

Appendix I Environmental record of Proponent



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As described in Chapter 1 – *Introduction* of Volume 1 of the EIS, the proponent for the Project the Moorebank Intermodal Company (MIC) Limited, which is a Government Business Enterprise, that has been established to oversee the delivery of the Project. Further details of MIC are available at <http://www.micl.com.au>. Prior to MIC being established the Commonwealth Department of Finance and Deregulation (DoFD) (now the Department of Finance) (DoF) was responsible for the Project.

At the time of preparation of this Environmental Impact Statement (EIS), the MIC has no proceedings against it. Similarly, MIC has, at the time of preparation of this EIS, has no proceedings against it.

The action would be undertaken by an entity that would be selected by MIC for the operation and construction of the Moorebank intermodal terminal (IMT). That entity has not yet been selected. As part of the procurement process, selection criteria would be included requesting potential bidders to provide information on their environmental record and management systems.

Key information that would be required to be provided by potential bidders would include:

- outlining compliance with Commonwealth, state and local environmental and planning laws
- corporate policies on environment and sustainability
- corporate environmental management system (EMS); and
- proposed EMS for the construction and operation of the Project.

The application for approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and NSW *Environmental Planning and Assessment Act 1979* (EP&A Act) is being made by MIC acting as agent for DoF. All other permits and approvals required for subsequent stages of project development and delivery would be obtained by the delivery entity (not yet appointed). As outlined in row 187 above, while this entity has not yet been appointed, its environmental credentials would be evaluated through the Project procurement process.

DoF has an excellent record of responsible environmental management. DoF has a policy to undertake appropriate environmental due diligence and uses its best endeavours to meet all EPBC Act requirements to protect the environment. This includes complying with State legislative requirements, where necessary.

DoF has referred over 30 actions under the EPBC Act. The most recent referrals are listed below:

- 2012/6586 – Department of Finance and Deregulation/Department of Agriculture, Fisheries and Forestry/Post Entry Quarantine Facility Project.
- 2012/6504 – Department of Finance and Deregulation/Commonwealth/The Lodge, Deakin/ACT/Refurbishment Works at The Lodge.
- 2011/6086 – Department of Finance and Deregulation/Commonwealth/Moorebank/NSW/Moorebank Intermodal Terminal Project.
- 2011/5947 – Department of Finance and Deregulation/Commonwealth/Birmingham Avenue, Villawood/NSW/Phase 2 of Villawood Immigration Detention Facility.

DoF has not been prosecuted under any Commonwealth, State or Territory legislation for the protection of the environment or the conservation and sustainable use of natural resources.

DoF's environmental policy framework is attached below. MIC, acting as an agent for the Commonwealth, has adopted the DoF's environmental policy framework.

The proponent for the purposes of construction and operation of the project would be determined upon appointment of the entity as explained above, based on the environmental framework contained in Chapter 28 – *Environmental management framework* and Volume 2, Appendix H – Provisional Environmental Management Plans of this EIS.

Provisional Environmental Management Framework

(DRAFT subject to MIC board approval)

Moorebank Intermodal Company (MIC) Limited

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Introduction

As an employer, future leaseholder, and consumer of natural resources, MIC, acting as agent for the Commonwealth Department of Finance and Deregulation (DoFD) acknowledges the importance of having a solid environmental policy which underpins its ability to achieve high standards of environmental performance. This provisional environmental management framework includes the new MIC Environmental Policy (the Policy) and the key document implemented through the MIC Environmental Strategic Plan (Strategic Plan). It is currently subject to MIC Executive Board final approval and is subject to detailed design and the selection of a preferred tenderer. The related processes under the MIC Environmental Management System are yet to be developed.

Together, the Policy and Strategic Plan foster an approach to the sustainable conduct of MIC activities in support of MIC objectives. This approach seeks to ensure the cooperation, commitment and active participation of all MIC personnel, Operators, Contractors and Consultants in meeting our environmental obligations.

Through sustainable environmental management, MIC aims to leave a positive legacy for future generations while preserving the capacity to undertake activities necessary to support MIC objectives. The impacts of land clearing for urban and agricultural uses, extensive droughts, and climate variability mean that the environmental values of the natural areas supporting MIC activities are of increasingly high environmental value to the Australian community. We accept the importance of meeting our environmental protection obligations under the Commonwealth and NSW Government's environmental legislation.

Environmental management plans, when prepared, will form a part of planning arrangements for relevant MIC activities. These plans will help to scope potential risks and support MIC in minimising its environmental footprint.

Over 2014-2017, MIC will develop and finalise its Environmental Management System and sustainable environmental management principles and practices to achieve environmentally sound outcomes and environmental performance improvement under the MIC Environmental Policy.

This strategic plan outlines a range of commitments over the next four years. It applies across the full breadth of activities undertaken by MIC in support of our objectives. MIC will be well positioned to respond effectively to Government initiatives in environmental management.

The MIC Environmental Policy

Vision Statement: MIC will be a leader in sustainable environmental management in the transport and logistics sector.

Environmental Policy Objectives

MIC will achieve this vision through six strategic policy objectives which are:

1. To implement innovative approaches to environmental management that achieve MIC and stakeholder requirements.
2. To integrate sustainable environmental management, including resource efficiency and pollution prevention, into MIC activities, business processes and decisions.
3. To establish clear lines of accountability for environmental outcomes.



4. To raise the environmental awareness of MIC personnel, Operators, Contractors and Consultants through education, training and ready access to information.
5. To measure and report environmental performance as part of a process of continual improvement.
6. To maintain transparency in decision making and establish strategic partnerships with key environmental stakeholders.

MIC Environmental Statement

The principal task of MIC is to manage the operation of a large and commercially successful intermodal freight facility which boosts national productivity, creates employment and investment opportunities, and delivers sound environmental and social outcomes. MIC is committed to high standards of environmental management which will ensure the integration of the Commonwealth and NSW Government's environment and sustainability objectives into MIC business interests and outcomes.

MIC will seek excellence in its sustainable environmental management to ensure it meets environmental legislative requirements. The MIC leasehold land comprises areas with high environmental and cultural value, including Aboriginal heritage. Although this land is managed primarily for intermodal freight facility purposes, MIC acknowledges the need to meet environmental obligations, including under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) and *Environmental Planning and Assessment Act 1979* (NSW). The environmental policy objectives inform MIC environmental strategies and programs for managing the environment and are to be implemented to ensure the long term sustainability of MIC leasehold land and operations.

Policy Objectives

Policy objective 1: to implement innovative approaches to environmental management that achieve MIC and stakeholder requirements.

In operating environments, MIC will apply high standards of environmental management. MIC will maintain effective planning and management regimes to ensure operations planners include environmental considerations as part of their preparations for activities that have the potential to result in adverse environmental impact.

MIC's environmental professionals will assist in maintaining its ability to monitor and mitigate the impacts of its activities, preventing pollution, and fostering responsible and efficient use of natural resources.

Policy objective 2: to integrate sustainable environmental management, including resource efficiency and pollution prevention, into MIC activities, business processes and decisions.

MIC aims to ensure that ecologically sustainable development principles and objectives are taken into account in all relevant policies and activities. MIC recognises that it has responsibilities to ensure that its decisions consider and balance potentially competing demands.



Application of the core principles of ecologically sustainable development in MIC's work can assist in: understanding and reducing environmental impacts; preserving and sustaining the environment; protecting valuable resources; and reducing costs for remediation, therefore delivering efficiencies in resource use. MIC's business processes and operating procedures for all activities continue to evolve to include environmental conservation and resource efficiency provisions.

The MIC Environmental Management System will provide the framework for the environmental policies for the organisation. Taking into account the environmental risks attached to MIC activities, the company will seek to integrate environmental requirements into policies, procedures, processes, instructions, contracts, manuals, reporting, education and training, and most importantly, core values.

This integration will ensure that everyone in MIC has the means to consider the environmental impacts of their activities and can develop and implement mitigation strategies to continually improve their approaches.

Policy objective 3: to establish clear lines of accountability for environmental outcomes.

MIC takes its obligations to protect the environment seriously, and so has established clear lines of accountability for managing its activities, its infrastructure, leasehold land and other values. In turn MIC's people are required to ensure their activities comply with all applicable environment legislation and MIC's environmental policies and procedures. MIC's board of directors and management team recognise their stewardship responsibilities and will participate in reviews of environmental performance.

MIC will continuously strive to improve the effectiveness of its environmental performance through the implementation and 'continual improvement' of the MIC Environmental Management System (when prepared).

Policy objective 4: to raise the environmental awareness of MIC personnel, Operators, Contractors and Consultants through education, training and ready access to information.

Everyone in MIC has an opportunity to participate in the stewardship of its working and living environments by being aware of the company's environmental policies and implementing quality procedures. Through its actions and policies MIC will communicate its commitment to sound environmental management to its personnel, operators, contractors, consultants and other stakeholders. Environmental awareness ensures MIC's personnel understand the potential environmental impacts and associated management requirements for their activities and actions. Environmental incidents arising from high risk activities can be minimised through targeted environmental awareness training.

Policy objective 5: to measure and report environmental performance as part of a process of continual improvement.

MIC is committed to measuring its environmental performance across MIC activities. This includes monitoring the condition of its leasehold land and its use of resources such as energy and water and its generation of waste.



Understanding its environmental impacts and maintaining high quality land management practices will be a key requirement for MIC. It will measure and report on its environmental performance and contribution to ecologically sustainable development through management review and annual reporting.

Policy objective 6: to maintain transparency in decision making and establish strategic partnerships with key environmental stakeholders.

We acknowledge the range of stakeholders with an interest in MIC environmental management, particularly those traditional owners of lands on which we operate. MIC respects the needs of communities and encourages their participation in relevant advisory forums. MIC will continue to develop and implement quality processes to ensure the impacts of its activities on the environment are considered in a comprehensive, open and transparent way and as required by legislation and government policy.

MIC will work with relevant groups to further its understanding of the environment and assist development and delivery of high quality environmental management practices.

MIC Environment Strategic Plan 2014-2017

Goal: To minimise MIC's environmental footprint through sustainable development and operation of MIC facilities.

Lead: MIC, Operators, Contractors, Consultants

Environmental Management of leased land and facilities across the infrastructure asset life-cycle is facilitated through a risk-based framework under the proposed MIC Environmental Management System. This includes the development and implementation of environmental protection policies and procedures which guide the planning, development, use, and maintenance of MIC land, assets or equipment.

Commitments for 2014-17

To achieve this MIC will:

- Strategically plan the management of leasehold land to take account of environmental issues related to climate change, contamination, and the impacts of urban encroachment, noise and new environmental legislation.
- Develop and implement environmental policies, strategies, environmental controls and programs to identify and manage environmental risks as part of the MIC Environmental Management System. Establish environmental data management systems to support effective planning and decision making.
- Development effective mechanisms for managing environmental impacts including minimising the contamination of land.
- Manage and maintain habitats, landscapes and other cultural or heritage values. This includes managing threatening processes such as erosion, bushfire and biosecurity risks.
- Implement programs through the proposed Environmental Management System to identify and manage natural, historic and Indigenous heritage values on site where feasible.



- Provide specialist environmental advice to ensure that environmental impacts and sustainability issues associated with the introduction of new activities are considered.
- Where relevant, establish operating procedures to implement environmental conditions prescribed in formal impact assessment approval processes.
- Incorporate resource efficiency considerations, including by ensuring contracts specify minimum environmental performance standards in accordance with relevant policy.
- Minimise pollution of land, air and water from current and future MIC activities. Manage any contaminated areas through risk based approaches, including applying technologies in remediation and considering whole of life costing when assessing remediation options.
- Reduce waste generation and increase where feasible landfill diversion rates through recycling, recovery and re-use of wastes from commercial, industrial, construction and demolition works. Ensure the environmentally sound management and disposal of hazardous waste at licensed facilities.
- Ensure environmental performance is factored into tender evaluations and include environmental performance requirements in all relevant MIC contracts related to facility construction, operations and maintenance.
- Measure, review and report environmental performance, including monitoring and analysis of sustainability indicator data, contractor data and site audits.
- Critically use and analyse data to assist in decision making for sustainable management, with the objective being to manage cumulative and long term impacts.
- Incorporate environmental requirements into relevant facilities maintenance and operation programs.
- Ensure that MIC operating procedures take into account environmental requirements set out in leases, where relevant.

Performance (Metrics or Task and Target Date):

- Environmental controls and programs in place by end 2014, to address key environmental risks as part of the MIC Environmental Management System.
- Contamination legacy on leasehold land reduced over the life of the strategic plan.
- Results from environmental monitoring within accepted standards. Sustainability indicators to be identified and monitoring commenced by early 2015.
- Access to environmental and heritage data to inform the sustainable planning and management.
- Energy efficiency and consumption objectives and targets developed.
- Water efficiency and consumption targets developed.
- Waste per person to decrease and waste to landfill diversion rates to increase over the life of the plan.
- By 2015 energy, water and waste management plans to be developed and implemented.
- Heritage management plans completed for all Commonwealth Heritage Listed, National Heritage Listed and World Heritage Listed places within the statutory timeframes.
- Monitoring in place for bushfire impacts-total area burnt as a result of unplanned events.

People and Governance

Goal: To establish MIC's reputation for quality environmental stewardship with its personnel and external stakeholders, and to deliver effective training and governance procedures for environmental management.

Lead: MIC, Operators, Contractors and Consultants



Sustainable environmental management is the responsibility of all personnel within MIC - and by all who work with it. All acknowledge the importance of environmental sustainability in their activities and operations and in establishing MIC's reputation as a good land manager and neighbour. Sustainable environmental outcomes for MIC can be fostered through effective leadership and the implementation of relevant personnel and governance policies and procedures.

Commitments for 2014-17

To achieve this MIC will:

- Develop and implement specific environmental policies and procedures which manage the risks of activities and promote responsible stewardship of the environment.
- Provide environmental training and awareness to MIC personnel (including operators and contractors) through induction courses, on-line information and training courses, and information materials which target high risk activities.
- Establish processes and promote behaviours and a culture to ensure efficient use of MIC resources, including through the use of video conferencing and participation in energy and resource reduction flagship projects.
- Include environmental performance as a part of its corporate planning and review at the highest levels.
- Foster leadership and innovation, and promote excellence in environmental management to all individuals who have assisted MIC to meet environmental obligations.
- Foster community and stakeholder engagement through relevant forums such as Environmental Advisory committees.
- Respect and implement the arrangements for environment and heritage protection in place under agreements with stakeholders including lease agreements.

Performance (Metrics or Task and Target Date):

- Maintain up to date environmental pages on MIC website by 2014.

Review and reporting

MIC will review and report aspects of implementation of the environmental strategic plan 2014-2017 through management reviews, audits of specific activities on site, and annually in the MIC Annual Report.