



KCT OPERATION ENVIRONMENTAL MANAGEMENT PLAN



PORT WARATAH
COAL SERVICES

Revision:	4.1
Date:	April 2023
Document Name:	<i>KCT Operation Environmental Management Plan</i>

REVISION HISTORY

Date	Revision	Description
Dec 2011	1	Original document
Mar 2012	2	Review of Revision 1
May 2012	2A	Review of Revision 2
Jan 2019	3	Updates to the KCT Operation Environmental Management Plan including: • new document format; • changes to the compliance tracking system and reporting; • updates to the EMS; and • updates to the review frequency for the OEMP.
Jul 2019	3.1	Updated following comments received from the Department of Planning and Environment. This included the following changes: • Inclusion of legislation, policies and standards • Updates to the community enquiries and public information sections • Inclusion of the Port Waratah Risk Matrix
June 2022	4	• Updates to the KCT Operation Environmental Management Plan including <u>change reference from Three Ports SEPP 2013 to State Environmental Planning Policy (Transport and Infrastructure) 2021</u> • <u>Amended notification process for incident reporting to DPE (Section 3.1.2)</u>
April 2023	4.1	Reviewed in line with Management Plan requirements (Section 5.1) Modifications/Additions made to address DPE feedback on version 4, as provided on 27 March 2023 including: • Included details on the compliance tracking program to section 5.3.1 and Table in Section 10. Amend reference of <i>Sustainable Development Report</i> to <i>Sustainability Report</i>

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Port Waratah Environmental Management System

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1.0 INTRODUCTION

1.1 CONTEXT

Port Waratah Coal Services Limited (Port Waratah) owns and operates the Carrington and Kooragang Coal Terminals located in the Port of Newcastle, New South Wales. Each Terminal receives, assembles and loads coal from the producers across the Hunter Valley Coal Chain (HVCC) onto vessels for export to overseas customers.

Port Waratah is an unlisted public company that works in partnership with more than 25 producers and other service providers in the HVCC. Our main purpose is to deliver a high quality, cost-effective service to our customers which meets their need for reliable and equitable access to export terminal capacity.

Port Waratah have five Drivers for Success that support how the vision and purpose are delivered: Health and Safety, Licence to Operate (LTO), Effective Organisation, Operational Delivery and Coal Chain. These drivers assist in focusing on a more sustainable and agile business and influence the prioritisation of our work.

The focus is to meet the changing expectations and demands of our employees, customers and communities, and continuously improve our operational, environmental and social performance. Our aim is to operate responsibly and sustainably and encourage a culture of shared responsibility and accountability through all levels of our business.

1.2 PURPOSE

The Kooragang Coal Terminal (KCT) Operation Environmental Management Plan (OEMP) has been developed to provide detail of the KCT environmental management framework, practices and procedures to be followed during the operation of the sites activities.

The purpose of this KCT OEMP is to provide concise information relevant to KCT which demonstrates the compliance of Port Waratah operations with the relevant Project Approvals. This OEMP contains subject specific management plans as appendices, as required by the KCT 120 million tonnes per annum (Mtpa) Modified Project Approval (06_0189 MOD 3) Condition 7.5 (a) to (d) being:

- Dust Management Plan (titled: Air Quality Management Plan);
- Noise Management Plan;
- Water Management Plan, and;
- Spontaneous Combustion Management Protocol.

This version of the OEMP supersedes all previously dated versions of the KCT OEMP and includes all ongoing requirements associated with the Development Consent 35/96 and Project Approval 06_0189 (MOD 3).

The OEMP and associated sub plans have been developed in accordance with the Departments Guideline for the Preparation of Environmental Management Plans (DIPNR 2004).

1.3 BACKGROUND

KCT is located on Kooragang Island which is bound by the south and north arms of the Hunter River. Kooragang Island has an area of approximately 2,600 hectares and was progressively developed from the early 1890's through the reclamation of land by joining Moschetto, Dempsey and Walsh Islands.

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In addition, Port Waratah manages the Carrington Coal Terminal (CCT) situated on the south bank of the Hunter River in the suburb of Carrington. Port Waratah also operates and maintains a Fines Disposal Facility (FDF) located to the west of KCT on Kooragang Island, which is designed to receive and dewater fines associated with dredging works for previous construction activities at KCT. Port Waratah also manages the Waste Emplacement Facility (Delta site), also located to the west of KCT, adjacent the FDF on Kooragang Island.

Port Waratah holds Environment Protection Licences (EPL's) issued by the Environment Protection Authority (EPA) for KCT, CCT the FDF and Delta site.

Figure 1 below is a map displaying the locations of KCT, CCT, the Delta site and FDF, plus surrounding industries and communities.

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Figure 1: Carrington and Kooragang Coal Terminals Locality Plan

2.0 PLANNING

2.1 ENVIRONMENTAL MANAGEMENT

2.1.1 OPERATIONAL MANAGEMENT

During 1982 construction began on the Kooragang Coal Loader (KCL) through a consortium of shareholders with BHP as the managing shareholder. The basic Terminal was completed in 1984 with an initial capacity of 21Mtpa. In 1990 Port Waratah purchased all shares in KCL and adopted management of the site.

Since acquisition, Port Waratah has incrementally increased the capacity of KCL (now known as KCT) through several stages, with 'Stage 3' commencing in 1997 under Development Consent 35/96 which enabled the throughput of the KCT capacity to 77 Mtpa.

Port Waratah sought approval to construct and operate KCT at a throughput capacity of 120 Mtpa. This throughput capacity is the result of a series of development stages implemented over several years. This staged development has been supported by associated development consents and environmental assessments as required under the *Environmental Planning and Assessment Act 1979*. The most recent Project Approval being the *KCT 120 Mtpa Project Approval (06_0189)* dated 13 April 2007, was supported by the *Environmental Assessment Kooragang Coal Terminal Proposed Increase to Throughput Capacity (Umwelt Pty Ltd 2006)*. Project Approval 06_0189 was last modified as the *KCT 120 Mtpa Project Approval (06_0189 MOD 3)* on the 26 November 2012 and was supported by the *Environmental Assessment KCT Stage 4 Project Fourth Dump Station & Fourth Shiploader (Umwelt Pty Ltd 2009)*.

2.1.2 ENVIRONMENTAL MANAGEMENT SYSTEM

Our approach to environmental management under the LTO Framework is to continuously improve our baseline performance over the long term while eliminating one off incidents. To assist in managing this, Port Waratah has an Environmental Management System (EMS) that is certified to ISO 14001 international standard.

The EMS provides a framework of policies, procedures, protocols, management plans and work instructions which are used to manage the EMS, environmental commitments, processes and activities at Port Waratah. The EMS is also supported by the Port Waratah Environmental Policy that can be found on the website which undergoes a review and update every two years.

Within our LTO Framework and EMS there are programs to manage and monitor air, noise, water and our environmental footprint that encompasses waste, biodiversity, energy efficiency and water use. Our environmental improvement programs focus on the main areas of operational risk being air quality and dust emissions, potential noise impacts, management of site water systems and projects associated with our environmental footprint.

Each environmental theme has a series of objectives with success measured against quantifiable targets. These targets and performance indicators are reported annually via the Port Waratah Sustainable Development Report.

Accountability for Environmental Management is a shared responsibility across the Business as listed in **Section 8** of this OEMP. Additional subject specific accountabilities are also listed in the relevant management plans included as appendix documents.

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2.1.3 ENVIRONMENTAL OBJECTIVES

The activities conducted at Port Waratah and the location of operations has the potential to impact on various aspects of the environment and the local communities. To manage these potential impacts, Port Waratah has developed an LTO Framework that supports the LTO Driver for Success. The approach to social impacts under this framework is how we can leverage our resources and knowledge to contribute to a sustainable and vibrant Newcastle while minimising negative impacts on the community and our environment.

LTO has four key themes aligned with current business practice – Environment, Governance, Relationships & Reputation and Social Impacts & Contributions. Its broader principles, theory and context have been integrated within our systems and procedures. A key component of the Framework is understanding and incorporating the needs and expectations of key stakeholders.

Our Environmental Program encompasses four key aspects – air quality, noise, water, and environmental footprint (waste, energy and water consumption, and biodiversity).

Each year Port Waratah identifies and adopts environmental Objectives and Targets which align with the environmental aspects identified as the focus areas of the EMS and operations. The Port Waratah management team review and approves Objectives and Targets and LTO projects each year.

2.1.4 ENVIRONMENTAL ASPECTS, IMPACTS, RISKS AND OPPORTUNITIES

Key environmental aspects, impacts and risks associated with Port Waratah operations are detailed by the Register of Environmental Aspects, Impacts and Risks developed under the Port Waratah EMS. The Register details the potential environmental risks associated with each identified environmental aspect and its associated potential impact, plus the management of the identified impact through the use of existing and/ or additional controls proposed to reduce the risk.

The results of any subsequent environmental risk reviews or updates of the *Register of Environmental Aspects, Impacts and Risks* shall be considered in the development of EMS Objectives and Targets (where appropriate), LTO management and improvement programs and Environmental Management Plans prioritising higher risk areas.

2.2 COMPLIANCE OBLIGATIONS

2.2.1 APPROVALS AND LICENCING

Port Waratah is regulated through a range of development consent and licencing conditions with the Department of Planning and Environment (DPE) and EPA. Operations at Port Waratah are undertaken in accordance with all relevant statutory or other requirements.

Port Waratah operates KCT in accordance with Development Consent 35/96 and Project Approval 06_0189 (MOD3) approved under and the *Environmental Planning and Assessment Act 1979* and as licenced by the Environment Protection Licence 1552 issued under the *Protection of the Environment Operations Act 1997*. Port Waratah maintains a legal compliance register as part of the EMS.

Table 1 below provides a summary of the development approvals and licences. Copies of development consents and licences are stored in the Port Waratah Governance Document Centre (GDC) and are managed in accordance with the Port Waratah Environmental Management System (EMS).

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Compliance registers have been developed for all development consents and environmental licences to demonstrate how compliance is being achieved by Port Waratah. These registers are maintained and updated at least annually by the Environmental Team.

Table 1: Summary of Approvals and Environment Protection Licences

Location	Development Approval / Licence	Approval / Licence Number	Approval / Anniversary Date	Approval Body	DA Supporting Documents
KCT	Kooragang Coal Terminal - Stage 1 (15Mtpa) & 2 Approval (35Mtpa)		21 April 1982	Minister for Public Works	EIS EIA report by Dept of Env & Planning
	Kooragang Coal Terminal - Stage 3 Expansion Approval (77 Mtpa)	DA 35/96	25 Nov 1996	DUAP	EIS – KCT – Stage 3 Expansion (Sept 1996) – Mitchell McCotter
	Kooragang Coal Terminal - Proposed increase to Throughput Capacity (120 Mtpa) Modified Project Approval	06_0189	13 April 2007	NSW DoP	EA – KCT Proposed increase to Throughput Capacity (Nov 06) – Umwelt KCT Proposed Increase to Throughput capacity – Response to Submissions Parts A and B (Jan 07) - Umwelt
		06_0189 MOD 1	Modified 31 May 2010	NSW DoP	EA – Kooragang Coal Terminal Stage 4 Project Fourth Dump Station and Fourth Shiploader. (Nov 09) – Umwelt Kooragang Coal Terminal Stage 4 Project Fourth Dump Station and Fourth Shiploader Response to Submissions (Feb 2010) - Umwelt
		06_0189 MOD 2	Modified 5 April 2012	NSW DoP	EA – Kooragang Coal Terminal Proposed Fourth Rail Loop Realignment (June 2011) – Umwelt Kooragang Coal Terminal Proposed Fourth Rail Loop Realignment Response to Submissions (Aug 2011) - Port Waratah
		06_0189 MOD 3	Modified 26 November 2012	NSW DPE	Application Minor realignment of the Northern Access Road and to update the Schedule of Lands
	Kooragang Coal Terminal Environment Protection Licence	EPL 1552	1 June	EPA	

Note: The grey text represents previous approval documents that have been superseded

Section 10 contains a list of the development approval conditions that relate to the Operational Environmental Management Plan and where each condition is addressed in this document.

2.2.2 KEY LEGISLATION

Port Waratah maintains a register of all applicable legislation. The register includes Commonwealth and State Legislation, national and state policies and strategies and a list of Australian Standards. The key legislation that apply to KCT are as follows:

New South Wales Legislation:

- Environmental Planning and Assessment Act 1979;
- Environmental Planning and Assessment Regulation 2021;
- Protection of the Environment Operations Act 1997;
- Protection of the Environment Operations (Waste) Regulation 2014;
- Biodiversity Conservation Act 2016;
- Water Management Act 2000; and
- State Environment Planning Policy (Transport and Infrastructure) 2021 (includes the former Three Ports SEPP).

Commonwealth Legislation:

- National Greenhouse and Energy Reporting Act 2007;
- Environment Protection and Biodiversity Conservation Act 1999; and
- Environment Protection and Biodiversity Conservation Regulations 2000.

A range of Standards are relevant to the environmental management of Port Waratah operations. These standards may include Australian Standards, Government policies and guidelines or recognised organisation standards (e.g. NEPM, ANZECC). The use of these Standards is typically undertaken where development consent or licence criteria are absent and is applied where considered appropriate.

3.0 OPERATION AND SUPPORT

3.1 OPERATIONAL ACTIVITIES AND CONTROLS

All operational activities at Port Waratah are managed in accordance with the sections below. Further information on the management of air quality, noise, water and spontaneous combustion is provided in **Appendices A to D**.

3.1.1 EMERGENCY PREPAREDNESS AND RESPONSE

The emergency response to significant environmental incidents shall be undertaken in accordance with the sites Emergency Management System. All Port Waratah personnel, including contractors and visitors, are to respond to environmental emergencies as soon as they become aware of them to mitigate actual or potential environmental impacts.

During the completion of risk assessments, potential emergency situations that could result in environmental impacts shall be identified and control measures developed. Emergency responses to these potential situations are to be incorporated in subsequent reviews and updates of the Emergency Management System.

Port Waratah has also developed a Pollution Incident Response Management Plan (PIRMP). Environment Protection Licensees are required to prepare a PIRMP to cover each licensed activity, in accordance with the requirements set out in Part 5.7A of the POEO Act and the *Protection of the Environment Operations (General) Amendment (Pollution Incident Response Management Plans) Regulation 2012*.

3.1.2 INCIDENT REPORTING

If an environmental incident occurs that is causing or threatening material harm to the environment, Port Waratah is required to notify identified authorities in accordance with Port Waratah's PIRMP.

Any incident with actual or potential significant offsite impacts on people or the biophysical environment, shall be reported to the DPE as required by Project Approval (06_0189 MOD3).

Port Waratah shall maintain a register of accidents, incidents and potential incidents with actual or potential significant off-site impacts on people or the biophysical environment. The register shall be made available for inspection at any time by the independent qualified person or team conducting the Environmental Audit (refer to Section 5.3.1) and/or the Director-General as required under PA_0189, Condition 8.2.

In accordance with Condition 8.1 and 8.3 of PA 06_0189, Port Waratah will submit a report to the Department addressing the cause or impact of the incident within seven days of the date on which the reported incident occurred.

3.2 ENVIRONMENTAL TRAINING & AWARENESS

Port Waratah maintains a Training Needs Analysis to outline the minimum training requirements for all personnel on site as well as identify any role specific training requirements. This analysis will include the consideration of environmental management training and associated skills.

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Port Waratah use a range of training forums to ensure that all personnel and contractors have the necessary training and awareness regarding environmental management and implementation of controls. The primary training provided to all personnel and contractors that complete work onsite at KCT is the Port Waratah site induction which includes a range of environmental management related information and competency questions.

Training shall be:

- Planned and delivered by suitably qualified and skilled people;
- Delivered by internal or external trainers;
- On-the-job practical or in-the classroom theoretical; and
- Subject to competency-based assessment (depending on the type of training).

Training shall include but not be limited to:

- Environmental policy
- Significant environmental aspects associated with work at Port Waratah, including risk assessment, management and controls
- Awareness of implications for not complying with Port Waratah's legal obligations
- Contribution to the effectiveness of the EMS and the benefits of environmental performance
- Site inductions and orientation
- Roles and responsibilities of management and individuals

Training can be delivered through:

- Port Waratah Induction
- Online e-learning / Microsoft Teams
- Face to face

3.3 COMMUNICATION

3.3.1 ENVIRONMENTAL MEETINGS

Environmental matters are considered in several forums by a range of teams. The meetings identified below are those which focus predominantly on environmental matters whilst others occur where environmental matters are listed as agenda items.

The meetings conducted include:

- Environmental Operations Meetings
- Environment Management System Working Group
- Health Safety and Environment employee consultation forums
- Environmental Management Annual Management Review
- NCIG Environment Coordination Meeting

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3.3.2 COMMUNITY ENQUIRIES

Community enquiries are handled in accordance with the EMS and the requirements of the Environment Protection Licence 1552. Port Waratah will record the following details regarding the enquiry being:

- The date and time of the enquiry;
- The method by which the enquiry was made;
- Any personal details of the enquiring stakeholder which were provided by the stakeholder or, if no such details were provided, a note to that effect;
- The nature of the enquiry;
- The action taken by the licensee in relation to the enquiry, including any follow-up contact with the stakeholder; and
- If no action was taken by the licensee, the reasons why no action was taken.

Enquiries can be received on site by a variety of means such as via e-mail (contact_us@pwcs.com.au), directly through the 24 hour Community Enquiry Line on (02) 4907 2280, via social media (Facebook, Twitter and Instagram), via the contact us link on the Port Waratah website (<https://www.pwcs.com.au/contact-us/community-enquiry/>) which also has click through processes to assist the user or via Port Waratah employees in discussions with members of the public. Each enquiry is investigated and recorded with feedback provided to the stakeholder with strict confidentiality as required.

Port Waratah and NCIG have established a Coordinated Environmental Monitoring and Management Protocol, which details the coordinated approach when handling community enquiries relevant to KCT and NCIG activities. This Protocol has been developed in accordance with Condition 4.1 of the KCT 120 Mtpa Modified Project Approval 06_0189 (MOD3).

3.3.3 PUBLIC INFORMATION

Port Waratah operates and maintains a website (www.pwcs.com.au) with information available to the public and stakeholders regarding our operations and specifically in relation to our environmental management. The website has been developed in accordance with the *KCT 120 Mtpa Modified Project Approval (06_0189 MOD3)* and includes all relevant information regarding the approvals and compliance of the operation. Subject to commercial confidentiality, Port Waratah shall on request make all documents required under project approvals and development consents available for public inspection in accordance with PA 06_0189 MOD3, Condition 6.1. The Port Waratah website contains information and click through links to the various avenues where members of the community can send Port Waratah a message, lodge a community enquiry or book an official guided site tour.

Provided on the website is also a range of environmental performance indicators, copies of the Environmental Management Plans and annual performance reports such as the Port Waratah Sustainable Development Report.

Copies of the Operational Environmental Management Plan and associated sub plans are available on the Port Waratah website at

<https://www.pwcs.com.au/community-environment/environment/licencing-and-compliance/>

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4.0 PERFORMANCE EVALUATION

4.1 MONITORING AND MEASUREMENT

Port Waratah implements a system of environmental monitoring programs which are used to effectively manage the activities and potential impacts of the operations on the community and the environment. These programs relate to air quality, noise, surface water and ground water quality monitoring.

Further information regarding the environmental monitoring programs listed above can be obtained from:

- Water Management, Noise Management and Air Quality Management Plans
- Monthly Environmental Monitoring Reports
- The Port Waratah Sustainable Development Report

4.2 NONCONFORMITY AND CORRECTIVE ACTION

Any non-conformances, non-compliances or observations for improvement arising from internal/external auditing will be recorded in the relevant audit action tracking register. Appropriate corrective actions, accountability and timeframe to complete the assigned corrective action is also documented and tracked.

Corrective actions shall be appropriate to the significance of the effects of the nonconformities encountered, including the environmental impact(s). Once corrective actions have been implemented, their effectiveness is to be reviewed and documented as complete by closing the related action. Further review of effectiveness may be considered with the completion of audits, inspections, monitoring and other methods as applicable.

4.3 DATA RECORDING AND REPORTING

Port Waratah gathers a range of data at KCT regarding the operation and performance of the environmental aspects of the site. The data is used to prepare and distribute a range of environmental reports which detail the environmental performance of Port Waratah in relation to a variety of topics.

Examples of external reports developed by Port Waratah for KCT include the following:

- Sustainability Report
- EPL 1552 Annual Return & monthly monitoring data reports
- National Pollutant Inventory
- KCT Compliance Audits

Further information regarding the environmental reports are available on the public website at www.pwcs.com.au.

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5.0 REVIEW AND IMPROVEMENT

5.1 REVIEW

This KCT Operation Environmental Management Plan will be reviewed and updated in accordance with the following requirements:

- At least every three years;
- Following an independent environmental audit, with findings relevant to this plan;
- Following an environmental incident or community complaint relevant to the control measures outlined in this plan (if required); or
- Following relevant outcomes from a risk assessment or change management process;

If any significant modifications to the plan are required as an outcome of the review, the revised Plan will be submitted to DPE for approval. Minor changes such as formatting edits may be made with version control on the Port Waratah website.

5.2 CONTINUAL IMPROVEMENT

Port Waratah is committed to managing our LTO aspects, specifically in relation to working to continuously improve on environmental performance over the long term while eliminating one off incidents. This commitment relies on the effective management of our operational activities and implementing improvement projects as identified throughout the business. To achieve this goal, we are reviewing and identifying improvements to how we manage environment aspects onsite on a continual basis.

Port Waratah complies with the requirements of approval authorities, government authorities and key stakeholders as relevant and feasible, to ensure that all potential environmental factors are considered during the preparation and planning of new developments and expansions.

5.3 AUDITS

Environmental audits are carried out at various times throughout the year by internal and external parties as required. These audits typically involve a specific area of site or compliance focus but will normally include matters relating to the management of environmental aspects. Examples of audits completed at Port Waratah include compliance audits at KCT, environmental management system audits, internal workshop audits and internal activity inspections.

Port Waratah is required to complete an independent compliance audit in relation to the KCT development consents and project approvals. Port Waratah will complete the independent audit every 3 years and submit the audit report and findings to the DPE as required and in accordance with 06_0189 MOD3, Condition 5.1(c). The audit report will also be made available to the EPA and City of Newcastle (CoN) as required by the Development Consent 35/96 condition 33.

The independent audit will be completed and reported in accordance with the requirements of Development Consent 35/96 and Project Approval 06_0189 (MOD3). Additionally, the audit and

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report will also reflect the requirements (where appropriate) of the *Compliance Reporting Post Approval Requirements* and *Independent Audit Port Approval Requirements* documents prepared by the DPE.

A workplace inspection framework has been implemented to ensure the physical condition of all operational areas at Port Waratah are maintained to the required standard. These inspections encompass the operations checklist for the inspection of environmental aspects.

5.3.1 ANNUAL COMPLIANCE REPORT

The KCT 120 Mtpa Modified Project Approval (06_0189 MOD3) Condition 5.1 identifies that a compliance tracking program must be developed to demonstrate compliance at KCT. Port Waratah will submit to the DPE an Annual Compliance Report to identify the compliance status of the KCT operations relevant to the project approval and development consent in accordance with Conditions 5.1(a) and 5.1(b). This report will provide an update to the status of each condition in tabular form and will be accompanied by the Port Waratah Sustainability Report and submitted to DPE by 31 March each year. The Port Waratah Sustainability Report is a publicly available report which details the environmental performance of Port Waratah facilities (including KCT) against key environmental performance indicators.

The Annual Compliance Report submitted by Port Waratah will also reflect the requirements (where appropriate) of the *Compliance Reporting Post Approval Requirements* and *Independent Audit Port Approval Requirements* documents prepared by the DPE.

As required by the Development Consent 35/96 condition 33, the Annual Compliance Report and Sustainability Report will also be made available to the EPA and CoN.

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6.0 REFERENCE DOCUMENTS

6.1 PORT WARATAH DOCUMENTS

This Port Waratah Operational Environmental Management Plan and sub management plans include:

- Air Quality Management Plan
- Noise Management Plan
- Water Management Plan
- Spontaneous Combustion Management Protocol

Approvals and supporting documents

- Development Consent (DA 35/96) - *Kooragang Coal Terminal Stage Three Expansion*
- *Kooragang Coal Terminal Stage Three Expansion - Environmental Impact Statement*
- Project Approval (06_0189) - *Kooragang Coal Terminal Proposed Increase to Throughput Capacity*
- *Kooragang Coal Terminal Proposed Increase to Throughput Capacity - Environmental Assessment*
- Kooragang Coal Terminal Stage 4 Project Fourth Dump Station & Fourth Shiploader – Environmental Assessment
- KCT Environment Protection Licence 1552

6.2 OTHER DOCUMENTS

- Compliance Reporting Post Approval Requirements – DPE
- Independent Audit Post Approval Requirements – DPE.

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7.0 DEFINITIONS

ANZECC	Australian and New Zealand Environment Conservation Council
CCT	Carrington Coal Terminal
CoN	City of Newcastle (Local Council)
DPE	Department of Planning and Environment
EA	Environmental Assessment
EIS	Environmental Impact Statement
EMP	Environmental Management Plan
EMS	Environmental Management System
EPA	Environment Protection Authority
EPL	Environment Protection Licence
FDF	Fines Disposal Facility
GDC	Governance Document Centre
HVCC	Hunter Valley Coal Chain
ISO	International Standards Organisation
KCL	Kooragang Coal Loader (former name for KCT)
KCT	Kooragang Coal Terminal
LTO	Licence to Operate
Mtpa	Million tonnes per annum
NCIG	Newcastle Coal Infrastructure Group
NEPM	National Environment Protection Measures
OEMP	Operation Environmental Management Plan
PIRMP	Pollution Incident Response Management Plan
POEO	Protection of the Environment Operations Act
Port Waratah	Port Waratah Coal Services

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8.0 ACCOUNTABILITIES

Role	Description of Action(s) Accountable For	Frequency
Chief Executive Officer	Provide strategic direction during the development of the Environmental Policy and Objectives & Targets	Ongoing
	Approve LTO projects, incorporate into Business Plan and authorise implementation.	Ongoing
	Allocate resources to ensure compliance with statutory requirements relevant to environmental management.	Ongoing
Manager Operations Delivery	Accountable for overall operational management at Terminals including environmental matters.	Ongoing
	Compliance with relevant statutory requirements	Ongoing
	Immediate notification of environmental incident as per PIRMP requirements.	As Required
Operations Superintendents	Accountable for implementing operational controls related to environmental management and minimising impacts.	Ongoing
	Accountable for reporting and/ or responding to matters and incidents relating to the environment including community enquiries.	Ongoing
Operations Supervisors	Accountable for reporting and/ or responding to matters and incidents relating to the environment including after-hours response to community enquiries.	Ongoing
	Accountable for the implementation of controls to manage environmental impacts.	Ongoing
Maintenance Superintendents	Accountable for maintaining equipment to ensure that plant and equipment to minimise potential for environmental impacts.	Ongoing
Manager Assets and Infrastructure	Development and implementation of projects to address areas where improvements to environmental performance or potential risks have been identified.	Ongoing
Manager Sustainability and Corporate Affairs	Approval of the Operation Environmental Management Plan	As required
	Accountable for managing relationship(s) with Regulators and other environmental or planning stakeholders (e.g. Department of Planning and Environment)	Ongoing
	Ensure reporting of Environmental management matters are undertaken in a timely and accurate manner in accordance with EMS requirements.	Ongoing
	Allocate appropriate resources to investigate and address relevant issues.	Ongoing
Specialist Environment	Accountable for the receipt, investigation and resolution of community enquiries relating to the environment.	Ongoing
	Ensure that this <i>Operation Environmental Management Plan</i> is reviewed and updated in accordance with the Port Waratah EMS document control.	As required
	Organise and manage adopted environmental monitoring programs.	Ongoing

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Role	Description of Action(s) Accountable For	Frequency
	Report internally and externally as required, data and interpretations relating to environmental matters and performance.	As required
	Provide environmental assistance to matters relating to the management and control of environmental impacts.	Ongoing
Manager Health and Safety	Provide Specialist OH&S information in regard to environmental management as required.	Ongoing
Manager Human Resources	Implement training programs as developed and scheduled to provide education regarding environmental management	Ongoing
Port Waratah Employees & Contractors	Follow all procedures and policies to manage impacts on the environment and community through the use of controls	Ongoing
	Report all environmental incidents and near misses	Ongoing

9.0 LIST OF TABLES AND FIGURES

Item	Description
Figure I	Location of the Kooragang Terminal
Table I	Summary of Approvals and Environment Protection Licences

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10.0 COMPLIANCE REQUIREMENTS

	5.1	<i>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 be limited to:</i>	Section 5.3.1
	5.1 (a)	<i>provisions for periodic review of the compliance status of the project against the requirements of this approval;</i>	Section 5.3.1
	5.1 (b)	<i>provisions for periodic reporting of compliance status to the Director-General;</i>	Section 5.3.1
	5.1 (c)	<i>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</i>	Section 5.3
	5.1 (d)	<i>mechanisms for rectifying any non-compliance identified during environmental auditing or review of compliance.</i>	Section 4.2
	6.1	<i>Subject to commercial confidentiality, the Proponent shall make all documents required under this approval available for public inspection on request.</i>	Section 3.3.3
	6.3	<i>The Proponent shall record details of all complaints and enquiries received through the means listed under condition 6.2 of this approval in an up-to-date Complaints and Enquiries Register. The Register shall record, but not necessarily be limited to:</i> <i>a) the date and time, where relevant, of the complaint and enquiry;</i> <i>b) the means by which the complaint and enquiry was made (telephone, mail or email);</i> <i>c) any personal details of the complainant and/or enquirer that were provided, or if no details were provided, a note to that effect;</i> <i>d) the nature of the complaint and enquiry;</i> <i>e) record of operational and meteorological condition contributing to complaint;</i> <i>f) any action(s) taken by the Proponent in relation to the complaint and enquiry, including any follow-up contact with the complainant and/or enquirer; and g) if no action was taken by the Proponent in relation to the complaint and enquiry, the reason(s) why no action was taken.</i> <i>The Complaints and Enquiries Register shall be made available for inspection by the Director-General upon request.</i>	Section 3.3.2
KCT Project Approval 06_0189 (MOD1,2 &3)	7.4	<i>Prior to the commencement of operation of the project, the Proponent shall prepare and submit for the approval of the Director General and Operation Environmental Management Plan (OEMP) to detail an environmental management framework, practices and procedures to be followed during the operation of the project. The Plan shall be consistent with the Department's Guideline for the Preparation of Environmental Management Plans (DIPNR 2004) and shall include but not necessarily be limited to:</i>	The development of this KCT Operation Environmental Management Plan
	7.4 (a)	<i>A description of all activities to be undertaken on the Site during operation including an indication of stages of operation, where relevant;</i>	Section 1.0 and 2.0
	7.4 (b)	<i>statutory and other obligations that the Proponent is required to fulfil during operation including all approvals, consultations and agreements required from authorities and other stakeholders, and key legislation and policies;</i>	Section 2.2
	7.4 (c)	<i>details of how the environmental performance of the operations will be monitored, and what actions will be taken to address identified adverse environmental impacts.</i> <i>In particular, the following environmental performance issues shall be addressed in the Plan:</i>	Section 3.0, 4.0 and 5.0 See Appendices

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		i) measures to monitor and manage dust emissions; ii) measures to monitor and minimise soil erosion and the discharge of sediment and other pollutants to lands and/ or waters during operation; and iii) measures to monitor and control noise emissions during operation.	
	7.4 (d)	a description of the roles and responsibilities for all relevant employees involved in the operation of the project;	Section 8.0
	7.4 (e)	the additional plans/protocol listed under condition 7.5 of this approval;	See Appendices
	7.4 (f)	complaints and enquiries handling procedures during operation.	Section 3.3
	7.4 cont	The Operational Environmental Management Plan shall be made available for inspection by the public upon request following its approval by the Director General	Section 3.3
	7.5	As part of the Operation Environmental Management Plan for the project required under condition 7.4 of this approval, the Proponent shall prepare and implement the following:	See below
	7.5 (a)	A Dust Management Plan to outline measures to minimise and manage any impacts from the operation of the project on local air quality. The Plan shall include.....	Appendix A
	7.5 (b)	A Noise Management Plan to outline monitoring, management procedures and measures to minimise total operational noise emissions from the Project. The Plan shall include	Appendix B
	7.5 (c)	A Water Management Plan to outline the water management system for the site. The Plan shall include	Appendix C
	7.5 (d)	A Spontaneous Combustions Management Protocol to outline measures to minimise and manage the spontaneous combustion of the coal stockpiles. The Protocol shall include	Appendix D
	8.1	The Proponent shall notify the Director-General of any incident with actual or potential significant off-Site impacts on people or the biophysical environment as soon as practicable after the occurrence of the incident. The Proponent shall provide written details of the incident to the Director-General within seven days of the date on which the incident occurred.	Section 3.1.2
	8.2	The Proponent shall maintain a register of accidents, incidents and potential incidents with actual or potential significant off-Site impacts on people or the biophysical environment. The register shall be made available for inspection at any time by the independent qualified person or team conducting the Environmental Audit and/or the Director-General.	Section 3.1.2
	8.3	The Proponent shall meet the requirements of the Director-General to address the cause or impact of any incident, as it relates to this consent, reported in accordance with condition 8.1 of this consent, within such period as the Director-General may agree.	Section 3.1.2

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APPENDICES

APPENDIX A: KCT OPERATION AIR QUALITY MANAGEMENT PLAN

Refer to the KCT Operation Air Quality Management Plan

APPENDIX B: KCT OPERATION NOISE MANAGEMENT PLAN

Refer to the KCT Operation Noise Management Plan

APPENDIX C: KCT OPERATION WATER MANAGEMENT PLAN

Refer to the KCT Operation Water Management Plan

APPENDIX D: KCT SPONTANEOUS COMBUSTION MANAGEMENT
PROTOCOL

Refer to the KCT Spontaneous Combustion Management Protocol

APPENDIX E: REGULATORY APPROVAL OF THE MANAGEMENT PLANS

To be included following approval