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28th July 2025

Joel Curran
Senior Compliance Officer
Department of Planning, Industry and Environment
PO Box 1226
Newcastle, NSW, 2300
joel.curran@planning.nsw.gov.au

Re: Park Bulk Liquids Facility Kooragang Island (MP07_0066) – Response to Audit Recommendations (Independent Environmental Audit - 2025)

Dear Joel,

Park has included for your review our Response to Audit Recommendations following completion of the Independent Environmental Audit on our Kooragang Island Terminal in March 2025.

The final version of the Independent Environmental Audit report was submitted by Park Pty Ltd following the request for additional information from the Department in May 2025.

The audit identified that Park was compliant with 91% of the elements reviewed. A total of 6 non-compliances and 7 opportunities for improvement were identified during the audit.

Park has included some supporting commentary and dates for completion on these audit findings in Table 1 below, for the department's consideration. Please note several actions have been closed out prior to release of this report.

Please do not hesitate to contact us if you have any questions in relation to these audit findings.

Yours sincerely,

Brett Fletcher
Chief Executive Officer

Table 1 - Independent Environmental Audit Non-Compliance Findings and Action Plan

Condition of Consent	Consent Condition	Details of non-compliance	Park Audit Response	Action to be taken	Due Date
7A	Prior to commissioning of the works approved under MOD 6 the Applicant is to provide the Department and Council with a detailed cost of development report (prepared by a suitably qualified person) which establishes the cost of works for MOD 6 for the purposes of calculating updated development contributions. Any such development contributions are to be paid prior to the issue of an occupation certificate for the works associated with MOD6	It is recommended that Park provide the Department with a cost of development report and / or where otherwise agreed, evidence from City of Newcastle that development contributions are not required.	Park have submitted Newcastle City Council document PB2021/00332 dated 18/3/21 confirming exclusion of section 94A contributions, therefore cost of development reporting is not required.	No further action required	N/A
14C	Prior to use of Tank T-3, as part of MOD6, the Applicant must update the approved Emergency Plan to include changes associated with MOD 6 to the satisfaction of the Planning Secretary of the Department of Planning and Environment	It is recommended that a review of the Emergency Plan is undertaken to satisfactorily address Tank T-3 as part of MOD6, the approved Emergency Plan should be updated accordingly and to the satisfaction of the Planning Secretary.	The Terminal Emergency Plan has been updated with all changes associated with Tank 3 and an internal review of the plan completed.	Park to submit the plan to the Planning Secretary for approval	08/08/2025
14D	Prior to the use of Tank T-3, as part of MOD 6, the Applicant must update the approved Safety Management System to include changes associated with MOD 6 to the satisfaction of the Planning Secretary of the Department of Planning and Environment.	It is recommended that a review of the Safety Management System is undertaken to satisfactorily address Tank T-3 as part of MOD6, the approved Safety Management System should be updated accordingly and to the satisfaction of the Planning Secretary.	Park has reviewed the company wide Workplace Health and Safety Plan with consideration given to changes associated with the introduction of Tank 3. The plan has been reviewed with coverage confirmed for Newcastle Terminal and Shipping Operations inclusive of Tank 3.	Park to submit the plan to the Planning Secretary for approval	31/08/2025

<table>
<tr>
<td>36</td>
<td>The Applicant must ensure that noise from the site does not exceed the noise limits presented in Table 1. The noise limits in Table 1 represents the noise contribution from the site.

Table 1: Project Noise Limits (dB(A))
<table>
<tr><th>Location</th><th>Day</th><th>Evening</th><th>Night</th></tr>
<tr><td>Stockton West</td><td>$L_{Aeq (15 minute)}$ 35</td><td>$L_{Aeq (15 minute)}$ 35</td><td>$L_{Aeq (15 minute)}$ 40</td></tr>
<tr><td></td><td>$L_{Aeq (day)}$ 35</td><td>$L_{Aeq (evening)}$ 35</td><td>$L_{Aeq (night)}$ 37</td></tr>
<tr><td>Any other sensitive receiver</td><td>$L_{Aeq (15 minute)}$ 35</td><td>$L_{Aeq (15 minute)}$ 35</td><td>$L_{Aeq (15 minute)}$ 35</td></tr>
<tr><td></td><td>$L_{Aeq (day)}$ 35</td><td>$L_{Aeq (evening)}$ 35</td><td>$L_{Aeq (night)}$ 35</td></tr>
</table>
</td>
<td>It is recommended that noise monitoring be undertaken to assess the noise from the site and verify compliance with the noise contributions</td>
<td>Park to engage a noise monitoring specialist to assess compliance to documented limits.</td>
<td>Park to complete a noise assessment as per Condition 36 and share a copy of the report with the Planning Secretary for approval.

Noise assessment completed and monitoring report shared with the Department on 08/07/2025.</td>
<td>N/A</td>
</tr>
<tr>
<td>42</td>
<td>The Applicant must ensure that nitrogen oxides, total solid particles and carbon monoxide do not exceed the concentration limits in Table 3 below.

<table>
<tr><th>Pollutant</th><th>100 percentile limit (mg/m^3)</th><th>Reference Conditions</th></tr>
<tr><td>Nitrogen oxides</td><td>500</td><td>Dry, 273K, 101.3kPa</td></tr>
<tr><td>Total solid particles</td><td>30</td><td>Dry, 273K, 101.3kPa</td></tr>
<tr><td>Carbon monoxide</td><td>125</td><td>Dry, 273K, 101.3kPa</td></tr>
</table>
</td>
<td>It is recommended that air quality monitoring be undertaken to assess emissions from the site to verify compliance with Table 3.</td>
<td>The in-stack concentration limits listed in Table 3 of Schedule 3, Condition 42 apply to the operation of a boiler at the site which formed part of the original development application (refer to Page 12 of the original Air Quality Impact Assessment completed for the application (available here: https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=MP07_0066%2120190815T045323.043%20GMT) noting that this condition has been part of the consent since 2 June 2008.</td>
<td>Park to discuss the historical context around this condition and relevance to current operation with Jacobs and advise on a course of action.

No boiler is or has been operational at the site for the full duration of the Audit Period and as such, there have been no associated emissions and therefore no monitoring to meet Condition 42 is required.</td>
<td>N/A</td>
</tr>
<tr>
<td>52</td>
<td>Twelve months after the commencement of operations, the Applicant must carry out a comprehensive Hazard Audit of the project and within one month of the audit submit a report to the Director-General. The audit must be carried out at the Applicant's expense by a duly qualified independent person or team, approved by the Director-General prior to commencement of the audit.
Further audits must be carried out every three years or as determined by the Planning Secretary and a report of each audit must be submitted to the Planning</td>
<td>It is recommended that the 2021 Hazard Audit is submitted to the Secretary and audits carried out three yearly, in accordance with the requirements of the condition.</td>
<td>The Hazard Audit was completed in 2021 as per condition 52 however the final report was not uploaded to the Major Projects Portal.

A subsequent Hazard Audit was completed in May 2025, and the report finalised in July 2025.</td>
<td>Park to submit a copy of the 2021 Hazard Audit report and create an internal system notification to capture the requirement for future Hazard Audits and the submission of the final report to the Planning Secretary.

2021 audit report submitted 16/04/2025 and 2025 audit report submitted 02/07/2025.</td>
<td>N/A</td>
</tr>
</table>

	Secretary within one month of the audit. Hazard Audits must be carried out in accordance with the Department of Planning and Environments Hazardous Industry Planning Advisory No5., 'Hazard Audit Guidelines'.				

Opportunities for Improvement

Condition of Consent	Opportunity for Improvement	Park Audit Response	Action to be taken	Due Date
16	It is recommended that a Post-Start Up Compliance Report is prepared or obtained to verify compliance with the Emergency Plan and Safety Management Plan per the requirements of the condition	A review of the Park Emergency Plan and Safety Management Plan were completed as part of the 2025 Hazard Audit. Recommended changes to the Emergency Plan have now been adopted and the Park Safety Management Plan reviewed with a continuous review cycle as per document management guidelines. The completion of a pre-start safety review prior to commissioning of new assets or return to service of existing assets forms part of the Park Safety Management System. This process was adopted for Tank 3 in Newcastle.	Park will consider the recommendation for development of a post start up compliance report or internal audit process to capture significant infrastructure changes between external audit timeframes.	N/A
44	It was observed that several landscaping trees were dead or dying along the southeastern waterfront boundary. As such it is recommended that replacement trees are planted in accordance with the Landscaping Plan.	Park to review the condition of trees positioned on the terminal boundary.	Park to remove any dead trees and replace as required.	31/08/2025
54	It is recommended that a progress report on the implementation of all recommendations made in the hazard audit is to be prepared and resubmission of the hazard audit report to DPHI if actions have been deferred.	Park has captured all action items from the most recent Hazard Audit in an internal Action Plan for follow up.	Park to capture all action items from the 2025 Hazard Audit in a plan and update the department if there are any concerns closing out the actions as documented in the Pinnacle Risk audit report.	30/04/2026

SOC 7.4.2	It is recommended that a review of the maintenance and management procedures for all bunds, pipelines and tanks required by condition 32 is completed and as consented to by the Director- General, to ensure it is consistent with the proposed hydrostatic testing requirements outlined in AS 2885. If required update the procedures and resubmit to the DPHI for consent.	Park to review all existing procedures and update these procedures with any changes associated with MOD-6.	Park to complete procedure updates and submit to the Department if any significant changes are made from documents previously shared. Any procedural changes will be reviewed at the time of the next Hazard Audit at a minimum.	31/12/2026
SOC 7.2.2	It is recommended that Park seek clarification that onsite lighting complies with AS 4282:1997.	Confirmed.	Park to complete the lighting survey as per required standard.	30/04/2026
16, 28, 29, 31, 32	It is recommended that Park seek to obtain all documentation associated with the Development Consent and Planning Secretary approval so that the systems and processes being implemented can be verified as being consistent with what was originally proposed and approved. Further if an update to a plan has been undertaken or is required (to reflect current operations, risks and standards for example) the relevant plan be submitted to the Planning Secretary and approval obtained for the updates.	Park acknowledges this Opportunity for Improvement as noted.	Park will endeavour to consolidate all original project documentation and complete a review of the conditions of consent to ensure consistency with current operations. This will be done with the aim of improving the efficiency of future Independent Environmental Audits.	31/03/2028
N/A	It is recommended that Park establish document control processes to record all documentation associated with the Development Consent, their revisions and Planning Secretary approvals	Park has created online folders for all correspondence with the department relating to development MP07_0066 and also initiated a project for improvements to our Company wide Document Management system. The platform to be used going forward will be SharePoint, with consistency in formatting and naming conventions a key focus area across the company.	Park will ensure that all Newcastle Terminal documents are included in the scope of this high-level project. The required updates to all Newcastle Terminal documents will be managed in a staged manner with a risk-based approach.	31/12/2026