PKCT. Where conditions dictate, reduced speed limits shall be used.</p>	<ul style="list-style-type: none"> PKCT Driver's Code of Conduct September 2022 PKCT Driver's Code of Conduct Implementation Plan September 2022 Implementation Plans & Induction protocols and acknowledgements. PKCT - Drivers Code of Conduct Compliance Audits 	<p>PKCT conduct routine audits of trucking activities to confirm compliance with the Drivers Code of Conduct (DCC).</p> <p>Drivers are instructed on requirements as relate to the speed limits at PKCT as part of induction process.</p>	C	N/A
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10. ROAD DELIVERY STANDARDS

	<p>Road delivery standards, as specified by PKCT and legislation, which require attention when delivering to the PKCT road receiveal, are highlighted in this section.</p>	Noted	Note	Noted	N/A
10.1	<p>Tipping</p> <p>Trucks shall be positioned over the tipping grates (Zones) before commencing tipping. Any spillage that occurs during tipping is to be reported to PKCT to enable efficient clean up.</p>	<ul style="list-style-type: none"> PKCT Driver's Code of Conduct September 2022 PKCT Driver's Code of Conduct Implementation Plan September 2022 	<p>PKCT conduct routine audits of trucking activities to confirm compliance with the Drivers Code of Conduct (DCC).</p> <p>Drivers are instructed on requirements as relate to tipping at PKCT as part of induction process.</p>	C	N/A

No	Assessment Requirement	Reference/Evidence	Comments	Compliance Status	Recommendations
	Tipping in other areas shall be done as directed by PKCT requirements and supervisors. The area used for tipping shall be risk assessed to determine whether tipping can proceed safely, with particular attention being paid to the cross slope and evenness of the area.	<ul style="list-style-type: none"> Implementation Plans & Induction protocols and acknowledgements. PKCT - Drivers Code of Conduct Compliance Audits 	PKCT employ a stop work and restrict access process to conduct clean up on spillage as required and notified.		
10.2	Load Covering All loaded trucks entering or leaving the premises must have their loads covered. The load cover may be removed upon arrival at the PKCT road receival area. Manual trailer covers are not permitted for use on the PKCT site, eliminating the need for a truck driver to exit the truck cabin to remove or re-instate a trailer cover.	<ul style="list-style-type: none"> PKCT Driver's Code of Conduct September 2022 PKCT Driver's Code of Conduct Implementation Plan September 2022 Implementation Plans & Induction protocols and acknowledgements. PKCT - Drivers Code of Conduct Compliance Audits 	PKCT conduct routine audits of trucking activities to confirm compliance with the Drivers Code of Conduct (DCC). Drivers are instructed on requirements as relate to load covering as part of induction process. At the truck wash station the drivers have video feed footage for them to inspect that the cover is in place. All trucks use automatic covers.	C	N/A
10.3	Truck Wash All trucks are to pass through a truck wash when leaving the client mine and also after tipping at PKCT, before leaving the site. To ensure effective washing, trucks must obey the truckwash traffic signals and signage at entry and proceed through the truckwash at an appropriate speed, no faster than 5km/h.	<ul style="list-style-type: none"> PKCT Driver's Code of Conduct September 2022 PKCT Driver's Code of Conduct Implementation Plan September 2022 Implementation Plans & Induction protocols and acknowledgements. PKCT - Drivers Code of Conduct Compliance Audits 	PKCT conduct routine audits of trucking activities to confirm compliance with the Drivers Code of Conduct (DCC). Drivers are instructed on requirements as relate to truck washing as part of induction process. At the truck was station the drivers have video feed footage for them to inspect that the truck and tray is effectively washed prior to leaving site. A lay by area with a hose is available for trucks to safely pull up and wash down any remaining coal prior to leaving site.	C	N/A
10.4	Equipment Performance It is the driver's responsibility to report all vehicle faults and it is the owner's responsibility to ensure that the vehicle is maintained to ensure safe vehicle operations.	<ul style="list-style-type: none"> PKCT Driver's Code of Conduct September 2022 PKCT Driver's Code of Conduct Implementation Plan September 2022 Implementation Plans & Induction protocols and acknowledgements. PKCT - Drivers Code of Conduct Compliance Audits 	PKCT conduct routine audits of trucking activities to confirm compliance with the Drivers Code of Conduct (DCC). Drivers are instructed on requirements as relate to reporting faults as part of induction process. Haulage companies are required to maintain vehicles in safe operating conditions as part of contract and acknowledgement of DCC.	C	N/A

11. COAL BERTH ROAD RECEIVAL

11.1	Truck Unloading Truck unloading procedures include: Remain in the truck at all times Ensure you are unloading in the correct zone Ensure your truck is aligned centrally on the road receival bin Find a location along the grid where there is sufficient room in the bin to accommodate the load	<ul style="list-style-type: none"> PKCT Driver's Code of Conduct September 2022 PKCT Driver's Code of Conduct Implementation Plan September 2022 Implementation Plans & Induction protocols and acknowledgements. 	PKCT conduct routine audits of trucking activities to confirm compliance with the Drivers Code of Conduct (DCC). Drivers are instructed on requirements as relate to truck unloading at PKCT as part of induction process.	C	N/A
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No	Assessment Requirement	Reference/Evidence	Comments	Compliance Status	Recommendations
	<p>Raise tray in a controlled fashion at a speed that ensures that coal is not deposited on the adjacent roadway or pedestrian access way</p> <p>Do not unload at a location where the bin is full</p> <p>Do not tip load directly onto the main cross beam in bins</p> <p>Do not reverse over reversing over unloaded material on the hopper grids with their trailers raised.</p> <p>Water sprays are installed on the western side of the roadway adjacent to the road receival bins. These sprays may be activated from time to time to control dust.</p>	<ul style="list-style-type: none"> PKCT - Drivers Code of Conduct Compliance Audits 			
12. TRAFFIC LIGHTS AND BIN SENSORS					
	<p>Road receival bins have a traffic light/ bin sensor system for guiding truck drivers on where best to tip. A red light provides an indication that the bin is full. Drivers should do a visual check to confirm. In advertent unloading when the bin is full will cause difficulties for trucks following and also result in increased coal deposits on adjacent roadways.</p>	<ul style="list-style-type: none"> PKCT Driver's Code of Conduct September 2022 PKCT Driver's Code of Conduct Implementation Plan September 2022 Implementation Plans & Induction protocols and acknowledgements. PKCT - Drivers Code of Conduct Compliance Audits 	<p>PKCT conduct routine audits of trucking activities to confirm compliance with the Drivers Code of Conduct (DCC).</p> <p>Drivers are instructed on requirements as relate to truck unloading traffic lights and bin sensors at PKCT as part of induction process.</p>	C	N/A
13. LIGHT VEHICLE INTERACTIONS					
	<p>If for any reason a light vehicle needs to access the bin top, communication with trucks in the area must be made via UHF Channel 10 silent is required.</p>	<ul style="list-style-type: none"> PKCT Driver's Code of Conduct September 2022 PKCT Driver's Code of Conduct Implementation Plan September 2022 Implementation Plans & Induction protocols and acknowledgements. PKCT - Drivers Code of Conduct Compliance Audits PKCT safety procedures 	<p>PKCT conduct routine audits of trucking activities to confirm compliance with the Drivers Code of Conduct (DCC).</p> <p>Drivers and PKCT personnel are instructed on requirements as relate to light vehicle access to the top bin sensors at PKCT as part of induction process.</p>	C	N/A
14. CLEARWAYS					
	<p>At various locations along the entry road and road receival road, the road is marked by hatched lines. Do not park or stop across these areas as this will impede access to adjacent driveways and access ways.</p>	<ul style="list-style-type: none"> PKCT Driver's Code of Conduct September 2022 PKCT Driver's Code of Conduct Implementation Plan September 2022 Implementation Plans & Induction protocols and acknowledgements. PKCT - Drivers Code of Conduct Compliance Audits 	<p>PKCT conduct routine audits of trucking activities to confirm compliance with the Drivers Code of Conduct (DCC).</p> <p>Drivers are instructed on requirements as relate to clearways as part of induction process.</p>	C	N/A

No	Assessment Requirement	Reference/Evidence	Comments	Compliance Status	Recommendations
15. DESIGNATED PARKING					
	There is a designated parking area for access to amenities is located adjacent to the amenities block. This area allows for no more than three (3) trucks to park at any one time. At the designated parking area, truck drivers must secure their vehicle (including the application of the park brake) prior to egressing the cab. All drivers are to egress the cab on the kerb side of the roadway.	<ul style="list-style-type: none"> PKCT Driver's Code of Conduct September 2022 PKCT Driver's Code of Conduct Implementation Plan September 2022 Implementation Plans & Induction protocols and acknowledgements. PKCT - Drivers Code of Conduct Compliance Audits 	<p>PKCT conduct routine audits of trucking activities to confirm compliance with the Drivers Code of Conduct (DCC).</p> <p>Drivers are instructed on requirements as relate to designated parking area use as part of induction process.</p>	C	N/A
16. BOOM GATE					
	A boom gate is installed to control traffic and may be lowered by the Main Control to prevent access to the grids. This may be needed for clean-up or maintenance purposes. Wherever possible, consideration shall be given to truck arrivals to minimise impact on traffic flows.	<ul style="list-style-type: none"> PKCT Driver's Code of Conduct September 2022 PKCT Driver's Code of Conduct Implementation Plan September 2022 Implementation Plans & Induction protocols and acknowledgements. PKCT - Drivers Code of Conduct Compliance Audits 	<p>PKCT conduct routine audits of trucking activities to confirm compliance with the Drivers Code of Conduct (DCC).</p> <p>Drivers are instructed on requirements as relate to boom gate and access to site as part of induction process.</p>	C	N/A
17. MOBILE PLANT					
	At times when PKCT is using the water cart or front end loader around the road receival grids, trucks must wait for PKCT direction to dump. The road receival area is often to unmanned by PKCT personnel. In case of an operational requirement, contact PKCT personnel in the vicinity or notify PKCT's Main Control Tower on 4221 1807.	<ul style="list-style-type: none"> PKCT Driver's Code of Conduct September 2022 PKCT Driver's Code of Conduct Implementation Plan September 2022 Implementation Plans & Induction protocols and acknowledgements. PKCT - Drivers Code of Conduct Compliance Audits 	<p>PKCT conduct routine audits of trucking activities to confirm compliance with the Drivers Code of Conduct (DCC).</p> <p>Drivers are instructed on requirements as relate to waiting to dump while water cart or loader is in operation around the tipping site as part of induction process.</p>	C	N/A
18. TRUCK WASH					
	Drivers must ensure that trucks pass through an operating truck wash after unloading and exiting site. If the truck wash is not operating, it must be reported immediately. To ensure effective truck washing, drivers are to assist by proceeding through the truck wash slowly and stopping if necessary if build up on tail gates and draw bars is particularly heavy or if the coal is sticky. The truck wash uses recycled water which is recirculated with recycled water top up. Recycled water is high quality. Visually, it is clear and doesn't have any notable odour. Through recirculation, the water will have some suspended solids content. If water is dark, report to the Main Control Room immediately.	<ul style="list-style-type: none"> PKCT Driver's Code of Conduct September 2022 PKCT Driver's Code of Conduct Implementation Plan September 2022 Implementation Plans & Induction protocols and acknowledgements. 	<p>PKCT conduct routine audits of trucking activities to confirm compliance with the Drivers Code of Conduct (DCC).</p> <p>Drivers are instructed on requirements as relate to requirement for trucks to be washed effectively via truck wash prior to leaving site as part of induction process.</p>	C	N/A

No	Assessment Requirement	Reference/Evidence	Comments	Compliance Status	Recommendations
		<ul style="list-style-type: none"> PKCT - Drivers Code of Conduct Compliance Audits 			
19. MANUAL TRUCK WASH STATION					
	<p>A manual truck wash station is available for cleaning of coal build-up from the truck's dolly, drawbar and tailgate. The manual truck wash station is located downstream of the truck wash.</p> <p>At no stage shall a truck driver exit the truck cabin while on the active road receival circuit. The truck driver shall contact the Truck Wash Operator on UHF Channel 10 (silent) to commence visual inspection and manual wash.</p> <p>Once the Truck Wash Operator confirms that all coal build-up has been removed the truck, the truck driver may proceed to the eastern truck wash lane. If all coal build-up cannot be removed readily and requires extensive washing, the Truck Wash Operator will instruct the truck driver to proceed to an alternative wash down point.</p>	<ul style="list-style-type: none"> PKCT Driver's Code of Conduct September 2022 PKCT Driver's Code of Conduct Implementation Plan September 2022 Implementation Plans & Induction protocols and acknowledgements. PKCT - Drivers Code of Conduct Compliance Audits 	<p>PKCT conduct routine audits of trucking activities to confirm compliance with the Drivers Code of Conduct (DCC).</p> <p>Drivers are instructed on requirements as relate to using manual truck wash station to wash down any remaining coal not removed by automatic wash if necessary, as part of induction process.</p>	C	N/A
20. AREA HOUSEKEEPING AND MAINTENANCE					
	<p>Where truck drivers identify a need for housekeeping (cleaning of coal build-up on the grids) or maintenance (blocked sprays on truck wash, etc) they are to notify PKCT personnel.</p>	<ul style="list-style-type: none"> PKCT Driver's Code of Conduct September 2022 PKCT Driver's Code of Conduct Implementation Plan September 2022 Implementation Plans & Induction protocols and acknowledgements. PKCT - Drivers Code of Conduct Compliance Audits 	<p>PKCT conduct routine audits of trucking activities to confirm compliance with the Drivers Code of Conduct (DCC).</p> <p>Drivers are instructed on requirements as relate to notifying PKCT personnel if they identify a need for housekeeping as part of induction process.</p>	C	N/A
21. INCIDENT MANAGEMENT AND REPORTING – NON-PKCT ROADS					
	<p>The following flowchart shows the steps that must be followed to ensure that any incident is cleared as quickly as possible.</p>	<ul style="list-style-type: none"> PKCT Driver's Code of Conduct September 2022 PKCT Driver's Code of Conduct Implementation Plan September 2022 Implementation Plans & Induction protocols and acknowledgements. PKCT - Drivers Code of Conduct Compliance Audits 	<p>PKCT conduct routine audits of trucking activities to confirm compliance with the Drivers Code of Conduct (DCC).</p> <p>Drivers are instructed on requirements as relate to incident response protocols as part of induction process.</p>	C	N/A

No	Assessment Requirement	Reference/Evidence	Comments	Compliance Status	Recommendations
	<p>To ensure quick response, all incidents must be reported immediately to your shift supervisor. For incidents on the public road network contact emergency services and TfNSW as required and others if support is needed. For incidents at the mine site and PKCT, the site controller shall be contacted (i.e. mine site or PKCT as appropriate).</p>				

22. CONTACT NUMBERS

<p>Contact numbers are detailed in Table 4 below.</p> <p>Table 4 DCC Contact Numbers</p> <table><tr><th>Organization</th><th>Emergency Contact Number</th></tr><tr><td>Emergency Services</td><td>000</td></tr><tr><td>TfNSW Transport Management Centre</td><td>131 700</td></tr><tr><td>Port Kembla Coal Terminal Emergency Number</td><td>0242-211812</td></tr><tr><td>Shipper</td><td>The mine site's emergency number as advised</td></tr><tr><td>PKCT Supervisor</td><td>0418 238 817</td></tr><tr><td>PKCT Main Control Room</td><td>42 211 807</td></tr></table>	Organization	Emergency Contact Number	Emergency Services	000	TfNSW Transport Management Centre	131 700	Port Kembla Coal Terminal Emergency Number	0242-211812	Shipper	The mine site's emergency number as advised	PKCT Supervisor	0418 238 817	PKCT Main Control Room	42 211 807	Noted	Note	Noted	N/A
Organization	Emergency Contact Number																	
Emergency Services	000																	
TfNSW Transport Management Centre	131 700																	
Port Kembla Coal Terminal Emergency Number	0242-211812																	
Shipper	The mine site's emergency number as advised																	
PKCT Supervisor	0418 238 817																	
PKCT Main Control Room	42 211 807																	

23. MANAGEMENT OF NON-COMPLIANCES

<p>Trucking Companies shall ensure their drivers (including sub-contractors) are instructed on PKCT's requirements and provide the necessary supervision and corrective actions to ensure compliance. Where non compliances with these procedures are observed PKCT representatives will:</p> <p>(1) 1st Occasion: Where possible approach the driver involved, draw attention to the non-compliance and advise of the behaviour required. Take the registration number of the truck and the fleet number (large number displayed on rear of trailer) of the truck and advise that the incident will be recorded as a warning under this procedure in the PKCT Event Management System and that three warnings will result in the driver being precluded from</p>	<ul style="list-style-type: none"> PKCT Driver's Code of Conduct September 2022 PKCT Driver's Code of Conduct Implementation Plan September 2022 Implementation Plans & Induction protocols and acknowledgements. 	<p>Linfox, S32 and PKCT conduct routine audits of trucking activities to confirm compliance with the Drivers Code of Conduct (DCC).</p> <p>Trucking companies acknowledged the management requirements as related to the necessary supervision and corrective actions measures for non-compliances by drivers via the DCC in contractual agreements.</p>	C	N/A
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No	Assessment Requirement	Reference/Evidence	Comments	Compliance Status	Recommendations
	<p>entering PKCT. If unable to approach the driver, communication should be made with both the trucking company's supervisor on site and/or PKCT management to progress this issue in a timely manner. A PKCT event will be created by a PKCT Representative to record and track this issue. The relevant Shipper will be notified of the incident in writing and requested to do the following:</p> <p>a) Formally advise the person of the warning</p> <p>b) Counsel the person involved and advise of the consequences of further non compliances</p> <p>c) Reinstruct the person of PKCT's requirements</p> <p>d) Notify PKCT of the driver's name for PKCT's records.</p> <p>(2) 2nd Occasion: Where possible approach the driver involved, draw attention to the non-compliance and advise of the behaviour required. Take the registration number of the truck and the fleet number (large number displayed on rear of trailer) of the truck and advise that the incident will be recorded as a warning under this procedure in the PKCT Event Management System and that three warnings will result in the driver being precluded from entering PKCT. If unable to approach the driver, communication should be made with both the trucking company's supervisor on site and/or PKCT management to progress this issue in a timely manner. A PKCT event will be created by a PKCT Representative to record and track this issue.</p> <p>The relevant Shipper will be notified of the incident in writing and requested to do the following: repeat the steps (a) to (d) advise the driver that this is their second warning and that a third will result in the driver being precluded from entering PKCT of the second warning.</p> <p>(3) 3rd Occasion: If a PKCT employee observes a non – compliance and it is found that a driver has received two previous warnings, the trucking company shall do (a) and (d) and advise the driver he is banned from the site.</p>	<ul style="list-style-type: none"> PKCT - Drivers Code of Conduct Compliance Audits Linfox – Drivers Code of Conduct Compliance Audits S32 - Drivers Code of Conduct Compliance Audits Heavy Haulage Induction Script Heavy Haulage Induction Question and Answers 	ERM observed EMS records of surveillance and supervision actions and active management of driver adherence to the DCC.		
24. TRUCK BREAKDOWN RESPONSE WHILE AT PKCT					
	<p>In the event that a truck driver needs to exit the cab at PKCT site for any reason (outside the designated parking area) the following process steps apply:</p> <ol style="list-style-type: none"> The truck driver is to make their truck safe, secure as per the parking procedure and stay in the cab. Truck driver to notify other drivers in the area. Truck driver to notify the Road Supervisor and communicate the current situation. The Road Supervisor is to notify immediately PKCT's Main Control Tower on 4221 1807 to dispatch the PKCT representative and isolate the circuit if required. A PKCT representative will attend the site to ensure the area is made safe and make any necessary PKCT operational decisions. Truck driver only to exit the cab at the direction of the Road Supervisor / PKCT representative and upon confirmation that the truck is secure. Chock vehicle as required. For any services that the trucking companies organise to attend site in response to the break down, the following protocols should be complied with: <ol style="list-style-type: none"> The person attending site will need to be inducted to PKCT site (or be escorted on site by a PKCT representative). Prior to any work on our site an Authority to Work form will need to be generated and authorised by a PKCT representative, inclusive of a JSEA for that specific work on PKCT site. 	<ul style="list-style-type: none"> PKCT Driver's Code of Conduct September 2022 PKCT Driver's Code of Conduct Implementation Plan September 2022 Implementation Plans & Induction protocols and acknowledgements. PKCT - Drivers Code of Conduct Compliance Audits 	<p>PKCT conduct routine audits of trucking activities to confirm compliance with the Drivers Code of Conduct (DCC).</p> <p>Drivers are instructed on requirements as relate to truck breakdown incident response protocols as part of induction process.</p>	C	N/A

No	Assessment Requirement	Reference/Evidence	Comments	Compliance Status	Recommendations
	<p>c. While on our site ensure all road signs and PKCT Truck driver rules are followed as per this procedure.</p> <p>In the event that a truck breaks down outside of PKCT site boundary, but within the inner harbour terminal boundary, the same level of safety and environmental standard is recommended as that stated above. When not on PKCT site, i.e. Port Kembla Road or Seawall Road, trucking company employees will need to work with PKCT to mitigate any safety, environmental and operational implications in these areas.</p>				

25. SPILLS

	<p>If there is a product spill while loading/unloading or en-route the driver must:</p> <p>Put out warning triangles where it is safe to do so</p> <p>Immediately warn persons in the area who may be at risk. If there is flammable material, all people should be warned</p> <p>Inform the Shift Supervisor immediately so that emergency services can be contacted, where applicable, and clean up can be initiated. All spills must be adequately cleaned up and waste disposed of in an acceptable environmental manner. The Road Transport Provider shall include PKCT and/or Shipper in notifications as part of the emergency response where support is needed or subsequently as part of incident reporting refer to the DCC Implementation Plan (DCCIP).</p>	<ul style="list-style-type: none"> PKCT Driver's Code of Conduct September 2022 PKCT Driver's Code of Conduct Implementation Plan September 2022 Implementation Plans & Induction protocols and acknowledgements. PKCT - Drivers Code of Conduct Compliance Audits 	<p>PKCT conduct routine audits of trucking activities to confirm compliance with the Drivers Code of Conduct (DCC).</p> <p>Drivers are instructed on requirements as relate to product spill incident response protocols as part of induction process.</p>	C	N/A
--	--	--	--	---	-----

26. HAZARD REPORTING

	<p>Road conditions and traffic hazards can impact on road safety and increase noise impacting on residential area. Items such as potholes and poor sequencing of traffic lights shall be reported by drivers to shift supervisors. Road Transport Providers shall notify Shippers who shall investigate and action as appropriate.</p>	<ul style="list-style-type: none"> PKCT Driver's Code of Conduct September 2022 PKCT Driver's Code of Conduct Implementation Plan September 2022 Implementation Plans & Induction protocols and acknowledgements. PKCT - Drivers Code of Conduct Compliance Audits 	<p>PKCT conduct routine audits of trucking activities to confirm compliance with the Drivers Code of Conduct (DCC).</p> <p>Drivers are instructed on requirements as relate to reporting traffic or road condition hazards for investigation as part of induction process.</p>	C	N/A
--	--	--	--	---	-----

27. IMPLEMENTATION, COMPLIANCE AND MONITORING REVIEW

	<p>Under this DCC it is proposed that regular audits of the DCC will be carried out to monitor performance, particularly in relation to noise minimisation around PKCT.</p> <p>Audits will be completed regularly by PKCT, Shippers and Road Transport Providers checking compliance against the DCC including the following activities:</p> <ul style="list-style-type: none"> Speed of trucks Compression braking Truck washing and correct use of truckwash Load covering. <p>In addition to the above audits, formal observations will be made of compliance by the Road Transport Providers, Shippers and PKCT. Audits and observations will cover road transport in the following areas:</p>	<ul style="list-style-type: none"> PKCT Driver's Code of Conduct September 2022 PKCT Driver's Code of Conduct Implementation Plan September 2022 Implementation Plans & Induction protocols and acknowledgements. PKCT - Drivers Code of Conduct Compliance Audits Linfox – Drivers Code of Conduct Compliance Audits 	<p>Linfox, S32 and PKCT conduct routine audits of trucking activities to confirm compliance with the Drivers Code of Conduct (DCC).</p> <p>The audit programs are ongoing and cover the criteria listed in this condition.</p> <p>ERM observed EMS and iAuditor records of audit actions undertaken by PKCT, transport providers and coal companies for active management of driver adherence to the requirements of the DCC.</p> <p>The DCC Implementation Plan was prepared to address the criteria of this condition. The plan entails an annual review of DCC performance and is reported upon in the AEMR.</p>	C	N/A
--	--	--	---	---	-----

No	Assessment Requirement	Reference/Evidence	Comments	Compliance Status	Recommendations
	<ul style="list-style-type: none"> En-route from mine to PKCT At the PKCT site At the mine site. <p>The Driver's Code of Conduct Implementation Program MP.BM.453 sets out the means by which the Code of Conduct is applied. This Implementation Program:</p> <ul style="list-style-type: none"> Incorporates the key elements of the DCC Clarifies the process for management implementation of the DCC Provides transparency for responsibilities by all stakeholders including PKCT, Shippers Road Transport Providers. The key elements of the Implementation Program include: Commitment to DCC Monthly Reports, Quarterly Meetings and Annual Review and Report Key operational focus areas Driver Induction Program Audits and Enforcement. <p>Review of the DCC and its associated Implementation Program shall be undertaken in accordance with DPIE Project Approval 08_0009 and shall entail an annual review of DCC performance. Results shall be reported in the Annual Environment Management Report (AEMR).</p> <p>AEMR's are submitted to the DPIE and made available to other regulators and the community through PKCT's web site www.pkct.com.au. Reviews are also undertaken through the Independent External Audit (IEA) process, initially 2 years from the original DPI project approval date and 3 years thereafter.</p>	<ul style="list-style-type: none"> S32 - Drivers Code of Conduct Compliance Audits Heavy Haulage Induction Script Heavy Haulage Induction Question and Answers iAuditor Records AEMR 2020, 2021, 2020 PKCT IEA 2020 	<p>AEMRs are submitted each year and published on the PKCT website as required.</p> <p>The 2020 PKCT IEA included an assessment of PKCT compliance with the DCC as part of the audit.</p>		

APPENDIX B PLANNING SECRETARY AUDIT TEAM AGREEMENT

Department of Planning and Environment

Mr Luke Pascot
Environmental Specialist
Port Kembla Coal Terminal Ltd
PO Box 823
WOLLONGONG NSW 2520

29/06/2023

Dear Mr Rascot

Port Kembla Coal Terminal (SSD 08_0009)
Independent Environmental Audit 2023

I refer to your request of 27 June 2023 seeking approval of the audit team for the upcoming Independent Environmental Audit of Port Kembla Coal Terminal (the development), in accordance with Schedule 4, Condition 5 of SSD 08_0009 (the consent).

Having considered the qualifications and experience of the proposed audit team, the Planning Secretary endorses the appointment of:

- Mr Andrew Lewis, Lead Auditor;
- Mr Lucas Wilson, Support Auditor;
- Ms Heather McKay, Project Manager;
- Mr Oliver Moore, Technical Review;
- Mr Keshav Dhayam, Acoustics Specialist; and
- Mr James Grieve, Air Quality Specialist,

to undertake the audit in accordance with Schedule 4, Condition 5 of the consent. This approval is conditional on the audit team being independent of the development and maintaining certification as lead or principal auditors with a relevant industry body.

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

The audit is to be conducted in accordance with the Independent Audit Post Approval Requirements (Department 2020 or as updated) and you may wish to consider AS/NZS ISO 19011 Australian/New Zealand Standard: Guidelines for quality and/or environmental management systems auditing. A copy of this guideline can be located at <http://planning.nsw.gov.au/Policy-and-Legislation/Mining-and-Resources/Integrated-Mining-Policy>.

The audit report is to include the following:

- consultation with the relevant agencies;
- a compliance table indicating the compliance status of each condition of approval and any relevant EPL;
- not use the term “partial compliance”;
- recommend actions in response to non-compliances;
- review the adequacy of plans and programs required under this consent; and
- identify opportunities for improved environmental management and performance.

Within six weeks of completing this audit, you are to submit a copy of the audit report to the Planning Secretary, together with its response to any recommendations contained in the audit report and a

timetable to implement the recommendations. Prior to submitting the audit report to the Secretary, it is recommended that you review the report to ensure it complies with the relevant consent condition.

Failure to meet these requirements will require revision and resubmission of the Audit Report.

Should you have any enquiries in relation to this matter, please contact Georgia Dragicevic, Senior Compliance Officer, on (02) 4247 1852 or by email to Georgia.Dragicevic@planning.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read "K. O'Reilly", enclosed in a light grey rectangular box.

Katrina O'Reilly
Team Leader - Compliance
Compliance
As nominee of the Planning Secretary

APPENDIX C CORRESPONDENCE

From: [Chris Kelly](#)
To: [Andrew Lewis](#); [Greg Newman](#)
Subject: RE: Port Kembla Coal Terminal - Independent Environmental Audit ToR consultation request [ref:_00D7F6iTix._5007F1Ou52z:ref]
Date: Monday, 31 July 2023 2:00:09 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

EXTERNAL MESSAGE

Dear Andrew,

I refer to our meeting this morning regarding the upcoming Independent Environmental Audit (IEA) on the Conditions of Approval issued to Port Kembla Coal Terminal (PKCT), PA 08_0009 being conducted by ERM.

ERM have advised the EPA that the primary objectives of the audit include:

- assess the environmental performance of the project and its compliance with the requirements in the Conditions of Approval and any relevant Environment Protection Licence.
- review the adequacy of any approved strategy, plan, or program required under the abovementioned consents/approvals; and
- recommend appropriate measures or actions to improve the environmental performance of the project, and/or any assessment, plan or program required under the abovementioned approvals.

As discussed in the meeting, although the EPA does not currently have any major areas of concern with the operation at PKCT, we would recommend particular focus on the following aspects:

- Air quality impacts, particularly management and monitoring of dust generation.
- Adequacy of the truck wash, including material 'drag out'
- Adequacy of and compliance with site surface water controls and discharges

The EPA looks forward to reviewing the IEA report and findings. If you wish to discuss this matter further, please do not hesitate to contact me on 4224 4118.

Regards

Chris Kelly
Senior Operations Officer | Metropolitan South
+61 2 4224 4118

NSW EPA logo



www.epa.nsw.gov.au @NSW_EPA

The EPA acknowledges the traditional custodians of the land and waters where we work. As part of the world's oldest surviving culture, we pay our respect to Aboriginal elders past, present and emerging.

Report pollution and environmental incidents 131 555 or +61 2 9995 5555

From: andrew.lewis@erm.com <andrew.lewis@erm.com>

Sent: Friday, 28 July 2023 12:05 PM

To: Greg Newman <Greg.Newman@epa.nsw.gov.au>

Cc: Chris Kelly <Chris.Kelly@epa.nsw.gov.au>

Subject: RE: Port Kembla Coal Terminal - Independent Environmental Audit ToR consultation request [ref:_00D7F6iTix._5007F1Ou52z:ref]

Hi Greg / Chris,

Thanks for your email. Apologies for the delay in replying, I was busy in the field earlier in the week on another audit.

I'm writing in regards to organising a time to call / speak with Chris regarding the PKCT audit next week.

I have availability today, Monday and possibly some time on Tuesday to discuss the upcoming audit. If you could let me know a good time for you I'd appreciate it.

Regards,

Andrew Lewis
Managing Consultant

ERM

Level 9, 260 Queen St | Brisbane | QLD 4000

T +61 (0) 7 3007 8477 M +61 488 166 325

E Andrew.Lewis@erm.com | W www.erm.com



From: Greg Newman <Greg.Newman@epa.nsw.gov.au>

Sent: Wednesday, July 26, 2023 8:37 AM

To: Andrew Lewis <andrew.lewis@erm.com>

Cc: Chris Kelly <Chris.Kelly@epa.nsw.gov.au>

Subject: FW: Port Kembla Coal Terminal - Independent Environmental Audit ToR consultation request [ref:_00D7F6iTix._5007F1Ou52z:ref]

You don't often get email from greg.newman@epa.nsw.gov.au. [Learn why this is important](#)

EXTERNAL MESSAGE

Hi Andrew

The mobile number you provided does not seem to be working.

Can you please arrange a time to phone / discuss your audit with Chris Kelly from EPA.

Chris is cc'd to this email and can be reached on 02 42244118.

Thanks
Greg

Greg Newman

Unit Head

Metropolitan South

NSW Environment Protection Authority

D 02 4224 4103 | M 0408 206 035

NSW EPA logo



www.epa.nsw.gov.au @NSW_EPA

The EPA acknowledges the traditional custodians of the land and waters where we work. As part of the world's oldest surviving culture, we pay our respect to Aboriginal elders past, present and emerging.

Report pollution and environmental incidents 131 555 or +61 2 9995 5555

From: Environment Line <info@environment.nsw.gov.au>

Sent: Tuesday, 18 July 2023 12:04 PM

To: EPA Delivery Hub Mailbox <EPA.DeliveryHub@epa.nsw.gov.au>

Subject: FW: Port Kembla Coal Terminal - Independent Environmental Audit ToR consultation request [ref:_00D7F6iTix._5007F1Ou52z:ref]

Hi Team,

The request below is passed on to you for review.

Kind regards,

Hillan

Environment Line Information Officer | Corporate Services Department of Planning, and Environment

T 131 555 | E info@environment.nsw.gov.au

4 Parramatta Square, 12 Darcey St, Parramatta NSW 2150

<https://www.epa.nsw.gov.au/about-us/contact-us/environmentline>

www.dpie.nsw.gov.au

----- Forwarded Message -----

From: [andrew.lewis@erm.com]

Sent: 18/07/2023 9:23 AM

To: info@epa.nsw.gov.au

Cc: lucas.wilson@erm.com; heather.mckay@erm.com; luke.pascot@pkct.com.au; oliver.moore@erm.com

Subject: Port Kembla Coal Terminal - Independent Environmental Audit ToR consultation request

To the EPA,

I am currently completing the Independent Environmental Audit (IEA) on the Conditions of Approval issued to PKCT, PA 08_0009.

One of the requirements of the audit is that it is to be undertaken in consultation with relevant agencies. To that end, this email invites you to raise any questions or concerns regarding this project from an environmental management aspect.

The attached Terms of Reference outlines the audit process, and also introduces the approved team of suitably qualified, experienced and independent experts who will be undertaking the audit. The site inspection will be completed over the period 2-3 August 2023, therefore it would be appreciated if there are any concerns, areas of focus etc., they are raised by 25 July 2023.

I can be contacted at the details outlined below to discuss further.

Kind regards,

Andrew Lewis

Managing Consultant

ERM

Level 9, 260 Queen St?Brisbane ?QLD 4000

T +61 (0) 7 3007 8477 M +61 488 166 325

E Andrew.Lewis@erm.com?W www.erm.com



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PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL

From: [Barry Peden](#)
To: [Andrew Lewis](#)
Subject: Re: Port Kembla Coal Terminal - Independent Environmental Audit
Date: Sunday, 23 July 2023 1:19:37 PM

EXTERNAL MESSAGE

G'day Andrew

Sorry for the tardy reply

I think PKCT are generally doing a good job at complying with the environmental standards that currently exist

One lingering concern for me is "what can be done about the black dust that appears on my balcony?" (and in the whole area) Is it just a fact of living in an industrial region?

I am satisfied that the so-called "black dust" is not coal dust (typically less than 10% of the dust is coal)

The questions to be answered are:- what are the components of the dust, where does it come from, what health risks do they present, and what can be done to mitigate it?

PKCT are trying to find answers, but there is still a long way to go

Thanks,
BP

On 17 Jul 2023, at 4:49 pm, Andrew Lewis <andrew.lewis@erm.com> wrote:

Dear Barry,

I am currently completing the Independent Environmental Audit (IEA) on the Conditions of Approval issued to PKCT, PA 08_0009.

One of the requirements of the audit is that it is to be undertaken in consultation with relevant agencies. To that end, this email invites you to raise any questions or concerns regarding this project from an environmental management aspect.

The attached Terms of Reference outlines the audit process, and also introduces the approved team of suitably qualified, experienced and independent experts who will be undertaking the audit. The site inspection will be completed over the period 2-3 August 2023, therefore it would be appreciated if there are any concerns, areas of focus etc., they are raised by 24 July 2023.

I can be contacted at the details outlined below to discuss further.

Kind regards,

Andrew Lewis

Managing Consultant

ERM

Level 9, 260 Queen St | Brisbane | QLD 4000

T +61 (0) 7 3007 8477 M +61 488 166 325

E Andrew.Lewis@erm.com | W www.erm.com

<image001.png>

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<ERM Audit Terms of Reference - PKCT.docx>

From: [Georgia Dragicevic](#)
To: [Andrew Lewis](#); luke.Pascot@pkct.com.au
Cc: [Heather McKay](#); [Lucas Wilson](#); [Oliver Moore](#)
Subject: RE: Port Kembla Coal Terminal - Independent Environmental Audit
Date: Friday, 21 July 2023 6:34:38 PM
Attachments: [image001.png](#)

EXTERNAL MESSAGE

Hi Andrew,

Apart from the consent condition requirement pertaining to the IEA, we have no additional concerns to single out at this time.

Kind regards,
Georgia

From: andrew.lewis@erm.com <andrew.lewis@erm.com>
Sent: Monday, 17 July 2023 4:45 PM
To: Georgia Dragicevic <Georgia.Dragicevic@planning.nsw.gov.au>; luke.Pascot@pkct.com.au
Cc: Heather McKay <Heather.McKay@erm.com>; Lucas Wilson <Lucas.Wilson@erm.com>; Oliver Moore <Oliver.Moore@erm.com>
Subject: Port Kembla Coal Terminal - Independent Environmental Audit

Dear Georgia,

I am currently completing the Independent Environmental Audit (IEA) on the Conditions of Approval issued to PKCT, PA 08_0009.

One of the requirements of the audit is that it is to be undertaken in consultation with relevant agencies. To that end, this email invites you to raise any questions or concerns regarding this project from an environmental management aspect.

The attached Terms of Reference outlines the audit process, and also introduces the approved team of suitably qualified, experienced and independent experts who will be undertaking the audit. The site inspection will be completed over the period 2-3 August 2023, therefore it would be appreciated if there are any concerns, areas of focus etc., they are raised by 24 July 2023.

I can be contacted at the details outlined below to discuss further.

Kind regards,

Andrew Lewis
Managing Consultant

ERM
Level 9, 260 Queen St | Brisbane | QLD 4000
T +61 (0) 7 3007 8477 **M** +61 488 166 325
E Andrew.Lewis@erm.com | **W** www.erm.com



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APPENDIX D INDEPENDENT AUDIT DECLARATION FORM

Independent Audit Report Declaration Form


Independent Audit Report Declaration Form	
Project Name	Port Kembla Coal Terminal IEA
Consent Number	PA 08-0009
Description of Project	Coal Terminal
Project Address	Port Kembla Road, Inner Harbour WOLLONGONG NSW 2500
Proponent	Port Kembla Coal Terminal Limited
Title of Audit	Port Kembla Coal Terminal - Independent Environmental Audit 2023
Date	08 September 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:

- i. the audit has been undertaken in accordance with relevant condition(s) of consent and the *Independent Audit Compliance Requirements (Department 2019)*;
- ii. the findings of the audit are reported truthfully, accurately and completely;
- iii. I have exercised due diligence and professional judgement in conducting the audit;
- iv. I have acted professionally, objectively and in an unbiased manner;
- v. 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;
- vi. 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;
- vii. 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
- viii. 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	Andrew Lewis
Signature	
Qualification	BSc – Environmental Science
Company	Environmental Resources Management - ERM
Company Address	Level 9, 260 Queen St, Brisbane, QLD 4000

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ERM's Sydney Office

Level 14
207 Kent Street
Sydney NSW 2000

T: +61 2 8584 8888

F: +61 2 9299 7502

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