



Intermodal Logistics Centre at Enfield

Compliance Tracking Program

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1 INTRODUCTION

1.1 Purpose of this Document

This report has been prepared to comply with the Minister's Condition of Approval (CoA) 4.1 as stated below:

The Proponent shall develop and implement a Compliance Tracking Program to track compliance with the requirements of this approval. The Program shall include, but not necessarily limited to:

- a) *provisions for periodic review of the compliance status of the project against the requirements of this approval;*
- b) *provisions for periodic reporting of compliance status to the Director-General;*
- c) *a program for independent environmental auditing at least annually, or as otherwise agreed by the Director-General, in accordance with ISO 19011:2002 - Guidelines for Quality and/ or Environmental Management Systems Auditing; and*
- d) *mechanisms for rectifying any non-compliance identified during environmental auditing or review of compliance.*

Details of SPC's Compliance Tracking Program and information on how SPC will comply with CoA 4.1 are contained in Section 2.

Section 3 of this report lists each of the Minister's Conditions of Approval. For each Condition the following information is provided:

- the project phase to which the condition is applicable (construction, operation etc)
- the status of the Condition (open or closed)
- the Condition requirements from the Project Approval
- responsibility for carrying out the requirements of the Condition
- evidence of compliance
- a record of all Conditional Approvals issued by the Director-General of DoP.

The evidence of compliance contains a summary of how and when each condition has been complied with. Where relevant, hyperlinks to documentary evidence will be provided and can be viewed from the electronic version of this document (supplied on CD).

1.2 Background

SPC is a "statutory State Owned Corporation" under the *State Owned Corporations Act 1989 (NSW)*. SPC owns and manages the commercial port facilities in Sydney Harbour and Botany Bay and provides facilities to support trade growth for the benefit of the NSW economy.

The development of the ILC at Enfield is consistent with the charter and objectives of SPC, to facilitate the efficient movement of port related container trade, while also contributing to

the NSW Government's policies to increase the proportion of container freight moved by rail to and from Port Botany.

The ILC at Enfield has received final planning approval and will be funded by SPC and the NSW Government. Project Approval was provided by the NSW Minister for Planning on 5 September 2007 (Major Projects Application 05_0147).

1.3 Project Description

The proposed ILC at Enfield comprises the development of a new intermodal logistics centre, associated road and rail infrastructure works, services and environmental enhancement works.

The proposed ILC at Enfield will be used for the transfer and storage of container freight to and from Port Botany, packing and unpacking of containers within the proposed warehouses and storage of empty containers for later re-use or for return to the Port.

The proposed ILC at Enfield will comprise:

- an intermodal terminal for the loading and unloading of containers between road and rail and short term storage of containers;
- warehousing for the packing and unpacking of containers and short-term storage of cargo;
- empty container storage facilities for the storage of empty containers for later packing or transfer by rail;
- a light industrial and commercial area complementary to operations at the ILC which would act as an interface to adjacent uses along Cosgrove Road;
- a Community and Ecological Area for ecological enhancement and community opportunities. The area also serves as a buffer between operations on the ILC Site and residences to the south of the ILC Site;
- off-site works comprising construction of a road bridge over the existing Enfield Marshalling Yards for access to Wentworth Street, local road works on Cosgrove Road and the reconstruction of the Norfolk Road and Roberts Road intersection, to manage access/egress of vehicles to/from the ILC Site, and rail connections to the freight rail network.

1.4 Location

The ILC Site is located on the site of the former Enfield Marshalling Yards site, at Strathfield South, approximately 15 km by road from the Sydney CBD and 18 km by rail from Port Botany. The site covers an area of about 60 ha and is approximately 0.5 km in width and 2 km in length. The Site extends from the intersection of the Hume Highway and Roberts Road in the north to the intersection of Punchbowl Road and Cosgrove Road in the south. Current access to the site is via Cosgrove Road. Figure 1.1 shows the regional context of the Site.

The proposed development will be undertaken on land owned by Sydney Ports Corporation, Railcorp and Strathfield Council. The land owned by Sydney Ports which forms part of the development site is located on:

- Part Lot, 2 DP1006861;
- Lot 101, DP1001498;
- Lot 14, DP1007302.

The construction of rail connections to the freight rail network, a noise wall and construction of a road bridge over the new Enfield Marshalling Yards for access to Wentworth Street will be undertaken on land owned by Railcorp. The land owned by Railcorp which forms part of the development site is located on:

- Lot 15 of DP1007302 (noise wall construction and northern rail connection);
- Lot 1 of DP 950438 (southern rail connection);
- Lot 3 of DP1006861 and Lot 15 of DP1007302 (road bridge).

Land owned by Strathfield Council (former Punchbowl Road reserve) over which rail connections will occur is the section of Punchbowl Road Reserve between Cosgrove Road and Benaroon Road crossing 'Railway Land' as denoted on Sheets 2 and 3 of DP 242426.

2 ILC AT ENFIELD COMPLIANCE TRACKING PROGRAM

2.1 Periodic Review of Compliance Status

CoA 4.1a) requires provisions for periodic review of the compliance status of the project against the requirements of this approval.

Site preparation and construction contractors working on this project will be required to report to SPC on compliance with the Conditions of the Project Approval on a 3 monthly basis, commencing prior to any works being carried out on site. Any non-compliances will be reported to SPC.

Based on this information, SPC will carry out a review of the compliance status of the project at least every 3 months during site preparation and construction phases. Evidence of compliance will be documented within this Compliance Tracking Program report. The Compliance Tracking program, including the frequency for reviewing compliance, will be reviewed in the first year of operation.

2.2 Periodic Reporting of Compliance Status

CoA 4.1b) requires provisions for periodic reporting of compliance status to the Director-General. The compliance reporting will include:

- An Compliance Tracking Program report (ie this current report); and
- An independent environmental audit.

During the site preparation and construction phases of the project, a copy of each of the above reports will be provided to the Director-General **annually**. The provision of these reports to the Director-General will be staggered by approximately 6 months.

During operation, a Compliance Tracking Program report and an independent environmental audit will be submitted to the Director-General **in the first year of the operation**. A review of the requirements for the ongoing reporting of compliance status to the Director-General for the operational phase will then be undertaken in consultation with DoP.

The initial Compliance Tracking Program report will be provided to the Director General following the commencement of demolition (during the last quarter of 2008 or the first quarter of 2009). The initial independent environmental audit will follow 6 months later.

The Compliance Tracking Program report will be provided as an electronic document with hyperlinks to the documentation that provides evidence of compliance with each condition of the Project Approval. Section 3 of this report contains the evidence of compliance for each condition (items underlined are hyperlinked to the documentation). A hardcopy of the Compliance Tracking report will also be submitted to the Director-General.

2.3 Independent Environmental Auditing

In accordance with CoA 4.1c), SPC will implement an annual program for independent environmental auditing in accordance with ISO 19011:2002. The scope of the independent environmental audits will include (but not necessarily be limited to) the following:

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

The Auditor will be selected based on the following criteria:

- suitable environmental qualifications, including current certification as environmental auditor under the Quality Society of Australia;
- relevant experience in similar types of audits;
- independent from the project.

Environmental audits will be undertaken annually during construction, with the first audit scheduled approximately 6 months after the submission of the first Compliance Tracking Program report to DoP. This will be around mid 2009 to coincide with the commencement of the main earthworks. SPC will submit the environmental audit reports to DoP for information.

During operation, an independent environmental audit will be undertaken in the first year of operation. The frequency of the audit program will then be reviewed based on the results of the first audit, in consultation with DoP.

2.4 Rectification of Non-Compliance

CoA 4.1d) requires mechanisms for rectifying any non-compliance identified during environmental auditing or review of compliance.

If SPC or its site preparation and construction contractors fail to:

- comply with the conditions of approval, project commitments or relevant legal environmental obligations; or
- comply with any environmental/planning requirements of the contract;

then SPC's Project Manager, in consultation with the Environmental and Planning Manager and the Contracts Manager, may direct the contractor or SPC's supervisor to modify or cease any or all of the work until SPC's supervisor or the contractor can satisfy SPC's Project Manager that the failure has been corrected and will not reoccur.

Recommendations provided in independent environmental audits for correcting compliance issues will be considered by SPC and implemented as necessary.

Site preparation and construction contractors will be required to prepare procedures for dealing with non-compliances. These procedures will define who is responsible and has the authority for handling and investigating non-compliances, taking action and completing corrective and preventive action. Details will be provided in the Contractor's CEMPs (for details of the contractor's CEMPs refer to SPC's CEMP Framework).

The contractors must report any incidents with actual or potential significant off-site impacts on people or the biophysical environment as soon as possible to SPC. Such incidents must be managed in accordance with SPC's CEMP Framework and CoAs 7.1 - 7.3.

The above requirements will be included in all contracts for site preparation and construction.

During operation, tenants will prepare procedures for dealing with non-compliances. These procedures will define who is responsible and has the authority for handling and investigating non-compliances, taking action and completing corrective and preventive action. Details will be provided in the Tenants' OEMPs.