

Intended for  
**Veolia Environmental Services Australia**

Prepared by  
**Ramboll Environ Australia Pty Ltd**

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**28 July 2016**

Project Number  
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# INDEPENDENT ENVIRONMENTAL AUDIT BANKSMEADOW TRANSFER TERMINAL

# INDEPENDENT ENVIRONMENTAL AUDIT BANKSMEADOW TRANSFER TERMINAL

Revision       **Final 2**  
Date           **28/07/2016**  
Made by       **Ronan Kellaghan, Shaun Taylor, Victoria Sedwick**  
Checked by     **Victoria Sedwick**  
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Description    **Audit Report**

Ref            AS122012

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## 1. EXECUTIVE SUMMARY

Veolia Environmental Services Australia Pty Ltd (Veolia) engaged Ramboll Environ Australia Pty Ltd (Ramboll Environ) to conduct an environment audit (the Audit) of the Banksmeadow Transfer Terminal (the Site). The site visit components of the Audit were conducted by Shaun Taylor and Ronan Kellaghan (the Auditors) and Victoria Sedwick (Lead Auditor) on 7 July 2016. The Audit Report was prepared by the Auditors and reviewed and authorised by Victoria Sedwick.

The objective of the Audit was to assess the environmental performance of the Banksmeadow Transfer Terminal development, including the requirements of the Site's Environmental Protection Licence (EPL), as required under Condition 6 and 7 of Schedule 4 of the development consent SSD 5585 which requires that:

*6. Within a year of the date of this consent, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the Development. This audit must:*

*(a) be conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;*

*(b) include consultation with the relevant agencies;*

*(c) assess the environmental performance of the Development and whether it is complying with the relevant requirements in this consent and any relevant EPL (including any assessment, plan or program required under these approvals);*

*(d) review the adequacy of any approved strategy, plan or program required under these approvals; and*

*(e) recommend measures or actions to improve the environmental performance of the Development, and/or any assessment, plan or program required under these approvals.*

*7. Within 3 months of commissioning this audit, or as otherwise agreed by the Secretary, the Applicant shall submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report.*

The following administrative non-compliances with development consent SSD 5585 were identified during the Audit:

- Condition 41 of Schedule 3 requires the Noise and Vibration Management Plan to include details of short term vibration trials of construction equipment that are conducted in consultation with the surrounding landowners. A vibration complaint was received regarding a roller that had not been subject to the vibration trial.
- Condition 6 of Schedule 4 required this Independent Environmental Audit to be commissioned within one year of the date of development consent SSD 5585 (28 April 2016). The Audit was commissioned on 29 June 2016. Ramboll Environ understands that Veolia intends to submit the Audit Report by 28 July 2016.

In addition to these non-compliances, the following recommendations are made relating to observations made during the Audit:

- Vehicle and equipment refuelling will take place at the diesel storage area. The diesel aboveground tank is self-bunded. Containment and spill control procedures are described within the Operational Soil Water and Leachate Management Plan (D1\_SWLMP BTTOEMP). The diesel tank which was not yet operational at the time of the Audit. Installation of improved containment and spill controls at the refuelling (and tanker unloading) area adjacent to the diesel aboveground tank are recommended prior to the diesel tank becoming operational.
- The Emergency Response Plan (ERP) as required under the development consent has been prepared and provided in draft to DPE. The components required for a Pollution Incident

Response Management Plan (PIRMP) as required under the EPL are within the ERP. The relevant components of the PIRMP need to be finalised and uploaded to the Veolia website prior to commencing operations.

- Following commissioning and testing of the building ventilation system, observations for odour intensity along the site boundary should be undertaken initially on weekly basis by site personnel that are not desensitised to the odour. If the odour observations detect odour from the facility at the site boundary, the effectiveness of the ventilation system will need to be reviewed.

## 2. INTRODUCTION

Veolia Environmental Services Australia Pty Ltd (Veolia) engaged Ramboll Environ Australia Pty Ltd (Ramboll Environ) to conduct an environment audit (the Audit) of the Banksmeadow Transfer Terminal. The site visit components of the Audit were conducted by Shaun Taylor and Ronan Kellaghan (the Auditors) and Victoria Sedwick (Lead Auditor) on 7 July 2016. The Audit Report was prepared by the Auditors and reviewed and authorised by Victoria Sedwick.

The Independent Environmental Audit (IEA) is required under Condition 6, Schedule 4 of the development consent for the Banksmeadow Transfer Terminal. The Site is identified as: Lot 1 in Deposited Plan (DP) 435497, Lot A in DP 366725, Lot B in DP 366725 and Part of Lot 2 DP 100686. The Site comprises two portions: Lots A & B, DP 366725 and Lot 1, DP 435497 owned by Keith Engineering (34-36 McPherson Street); and part of Lot 2 DP 100686 (14 Beauchamp Road) owned by Asciano (Pacific National). The Banksmeadow Transfer Terminal located at 14 Beauchamp Road and 34-36 McPherson Street, Banksmeadow New South Wales (NSW), 2019 (herein referred to as the Site).

### 2.1 Audit Objective and Scope

The objective of the Audit was to assess the environmental performance through construction to date of the Banksmeadow Transfer Terminal development against the development consent (SSD 5585) and the requirements of the Site's Environmental Protection Licence (EPL 20581), as required under Conditions 6, Schedule 4 of the development consent SSD 5585. Construction work was almost at the time of the site visit and the findings stated in this report are as of the date of the Audit.

Condition 6, Schedule 4 of development consent SSD 5585 requires that:

*Within a year of the date of this consent, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the Development. This audit must:*

*(a) be conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;*

*(b) include consultation with the relevant agencies;*

*(c) assess the environmental performance of the Development and whether it is complying with the relevant requirements in this consent and any relevant EPL (including any assessment, plan or program required under these approvals);*

*(d) review the adequacy of any approved strategy, plan or program required under these approvals; and*

*(e) recommend measures or actions to improve the environmental performance of the Development, and/or any assessment, plan or program required under these approvals.*

*Note. This audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Secretary.*

Furthermore, Condition 7, Schedule 4 of development consent SSD 5585 requires that:

*Within 3 months of commissioning this audit, or as otherwise agreed by the Secretary, the Applicant shall submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report and a program for implementation.*

### 2.2 Exclusions

Development consent SSD 5585 includes conditions in relation to remediation of soil and groundwater at the Site according to an approved Remediation Action Plan (RAP). Investigation and remediation on the Keith Engineering portion of the Site is subject of the RAP and the Site

Audit. The detailed review of the investigations and remediation which will be contained within the Site Audit Report was not available at the time of reporting. The Auditors have been informed that the Asciano/Pacific National portion of the Site was not the subject of the RAP. Therefore, investigations and remediation undertaken on the Asciano portion of the Site are not subject to the Site Audit and have not been reviewed as part of this Audit.

### **2.3 Audit Methodology**

The Audit was conducted in accordance with the general requirements of AS/NZS ISO 19011:2014 *Guidelines for quality and/or environmental management systems auditing* and the NSW Department of Planning and Environment (DPE) *Independent Audit Guideline* (October 2015). Compliance has been assessed using the Independent Audit Guideline criteria and non-compliances have been assigned risk levels from the Independent Audit Guideline as shown within Table 1 and 2.

The following tasks were completed during the audit:

- Review of Site documentation prior to inspections of the Site.
- Preparation of an audit plan and protocol.
- Inspections of the Site accompanied by Veolia personnel.
- Interviews with Veolia personnel and a representative of their contractor, Lipman.
- Review site records prepared by Veolia and Lipman for verification of the audit findings.
- Preparation of a written Audit Report (this report).

The draft Audit Report was provided to Veolia on 22 July 2016 to review for factual correctness and the draft Action Plan (Table 5) was provided to Veolia on 27 July 2016 for review.

### **2.4 Audit Team**

The audit team including Victoria Sedwick (Lead Auditor), Ronan Kellaghan (Auditor) and Shaun Taylor (Auditor) was approved in writing by the DPE in a letter to Veolia dated 11 May 2016 (refer **Appendix 1**).

### **2.5 Agency Consultation**

Ramboll Environ consulted with relevant agencies as part of the Audit. Agencies consulted comprise:

- NSW DPE
- NSW Environment Protection Authority (EPA)
- City of Botany Bay Council.
- Randwick Council
- WaterNSW (formerly Department of Primary Industries (Water)).

### 3. AUDIT FINDINGS

This section contains a summary of the Audit findings. Detailed findings are presented in a tabular format in Table 3 (development consent SSD 5585) and Table 4 (Environment Protection Licence 20581) and an Action Plan in Table 5 (refer to the Tables section of this report).

#### 3.1 General

The Banksmeadow Transfer Terminal construction commenced in September 2015 and was substantially complete by the date of the Audit site visit on 7 July 2016. Outstanding documentation in relation to the completion of construction is noted within this report

As previously mentioned, the Site comprises two portions: one parcel described as 34-36 McPherson Street owned by Keith Engineering, an engineering fabrication company; and the other parcel at 14 Beauchamp Road, part of the rail yard owned by Asciano (Pacific National).

Development consent (SSD 5585) was granted on 28 April 2015 for the Banksmeadow Transfer Terminal and the Environment Protection Licence (EPL 20581) was issued on 2 July 2015 (refer to **Appendix 2** and **Appendix 3**).

Once operational, mixed household and commercial waste will be received at the facility and containerised for transfer to Veolia's site at Woodlawn by rail for treatment and resource recovery.

In general terms, the development involves:

- Demolition and removal of former buildings and infrastructure that are no longer required;
- Decommissioning and removal of underground fuel storage tanks that will not be required on the engineering site;
- Inspection and, where required, refurbishment of remaining rail infrastructure;
- Construction of the transfer terminal building including leachate containment and odour controls;
- Upgrades to electrical systems;
- Protection of electricity infrastructure;
- Upgrades to and/or construction of above ground and below ground drains and on site detention devices (pits); and
- Installation of fire protection and fire suppression systems.

#### 3.2 Environmental Management

The Site operates under Veolia's integrated management system which includes health safety and environmental management. In addition to operational management systems, a Construction Environmental Management Plan and the required sub plans were prepared, approved and implemented to manage various aspects of the construction. The Auditors consider that environmental management for construction has generally been adequate. Opportunities for improvement, which have been identified during the Audit, are outlined in the following sections of this report.

##### 3.2.1 Complaints

Veolia operates a complaints line. The telephone number for the complaints line is available on the Veolia website. Complaints are recorded as incidents in Veolia's incident management system (RIVO Safeguard – "the Vault") and these records were sighted by the Auditors. Four complaints were reported directly to Veolia in the current EPL Annual Return reporting period to date or in the prior EPL Annual Return reporting period (i.e. since 2 July 2015).

**Recommendation:** All complaints relating to the licensed premises should be included in the EPL Annual Return.

#### 3.3 Planning Approvals

Development consent SSD 5585 was granted on 28 April 2015 by the Planning Assessment Commission, as delegate of the Minister for Planning, for the demolition of redundant



infrastructure and the construction and operation of the Banksmeadow Transfer Terminal for receipt of putrescible and non-putrescible wastes at the terminal, processing for transfer to Woodlawn Waste Management Facility.

Veolia has staged the development as follows:

- Construction commencing in September 2015 with expected completion in July 2016; and
- Operation from August 2016 following completion of construction.

At the time of the Audit, work had been substantially completed on construction of the terminal and the Site was not operational.

Ramboll Environ's review of site documentation, audit observations and interviews with site representatives from Veolia and their Principal Contractor, Lipman, demonstrated the development has to date been conducted generally in accordance with the terms of the consent, although some non-compliances and opportunities for improvement were observed. Ramboll Environ's compliance findings and recommendations are documented within **Table 3** and **Table 5** respectively of this report.

**Non-Compliance (Administrative):** Condition 6 of Schedule 4 required this Independent Environmental Audit to be commissioned within one year of the date of development consent SSD 5585 (28 April 2016). The Independent Environmental Audit was commissioned on 29 June 2016. Ramboll Environ understands that Veolia intends to submit the Audit report to DPE by 28 July 2016.

**Recommendation:** It is recommended that Veolia use a Site Compliance Tracking Program or an equivalent, such as the internal audit tracking function in the Vault, to record submission dates under SSD5585 and the EPL 20581.

### 3.4 Environment Protection Licence

The facility operates under EPL 20581 (refer to Appendix B) issued by the NSW Environment Protection Authority (EPA) in accordance with Section 55 of the NSW *Protection of the Environment Operations Act 1997* (POEO Act). Veolia is the licence holder.

This licence authorises the carrying out of the scheduled development work listed below at the premises listed in A2: Construction of the Veolia Banksmeadow Waste Transfer Terminal.

The EPL covers the following Scheduled Activities:

- Waste Processing (non-thermal treatment).
- Waste Storage.

The EPL covers the following Fee Based Activities and Scale of Activities (following completion of the construction and approval by the EPA):

- Non-thermal treatment of waste, scale: any tonnes (T) treated.
- Waste Storage, scale: >0T stored

The EPL was issued on 2 July 2015 and it is noted that the EPA was consulted during assessment of the development application. A review of the site's EPL for the construction phase was carried out as part of this Audit. A full description of the findings and recommendations can be found in **Table 4** and **Table 5**, respectively.

### 3.5 Pollution Incident Response Management Plan

Under the POEO Act, the holder of an EPL is required to have in place a Pollution Incident Response Management Plan (PIRMP) and to make certain parts of the PIRMP publicly available. Components of the PIRMP are within the Emergency Response Plan (ERP).

**Recommendation:** Ensure that the relevant parts of ERP/PIRMP will be made available on Veolia's website prior to commencing operations.

### 3.6 Agency Consultation

Ramboll Environ consulted with the DPE, NSW EPA, City of Botany Bay Council, Randwick Council and WaterNSW (formerly NSW Department of Primary Industries (Water)) as a part of this Audit. Comments made by the representatives contacted at these agencies are summarised as follows:

- No feedback was received from the DPE as of 21 July 2016.
- No feedback was received from the EPA as of 21 July 2016.
- A spokesperson for City of Botany Bay Council advised that due to staff changes, Council could not provide a comment.
- A spokesperson for Randwick Council advised that Council's planning and environmental health staff had no issues with the Project.
- A spokesperson for WaterNSW noted that a temporary dewatering licence that was granted to Keith Engineering (the owners of part of the Site) was due to expire on 27 July 2016. WaterNSW has recently written to Keith Engineering (Sales) Pty Limited to confirm whether the dewatering activity at the site has now ceased. The letter outlines that the dewatering licence requires certain information to be provided. WaterNSW is currently waiting on a reply from Keith Engineering.

### 3.7 Environmental Issues

#### 3.7.1 Surface Water Quality

Surface water from the Site is discharged via an arrangement of open and underground drains and on-site detention devices (pits). The stormwater in the main detention device (pit) is expected to seep through the base into the ground and recharge groundwater. Overflow drains from pit flow through HumeCeptors™ to the Council drainage system. Drainage from areas where the surface water may be contaminated with hydrocarbons, such as the diesel refuelling area, is not currently contained prior to discharge into the detention device/pit.

Stormwater discharges have been monitored to-date during construction under the CEMP and Construction Soil, Water, Leachate Management Plan (CSWLMP). Future monitoring is described within the Operational Soil, Water, Leachate Management Plan (D1\_SWLMP\_BTTOEMP). Veolia may be required in the future to monitor for exceedances of concentration limits at yet to be determined licensed EPA discharge points. Monitoring and discharge points are not yet listed on the EPL.

**Recommendation:** Continue to consult with the EPA regarding licensed discharge points to be recorded on the EPL prior to commencing operations.

#### 3.7.2 Storage and Handling of Chemicals and Fuels

Storage and handling of chemicals, fuels and oils for use on the Site could not be assessed during the Audit as the workshop and operational facilities were not in place at the time of the site visit. The description for containing chemicals in the workshop provided by Veolia is considered to be appropriate. The planned storage of diesel on the Site was assessed as part of the Audit. The above ground diesel storage tank is self bunded/double skinned and installed on concrete paved area, therefore, fuel stored on-site would be contained within this tank and the containment measure. The diesel tank was not in-use at the time of the Audit; however, the Auditors noted that the refuelling area is not bunded or otherwise contained to prevent the release of accidental spills during delivery of diesel to the facility nor during vehicle refuelling.

**Recommendation:** The installation of containment and spill controls at the refuelling area to protect against an accidental spill during fuel deliveries or vehicle refuelling entering the stormwater prior to operations are recommended.

#### 3.7.3 Air Quality and Odour

The key potential air quality issue requiring management during construction was identified as fugitive dust. Potential issues relating to odour from the exposure of contaminated soil during construction are considered to have been addressed.

The Auditors did not observe dust emissions from the Site; however, construction of the terminal was almost complete, it was raining, and a large area of the Site is now paved. It is noted that the construction contractor was still on site and maintaining dust control measures, such as use of a water cart, at the time of the audit visit. Notwithstanding, the Construction Air Quality and Greenhouse Gas Management Plan (CAQMP) appears to have been adhered to, by the contractors, for the duration of construction activities.

It is noted that there was one complaint regarding dust during the construction period, reported by a local council officer on McPherson Street. The incident reported fugitive dust leaving the site due to high winds. A review of the contractors wind speed management spreadsheet indicates that wind speed triggers were regularly reviewed and responded to as required, although the wind speed triggers did not alert the contractors to the potential fugitive dust issue on the day of the complaint. However, the incident review and response appears to have been effective in controlling further fugitive dust and no additional complaints were received. It is also noted that the area where fugitive dust was observed contains a mix of commercial/industrial uses (i.e. no particularly sensitive land uses).

The key air quality issue to be managed during operations will be odour. An operational Air Quality Management Plan (OAQMP) has been prepared for the site, incorporating a Dust Management Plan and Odour Management Plan. The odour impact assessment submitted as part of the approval demonstrated that offensive odour would not occur beyond the site boundary, assuming the facility operates an odour control system and as per modelling assumptions.

The Auditors have viewed the installed ventilation system and subsequently reviewed the 'as built' drawings for the building, discharge stack and fan ventilation system. The Auditors consider that the odour control system has been constructed in accordance with "Odour Emissions and Control" report prepared by The Odour Unit and presented in the odour impact assessment.

Critical to odour control is the effective operation and ongoing maintenance of the building extraction / ventilation system. Maintenance procedures are outlined in the OEMP and odour monitoring is outlined in the OAQMP. It is noted that the type of odour monitoring is not explicitly prescribed, other than site inspections for odour detection and six monthly testing of the ventilation system performance.

**Recommendation:** It is recommended that ambient odour monitoring should include observations for odour intensity along the site boundary on a regular (i.e. initially weekly) basis, undertaken by site personnel that are not desensitised to the odour (i.e. staff that work within the facility building).

If the odour observations detect odour from the facility at the site boundary, it is recommended that the effectiveness of the ventilation system is reviewed. For example, Veolia might consider a smoke test within the building to determine if adequate negative pressure is achieved and fugitive emissions are minimal, as assumed in the EIS.

#### 3.7.4 Noise and Vibration

Noise and vibration had been identified as potential issues at the Site requiring management during construction. Development consent SSD 5585 included construction vibration and noise conditions, operational noise conditions, and noise and vibration monitoring requirements.

Vibration monitoring had been undertaken in November 2015 in response to a complaint regarding vibration from a roller. The monitoring concluded that the roller was exceeding vibration limits and was removed from construction.

Short term vibration trials of construction equipment (conducted in consultation with the surrounding landowners) were not undertaken of this roller prior to its use.

Noise monitoring was undertaken to confirm compliance with the noise criteria. In addition, no noise complaints have been received since commencement of the construction at the Site.

**Non-Compliance (Administrative):** Condition 41 of Schedule 3 requires the Noise and Vibration Management Plan to include details of short term vibration trials of construction equipment that are conducted in consultation with the surrounding landowners. A vibration complaint was received regarding a roller that had not been subject to such a trial.

#### 3.7.5 Waste Management

Waste management practices and records for the construction phase were considered to be satisfactory. Waste registers, including waste classification and waste code (where required) had been maintained by the Principal Contractor, Lipman. The waste records have also been subject of the Annual Environmental Management Review (AEMR). Minor discrepancies in the documents issued by Genesis (one of the licensed waste receiving facility) were reviewed and discussed during the site visit.

#### 3.7.6 Traffic Management

The potential impacts of Site traffic on the traffic and safety of motorists on Beauchamp Road and the wider road network were the key potential traffic issues for both the construction and operation phases. Development consent SSD 5585 included various restrictions on vehicle movements, heavy vehicle haulage routes, internal vehicle movements, and the monitoring of compliance with the traffic management measures.

Traffic monitoring results observed during the site visit indicated that Site traffic was complying with the plan. No complaints had been received at the Site regarding traffic, and none of the government agencies (including Randwick Council or City of Botany Bay Council) raised concerns regarding traffic issues.

Veolia currently has an application for a modification to the development consent SSD 5585. Due to the delays in the completion of the detailed design (and subsequent construction) of the final access to the site from Beauchamp Road, Veolia are requesting that development consent SSD 5585 be modified to allow operations to commence (for a maximum of six months) prior to completion of the final access from Beauchamp Road. Submissions on the modification application have been received by DPE from RMS, City of Botany Bay Council and Randwick Council. Veolia has provided DPE with the issues raised in these submissions.

#### 3.7.7 Remediation

The portion of the Site owned by Keith Engineering was subject to a Site Audit by a Contaminated Site Auditor, G Nyland, accredited by NSW EPA under the *Contaminated Land Management Act 1997 NSW*. The Site Audit Statement (SAS) and Site Audit Report (SAR) were not complete at the time of reporting and the Auditors understand that the SAS and SAR will be issued imminently.

The remaining portion of the Site owned by Asciano was not subject to the RAP or the Site Audit. Asciano surrendered a Licence 95 under the *Environmentally Hazardous Chemicals Act 1985, NSW*. The Auditors were informed this surrender allowed hexachlorobenzene (HCB) contaminated soil stockpiles to be moved from the Site onto the Asciano land which is not part of the development prior to the development commencing. The Auditors were informed that rail car brake shoes were an unexpected find during the excavation works on the Asciano/Pacific National portion of the site.

## 4. CONCLUSIONS

The Auditors consider that overall, the environmental practices for construction at the Site were adequate; however, some administrative non-compliances have been identified.

The following administrative non-compliance with development consent SSD 5585 was identified during the Audit:

- Condition 41 of Schedule 3 requires the Noise and Vibration Management Plan to include details of short term vibration trials of construction equipment that are conducted in consultation with the surrounding landowners. A vibration complaint was received regarding a roller that had not been subject to such a trial.
- Condition 6 of Schedule 4 required this IEA to be commissioned within one year of the date of development consent SSD 5585 (28 April 2016). The IEA was commissioned on 29 June 2016. Ramboll Environ understands that Veolia intends to submit the Audit report to DPE by 28 July 2016.

In addition to these non-compliances, the following recommendations for improvements are made relating to observations made during the Audit:

- Vehicle and equipment refuelling will take place at the diesel storage area from the diesel aboveground tank which is self-bunded. Containment and spill control procedures are described within the Operational Soil Water and Leachate Management Plan (D1\_OSWLMP BTTOEMP). The diesel tank and containment at diesel refuelling area which were not yet operational during the Audit site visit. Installation of improved containment and spill controls at the refuelling and tanker unloading area adjacent to the diesel aboveground tank are recommended prior to the diesel tank becoming operational.
- The ERP as required under the development consent has been prepared and provided in draft to DPE. The PIRMP as required under the EPL is contained within the ERP. The relevant components of the PIRMP should be finalised and uploaded to the Veolia website prior to operations commencing at Banksmeadow.
- Following commissioning and testing of the building ventilation system, observations for odour intensity along the site boundary should be undertaken initially on weekly basis by site personnel that are not desensitised to the odour. If the odour observations detect odour from the facility at the site boundary, the effectiveness of the ventilation system will need to be reviewed.

## 5. LIMITATIONS

### 5.1 Limitations of this Report

Ramboll Environ prepared this report in accordance with the scope of work as outlined in the proposal (P3337) to Veolia dated 14 May 2016 and approved on 29 June 2016 and in accordance with our understanding and interpretation of current regulatory standards.

Sampling and laboratory analyses were not undertaken as part of this investigation.

Site conditions may change over time. This report is based on conditions encountered at the site at the time of the audit and Ramboll Environ disclaims responsibility for any changes that may have occurred after this time.

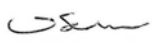
The conclusions presented in this report represent Ramboll Environ's professional judgement based on information made available during the course of this assignment and are true and correct to the best of Ramboll Environ's knowledge as at the date of the assessment.

Ramboll Environ did not independently verify all of the written or oral information provided to Ramboll Environ during the course of this investigation. While Ramboll Environ has no reason to doubt the accuracy of the information provided to it, the report is complete and accurate only to the extent that the information provided to Ramboll Environ was itself complete and accurate.

This report does not purport to give legal advice. This advice can only be given by qualified legal advisors.

### 5.2 Reliance

This report has been prepared exclusively for Veolia for submission to the NSW Department of Planning and Environment and may not be relied upon by any other person or entity without Ramboll Environ's express written permission.

<b>INDEPENDENT AUDIT CERTIFICATION</b>	
Development Name	Banksmeadow Transfer Terminal
Development Consent No.	SSD 5585
Description of Development	Construction and operation of a waste transfer terminal.
Development Address	14 Beauchamp Road and 34-36 McPherson Street, Banksmeadow NSW 2019
Operator	Veolia Environmental Services (Australia) Pty Ltd
Operator Address	PO BOX 171 GRANVILLE NSW 2142
<b>Independent Audit</b>	
Title of Audit	Banksmeadow Transfer Terminal
<p><i>I certify 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></p> <ul style="list-style-type: none"> <li>• <i>The audit has been undertaken in accordance with relevant approval condition(s) and in accordance with the auditing standard AS/NZS ISO 19011:2014 and Post Approval Guidelines – Independent Audits</i></li> <li>• <i>The findings of the audit are reported truthfully, accurately and completely;</i></li> <li>• <i>I have exercised due diligence and professional judgement in conducting the audit;</i></li> <li>• <i>I have acted professionally, in an unbiased manner and did not allow undue influence to limit or over-ride objectivity in conducting the audit;</i></li> <li>• <i>I am not related to any owner or operator of the development as an employer, business partner, employee, sharing a common employer, having a contractual arrangement outside the audit, spouse, partner, sibling, parent, or child;</i></li> <li>• <i>I do not have any pecuniary interest in the audited development, including where there is a reasonable likelihood or expectation of financial gain or loss to me or to a person to whom I am closely related (i.e. immediate family);</i></li> <li>• <i>Neither I nor my employer have provided consultancy services for the audited development that were subject to this audit except as otherwise declared to the lead regulator prior to the audit; and</i></li> <li>• <i>I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from fair payment) from any owner or operator of the development, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.</i></li> </ul> <p><i>Note.</i></p> <p><i>a) The Independent Audit is an 'environmental audit' for the purposes of section 122B (2) of the Environmental Planning and Assessment Act 1979. Section 122E provides that a person must not include false or misleading information (or provide information for inclusion in) an audit report produced to the Minister in connection with an environmental audit if the person knows that the information is false or misleading in a material respect. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000.</i></p> <p><i>b) The Crimes Act 1900 contains other offences relating to false and misleading information: section 192G (Intention to defraud by false or misleading statement—maximum penalty 5 years imprisonment); sections 307A, 307B and 307C (False or misleading applications/information/documents—maximum penalty 2 years imprisonment or \$22,000, or both).</i></p>	
Signature	
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Date:	28 July 2016

<b>Table 1: Compliance Assessment Criteria</b>	
<b>Assessment</b>	<b>Criteria</b>
Compliant	Where the auditor has collected sufficient verifiable evidence to demonstrate that the intent and all elements of the requirement of the regulatory approval have been complied with within the scope of the audit.
Not verified	Where the auditor has not been able to collect sufficient verifiable evidence to demonstrate that the intent and all elements of the requirement of the regulatory approval have been complied with within the scope of the audit. In the absence of sufficient verification the auditor may in some instances be able to verify by other means (visual inspection, personal communication, etc.) that a requirement has been met. In such a situation, the requirement should still be assessed as not verified. However, the auditor could note in the report that they have no reasons to believe that the operation is non-compliant with that requirement.
Non-compliant	Where the auditor has collected sufficient verifiable evidence to demonstrate that the intent of one or more specific elements of the regulatory approval have not been complied with within the scope of the audit.
Administrative non-compliance	A technical non-compliance with a regulatory approval that would not impact on performance and that is considered minor in nature (e.g. report submitted but not on the due date, failed monitor or late monitoring session). This would not apply to performance-related aspects (e.g. exceedance of a noise limit) or where a requirement had not been met at all (e.g. noise management plan not prepared and submitted for approval).
Not triggered	A regulatory approval requirement has an activation or timing trigger that had not been met at the time of the audit inspection, therefore a determination of compliance could not be made.
Observation	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. Further observations are considered to be indicators of potential non-compliances or areas where performance may be improved.
Note	A statement or fact, where no assessment of compliance is required.



<b>Table 2: Risk Levels for Non-compliances</b>		
<b>Risk level</b>	<b>Colour code</b>	<b>Description</b>
<b>High</b>		Non-compliance with potential for significant environmental consequences, regardless of the likelihood of occurrence
<b>Medium</b>		Non-compliance with: <ul style="list-style-type: none"> <li>• potential for serious environmental consequences, but is unlikely to occur; or</li> <li>• potential for moderate environmental consequences, but is likely to occur</li> </ul>
<b>Low</b>		Non-compliance with: <ul style="list-style-type: none"> <li>• potential for moderate environmental consequences, but is unlikely to occur; or</li> <li>• potential for low environmental consequences, but is likely to occur</li> </ul>
<b>Administrative non-compliance</b>		Only to be applied where the non-compliance does not result in any risk of environmental harm (e.g. submitting a report to government later than required under approval conditions)

<b>Table 3: Conditions of Development Consent SSD 5855</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
<b>Schedule 2. Administrative Conditions</b>			
Sch 2.1	The Applicant shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction, operation or decommissioning of the development.	Observation	<p>Measures to prevent and/or minimise harm to the environment are outlined in the Construction Environmental Management Plan (CEMP), prepared and approved by the Department of Planning and Environment (DPE) on 28 August 2015, and Operation Environmental Management Plan (OEMP), prepared and approved by the DPE on 28 June 2016. Specific requirements of the CEMP and OEMP are audited under the relevant conditions below.</p> <p>Veolia has developed and implemented the measures required under the development consent to prevent and/or minimise any harm to the environment may result from the construction. The review of site documentation; observations and interviews with Site representatives demonstrated that the existing environmental management system is considered generally adequate in addressing the development consent (construction) requirements.</p> <p>Construction was almost complete and the terminal was not in operation at the time of the Audit.</p>
Sch 2.2	The Applicant shall carry out the development generally in accordance with the: (a) EIS; (b) RAP; (c) RTS; (d) management and mitigation measures (Appendix A); (e) site layout plans and drawings in the EIS (see Appendix B); and (f) conditions of this Consent.	Observation	<p>The Auditors' review of documentation, audit observations and interviews with site representatives demonstrated the construction has to date been conducted generally in accordance with the identified documents and conditions of this consent. The Auditors identified minor issues with the implementation of some actions and measures contained within the approved management plans, as further outlined in this table.</p> <p>Compliance with these requirements are audited under specific conditions below.</p>
Sch 2.5	The Applicant shall not receive or process more than: (a) 400,000 tonnes per annum of putrescible material; and (b) 100,000 tonnes per annum of non-putrescible material at the site.	Not triggered	

<b>Table 3: Conditions of Development Consent SSD 5855</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
Sch 2.6	The Applicant shall only receive, store, handle or dispose of General Solid Waste or other classes of waste that are authorised for receipt on site by an EPL.	Not triggered	
Sch 2.7	The Applicant shall ensure that all licences, permits and approval/consents are obtained as required by law and maintained as required throughout the life of the development. No condition of this consent removes the obligation for the Applicant to obtain, renew or comply with such licences, permits or approval/consents.	Compliant	<p>Veolia had obtained the relevant licences, permits and approvals required to undertake the construction activities undertaken at the facility, including:</p> <ul style="list-style-type: none"> <li>• Environment Protection Licence (EPL 20581).</li> <li>• Dewatering (groundwater) licence (10BL605744).</li> <li>• Approval of the Construction Environmental Management Plan and supporting plans (as discussed further in this table).</li> <li>• Approvals from Sydney Water and the Sydney Airport Corporation (as discussed further in this table).</li> </ul> <p>Veolia has commenced attaining approvals required for operation of the facility, including:</p> <ul style="list-style-type: none"> <li>• Approval of the Operation Environmental Management Plan and supporting plans (as discussed further in this table).</li> <li>• Approval from ARTC (as discussed further in this table).</li> </ul>
Sch 2.8	<p>The Applicant 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><i>Notes: Under Part 4A of the EP&amp;A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.</i></p>	Not verified	The Auditors sighted Construction Certificate for the Early Works issued by a Principal Certifying Authority (PCA) on 2 September 2015. No Final Construction or Occupation Certificates have yet been issued. The Auditors have no reason to believe the condition has not been complied with.
Sch 2.9	The Applicant 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.	Not verified	The Auditors sighted Construction Certificate for the Early Works issued by a Principal Certifying Authority (PCA) on 2 September 2015. The Auditors sighted contractor documents during audit. Demolition had been completed prior to the Audit commencing. The Auditors have no reason to believe the condition has not been complied with.

<b>Table 3: Conditions of Development Consent SSD 5855</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
Sch 2.10	The Applicant shall ensure that all plant and equipment used for the development is: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.	Compliant (construction)  Not triggered (operation)	The Auditors observed plant and equipment used by the construction contractor (Lipman) and their subcontractors to be operated and maintained in a proper and efficient manner as far as could be practically reviewed during the Audit. Records of maintenance, competency assessments and pre-start checks held by Lipman were reviewed by the Auditors.
Sch 2.13	The Applicant shall submit detailed design plans of the terminal building that are generally in accordance with the plans in the EIS (Appendix B) to the Secretary for approval prior to the issue of a construction certificate.	Compliant	The early works construction certificate was received from a PCA on 2 September 2015. A copy of the construction certificate was lodged by the PCA with the Department of Planning and Environment on 2 September 2015.
Sch 2.14	The Applicant shall: (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.	Not triggered	Veolia has worked with Ausgrid to appropriately permanently protect (at Veolia's cost) the major electrical power supply infrastructure that crosses the facility.  Veolia is currently negotiating with Roads and Maritime Services (RMS) on finalisation of the detailed design of the Site access on Beauchamp Road. A key issue in these negotiations is the relocation of services within the road reserve.  Lipman had received approvals from City of Botany Bay Council for stormwater connections.
Sch 2.16	Prior to the commencement of operation of the development, the Applicant shall pay development contributions to the City of Botany Bay Council of \$495,992.00, or an amount otherwise agreed with Council.	Not triggered	Veolia advised that the contribution is yet to be paid. The contribution would be paid prior to commencement of operations once the operations commencement date can be confirmed (associated with determination of the Modification Application).

<b>Table 3: Conditions of Development Consent SSD 5855</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
<b>Schedule 3. Environmental Performance Conditions</b>			
Sch 3.1	<p>The Applicant shall remediate the site in accordance with the approved RAP prior to the commencement of operation.</p> <p>Amendments to the approved RAP required as a result of further site investigations must be prepared by a suitably qualified and experienced expert and approved by the site auditor.</p>	<p>Not verified</p> <p>Compliant</p>	<p>The Site Auditor, Graeme Nyland, accredited by NSW EPA under the <i>Contaminated Land Management Act 1997 NSW</i> was engaged to undertake a Site Audit of the portion of the Site owned by Keith Engineering.</p> <p><u>Note:</u> Site Audit Statement (SAS) and Site Audit Report (SAR) were outstanding at the time of this Audit.</p> <p>The Auditors sighted an Interim Advice issued by the Site Auditor following his review of amended RAP.</p> <p>The Auditors have no reason to believe the condition has not been complied with.</p>
Sch 3.2	Prior to the commencement of remediation, the Applicant shall demonstrate to the satisfaction of the Secretary that the RAP has been certified by an accredited site auditor.	Compliant	The Auditors sighted an Interim Advice issued by the Site Auditor, Graeme Nyland following his review of amended RAP.
Sch 3.3	Prior to the commencement of any construction or remediation works, the Proponent shall engage a Site Auditor accredited by the EPA under Part 4 of the Contaminated Land Management Act 1997 to provide advice and statutory site audits throughout the remediation project and on completion of the project.	Compliant	<p>The Site Auditor accredited by NSW EPA under the <i>Contaminated Land Management Act 1997 NSW</i> was engaged to undertake an audit of the portion of the Site owned by Keith Engineering. The Auditors sighted an Interim Advice issued by the Site Auditor following review of amended RAP.</p> <p><u>Note:</u> The SAS and SAR were outstanding at the time of this Audit.</p>
Sch 3.4	Contaminated material encountered during construction work intended for off-site disposal at an appropriate EPA licensed facility shall be segregated and stored in a dedicated area on site until removal, to the satisfaction of the EPA.	Not verified	The SAS and SAR were outstanding at the time of this Audit.
Sch 3.5	Upon completion of remediation works, the Applicant shall demonstrate to the satisfaction of the Secretary that the accredited site auditor has prepared a site audit statement and a site audit report which demonstrate that the site is suitable for its intended use(s).	Not verified	<p>The SAS and SAR were outstanding at the time of this Audit.</p> <p>The Auditors have no reason to believe the condition will not be complied with.</p>

<b>Table 3: Conditions of Development Consent SSD 5855</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
Sch 3.6	<p>Within 3 months of the completion of the reinstatement of the site the Applicant shall prepare, in consultation with the EPA, and submit a Site Validation Report, to the satisfaction of the Secretary. The report shall be prepared in accordance with the NSW EPA (1997) Guidelines for Consultants Reporting on Contaminated Sites and include but not be limited to:</p> <ul style="list-style-type: none"> <li>(a) comments on the extent and nature of the remediation undertaken;</li> <li>(b) sampling and analysis plan and sampling methodology;</li> <li>(c) results/interpretation and discussion of results;</li> <li>(d) results of any validation sampling, compared to relevant guidelines;</li> <li>(e) discussion of the suitability the remediated areas for intended land use</li> </ul>	Not verified	The SAS and SAR were outstanding at the time of this Audit. The Auditors have no reason to believe the condition will not be complied with.
Sch 3.7	<p>The Applicant shall prepare and implement a Groundwater Monitoring and Treatment Program for the project, to be approved by the Secretary and Site Auditor prior to the commencement of construction. This plan must:</p> <ul style="list-style-type: none"> <li>(a) be prepared in consultation with the EPA and NOW (Dept of Primary Industries – NSW Office of Water);</li> <li>(b) detail baseline data on groundwater levels and quality;</li> <li>(c) include:                             <ul style="list-style-type: none"> <li>• groundwater treatment criteria;</li> <li>• a program to monitor groundwater levels, flows and quality;</li> <li>• maintenance program for the facility to ensure the on-going effectiveness of the groundwater treatment process;</li> <li>• a protocol for the investigation, notification and mitigation of identified exceedances of the groundwater treatment criteria;</li> <li>• contingency measures to address exceedances and</li> </ul> </li> </ul>	Compliant	<p>A Construction Soil, Water and Leachate Management Plan was approved by the DPE on 28 August 2015, prior to commencement of construction. It was prepared by Veolia's NSW Environment Officer.</p> <p>Section 9.1.1 of the Plan describes the Groundwater Monitoring and Treatment Program. Appendix D of this plan includes the Groundwater Dewatering Management Plan.</p>

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<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
	<p>issues with groundwater treatment, including an investigation of alternative remediation treatment options; and</p> <ul style="list-style-type: none"> <li>mechanisms to report results to relevant agencies.</li> </ul>		
Sch 3.9	<p>The Applicant shall:</p> <p>(a) design and install the stormwater management and collection system in consultation with the City of Botany Bay Council, generally in accordance with the conceptual design in the EIS and applicable Australian Standards and to the satisfaction of the Secretary;</p> <p>(b) ensure that the system capacity has been designed in accordance with the Blue Book Volumes 1 and 2B;</p> <p>(c) divert existing clean surface water around operational areas of the site;</p> <p>(d) direct all sediment laden water in overland flow away from the leachate management system; and</p> <p>(e) prevent cross-contamination of clean and sediment or leachate laden water.</p>	Not verified	<p>The stormwater management and collection system was observed during the site visit. Heavy rain fell during the site visit, and the system appeared to be effectively managing stormwater.</p> <p>The final construction certificate had not been issued. The Auditors have no reason to believe the condition has not been complied with.</p>
Sch 3.10	<p>The Applicant shall prepare and implement a Soil, Water and Leachate Management Plan for the development in consultation with the City of Botany Bay Council, NOW and the EPA and to the satisfaction of the Secretary. This plan must be prepared and implemented by a suitably qualified and experienced person and be submitted for approval prior to commencement of construction. The plan must include:</p> <p>(a) a site water balance that:</p> <ul style="list-style-type: none"> <li>identifies the source of all water collected or stored on site, including rainfall, stormwater and groundwater;</li> <li>includes details of all water use on site and any discharges; and</li> <li>describes the measures that will be implemented to minimise water use on site.</li> </ul>	Compliant	<p>The Construction Soil, Water and Leachate Management Plan was approved by the DPE on 28 August 2015, prior to commencement of construction. It was prepared by Veolia's NSW Environment Officer.</p> <p>a) Section 5 of the CSWLMP includes a site water balance, addressing water sources and water use.</p> <p>b) Section 6 of the CSWLMP is an Erosion and Sediment Control Plan.</p> <p>c) Section 7.1.3 of the CSWLMP includes final detailed design specifications of the leachate management and collection system on site. Design drawings are provided in Appendix C.</p> <p>d) Section 7 of the CSWLMP describes the stormwater management collection system.</p> <p>e) Section 9 of the CSWLMP describes the surface water and</p>

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<b>Condition</b>	<b>Compliant</b>	<b>Comments</b>
<p>(b) an erosion and sediment control plan that:</p> <ul style="list-style-type: none"> <li>• is consistent with the requirements in the latest version of the Blue Book Volume 1 and Volume 2B;</li> <li>• identifies the activities on site that could cause soil erosion and generate sediment; and</li> <li>• describe the measures that will be implemented to:                             <ul style="list-style-type: none"> <li>- minimise soil erosion and the transport of sediment to downstream waters, including the location, function and capacity of any erosion and sediment control structures and maintain these structures over time;</li> <li>- ensure that any topsoil stockpiles on site are suitably managed to ensure that the topsoil in these stockpiles can be beneficially used in the proposed revegetation and rehabilitation of the site.</li> </ul> </li> </ul> <p>(c) a leachate management plan that:</p> <ul style="list-style-type: none"> <li>• includes final detailed design specifications of the leachate management and collection system on site.</li> </ul> <p>(d) a stormwater management plan that:</p> <ul style="list-style-type: none"> <li>• is consistent with the guidance in the latest version of the Blue Book Volume 1 and Volume 2B;</li> <li>• includes final detailed design specifications for the stormwater management and collection system; and</li> <li>• demonstrates how the requirements of Condition 9 of this schedule has been addressed.</li> </ul> <p>(e) a surface water, groundwater and leachate monitoring program that includes:</p> <ul style="list-style-type: none"> <li>• baseline data;</li> <li>• details of the proposed monitoring network; and</li> <li>• the parameters for testing and respective trigger levels for action under the surface water, groundwater and leachate response plan.</li> </ul>		<p>groundwater monitoring program. Monitoring and compliance records were sighted by the Lead Auditor while on site on 7 July 2016. f) Section 10 of the CSWLMP describes the response plan.</p> <p>The Operation Soil, Water and Leachate Management Plan was approved by the DPE on 28 June 2016. It was prepared by Veolia's NSW Environment Officer.</p> <p>a) Section 3.1.4 of the OSWLMP includes a site water balance, addressing water sources and water use. b) An Erosion and Sediment Control Plan is not applicable to operations. c) Section 4.3 of the OSWLMP includes final detailed design specifications of the leachate management and collection system on site. d) Section 4.2 of the OSWLMP describes the stormwater management collection system. e) Section 5.1 of the OSWLMP describes the surface water and groundwater monitoring program. f) Section 6 of the OSWLMP describes the response plan.</p>



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<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
	(f) a surface water, groundwater and leachate response plan that: <ul style="list-style-type: none"> <li>includes a protocol for the investigation, notification and mitigation of any exceedances of the respective trigger levels; and</li> <li>describes the measures that could be implemented to respond to any surface or groundwater contamination that may be caused by any development.</li> </ul>		
Sch 3.11	A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water prior to the commencement of construction.	Compliant	A Section 73 Compliance Certificate was obtained from Sydney Water on 28 April 2015 prior to the commencement of construction.
Sch 3.12	The development shall comply with Section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided in an EPL.	Compliant	Table 4 summarises the audit results against the requirements of the EPL. No compliance issues were identified.
Sch 3.13	The Applicant shall obtain the necessary water related approvals from NOW in the event that groundwater is likely to be intercepted or extracted during construction.	Compliant	<p>A dewatering licence (10BL605744) was issued by DPI Water on the 28 July 2015 to Keith Engineering (Sales) Pty Limited for a period of 12 months. The licence it is due to expire on 27 July 2016.</p> <p>Correspondence received from WaterNSW (formerly NOW) noted the following:  <i>"DPI Water's records show it received an application for a temporary groundwater dewatering licence for the site and a dewatering licence (10BL605744) was issued by DPI Water on the 28 July 2015 to Keith Engineering (Sales) Pty Limited for a period of 12 months. The licence it is due to expire on 27 July 2016.</i></p> <p><i>WaterNSW has recently written to Keith Engineering (Sales) Pty Limited to confirm whether the dewatering activity at the site has now ceased. The letter outlines that the dewatering licence requires certain information to be provided. WaterNSW is currently waiting on a reply from Keith Engineering."</i></p>

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<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
Sch 3.14	<p>Prior to the commencement of any site preparation or construction works on the site, the Applicant shall prepare and implement an Acid Sulfate Soils Management Plan for the development to the satisfaction of the Secretary. This Plan must:</p> <ul style="list-style-type: none"> <li>(a) be prepared in consultation with the EPA and NOW by a suitably qualified and experienced expert;</li> <li>(b) be approved by the Secretary prior to the commencement of any site preparation or construction works;</li> <li>(c) outline the preliminary investigations that have been undertaken to test for the presence of ASS in accordance with the NSW State Government's Acid Sulphate Soils Manual (ASSMAC 1998);</li> <li>(d) detail the protocols to be put in place and followed in the event that ASS is encountered;</li> <li>(e) detail how the ASS will be tested, handled and stockpiled;</li> <li>(f) detail measures to prevent erosion and sedimentation of ASS; and, if necessary</li> <li>(g) outline how the ASS will be disposed of off-site (e.g. at a licensed facility).</li> </ul>	Compliant	<p>The Acid Sulfate Soils Management Plan was approved by the DPE on 28 August 2015.</p> <ul style="list-style-type: none"> <li>a) The Plan was prepared by Douglas Partners, by an author with over 10 years of experience in Acid Sulfate Soils management. The Plan notes it should be forwarded to the EPA and DPI (Water) prior to commencement of works.</li> <li>b) Plan was approved by the DPE on 28 August 2015, prior to commencement of site activities.</li> <li>c) Section 3 describes the preliminary investigations. An Acid Sulfate Soil Assessment Report was sighted by the Lead Auditor while on site on 7 July 2016. No acid sulfate soils were encountered or required management.</li> <li>d) Sections 5 to 10 describe the protocols to be put in place and followed in the event that ASS is encountered.</li> <li>e) Sections 5 to 7 describe how ASS will be tested, handled and stockpiled.</li> <li>f) Sections 5 to 10 describe measures to prevent erosion and sedimentation of ASS.</li> <li>g) Sections 5 and 7 describe how (if encountered) ASS will be disposed (Note: ASS disposal was not required).</li> </ul>
Sch 3.15	<p>The Applicant shall store all chemicals, fuels and oils used on-site in appropriately bunded areas in accordance with the requirements of all relevant Australian Standards, and/or the <i>Environment Protection Manual for Authorised Officers: Bunding and Spill Management, technical bulletin (Environment Protection Authority, 1997)</i>.</p>	Observation	<p>Minor quantities of chemicals associated with construction were observed stored on site during the Audit visit. Chemicals, fuels and oils associated with operation of the facility are not yet stored at the facility. The Auditors were informed that chemicals will be stored within chemical storage cabinets/containers.</p> <p>Diesel bulk storage comprises a double skinned above ground tank. The equipment refuelling and tanker unloading area, which are not yet operational, had no adequate containment or spill controls at the time of the visit.</p>

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Sch 3.16	All uncontainerised waste shall be stored within the building at the premises and all waste processing activities shall be conducted within the building at all times.	Not triggered	The proposed waste storage building was inspected during the site visit on 7 July 2016. All waste processing would occur within the enclosed building.
Sch 3.17	To prevent unmanageable waste storage, the Applicant shall ensure that: (a) the storage of waste within the building shall not exceed more than 1,500 tonnes at any one time; (b) waste stockpiles within the building shall not exceed 4.5m in height; and (c) the container stacking height shall not exceed 3 loaded containers.	Not triggered	Waste receipt and storage has not commenced.
Sch 3.18	The development shall ensure that any waste generated on the site during construction is classified in accordance with the EPA's <i>Waste Classification Guidelines</i> and disposed of to a facility that may lawfully accept the waste.	Compliant	Waste has been managed in accordance with the Waste Management Plan (refer to Condition 3.20).  Validation Report for the removed contaminated materials included waste dockets from receiving facility.  The Auditors viewed waste dockets for asbestos waste from two licensed receiving facility.

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Sch 3.19	<p>The Applicant shall prepare and implement a Waste Monitoring Program for the development to the satisfaction of Secretary. This program must:</p> <ul style="list-style-type: none"> <li>(a) be prepared in consultation with EPA by a suitably qualified and experienced expert; and</li> <li>(b) include a suitable program to monitor the:                             <ul style="list-style-type: none"> <li>• quantity, type and source of waste received on site; and</li> <li>• quantity, type and quality of the outputs produced on site.</li> </ul> </li> <li>(c) ensure that:                             <ul style="list-style-type: none"> <li>• all waste that are controlled under a tracking system have the appropriate documentation prior to acceptance at the site; and</li> <li>• staff receive adequate training in order to be able to recognise and handle any hazardous or other prohibited waste including asbestos</li> </ul> </li> </ul>	Not triggered	The Waste Monitoring Program was approved by the DPE on 28 June 2016.
Sch 3.20	<p>The Applicant shall prepare and implement a Waste Management Plan for the development, in consultation with the EPA and to the satisfaction of the Secretary. The plan shall:</p> <ul style="list-style-type: none"> <li>(a) be prepared by a suitably qualified and experienced expert;</li> <li>(b) be submitted for approval by the Secretary prior to the commencement of construction;</li> <li>(c) include an asbestos risk assessment for demolition work prior to the removal of any asbestos from the site;</li> <li>(d) include final details of the waste management system implemented at the site;</li> <li>(e) ensure that appropriate waste storage facilities are included in the final design of the waste management system;</li> <li>(f) detail the type and quantity of waste to be generated by the construction and operation of the development;</li> </ul>	Compliant	<p>The Construction Waste Management Plan was approved by the DPE on 28 August 2015, prior to commencement of construction.</p> <ul style="list-style-type: none"> <li>a) The Plan was prepared by was prepared by Veolia’s NSW Environment Officer.</li> <li>(b) The Waste Management Plan was approved by the DPE on 28 August 2015, prior to commencement of construction;</li> <li>(c) Section 3.3.1 addresses asbestos risk assessment.</li> <li>(d) Section 3.2 describes the final details of the waste management system implemented at the site;</li> <li>(e) the waste storage facilities in the final design of the waste management system are not applicable to construction waste management;</li> <li>(f) Section 3.2 describes the type and quantity of waste to be generated by the construction and operation of the development;</li> </ul>

<b>Table 3: Conditions of Development Consent SSD 5855</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
	<p>(g) detail the quality of waste to be received on site;</p> <p>(h) detail the materials to be reused or recycled, either on or off site;</p> <p>(i) detail the procedures for handling, storage, collection of recycling and disposal of all waste in accordance with best practice industry standards and guidelines;</p> <p>(j) detail the procedures for the management of waste material, excluding recyclable waste, to ensure:</p> <ul style="list-style-type: none"> <li>• the waste material is regularly removed from the site to an appropriately licensed facility; and</li> <li>• any stockpiles of waste material are stored on sealed areas.</li> </ul> <p>(k) if deemed necessary, outline reasonable and feasible measures that may be required to improve waste management at the site and prioritise recommendations for implementation.</p>		<p>(g) No waste to be received on site during construction;</p> <p>(h) Sections 3.1 to 3.3 describe the materials to be reused or recycled, either on or off site;</p> <p>(i) Section 3.4 describes the procedures for handling, storage, collection of recycling and disposal of all waste;</p> <p>(j) The procedures for the management of waste material, excluding recyclable waste, are required for the operational stage.</p> <p>(k) Section 3.8 outlines the reasonable and feasible measures that may be required to improve waste management (if required).</p>
Sch 3.21	<p>The Applicant shall:</p> <p>(a) implement suitable measures to manage pests, vermin and declared noxious weeds on site; and</p> <p>(b) inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or noxious weeds are not present on site in sufficient numbers to pose an environmental hazard, or cause the loss of amenity in surrounding area.</p>	Compliant	<p>The issue of pests, vermin and declared noxious weeds management is primarily an operational requirement. At the time of the audit, weeds within the facility were minimal, and were being managed (the small number of weeds identified appeared to have been sprayed with a herbicide). As the facility is not receiving waste is considered unlikely that activities at the facility would be attracting pests or vermin.</p>
Sch 3.22	<p>Prior to the commencement of operations, the Applicant must obtain approval for rail access from the Australian Rail Track Corporation.</p>	Compliant	<p>The Siding Access Agreement (with Pacific National, the rail operator) was received from the Australian Rail Track Corporation on 22 June 2016. A copy of this agreement has been sighted.</p>

<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
Sch 3.23	Prior to the commencement of operations, the Applicant must complete the road upgrade works at the intersection of Beauchamp Road and Perry Street and the left turn deceleration lane into the site, in consultation with City of Botany Bay Council and Randwick City Council, and to the satisfaction of RMS and the Secretary.	Not triggered	<p>The road upgrade works at the intersection of Beauchamp Road and Perry Street and the left turn deceleration lane into the site have been delayed and are the subject of ongoing negotiations with RMS.</p> <p>Veolia has submitted a Modification Application to the Department of Planning and Environment requesting approval to commence operations prior to the completion of the road upgrade works. Veolia proposes that this would be required for a period of up to six months (at which time the road upgrade works should be completed).</p>
Sch 3.24	Detail design plans for the intersection works referred to in condition 23 above, including Traffic Control Signal plans, must be prepared by a suitably qualified person in consultation with City of Botany Bay Council and Randwick City Council and submitted to the RMS for review and endorsement prior to the commencement of construction of the road upgrade works. The Applicant will be required to enter into a Works Authorisation Deed (WAD) with RMS for the works. The WAD will need to be executed prior to the RMS's assessment of the detailed design plans.	Not triggered	<p>The detailed design is currently under preparation. As noted with regard to Condition 3.23, the upgrade works are the subject of ongoing negotiations with RMS.</p> <p>Due to these ongoing negotiations, construction of the upgrade works beyond the property boundary has not commenced.</p>
Sch 3.25	The Applicant must be responsible for all public utility adjustment/relocation works, necessitated by the above work and as required by the various public utility authorities and/or their agents.	Not triggered	The required public utility adjustment/relocation works form part of the ongoing negotiations with RMS.
Sch 3.27	The Applicant shall: (a) keep accurate records of the volume of waste transported to the site; (b) nominate a haulage route to be used by heavy vehicles accessing the site; and (c) make these records available in its Annual Review.	Not triggered	<p>The approved Operational Waste Management Plan includes procedures for the recording of wastes received at the facility.</p> <p>The approved Operational Traffic Management Plan includes the haulage routes to be used by heavy vehicles accessing the site.</p>

<b>Table 3: Conditions of Development Consent SSD 5855</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
Sch 3.28	<p>The Applicant shall ensure that:</p> <p>(a) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the development are constructed and maintained in accordance with the latest versions of AS 2890.1 and AS 2890.2;</p> <p>(b) the swept path of the longest vehicle entering and exiting the subject site, as well as manoeuvrability through the site, is in accordance with AUSTRROADS Guide to Road Design;</p> <p>(c) the development does not result in any vehicles queuing on the public road network;</p> <p>(d) a right turn restriction into the site from Beauchamp Road shall be implemented between 6am – 10am and 3pm – 7pm;</p> <p>(e) heavy vehicles do not use Perry Street to travel to/from the site;</p> <p>(f) heavy vehicles and bins associated with the development do not park or stand on local roads or footpaths in the vicinity of the site;</p> <p>(g) all vehicles are wholly contained on site before being required to stop;</p> <p>(h) all loading and unloading of materials is carried out on site;</p> <p>(i) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times;</p> <p>(j) all trucks entering or leaving the site with loads have their loads covered; and</p> <p>(k) all loaded vehicles leaving the site are cleaned of dirt, sand and other materials before they leave the site, to avoid tracking these materials on public roads.</p>	Not verified	<p>a) Executed Drawings of internal roads were not available. The Auditors sighted Construction Certificate for the Early Works issued by a Principal Certifying Authority (PCA) on 2 September 2015. No Final Construction or Occupation Certificates have yet been issued. The Auditors have no reason to believe the condition has not been complied with.</p> <p>b) As above</p> <p>c) Not triggered</p> <p>d) This is implemented through the Traffic Management Plan (and the associated measures implemented to ensure it is enforced and followed).</p> <p>e) This is implemented through the Traffic Management Plan (and the associated measures implemented to ensure it is enforced and followed).</p> <p>f) This is implemented through the Traffic Management Plan (and the associated measures implemented to ensure it is enforced and followed).</p> <p>g) This is implemented through the Traffic Management Plan (and the associated measures implemented to ensure it is enforced and followed).</p> <p>h) This is implemented through the Traffic Management Plan (and the associated measures implemented to ensure it is enforced and followed).</p> <p>i) Executed Drawings of internal roads were not available. The Auditors sighted Construction Certificate for the Early Works issued by a Principal Certifying Authority (PCA) on 2 September 2015. No Final Construction or Occupation Certificates have yet been issued. The Auditors have no reason to believe the condition has not been complied with.</p> <p>j) This is implemented through the Traffic Management Plan (and the associated measures implemented to ensure it is enforced and followed).</p>

Table 3: Conditions of Development Consent SSD 5855		
Condition	Compliant	Comments
		k) This is implemented through the Traffic Management Plan (and the associated measures implemented to ensure it is enforced and followed).
Sch 3.29	Compliant	<p>The Construction Traffic Management Plan was approved by the DPE on 28 August 2015, prior to commencement of construction.</p> <p>a) The Plan was prepared by Veolia with assistance from Traffic Logistics and Lipman Construction. A copy of the Plan was provided to RMS, City of Botany Bay Council and Randwick City Council.</p> <p>b) The Traffic Management Plan was approved by the DPE on 28 August 2015, prior to commencement of construction.</p> <p>c) Sections 3 and 4 include traffic management measures.</p> <p>d) Haulage routes during operation do not apply.</p> <p>e) The driver's code of conduct will apply during operations.</p> <p>f) Sections 3.1 and 4.1 describe the required haulage routes during construction, and the measures to manage traffic and noise impacts.</p> <p>g) Section 4.1 describes the monitoring program.</p> <p>Records of monitoring of compliance (vehicle movements at the intersection with Beauchamp Road) were sighted by the auditor during the site visit on 7 July 2016.</p> <p>The Operation Traffic Management Plan was approved by the Department of Planning and Environment on 28 June 2016.</p> <p>a) The Plan was prepared by Veolia's NSW Environment Officer. A copy of the Plan was provided to RMS, City of Botany Bay Council and Randwick City Council.</p> <p>b) The Operation Traffic Management Plan was approved by the Department of Planning and Environment on 28 June 2016.</p> <p>c) Construction traffic management measures not applicable.</p> <p>d) Section 4.1.1 describes the haulage routes during operation.</p> <p>e) Section 4.2.1 describes the driver's code of conduct that will</p>



<b>Table 3: Conditions of Development Consent SSD 5855</b>		
<b>Condition</b>	<b>Compliant</b>	<b>Comments</b>
<p>7pm, as required by Condition 28(d);</p> <ul style="list-style-type: none"> <li>• conflicts with other road users are minimised;</li> <li>• drivers adhere to the code of conduct including;</li> <li>• road noise impacts are minimised through measures such as limiting truck compression braking; and</li> <li>• compliance with the relevant conditions of this consent.</li> </ul> <p>(g) include a program to monitor the effectiveness of these measures.</p>		<p>apply during operations.</p> <p>f) Section 5.1 describes the required haulage routes, and the measures to manage traffic and noise impacts.</p> <p>g) Section 5.2 describes the monitoring program.</p>

Table 3: Conditions of Development Consent SSD 5855		
Condition	Compliant	Comments
<p>Sch 3.30</p> <p>At least one month prior to the commencement of construction of the proposed development (except for construction of those preliminary works that are outside the scope of the hazard studies), or within such further period as the Secretary may agree, the Applicant shall prepare and submit a Fire Safety Study and a Hazard and Operability Study to the Secretary.</p> <p>(a) <u>Fire Safety Study</u>                      A Fire Safety Study for the proposed development. This study shall cover the relevant aspects of the Department of Planning’s Hazardous Industry Planning Advisory Paper No. 2, ‘Fire Safety Study Guidelines’ and the New South Wales Government’s ‘Best Practice Guidelines for Contaminated Water Retention and Treatment Systems’. The study shall prepared in consultation with Fire and Rescue NSW and submitted to the Secretary.</p> <p>(b) <u>Hazard and Operability Study</u>                      A Hazard and Operability Study for the proposed development , chaired by a qualified person, independent of the development, whose appointment has been endorsed by the Secretary prior to the commencement of the study. The study shall be consistent with the Department of Planning’s Hazardous Industry Planning Advisory Paper No. 8, ‘HAZOP Guidelines’. The study report must be accompanied by a program for the implementation of all recommendations made in the report. If the Applicant intends to defer the implementation of a recommendation, reasons must be documented.</p>	<p>Compliant</p>	<p>The Fire Safety Study and the Hazard and Operability Study was submitted to the DPE on 28 April 2015. The DPE issued a letter dated 15 February 2016 noting additional information was required to be included in the FSS, and the revised FSS needed to be resubmitted to the DPE.</p> <p>The Fire Safety Study was submitted to the Department of Planning and Environment and Fire and Rescue NSW on 2 September 2015. Fire and Rescue NSW provided a response on 27 October 2015, with a revised Fire Safety Study submitted to Fire and Rescue NSW on 23 May 2016. A letter from Fire and Rescue NSW dated 24 May 2016 advised that they are satisfied that the Study addresses the credible hazards associated with the development.</p> <p>Both studies were submitted at least one month prior to the commencement of relevant construction activities (that is, excluding those preliminary works that are outside the scope of the studies).</p> <p>The FSS was revised to meet the Fire and Rescue NSW requirements with the additional of an existing Hot Loads procedure. The Auditors were informed that as the revision was considered to be minor and the procedure had previously been provided to DPE, the revised FSS was not resubmitted to DPE.</p>

<b>Table 3: Conditions of Development Consent SSD 5855</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
Sch 3.31	<p>Dangerous Goods, as defined by the Australian Dangerous Goods Code, shall be stored and handled strictly in accordance with:</p> <ul style="list-style-type: none"> <li>(a) all relevant Australian Standards;</li> <li>(b) for liquids, a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and</li> <li>(c) the <i>Environment Protection Manual for Authorised Officers: Bunding and Spill Management, technical bulletin</i> (Environment Protection Authority, 1997).</li> </ul> <p>In the event of an inconsistency between the requirements listed from a) to c) above, the most stringent requirement shall prevail to the extent of the inconsistency.</p>	Not triggered	<p>No significant quantities of Dangerous Goods were stored at the facility at the time of the site visit.</p> <p>Storage facilities for Dangerous Goods proposed to be stored during operation of the facility are to be completed.</p> <p>Refer to recommendations for the aboveground diesel tank.</p>
Sch 3.32	<p>The Applicant shall maintain and implement an emergency response plan for the site. The emergency response plan shall:</p> <ul style="list-style-type: none"> <li>(a) be submitted to the Secretary prior to the commencement of operation;</li> <li>(b) be kept on-site at all times;</li> <li>(c) include a risk assessment of likely incidents that could occur on-site (e.g. spills, explosion, fire) based on the activities being undertaken, site risks and consequence to the receiving environment; and</li> <li>(d) document the systems and procedures to deal with the types of incidents identified including relevant incident notification procedures.</li> </ul>	Not triggered	<p>A draft Emergency Response Plan was submitted to the DPE on 28 March 2016. Correspondence from DPE dated 28 June 2016 acknowledged that the Emergency Response Plan would be finalised once the site is commissioned and handed to operational personnel. It has requested that the final plan be submitted within one week from the commencement of operations.</p>

<b>Table 3: Conditions of Development Consent SSD 5855</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
Sch 3.33	The Applicant shall ensure the development does not cause or permit the emission of any offensive odour (as defined by the POEO Act).	Not triggered	<p>Condition relates to operations. An odour impact assessment submitted as part of the approval demonstrated that offensive odour would not occur beyond the site boundary, assuming the facility operates an odour control system and as per modelling assumptions.</p> <p>The Auditors have viewed the installed ventilation system and subsequently reviewed the 'as built' drawings for the building, discharge stack and fan ventilation system and confirm that the odour control system has been constructed in accordance with "Odour Emissions and Control" report prepared by The Odour Unit and presented in the odour impact assessment.</p>
Sch 3.34	<p>The Applicant shall prepare and implement an Odour Management Plan to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared by a suitably qualified and experienced expert in consultation with the EPA and City of Botany Bay Council;</p> <p>(b) be approved by the Secretary prior to the commencement of operations;</p> <p>(c) describe the measures that would be implemented on site to minimise the odour impacts of the development;</p> <p>(d) identify triggers for contingency action; and</p> <p>(e) include a program for monitoring the odour impacts of the development.</p>	Compliant	<p>Condition primarily relates to operations.</p> <p>An operational Air Quality Management Plan (OAQMP) has been prepared for the site, incorporating a Dust Management Plan and Odour Management Plan.</p> <p>(a) The plan has been prepared by Veolia's NSW Environment Officer. Section 1.4.1 outlines the agencies that were consulted in relation to the requirements of the plan and evidence of consultation has been supplied.</p> <p>(b) The plan has been approved by the DPE.</p> <p>(c) Odour controls are outlined in Section 4.2.</p> <p>(d) Three triggers are identified in Table 5.1 – detection of odour, complaints and performance of ventilation system.</p> <p>(e) Monitoring is outlined in Table 5.1.</p> <p>Note, type of monitoring is not explicitly prescribed but includes site inspections for odour detection and six monthly testing of the ventilation system performance.</p>

<b>Table 3: Conditions of Development Consent SSD 5855</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
Sch 3.35	The premises shall be maintained in a condition which minimises or prevents the emission of dust from the premises.	Compliant (construction)	Condition relates to construction and operation phases. A construction Air Quality and Greenhouse Gas Management Plan (CAQMP) has been prepared which outlines the controls for dust management onsite. Construction was effectively finished at the time of the audit, however the audit team has no reason to believe this condition was not complied with going forward.
		Observation	There was one complaint regarding dust during the construction period. The incident review and response appears to have been effective and no additional complaints were received.
		Not triggered (operations)	The OAQMP includes measures for dust control in Section 4.1. Implementation of the OAQMP was not triggered at time of the audit.



<b>Table 3: Conditions of Development Consent SSD 5855</b>		
<b>Condition</b>	<b>Compliant</b>	<b>Comments</b>
<p>(b) be approved by the Secretary prior to the commencement of construction;</p> <p>(c) describe the measures that would be implemented to:</p> <ul style="list-style-type: none"> <li>• minimise the fugitive emissions from excavating, handling and treating contamination hot spots including details on methods for dealing with soil contamination variability;</li> <li>• include well-defined triggers for additional air quality measures for excessive fugitive emissions including stop-work during adverse weather;</li> <li>• ensure all reasonable and feasible dust and odour mitigation measures are employed to prevent and minimise dust and odour emissions from construction and operation of the development;</li> <li>• ensure compliance with the relevant conditions of this consent and the EPL; and</li> <li>• prevent and minimise the air quality impacts of the development during adverse meteorological conditions and extraordinary events;</li> </ul> <p>(d) include a cleaning protocol which:</p> <ul style="list-style-type: none"> <li>• details the procedures to be undertaken to routinely manage, maintain and clean the internal surfaces of the premises to ensure operating conditions inside the facility minimise the potential to generate odour, dust and the carriage of waste outside the facility; and</li> <li>• describes how all external surfaces would be routinely managed and maintained so as to be kept free of dust, waste material and other contaminants; and</li> </ul> <p>(e) include a protocol for determining any exceedances of the relevant conditions of approval and criteria in the EPL and responding to complaints.</p>		<p>previous comment regarding typographical error). Consultation for the CAQMP was not outlined in the report.</p> <p>(b) The OAQMP has been approved by the NSW Department of Planning and Environment.</p> <p>(c) Both the OAQMP and CAQMP outline the measures for dust and/or odour control, provide triggers for further action, wind speed triggers for adverse weather and monitoring to ensure compliance with conditions of consent and EPL.</p> <p>(d) The OAQMP includes reference to the sites Housekeeping and Inspection Procedures.</p> <p>(e) N/A - conditions of approval or the EPL do not include specific criteria for odour or dust, although general performance criteria are outlined (no offensive odour, minimise dust generation). Procedures for responding to complaints are outlined in the OAQMP and CAQMP.</p>

<b>Table 3: Conditions of Development Consent SSD 5855</b>																
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>													
Sch 3.39	<p>The Applicant shall comply with the hours detailed in Table 1, unless otherwise agreed in writing by the Secretary.</p> <p><i>Table 1: Operating Hours</i></p> <table border="1"> <thead> <tr> <th>Activity</th> <th>Day</th> <th>Hours</th> </tr> </thead> <tbody> <tr> <td rowspan="3">Construction</td> <td>Monday – Friday</td> <td>7:00am – 6:00pm</td> </tr> <tr> <td>Saturday</td> <td>8:00am – 1:00pm</td> </tr> <tr> <td>Sunday &amp; Public Holidays</td> <td>Nil</td> </tr> <tr> <td>Operations</td> <td>24 hours</td> <td></td> </tr> </tbody> </table>	Activity	Day	Hours	Construction	Monday – Friday	7:00am – 6:00pm	Saturday	8:00am – 1:00pm	Sunday & Public Holidays	Nil	Operations	24 hours		Compliant	<p>Construction has been undertaken within the required hours.</p> <p>One complaint had been received regarding construction activities occurring outside of these hours. However, an investigation into the complaint determined that no activities had been occurring on site, and that it appeared that the complaint related to approved activities on an adjoining property.</p>
Activity	Day	Hours														
Construction	Monday – Friday	7:00am – 6:00pm														
	Saturday	8:00am – 1:00pm														
	Sunday & Public Holidays	Nil														
Operations	24 hours															
Sch 3.40	<p>The Applicant shall:</p> <p>(a) implement best management practice, including all reasonable and feasible noise management and mitigation measures to prevent and minimise operational, low frequency and traffic noise generated by the development;</p> <p>(b) minimise the noise impacts of the development during adverse meteorological conditions when noise criteria do not apply;</p> <p>(c) maintain the effectiveness of any noise suppression equipment on plant at all times and ensure defective plant is not used operationally until fully repaired; and</p> <p>(d) regularly assess noise monitoring data and relocate, modify and/or stop operations to ensure compliance with the relevant conditions of this consent.</p>	Not triggered	<p>The Noise and Vibration Management Plan includes measures for mitigating noise impacts and undertake noise monitoring and assess results.</p>													
Sch 3.41	<p>The Applicant shall prepare and implement a Noise and Vibration Management Plan for the development in consultation with the EPA and to the satisfaction of the Secretary. The plan must:</p> <p>(a) be prepared and implemented by a suitably qualified and experienced person in consultation with the City of Botany Bay Council, Randwick City Council and the EPA;</p> <p>(b) be approved by the Secretary prior to the commencement of construction;</p> <p>(c) describe the measures that will be implemented to ensure:</p>	Non-compliant	<p>The Noise and Vibration Management Plan was approved by the DPE on 28 August 2015, prior to commencement of construction.</p> <p>a) The Plan was prepared by Veolia’s NSW Environmental Officer. A copy of the Plan was provided to City of Botany Bay Council, Randwick City Council and the EPA;</p> <p>(b) The Noise and Vibration Management Plan was approved by the DPE on 28 August 2015, prior to commencement of construction;</p> <p>(c) Section 3 describes the noise management measures.</p>													





<b>Table 3: Conditions of Development Consent SSD 5855</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
Sch 3.43	The Applicant shall ensure that the lighting associated with the development: (a) complies with the latest version of <i>AS 4282(INT) - Control of Obtrusive Effects of Outdoor Lighting</i> ; and (b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.	a) Not verified  b) Compliant	a) Executed Drawings of the lighting system was observed. However reference was not made to the Australian Standard. The Auditors sighted Construction Certificate for the Early Works issued by a Principal Certifying Authority (PCA) on 2 September 2015. No Final Construction or Occupation Certificates have yet been issued. The Auditors have no reason to believe the condition has not been complied with. b) No complaints have been received regarding lighting at the Site (which has been in operation). Based on a review of the installation plans and observations during the site visit (including the light types, position and direction) it would appear that that there is minimal potential for adverse light spill from the site.
Sch 3.44	The Applicant shall install all signs in consultation with City of Botany Bay Council.	Not Verified	At the time of the site visit on 7 July 2016 the signage for the facility had not been installed: it was proposed to be installed on 7 July 2016 but was deferred due to unfavourable weather conditions. Veolia propose to consult with Council once the signage installation was underway.
Sch 3.45	The Applicant shall prepare and implement a Landscaping and Vegetation Management Plan for the development in consultation with City of Botany Council and to the satisfaction of the Secretary. The plan shall: (a) be approved by the Secretary prior to the commencement of construction; (b) detail any trees that are proposed to be removed, ringbarked, cut, topped or lopped; (c) detail any revegetation works at the site, with particular attention to minimising the visibility of the site from residences and public vantage points, minimising bushfire risk and the use of indigenous species; (d) ensure that any clearing or trimming of vegetation on the	Compliant	a) The Landscaping and Vegetation Management Plan was approved by the DPE on 28 August 2015, prior to commencement of construction. b) Details of the trees to be managed are provided in Section 4.1. c) Details of the revegetation at the site are provided in Section 4.2. Implementation of the Plan had progressively been undertaken as construction activities permitted. This included mulching and planting of nominated landscaping areas within the facility.  d) Section 4.1 notes that ongoing consultation is to occur with the City of Botany Bay Council during the clearing or trimming of this vegetation.

<b>Table 3: Conditions of Development Consent SSD 5855</b>		
<b>Condition</b>	<b>Compliant</b>	<b>Comments</b>
<p>western side of McPherson Street, at the intersection with Beauchamp Road, is undertaken in consultation with City of Botany Bay Council; and</p> <p>(e) describe the on-going measures (e.g. weed control and regular pruning) that would be implemented to maintain landscaping and vegetation on the site for the life of the development.</p>		<p>Due to the delay in road upgrade works the vegetation clearing/trimming on the western side of McPherson Street, at the intersection with Beauchamp Road had not been completed.</p> <p>e) Section 5.1 includes measures to be implemented during construction. The Plan notes that the on-going measures will be provided in the Operation EMP.</p> <p>Weeds identified within the facility during the site visit were minimal, and were being managed (the small number of weeds identified appeared to have been sprayed with herbicide).</p>
<p>Sch 3.46</p> <p>At least 35 days prior to the commencement of construction of the project, the Applicant must obtain all necessary approvals from the Sydney Airports Corporation for the erection of any temporary structure or construction equipment.</p>	<p>Compliant</p> <p>Observation</p>	<p>A letter was received from the Sydney Airports Corporation dated 31 March 2015 approving the temporary use of cranes during construction.</p> <p>The audit team also reviewed evidence of correspondence between the DPE and Sydney Airport (as authorised officer for the Civil Aviation Safety Authority) approving the physical structure of the building and stack against intrusion into the PAN-OPS airspace. However, there is no evidence in the correspondence that the potential hazard related to the vertical exhaust plume from the building stack, which is designed at 20m/s, has been assessed for intrusion into the Obstacle Limitation Surface (OLS).</p>
<p>Sch 3.47</p> <p>The development shall cease all works on site in the event that any Aboriginal cultural object(s) or human remains are uncovered onsite. The NSW Police, the Aboriginal Community and the OEH are to be notified. Works shall not resume in the designated area until approval in writing from the NSW Police and/or the OEH has been obtained.</p>	<p>Not triggered</p>	<p>No confirmed or potential Aboriginal cultural object(s) or human remains are uncovered onsite.</p>

<b>Table 3: Conditions of Development Consent SSD 5855</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
Sch 3.48	The Applicant shall ensure that: (a) the site is secured by a perimeter fence and security gates; and (b) the security gates on site are patrolled at all times.	Compliant	Perimeter security fencing was observed during the site visit on 7 July 2016.  During construction, when no one is on site the facility access gates are closed and locked, and time lapse cameras are operated. During operation, personnel will be on site 24 hours a day, including a weigh bridge operator who would control vehicle access.
<b>Schedule 4. Environmental Management, Reporting and Auditing</b>			
Sch 4.1	The Applicant shall prepare and implement a Construction Environmental Management Plan for the development to the satisfaction of the Secretary. The Plan must: (a) be submitted to the Secretary for approval no later than two weeks prior to the commencement of construction or demolition or within such period otherwise agreed by the Secretary; (b) identify the statutory approvals that apply to the development; (c) consolidate all relevant management plans and monitoring programs required in the conditions of this Consent; (d) outline all environmental management practices and procedures to be followed during construction and demolition works associated with the development; (e) describe all activities to be undertaken on the site during construction of the development, including a clear indication of construction stages; (f) detail how the environmental performance of the construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts; (g) describe the roles and responsibilities for all relevant employees involved in construction and demolition works associated with the development;	Compliant	The Construction Environmental Management Plan was approved by the DPE on 28 August 2015, prior to commencement of construction. a) The revised CEMP was submitted for approval on 26 August 2015 (after first being submitted in February 2015, and again in May 2015). b) Section 1.3 of the CEMP identifies the applicable statutory approvals for the construction phase. c) Section 1.5 consolidates all required relevant management plans and monitoring programs. d) Section 3 and 4 of the CEMP outline the environmental management practices and procedures to be followed during construction and demolition. e) Section 2.3 of the CEMP describes the activities to be undertaken on the site during construction. f) Section 4.2.4 of the CEMP describes how environmental performance would be monitored, and how adverse impacts would be addressed. Environmental monitoring and verification records were sighted during the site visit on 7 July 2016.  g) Section 3.1 of the CEMP nominates the roles and responsibilities for site personnel.

<b>Table 3: Conditions of Development Consent SSD 5855</b>		
<b>Condition</b>	<b>Compliant</b>	<b>Comments</b>
<p>(h) include arrangements for community consultation and complaints handling procedures during construction and demolition; and</p> <p>(i) include copies of the various strategies and plans that are required under the conditions of this Consent once they have been approved.</p> <p><i>Note:</i></p> <p>1. Construction of the Development shall not commence until written approval of this plan has been received from the Secretary.</p> <p>2. The City of Botany Bay Council shall be provided with a copy of the approved Construction Environmental Management Plan within 7 days of the date of its approval.</p>		<p>h) Section 4 of the CEMP describes the procedures for community consultation, complaints handling.</p> <p>i) Appendix C includes a copy of the various specialist management plans.</p> <p>A copy of the approved Construction Environmental Management Plan was provided to the City of Botany Bay Council on 2 September 2015.</p>
<p>Sch 4.2</p> <p>The Applicant shall prepare and implement an Operational Environmental Management Plan to the satisfaction of the Secretary. This plan must:</p> <p>(a) be submitted to the Secretary for approval prior to commencement of operations;</p> <p>(b) be prepared by a suitably qualified and experienced expert;</p> <p>(c) provide the strategic framework for environmental management of the development;</p> <p>(d) identify the statutory requirements that apply to the development;</p> <p>(e) consolidate all relevant environmental management plans and monitoring programs required in the conditions of this consent and committed to in the EIS;</p> <p>(f) describe the role, responsibility, authority, and accountability of all the key personnel involved in environmental management of the development.</p> <p>(g) describe in general how the environmental performance of the development would be monitored and managed; and</p> <p>(h) describe the procedures that would be implemented to:</p>	Compliant	<p>The Operation Environmental Management Plan was approved by the DPE on 28 June 2016.</p> <p>a) The OEMP has been submitted and approved prior to operation.</p> <p>b) The OEMP was prepared by Veolia's NSW Environment Officer.</p> <p>c) Section 1.2 of the OEMP describes the scope and objectives of the OEMP. Section 2 describes the Statutory and Policy Consideration.</p> <p>d) Section 2.1 of the OEMP describes the legal environmental management requirements.</p> <p>e) Section 1.3 of the OEMP describes the supporting management plans.</p> <p>f) Section 4.1 of the OEMP describes the roles and responsibilities for implementation of the OEMP.</p> <p>g) Section 5 of the OEMP describes how the environmental performance of the development would be monitored and managed.</p> <p>h) Section 4.3 of the OEMP describes the communication and complaints management procedures to be implemented during operation. Section 4.4 of the OEMP describes the incident and</p>

<b>Table 3: Conditions of Development Consent SSD 5855</b>		
<b>Condition</b>	<b>Compliant</b>	<b>Comments</b>
<ul style="list-style-type: none"> <li>• keep the local community and relevant agencies informed about the operation and environmental performance of the development;</li> <li>• receive, handle, respond to, and record complaints;</li> <li>• resolve any disputes that may arise during the course of the development;</li> <li>• respond to any non-compliances; and</li> <li>• respond to emergencies.</li> </ul>		<p>emergency response procedures.</p> <p>Implementation of the plan is not triggered.</p>
<p>Sch 4.3</p> <p>The Applicant shall ensure that the Management Plans required under this consent are prepared in accordance with any relevant guidelines, and include:</p> <p>(a) detailed baseline data;</p> <p>(b) a description of:</p> <ul style="list-style-type: none"> <li>• the relevant statutory requirements (including any relevant approval, licence or lease conditions);</li> <li>• any relevant limits or performance measures/criteria; and</li> <li>• the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;</li> </ul> <p>(c) a description of the measures that will be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;</p> <p>(d) a program to monitor and report on the:</p> <ul style="list-style-type: none"> <li>• impacts and environmental performance of the development; and</li> <li>• effectiveness of any management measures (see (c) above);</li> </ul> <p>(e) a contingency plan to manage any unpredicted impacts and their consequences;</p> <p>(f) a program to investigate and implement ways to improve</p>	Compliant	<p>Veolia has prepared all management plans (construction and operation phases) required by the Development Consent. These have been prepared in accordance with the applicable condition/s, and have all been approved by the DPE (the final Operation Emergency Response Plan is to be submitted within one week of the commencement of operations).</p> <p>a) The Management Plans have been prepared based on the findings of the EIS and supporting specialist investigations.</p> <p>b) Each management plan describes:</p> <ul style="list-style-type: none"> <li>• The relevant statutory requirements;</li> <li>• Relevant limits or performance measures/criteria;</li> <li>• the specific performance indicators that are proposed to be used to judge and (if required) improve performance.</li> </ul> <p>c) The relevant management measures are described in each of the Management Plans.</p> <p>d) Performance monitoring (and reporting as required) is described in each of the management plans.</p> <p>e) Each Management Plan describes the process to manage unpredicted impacts and consequences (such as incident response).</p> <p>f) Section 4.2.7 of the CEMP notes that there will be an annual (as a minimum) review of the CEMP and environmental performance at the facility. Section 5.2 of the OEMP notes that there will be</p>

<b>Table 3: Conditions of Development Consent SSD 5855</b>		
<b>Condition</b>	<b>Compliant</b>	<b>Comments</b>
<p>the environmental performance of the development over time;</p> <p>(g) a protocol for managing and reporting any:</p> <ul style="list-style-type: none"> <li>• incidents;</li> <li>• complaints;</li> <li>• non-compliances with statutory requirements; and</li> <li>• exceedances of the impact assessment criteria and/or performance criteria; and</li> </ul> <p>(h) a protocol for periodic review of the plan.</p> <p><i>Note: The Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.</i></p>		<p>annual management reviews of the OEMP and environmental performance at the facility.</p> <p>g) Section 4 of the CEMP and Section Sections 4.3, 4.4 and 5.1 of the OEMP describe these management and reporting protocols.</p>
<p>Sch 4.4</p> <p>The Applicant shall notify the Secretary, City of Botany Bay Council and any other relevant agencies of any incident or potential incident with actual or potential significant off-site impacts on people or the biophysical environment associated with the project as soon as practicable after the Proponent becomes aware of the incident. Within 7 days of the date of this incident, the Proponent shall provide the Secretary and any relevant agencies with a detailed report on the incident.</p>	<p>Not triggered</p>	<p>No incidents or potential incidents with actual or potential significant off-site impacts on people or the biophysical environment associated with the project have been recorded.</p> <p>The complaints that have been received by Veolia and confirmed to be associated with activities at the facility were deemed not to pose an actual or potential significant off-site impacts on people or the biophysical environment.</p>
<p>Sch 4.5</p> <p>The Applicant shall provide regular reporting on the environmental performance of the project on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this approval.</p>	<p>Observation</p>	<p>Performance matters have been reported via website. The OEMP and Annual Environmental Management Report (AEMR) will be uploaded by the Veolia IT Team following approval from DPE.</p>

<b>Table 3: Conditions of Development Consent SSD 5855</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
Sch 4.6	<p>Within one (1) year of the date of this consent, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the development. This audit must:</p> <ul style="list-style-type: none"> <li>(a) be conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;</li> <li>(b) include consultation with the relevant agencies;</li> <li>(c) assess the environmental performance of the development and whether it is complying with the relevant requirements in this consent and any relevant EPL and/or Water License (including any assessment, plan or program required under these approvals);</li> <li>(d) review the adequacy of any approved strategy, plan or program required under these approvals; and</li> <li>(e) recommend measures or actions to improve the environmental performance of the development, and/or any assessment, plan or program required under these approvals.</li> </ul> <p><i>Note: This audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Secretary.</i></p>	<b>Non-compliant</b>	<p>This Independent Environmental Audit has been prepared to address Condition 4.6.</p> <p>However, the Independent Environmental Audit was required to be commissioned by 28 April 2016 (within one year of the date of the consent).</p> <p>Veolia advised that not completing the audit by the required date was an administrative matter, as its system had recorded the Independent Environmental Audit as being required prior to the commencement of operation.</p>





<b>Table 3: Conditions of Development Consent SSD 5855</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
Sch 4.9	<p>Within 3 months of the submission of an:</p> <ul style="list-style-type: none"> <li>(a) annual review under Condition D8 of this schedule;</li> <li>(b) incident report under Condition D4 of this schedule;</li> <li>(c) audit report under Condition D6 of this schedule; and</li> <li>(d) any modifications to this consent,</li> </ul> <p>the Applicant shall review, and if necessary revise, the strategies, plans, and programs required under this consent to the satisfaction of the Secretary.</p> <p><i>Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the development.</i></p>	Not triggered	<ul style="list-style-type: none"> <li>(a) As the annual review (AEMR) was submitted on 28 June 2016, Veolia has until 28 September 2016 to review and make any necessary revisions to the applicable documentation;</li> <li>(b) No such incident reports have had to be prepared and submitted;</li> <li>(c) Veolia has three months from the date of submission of this report to review and make any necessary revisions to the applicable documentation;</li> <li>(d) Veolia has submitted an application for modification to Development Consent SSD 5855. It has not yet been determined.</li> </ul>

<b>Table 3: Conditions of Development Consent SSD 5855</b>		
<b>Condition</b>	<b>Compliant</b>	<b>Comments</b>
<p>Sch 4.10</p> <p>The Applicant shall:</p> <p>(a) make the following information publicly available on its website:</p> <ul style="list-style-type: none"> <li>• the EIS;</li> <li>• current statutory approvals for the development;</li> <li>• approved strategies, environmental management plans or programs;</li> <li>• a summary of the monitoring results of the development, which have been reported in accordance with the various plans and programs approved under the conditions of this consent;</li> <li>• a complaints register, updated on a quarterly basis;</li> <li>• copies of any annual reviews (over the last 5 years);</li> <li>• any independent environmental audit, and the Applicant’s response to the recommendations in any audit; and</li> <li>• any other matter required by the Secretary; and</li> </ul> <p>(b) keep this information up-to-date, to the satisfaction of the Secretary.</p>	Compliant	<p>The Veolia Banksmeadow website (<a href="http://www.veolia.com.au/sustainable-solutions/community-development/banksmeadow-transfer-terminal">http://www.veolia.com.au/sustainable-solutions/community-development/banksmeadow-transfer-terminal</a>) provides a link to the following:</p> <ul style="list-style-type: none"> <li>• The Department of Planning and Environment’s Major Project website (<a href="http://majorprojects.planning.nsw.gov.au/page/development-categories/resource---waste/resource-recovery-or-waste-facilities/?action=view_job&amp;job_id=5855">http://majorprojects.planning.nsw.gov.au/page/development-categories/resource---waste/resource-recovery-or-waste-facilities/?action=view_job&amp;job_id=5855</a>) which includes the EIS and the current planning approval.</li> <li>• The Construction Environmental Management Plan and supporting specialist plans are included on the Veolia website.</li> <li>• Performance information has been uploaded to the website. Veolia noted that the OEMP and AEMR (which was completed on 28 June 2016) which includes monitoring results would be uploaded to the Veolia website following approval from DPE.</li> <li>• Details of complaints received to date, and the action taken are included on the Veolia website (up to date).</li> <li>• The Independent Environmental Audit will need to be uploaded to the Veolia website when approved by DPE.</li> </ul>
<b>Appendix A. Management and Mitigation Measures</b>		
Refer to Appendix A of Development Consent for conditions	Noted	Management and mitigation measures are incorporated into the relevant components of the CEMPs and OEMPs.

<b>Table 4 : Conditions of Environment Protection Licence 20581</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
A1.1	This licence authorises the carrying out of the scheduled development work listed below at the premises listed in A2: Construction of the Veolia Banksmeadow Waste Transfer Terminal.	Compliant	The Audit was conducted at the end of construction period.
A1.2	No waste shall be received at the premises until all construction works are complete and the licensee has received written approval from the EPA.	Compliant	No waste receipt was sighted during the Audit site visit.
A1.3	The licensee shall comply with the environmental controls detailed in the Banksmeadow Transfer Terminal Construction Environmental Management Plan, inclusive of Appendices (to be approved). The licensee must ensure all works associated with the construction of the Banksmeadow Transfer Terminal comply with the requirements of the Protection of the Environment Operations Act, 1997.	Noted	Refer to condition 1.4 of Table 3.
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.	Noted	Discharge to waters occurred after significant rainfall via drains and monitored according to CEMP. Lipman records were reviewed.
L3.1	No condition of this licence identifies a potentially offensive odour for the purposes of section 129 of the Protection of the Environment Operations Act 1997.	Not triggered	Odours were not expected during construction phase.
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.	Compliant	The Auditors observed plant and equipment used by the construction contractor (Lipman) to be operated and maintained in a proper and efficient manner as far as could be practically reviewed during the Audit. Records held by Lipman of their plant and equipment and sub contractors' plant and equipment were reviewed by the Auditors. Demonstrated maintenance, competency training/tickets and pre-start checks.
O3.1	A dust suppression system must be operated and maintained within the transfer building to effectively suppress all dust emissions.	Not triggered	Operations within the transfer building have not commenced.

<b>Table 4 : Conditions of Environment Protection Licence 20581</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
O3.2	All operations and activities occurring at the premises must be carried out in a manner that will prevent the emission of dust from the premises	Compliant	Refer to condition 3.35 in Table 3.
O4.1	The licensee must maintain, and implement as necessary, a current emergency response plan for the premises. The licensee must keep the emergency response plan on the premises at all times. The emergency response plan must document systems and procedures to deal with all types of incidents (e.g. spills, explosions or fire) that may occur at the premises or that may be associated with activities that occur at the premises and which are likely to cause harm to the environment. If a current emergency response plan does not exist at the date on which this condition is attached to the licence, the licensee must develop an emergency response plan within three months of that date.	Not triggered	Refer to condition 3.32 in Table 3.  The draft emergency response plan is required to be finalised prior to operations commencing.
O4.2	The licensee must have adequate fire prevention measures in place, and ensure that facility personnel are able to access fire-fighting equipment and manage fire outbreaks at any part of the premises.	Not verified	Refer to condition 3.30 in Table 3 Fire Safety Study had been prepared. The Auditors observed fire protection equipment including fire extinguishers and sprinkler system during the site visit. The final construction and occupation certificates had not been issued at the time of reporting. The Auditors have no reason to believe the condition has not been complied with.
O5.1	The licensee must ensure that any general solid waste (putrescible) and/or general solid waste (non-putrescible) received for storage or recovery or processing at the premises is assessed and classified in accordance with the EPA Waste Classification Guidelines as in force from time to time.	Not triggered	
O5.2	The licensee must ensure that each waste for recovery/recycling is stockpiled separately.	Compliant (construction)  Not triggered (operational)	Wastes were separated during the Construction Phase according to available records sighted which indicated appropriate collection and separation. The Auditors could not verify physically during the site visit as wastes had been removed.

<b>Table 4 : Conditions of Environment Protection Licence 20581</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
O5.3	No maintenance or cleaning of waste vehicles or waste containers shall be conducted at the Premises.	Not triggered	
O6.1	All waste processing activities shall be conducted within the transfer building.	Not triggered	
O7.1	The mechanical ventilation system must be operated and maintained to ensure the putrescible waste and compactor areas are maintained under negative pressure and can only discharge to atmosphere via the stack.	Not triggered	The Auditors have viewed the installed ventilation system and subsequently reviewed the 'as built' drawings for the building, discharge stack and fan ventilation system. The auditors confirm that the odour control system has been constructed in accordance with "Odour Emissions and Control" report prepared by The Odour Unit and presented in the odour impact assessment.
M1.2	All records required to be kept by this licence must be: a) in a legible form, or in a form that can readily be reduced to a legible form; b) kept for at least 4 years after the monitoring or event to which they relate took place; and c) produced in a legible form to any authorised officer of the EPA who asks to see them.	Noted	Environmental monitoring records for construction were sighted during the site visit on 7 July 2016. AEMR has been prepared and will be submitted to the EPA.
M1.3	The following records must be kept in respect of any samples required to be collected for the purposes of this licence: a) the date(s) on which the sample was taken; b) the time(s) at which the sample was collected; c) the point at which the sample was taken; and d) the name of the person who collected the sample.	Not triggered (operational)	Environmental monitoring records for construction were sighted during the site visit on 7 July 2016.
M2.1	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.	Compliant	Details of complaints received to date (for construction) and the action taken are included on the Veolia website ( <a href="http://www.veolia.com.au/sustainable-solutions/community-development/banksmeadow-transfer-terminal">http://www.veolia.com.au/sustainable-solutions/community-development/banksmeadow-transfer-terminal</a> )

<b>Table 4 : Conditions of Environment Protection Licence 20581</b>			
<b>Condition</b>	<b>Compliant</b>	<b>Comments</b>	
M2.2	The record must include details of the following: a) the date and time of the complaint; b) the method by which the complaint was made; 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; d) the nature of the complaint; e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and f) if no action was taken by the licensee, the reasons why no action was taken.	Compliant	Records of complaints including date, time, nature of complaint and corrective actions are available on the Veolia website for Banksmeadow ( <a href="http://www.veolia.com.au/sustainable-solutions/community-development/banksmeadow-transfer-terminal">http://www.veolia.com.au/sustainable-solutions/community-development/banksmeadow-transfer-terminal</a> ).
M2.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	Noted	Licence held since 2 July 2015
M3.1	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.	Compliant	The complaints line telephone number is available and listed on the website.
M3.2	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.	Compliant	The complaints line telephone number is available and listed on the website.
M3.3	The preceding two conditions do not apply until 2 July 2015 the date of the issue of this licence.	Noted	
R1.1	The licensee must complete and supply to the EPA an Annual Return in the approved form comprising: a) a Statement of Compliance; and b) a Monitoring and Complaints Summary. At the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.	Not triggered	Annual Return is reportedly being prepared and Veolia has informed the Auditors that the Annual Return will be submitted on or before 31 August 2016.

<b>Table 4 : Conditions of Environment Protection Licence 20581</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
R1.2	An Annual Return must be prepared in respect of each reporting period.	Not triggered	Annual Return is reportedly being prepared in July 2016 and Veolia has informed the Auditors that the Annual Return will be submitted on or before 31 August 2016.
R1.5	The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period.	Not triggered	Annual Return is reportedly being prepared in July 2016 and Veolia has informed the Auditors that the Annual Return will be submitted on or before 31 August 2016.
R2.1	Notifications must be made by telephoning the Environment Line service on 131 555. 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.	Not triggered	
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.	Not triggered	
R3.1	Where an authorised officer of the EPA suspects on reasonable grounds that: a) where this licence applies to premises, an event has occurred at the premises; or 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, 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.	Not triggered	
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.	Not triggered	
R3.3	The request may require a report which includes any or all of the information (listed in the condition).	Not triggered	



<b>Table 4 : Conditions of Environment Protection Licence 20581</b>			
<b>Condition</b>	<b>Compliant</b>	<b>Comments</b>	
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.	Not triggered	
G1.1	A copy of this licence must be kept at the premises to which the licence applies (and available for inspection under G1.3).	Compliant	EPL was on display in the construction site office and it could be accessed via internet.
E1.1	(a) A financial assurance in the form of an unconditional and irrevocable and on demand guarantee from a bank, building society or credit union operating in Australia as "Authorised Deposit-taking Institutions "under the Banking Act 1959 of the Commonwealth of Australia and supervised by the Australian Prudential Regulatory Authority (APRA) must be provided to the EPA prior to issuing this licence. The financial assurance must be in favour of the EPA in the amount of one hundred thousand dollars (\$100,000). The financial assurance is required to secure or guarantee funding for works or programs required by or under this licence. The financial assurance must contain a term that provides that any monies claimed can be paid to the EPA or, at the written direction of the EPA, to any other person.	Compliant	Evidence that the Bank Guarantee has been picked up by the NSW EPA was provided by Veolia during the Audit.
E2.1	While the licensee's premises are being used for the purpose to which the licence relates, the licensee must: (a) Clean up any spill, leak or other discharge of any waste(s) or other material(s) as soon as practicable after it becomes known to the licensee or to one of the licensee's employees or agents. (b) In the event(s) that any liquid and non-liquid waste(s) is unlawfully deposited on the premises, such waste(s) must be removed and lawfully disposed of as soon as practicable or in accordance with any direction given by the EPA. (c) Provide all monitoring data as required by the conditions of this licence or as directed by the EPA.	Not triggered	Refer to earlier comments re construction phase.

<b>Table 4 : Conditions of Environment Protection Licence 20581</b>		
<b>Condition</b>	<b>Compliant</b>	<b>Comments</b>
<p>E2.2 In the event of an earthquake, storm, fire, flood or any other event where it is reasonable to suspect that a pollution incident has occurred, is occurring or is likely to occur, the licensee (whether or not the premises continue to be used for the purposes to which the licence relates) must:</p> <ul style="list-style-type: none"> <li>(a) Make all efforts to contain all firewater on the licensee's premises;</li> <li>(b) Make all efforts to control air pollution from the licensee's premises;</li> <li>(c) Make all efforts to contain any discharge, spill or run-off from the licensee's premises;</li> <li>(d) Make all efforts to prevent flood water entering the licensee's premises;</li> <li>(e) Remediate and rehabilitate any exposed areas of soil and/or waste;</li> <li>(f) Lawfully dispose of all liquid and solid waste(s) stored on the premises that is not already securely disposed of;</li> <li>(g) At the request of the EPA monitor groundwater beneath the licensee's premises and its potential to migrate from the licensee's premises;</li> <li>(h) At the request of the EPA monitor surface water leaving the licensee's premises; and</li> <li>(i) Ensure the licensee's premises is secure.</li> </ul>	Not triggered	

<b>Table 5: Action Plan</b>					
<b>Item No.</b>	<b>Reference</b>	<b>Recommendation</b>	<b>Timeframe for Completion/ Implementation</b>	<b>Action to be Taken</b>	<b>Date Completed</b>
<b>Development Consent SSD 5585</b>					
1	<b>Condition 6 and 7 of Schedule 4</b>	Ensure Audit due dates are recorded within a Compliance Tracking Program or equivalent (the 'Vault').	30 November 2016		
<b>Observations</b>					
2	<b>Complaints</b>	Ensure that the record of complaints are submitted in the EPL Annual Return.	31 August 2016		
3	<b>PIRMP</b>	Finalise and upload relevant parts of ERP/PIRMP on Veolia's website prior to commencing operations.	31 August 2016		
4	<b>EPL</b>	Continue to consult with the EPA regarding licensed discharge points to be recorded on the EPL prior to commencing operations.	31 August 2016		
5	<b>Diesel</b>	Install improved containment and spill controls at the refuelling (and tanker unloading) area adjacent to the diesel aboveground tank prior to the diesel tank becoming operational.	31 August 2016, or prior to being operational, as appropriate.		

<b>Table 5: Action Plan</b>					
<b>Item No.</b>	<b>Reference</b>	<b>Recommendation</b>	<b>Timeframe for Completion/ Implementation</b>	<b>Action to be Taken</b>	<b>Date Completed</b>
6	<b>Odour Management</b>	Following commissioning and testing of the building ventilation system, observations for odour intensity along the site boundary should be undertaken initially on weekly basis by site personnel that are not desensitised to the odour. If the odour observations detect odour from the facility at the site boundary, the effectiveness of the ventilation system will need to be reviewed.	Within two month being fully operational, or 30 November 2016, as appropriate.		
7	<b>Environmental Performance</b>	Upload the OEMP and the AEMR to the Veolia website after approval by DPE.	31 August 2016		

**APPENDIX 1**  
**DPE APPROVAL OF AUDIT TEAM**



Contact: Emma Barnet  
Phone: (02) 9228 6412  
Email: emma.barnet@planning.nsw.gov.au

Ms Ramona Bachu  
NSW Environment Officer  
Veolia Australia and New Zealand  
Cnr, Unwin and Shirley Streets  
Rosehill NSW 2142

Dear Ms Bachu

**Veolia Banksmeadow Transfer Terminal - Approval of independent environmental auditor**

I refer to your letter dated 27 April 2016 requesting approval for Shaun Taylor, Ronan Kellaghan and Victoria Sedwick (the audit team) of Ramboll Environ to carry out an Independent Environmental Audit in accordance with condition 6 of schedule 4 of the development consent (SSD 5855). I also refer to your request to consolidate your EPL and consent's annual reporting requirements required by condition 8 of schedule 4.

I endorse the audit team to undertake the 2016 Environmental Audit having considered their qualifications, experience and independence. However, I do not endorse the consolidation of environmental reporting requirements as Condition 8 of schedule 4 provides no scope for the change to the timing of the submission of the annual report.

I want to take this opportunity to advise that approval of the audit team is granted:

- to the audit team as individuals, not Ramboll Environ as a company; and
- for the carrying out of the 2016 audit only, specific approvals must be sought for other audits.

Can you please ensure that the environmental audit:

- is conducted in accordance with AS/NZS ISO 19011 Australian/New Zealand Standard: Guidelines for quality and/or environmental management systems auditing
- includes a compliance table indicating the compliance status of each condition of approval (and any other statutory instrument required to be audited)
- avoids terms such as "partial compliance". An audit is to make findings of either "compliance" or "non-compliance"
- includes recommended actions in response to non-compliances
- identifies opportunities for improved environmental management and performance.

Finally, the Department requests that you:

- review the IEA report to ensure it complies with the relevant conditions of approval, prior to submitting the report to the Secretary
- submit an action plan detailing your response(s) to any issues identified in the audit report. The action plan should include timeframes for the implementation of any adopted recommendations.

Yours sincerely

Chris Ritchie

**Director**

**Industry Assessments**

As the Secretary's nominee

11/5/16

**APPENDIX 2**  
**DEVELOPMENT CONSENT SSD 5585**

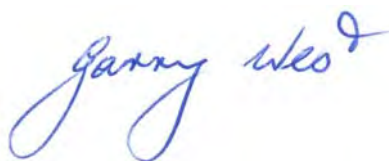
# Development Consent

## Section 89E of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning under delegation executed on 14 September 2011, the Planning Assessment Commission of NSW approves the development application referred to in Schedule 1, subject to the conditions in Schedules 2 to 4.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts including economic and social impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development.



Garry West  
**Member of the Commission**



Jan Murrell  
**Member of the Commission**

Sydney

28 April 2015

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### **SCHEDULE 1**

<b>Application No.:</b>	SSD 5855
<b>Applicant:</b>	Veolia Environmental Services (Australia) Pty Ltd
<b>Consent Authority:</b>	Minister for Planning
<b>Land:</b>	14 Beauchamp Road and 34-36 McPherson Street, Banksmeadow
<b>Development:</b>	The construction and operation of a waste transfer terminal



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## DEFINITIONS

Applicant	Veolia Environmental Services (Australia) Pty Ltd
BCA	Building Code of Australia
Blue Book	Managing Urban Stormwater: Soils and Construction (Landcom 2004)
CEMP	Construction Environmental Management Plan
Construction	The demolition of buildings or works, carrying out of works, including bulk earthworks, and erection of buildings and other infrastructure covered by this Consent
Day	The period from 6am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
Department	Department of Planning and Environment
Development	The construction and operation of a waste transfer terminal as described in the EIS and the RTS.
EIS	Environmental Impact Statement titled Banksmeadow Waste Transfer Terminal, prepared by Hyder Consulting Pty Ltd and dated April 2014
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPL	Environmental Protection Licence
Evening	The period from 6pm to 9pm
Feasible	Feasible relates to engineering considerations and what is practical to build
Heavy vehicle	Any vehicle with a gross vehicle mass of 5 tonnes or more
Management and Mitigation Measures	The Applicant's management and mitigation measures contained in the EIS and shown in Appendix A
Minister	Minister for Planning, or delegate
Night	The period from 9pm to 6am
Non-putrescible Waste	General solid waste which would include recyclable material
NOW	Department of Primary Industries – NSW Office of Water
OEH	Office of Environment and Heritage
Operation	Receipt and transfer of up to 400,000 tonnes per annum of putrescible waste and transported by rail to the Veolia Woodlawn Waste Facility and the receipt and transfer of up to 100,000 tonnes per annum of non-putrescible waste to the proposed Veolia Materials Recycling Facility in Camellia
POEO Act	Protection of the Environment Operations Act 1997
Putrescible Waste	General solid waste which may contain organic material
Reasonable	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements.
RAP	Remedial Action Plan titled Remediation Action Plan, Proposed Waste Transfer Facility, prepared by Douglas Partners Pty Ltd and dated February 2014
RMS	Roads and Maritime Services Division, Department of Transport
RTS	Response to Submissions Report titled Banksmeadow Waste Transfer Terminal Submissions Report, prepared by Hyder Consulting Pty Ltd and dated September 2014
Secretary	Secretary of the Department, or nominee
Site audit report	As defined in the <i>Contaminated Land Management Act 1997</i>
Site audit statement	As defined in the <i>Contaminated Land Management Act 1997</i>
Site auditor	As defined in the <i>Contaminated Land Management Act 1997</i>
Site	The land referred to in Schedule 1 and shown in Appendix B

## SCHEDULE 2

### ADMINISTRATIVE CONDITIONS

#### OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

1. The Applicant shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction, operation or decommissioning of the development.

#### TERMS OF CONSENT

2. The Applicant shall carry out the development generally in accordance with the:
  - (a) EIS;
  - (b) RAP;
  - (c) RTS;
  - (d) management and mitigation measures (Appendix A);
  - (e) site layout plans and drawings in the EIS (see Appendix B); and
  - (f) conditions of this Consent.
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 Consent shall prevail to the extent of any inconsistency.
4. The Applicant shall comply with any reasonable requirement/s of the Secretary arising from the Department's assessment of:
  - (a) any reports, plans, strategies, programs or correspondence that are submitted in accordance with this Consent; and
  - (b) the implementation of any actions or measures contained in these reports, plans, strategies, programs or correspondence.

#### LIMITS OF CONSENT

5. The Applicant shall not receive or process more than:
  - (a) 400,000 tonnes per annum of putrescible material; and
  - (b) 100,000 tonnes per annum of non-putrescible material at the site.
6. The Applicant shall only receive, store, handle or dispose of General Solid Waste or other classes of waste that are authorised for receipt on site by an EPL.

#### STATUTORY REQUIREMENTS

7. The Applicant shall ensure that all licences, permits and approval/consents are obtained as required by law and maintained as required throughout the life of the development. No condition of this consent removes the obligation for the Applicant to obtain, renew or comply with such licences, permits or approval/consents.

#### STRUCTURAL ADEQUACY

8. The Applicant 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.

*Notes: Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.*

## DEMOLITION

9. The Applicant 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.

## OPERATION OF PLANT AND EQUIPMENT

10. The Applicant shall ensure that all plant and equipment used for the development is:
  - (a) maintained in a proper and efficient condition; and
  - (b) operated in a proper and efficient manner.

## STAGED SUBMISSION OF PLANS OR PROGRAMS

11. With the approval of the Secretary, the Applicant may:
  - (a) submit any strategy, plan or program required by this consent on a progressive basis; and/or
  - (b) combine any strategy, plan or program required by this consent.
12. Until they are replaced by an equivalent strategy, plan or program approved under this consent, the Applicant shall continue to implement existing strategies, plans or programs for operations on site that have been approved by previous consents or approvals.

*Notes:*

- *If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program shall clearly describe the specific stage to which the strategy, plan or program applies, the relationship of this stage to any future stages and the trigger for updating the strategy, plan or program; and*
- *There must be a clear relationship between the strategy, plan or program that are to be combined.*

13. The Applicant shall submit detailed design plans of the terminal building that are generally in accordance with the plans in the EIS (Appendix B) to the Secretary for approval prior to the issue of a construction certificate.

## PROTECTION OF PUBLIC INFRASTRUCTURE

14. The Applicant shall:
  - (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and
  - (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.

## DISPUTE RESOLUTION

15. In the event that a dispute arises between the Applicant and a public authority other than the Department, in relation to a specification or requirement applicable under this approval, the matter shall be referred by either party to the Secretary, or if not resolved, to the Minister, whose determination of the dispute shall be final and binding to all parties. For the purposes of this condition, 'public authority' has the same meaning as provided under Section 4 of the EP&A Act.

## DEVELOPMENT CONTRIBUTION

16. Prior to the commencement of operation of the development, the Applicant shall pay development contributions to the City of Botany Bay Council of \$495,992.00, or an amount otherwise agreed with Council.

*Note: This contribution is subject to indexation to reflect quarterly variations in the Consumer Price Index All Group Index Number for Sydney, as published by the Australian Bureau of Statistics.*

## SCHEDULE 3

### ENVIRONMENTAL PERFORMANCE CONDITIONS

#### REMEDIATION

##### Remedial Action Plan

1. The Applicant shall remediate the site in accordance with the approved RAP prior to the commencement of operation. Amendments to the approved RAP required as a result of further site investigations must be prepared by a suitably qualified and experienced expert and approved by the site auditor.
2. Prior to the commencement of remediation, the Applicant shall demonstrate to the satisfaction of the Secretary that the RAP has been certified by an accredited site auditor.
3. Prior to the commencement of any construction or remediation works, the Proponent shall engage a Site Auditor accredited by the EPA under Part 4 of the *Contaminated Land Management Act 1997* to provide advice and statutory site audits throughout the remediation project and on completion of the project.
4. Contaminated material encountered during construction work intended for off-site disposal at an appropriate EPA licensed facility shall be segregated and stored in a dedicated area on site until removal, to the satisfaction of the EPA.

##### Completion of Works

5. Upon completion of remediation works, the Applicant shall demonstrate to the satisfaction of the Secretary that the accredited site auditor has prepared a site audit statement and a site audit report which demonstrate that the site is suitable for its intended use(s).
6. Within 3 months of the completion of the reinstatement of the site the Applicant shall prepare, in consultation with the EPA, and submit a Site Validation Report, to the satisfaction of the Secretary. The report shall be prepared in accordance with the NSW EPA (1997) Guidelines for Consultants Reporting on Contaminated Sites and include but not be limited to:
  - (a) comments on the extent and nature of the remediation undertaken;
  - (b) sampling and analysis plan and sampling methodology;
  - (c) results/interpretation and discussion of results;
  - (d) results of any validation sampling, compared to relevant guidelines;
  - (e) discussion of the suitability the remediated areas for intended land use;

#### CONTAMINATION

##### Groundwater Treatment

7. The Applicant shall prepare and implement a Groundwater Monitoring and Treatment Program for the project, to be approved by the Secretary and Site Auditor prior to the commencement of construction. This plan must:
  - (a) be prepared in consultation with the EPA and NOW;
  - (b) detail baseline data on groundwater levels and quality;
  - (c) include:
    - groundwater treatment criteria;
    - a program to monitor groundwater levels, flows and quality;
    - maintenance program for the facility to ensure the on-going effectiveness of the groundwater treatment process;
    - a protocol for the investigation, notification and mitigation of identified exceedences of the groundwater treatment criteria;

- contingency measures to address exceedances and issues with groundwater treatment, including an investigation of alternative remediation treatment options; and
- mechanisms to report results to relevant agencies.

### **Human Health**

8. The Proponent shall ensure that all works are carried out in accordance with *NSW Work Health and Safety Regulation 2011* and the requirements of WorkCover NSW.

## **SOIL, WATER AND LEACHATE**

### **Stormwater Management**

9. The Applicant shall:
- (a) design and install the stormwater management and collection system in consultation with the City of Botany Bay Council, generally in accordance with the conceptual design in the EIS and applicable Australian Standards and to the satisfaction of the Secretary;
  - (b) ensure that the system capacity has been designed in accordance with the Blue Book Volumes 1 and 2B;
  - (c) divert existing clean surface water around operational areas of the site;
  - (d) direct all sediment laden water in overland flow away from the leachate management system; and
  - (e) prevent cross-contamination of clean and sediment or leachate laden water.

### **Soil, Water and Leachate Management Plan**

10. The Applicant shall prepare and implement a Soil, Water and Leachate Management Plan for the development in consultation with the City of Botany Bay Council, NOW and the EPA and to the satisfaction of the Secretary. This plan must be prepared and implemented by a suitably qualified and experienced person and be submitted for approval prior to commencement of construction. The plan must include:
- (a) a site water balance that:
    - identifies the source of all water collected or stored on site, including rainfall, stormwater and groundwater;
    - includes details of all water use on site and any discharges; and
    - describes the measures that will be implemented to minimise water use on site.
  - (b) an erosion and sediment control plan that:
    - is consistent with the requirements in the latest version of the Blue Book Volume 1 and Volume 2B;
    - identifies the activities on site that could cause soil erosion and generate sediment; and
    - describe the measures that will be implemented to:
      - minimise soil erosion and the transport of sediment to downstream waters, including the location, function and capacity of any erosion and sediment control structures and maintain these structures over time;
      - ensure that any topsoil stockpiles on site are suitably managed to ensure that the topsoil in these stockpiles can be beneficially used in the proposed revegetation and rehabilitation of the site.
  - (c) a leachate management plan that:
    - includes final detailed design specifications of the leachate management and collection system on site.
  - (d) a stormwater management plan that:
    - is consistent with the guidance in the latest version of the Blue Book Volume 1 and Volume 2B;
    - includes final detailed design specifications for the stormwater management and collection system; and

- demonstrates how the requirements of Condition 9 of this schedule has been addressed.
- (e) a surface water, groundwater and leachate monitoring program that includes:
- baseline data;
  - details of the proposed monitoring network; and
  - the parameters for testing and respective trigger levels for action under the surface water, groundwater and leachate response plan.
- (f) a surface water, groundwater and leachate response plan that:
- includes a protocol for the investigation, notification and mitigation of any exceedances of the respective trigger levels; and
  - describes the measures that could be implemented to respond to any surface or groundwater contamination that may be caused by any development.

### **Water**

11. A Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained from Sydney Water prior to the commencement of construction.

### **Discharge of Water**

12. The development shall comply with Section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided in an EPL.

### **Groundwater Interception and Extraction**

13. The Applicant shall obtain the necessary water related approvals from NOW in the event that groundwater is likely to be intercepted or extracted during construction.

### **Acid Sulphate Soils Management Plan**

14. Prior to the commencement of any site preparation or construction works on the site, the Applicant shall prepare and implement an Acid Sulfate Soils Management Plan for the development to the satisfaction of the Secretary. This Plan must:
- (a) be prepared in consultation with the EPA and NOW by a suitably qualified and experienced expert;
  - (b) be approved by the Secretary prior to the commencement of any site preparation or construction works;
  - (c) outline the preliminary investigations that have been undertaken to test for the presence of ASS in accordance with the NSW State Government's *Acid Sulphate Soils Manual (ASSMAC 1998)*;
  - (d) detail the protocols to be put in place and followed in the event that ASS is encountered;
  - (e) detail how the ASS will be tested, handled and stockpiled;
  - (f) detail measures to prevent erosion and sedimentation of ASS; and, if necessary
  - (g) outline how the ASS will be disposed of off-site (e.g. at a licensed facility).

### **Bunding**

15. The Applicant shall store all chemicals, fuels and oils used on-site in appropriately banded areas in accordance with the requirements of all relevant Australian Standards, and/or the *Environment Protection Manual for Authorised Officers: Bunding and Spill Management, technical bulletin (Environment Protection Authority, 1997)*.

## **WASTE**

### **Waste Storage and Processing**

16. All uncontainerised waste shall be stored within the building at the premises and all waste processing activities shall be conducted within the building at all times.

17. To prevent unmanageable waste storage, the Applicant shall ensure that:
- (a) the storage of waste within the building shall not exceed more than 1,500 tonnes at any one time;
  - (b) waste stockpiles within the building shall not exceed 4.5m in height; and
  - (c) the container stacking height shall not exceed 3 loaded containers.

### **Restrictions of the Receipt, Storage, Handling and Disposal of Waste**

18. The development shall ensure that any waste generated on the site during construction is classified in accordance with the EPA's *Waste Classification Guidelines* and disposed of to a facility that may lawfully accept the waste.

### **Waste Management**

19. The Applicant shall prepare and implement a Waste Monitoring Program for the development to the satisfaction of Secretary. This program must:
- (a) be prepared in consultation with EPA by a suitably qualified and experienced expert; and
  - (b) include a suitable program to monitor the:
    - quantity, type and source of waste received on site; and
    - quantity, type and quality of the outputs produced on site.
  - (c) ensure that:
    - all waste that are controlled under a tracking system have the appropriate documentation prior to acceptance at the site; and
    - staff receive adequate training in order to be able to recognise and handle any hazardous or other prohibited waste including asbestos
20. The Applicant shall prepare and implement a Waste Management Plan for the development, in consultation with the EPA and to the satisfaction of the Secretary. The plan shall:
- (a) be prepared by a suitably qualified and experienced expert;
  - (b) be submitted for approval by the Secretary prior to the commencement of construction;
  - (c) include an asbestos risk assessment for demolition work prior to the removal of any asbestos from the site;
  - (d) include final details of the waste management system implemented at the site;
  - (e) ensure that appropriate waste storage facilities are included in the final design of the waste management system;
  - (f) detail the type and quantity of waste to be generated by the construction and operation of the development;
  - (g) detail the quality of waste to be received on site;
  - (h) detail the materials to be reused or recycled, either on or off site;
  - (i) detail the procedures for handling, storage, collection of recycling and disposal of all waste in accordance with best practice industry standards and guidelines;
  - (j) detail the procedures for the management of waste material, excluding recyclable waste, to ensure:
    - the waste material is regularly removed from the site to an appropriately licensed facility; and
    - any stockpiles of waste material are stored on sealed areas.
  - (k) if deemed necessary, outline reasonable and feasible measures that may be required to improve waste management at the site and prioritise recommendations for implementation.

### **Pest, Vermin & Noxious Weed Management**

21. The Applicant shall:
- (a) implement suitable measures to manage pests, vermin and declared noxious weeds on site; and
  - (b) inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or noxious weeds are not present on site in



sufficient numbers to pose an environmental hazard, or cause the loss of amenity in surrounding area.

*Note: For the purposes of this condition, noxious weeds are those species subject to an order declared under the Noxious Weed Act 1993.*

## **TRAFFIC AND ACCESS**

### **Access and Road Upgrade Works**

22. Prior to the commencement of operations, the Applicant must obtain approval for rail access from the Australian Rail Track Corporation.
23. Prior to the commencement of operations, the Applicant must complete the road upgrade works at the intersection of Beauchamp Road and Perry Street and the left turn deceleration lane into the site, in consultation with City of Botany Bay Council and Randwick City Council, and to the satisfaction of RMS and the Secretary.
24. Detail design plans for the intersection works referred to in condition 23 above, including Traffic Control Signal plans, must be prepared by a suitably qualified person in consultation with City of Botany Bay Council and Randwick City Council and submitted to the RMS for review and endorsement prior to the commencement of construction of the road upgrade works. The Applicant will be required to enter into a Works Authorisation Deed (WAD) with RMS for the works. The WAD will need to be executed prior to the RMS's assessment of the detailed design plans.
25. The Applicant must be responsible for all public utility adjustment/relocation works, necessitated by the above work and as required by the various public utility authorities and/or their agents.
26. All works/regulatory signposting associated with the development are to be at no cost to the RMS.

### **Traffic Monitoring**

27. The Applicant shall:
  - (a) keep accurate records of the volume of waste transported to the site;
  - (b) nominate a haulage route to be used by heavy vehicles accessing the site; and
  - (c) make these records available in its Annual Review.

### **Operating Conditions**

28. The Applicant shall ensure that:
  - (a) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the development are constructed and maintained in accordance with the latest versions of AS 2890.1 and AS 2890.2;
  - (b) the swept path of the longest vehicle entering and exiting the subject site, as well as manoeuvrability through the site, is in accordance with AUSTRROADS Guide to Road Design;
  - (c) the development does not result in any vehicles queuing on the public road network;
  - (d) a right turn restriction into the site from Beauchamp Road shall be implemented between 6am – 10am and 3pm – 7pm;
  - (e) heavy vehicles do not use Perry Street to travel to/from the site;
  - (f) heavy vehicles and bins associated with the development do not park or stand on local roads or footpaths in the vicinity of the site;
  - (g) all vehicles are wholly contained on site before being required to stop;
  - (h) all loading and unloading of materials is carried out on site;
  - (i) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times;

- (j) all trucks entering or leaving the site with loads have their loads covered; and
- (k) all loaded vehicles leaving the site are cleaned of dirt, sand and other materials before they leave the site, to avoid tracking these materials on public roads.

### **Traffic Management Plan**

29. The Applicant shall prepare and implement a Traffic Management Plan for the development, to the satisfaction of the Secretary. The Plan must:
- (a) be prepared by a suitably qualified and experienced expert in consultation with RMS, City of Botany Bay Council and Randwick City Council;
  - (b) be approved by the Secretary prior to the commencement of construction;
  - (c) include construction traffic management measures detailing:
    - access and parking arrangements for the site during construction;
    - measures to ensure that the local road network is not utilised by vehicles during construction;
    - measures to control traffic movements from site during construction;
    - procedures for notifying residents of construction traffic routes and potential disruptions to routes and access; and
    - the impact of the development on the road network, where temporary road closures are required during construction.
  - (d) include a plan showing the designated haulage route/s to be used by heavy vehicles during operation;
  - (e) include a drivers code of conduct;
  - (f) describe the measures that will be implemented to ensure:
    - the nominated haulage routes are used;
    - drivers adhere to the right turn restriction into the site from Beauchamp Road between 6am-10am and 3pm-7pm, as required by Condition 28(d);
    - conflicts with other road users are minimised;
    - drivers adhere to the code of conduct including;
    - road noise impacts are minimised through measures such as limiting truck compression braking; and
    - compliance with the relevant conditions of this consent.
  - (g) include a program to monitor the effectiveness of these measures.

### **HAZARD AND RISK**

30. At least one month prior to the commencement of construction of the proposed development (except for construction of those preliminary works that are outside the scope of the hazard studies), or within such further period as the Secretary may agree, the Applicant shall prepare and submit a Fire Safety Study and a Hazard and Operability Study to the Secretary.
- (a) Fire Safety Study  
A Fire Safety Study for the proposed development. This study shall cover the relevant aspects of the Department of Planning's Hazardous Industry Planning Advisory Paper No. 2, 'Fire Safety Study Guidelines' and the New South Wales Government's 'Best Practice Guidelines for Contaminated Water Retention and Treatment Systems'. The study shall be prepared in consultation with Fire and Rescue NSW and submitted to the Secretary.
  - (b) Hazard and Operability Study  
A Hazard and Operability Study for the proposed development, chaired by a qualified person, independent of the development, whose appointment has been endorsed by the Secretary prior to the commencement of the study. The study shall be consistent with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 8, 'HAZOP Guidelines'. The study report must be accompanied by a program for the implementation of all recommendations made in the report. If the Applicant intends to defer the implementation of a recommendation, reasons must be documented.

31. Dangerous Goods, as defined by the Australian Dangerous Goods Code, shall be stored and handled strictly in accordance with:
- (a) all relevant Australian Standards;
  - (b) for liquids, a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and
  - (c) the *Environment Protection Manual for Authorised Officers: Bunding and Spill Management, technical bulletin* (Environment Protection Authority, 1997).
- In the event of an inconsistency between the requirements listed from a) to c) above, the most stringent requirement shall prevail to the extent of the inconsistency.

### **Emergency Response**

32. The Applicant shall maintain and implement an emergency response plan for the site. The emergency response plan shall:
- (a) be submitted to the Secretary prior to the commencement of operation;
  - (b) be kept on-site at all times;
  - (c) include a risk assessment of likely incidents that could occur on-site (e.g. spills, explosion, fire) based on the activities being undertaken, site risks and consequence to the receiving environment; and
  - (d) document the systems and procedures to deal with the types of incidents identified including relevant incident notification procedures.

## **AIR QUALITY**

### **Odour**

33. The Applicant shall ensure the development does not cause or permit the emission of any offensive odour (as defined by the POEO Act).

### **Odour Management Plan**

34. The Applicant shall prepare and implement an Odour Management Plan to the satisfaction of the Secretary. This plan must:
- (a) be prepared by a suitably qualified and experienced expert in consultation with the EPA and City of Botany Bay Council;
  - (b) be approved by the Secretary prior to the commencement of operations;
  - (c) describe the measures that would be implemented on site to minimise the odour impacts of the development;
  - (d) identify triggers for contingency action; and
  - (e) include a program for monitoring the odour impacts of the development.

### **Dust Management**

35. The premises shall be maintained in a condition which minimises or prevents the emission of dust from the premises.
36. The Applicant shall:
- (a) implement best management practice, including all reasonable and feasible dust and odour mitigation measures to prevent and minimise dust emissions from operations;
  - (b) prevent and minimise the air quality impacts of the development during adverse meteorological conditions and extraordinary events;
  - (c) regularly assess air quality monitoring data and relocate, modify, and/or stop operations to ensure compliance with the relevant conditions of this consent;
  - (d) minimise any visible off-site air pollution; and
  - (e) minimise surface disturbance of the site, other than as permitted under this consent.

37. During construction, the Applicant shall ensure that:
- (a) all vehicles on site do not exceed a speed limit of 30 kilometres per hour;
  - (b) all loaded vehicles entering or leaving the site have their loads covered; and
  - (c) all loaded vehicles leaving the site are cleaned of dirt, sand and other materials before they leave the site, to avoid tracking these materials on public roads.

#### **Air Quality Management Plan**

38. The Applicant shall prepare and implement an Air Quality Management Plan for the development to the satisfaction of the Secretary. The Plan must:
- (a) be prepared by a suitably qualified and experienced expert in consultation with the EPA,
  - (b) be approved by the Secretary prior to the commencement of construction;
  - (c) describe the measures that would be implemented to:
    - minimise the fugitive emissions from excavating, handling and treating contamination hot spots including details on methods for dealing with soil contamination variability;
    - include well-defined triggers for additional air quality measures for excessive fugitive emissions including stop-work during adverse weather;
    - ensure all reasonable and feasible dust and odour mitigation measures are employed to prevent and minimise dust and odour emissions from construction and operation of the development;
    - ensure compliance with the relevant conditions of this consent and the EPL; and
    - prevent and minimise the air quality impacts of the development during adverse meteorological conditions and extraordinary events;
  - (d) include a cleaning protocol which:
    - details the procedures to be undertaken to routinely manage, maintain and clean the internal surfaces of the premises to ensure operating conditions inside the facility minimise the potential to generate odour, dust and the carriage of waste outside the facility; and
    - describes how all external surfaces would be routinely managed and maintained so as to be kept free of dust, waste material and other contaminants; and
  - (e) include a protocol for determining any exceedances of the relevant conditions of approval and criteria in the EPL and responding to complaints.

#### **NOISE**

39. The Applicant shall comply with the hours detailed in Table 1, unless otherwise agreed in writing by the Secretary.

*Table 1: Operating Hours*

<b>Activity</b>	<b>Day</b>	<b>Hours</b>
Construction	Monday - Friday	7:00am – 6:00pm
	Saturday	8:00am – 1:00pm
	Sunday & Public Holidays	Nil
Operations	24 hours	

#### **Operating Conditions**

40. The Applicant shall:

- (a) implement best management practice, including all reasonable and feasible noise management and mitigation measures to prevent and minimise operational, low frequency and traffic noise generated by the development;
- (b) minimise the noise impacts of the development during adverse meteorological conditions when noise criteria do not apply;
- (c) maintain the effectiveness of any noise suppression equipment on plant at all times and ensure defective plant is not used operationally until fully repaired; and
- (d) regularly assess noise monitoring data and relocate, modify and/or stop operations to ensure compliance with the relevant conditions of this consent.

### **Noise and Vibration Management Plan**

41. The Applicant shall prepare and implement a Noise and Vibration Management Plan for the development in consultation with the EPA and to the satisfaction of the Secretary. The plan must:
- (a) be prepared and implemented by a suitably qualified and experienced person in consultation with the City of Botany Bay Council, Randwick City Council and the EPA;
  - (b) be approved by the Secretary prior to the commencement of construction;
  - (c) describe the measures that will be implemented to ensure:
    - best management practice is being employed on site; and
    - the noise and vibration impacts of the development are minimised during any meteorological conditions; and
    - compliance with the relevant conditions of this consent.
  - (d) describe the noise management system;
  - (e) include a noise and vibration monitoring program that:
    - is capable of evaluating the performance of the development;
    - includes a protocol for determining compliance with the predictions in the EIS and RTS;
    - adequately supports the noise management system; and
    - evaluates and reports on the effectiveness of the noise management system; and
  - (f) include details of short term vibration trials of construction equipment that are conducted in consultation with the surrounding landowners.

### **ENERGY EFFICIENCY**

42. The Applicant shall:
- (a) implement all reasonable and feasible measures to minimise energy use and greenhouse gas emissions during construction and operation; and
  - (b) ensure the development will continue to operate at industry best practice over time.

### **VISUAL AMENITY**

#### **Lighting**

43. The Applicant shall ensure that the lighting associated with the development:
- (a) complies with the latest version of *AS 4282(INT) - Control of Obtrusive Effects of Outdoor Lighting*; and
  - (b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

#### **Signage**

44. The Applicant shall install all signs in consultation with City of Botany Bay Council.

*Note: This condition does not apply to any signage identified as exempt or complying development in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*

### **Landscaping and Vegetation Management**

45. The Applicant shall prepare and implement a Landscaping and Vegetation Management Plan for the development in consultation with City of Botany Council and to the satisfaction of the Secretary. The plan shall:
- (a) be approved by the Secretary prior to the commencement of construction;
  - (b) detail any trees that are proposed to be removed, ringbarked, cut, topped or lopped;
  - (c) detail any revegetation works at the site, with particular attention to minimising the visibility of the site from residences and public vantage points, minimising bushfire risk and the use of indigenous species;
  - (d) ensure that any clearing or trimming of vegetation on the western side of McPherson Street, at the intersection with Beauchamp Road, is undertaken in consultation with City of Botany Bay Council; and
  - (e) describe the on-going measures (e.g. weed control and regular pruning) that would be implemented to maintain landscaping and vegetation on the site for the life of the development.

### **AVIATION SAFETY**

46. At least 35 days prior to the commencement of construction of the project, the Applicant must obtain all necessary approvals from the Sydney Airports Corporation for the erection of any temporary structure or construction equipment.

### **HERITAGE**

47. The development shall cease all works on site in the event that any Aboriginal cultural object(s) or human remains are uncovered onsite. The NSW Police, the Aboriginal Community and the OEH are to be notified. Works shall not resume in the designated area until approval in writing from the NSW Police and/or the OEH has been obtained.

### **SECURITY**

48. The Applicant shall ensure that:
- (a) the site is secured by a perimeter fence and security gates; and
  - (b) the security gates on site are patrolled at all times.
-

## SCHEDULE 4

### ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

#### ENVIRONMENTAL MANAGEMENT

##### Construction Environmental Management Plan

1. The Applicant shall prepare and implement a Construction Environmental Management Plan for the development to the satisfaction of the Secretary. The Plan must:
  - (a) be submitted to the Secretary for approval no later than two weeks prior to the commencement of construction or demolition or within such period otherwise agreed by the Secretary;
  - (b) identify the statutory approvals that apply to the development;
  - (c) consolidate all relevant management plans and monitoring programs required in the conditions of this Consent;
  - (d) outline all environmental management practices and procedures to be followed during construction and demolition works associated with the development;
  - (e) describe all activities to be undertaken on the site during construction of the development, including a clear indication of construction stages;
  - (f) detail how the environmental performance of the construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts;
  - (g) describe the roles and responsibilities for all relevant employees involved in construction and demolition works associated with the development;
  - (h) include arrangements for community consultation and complaints handling procedures during construction and demolition; and
  - (i) include copies of the various strategies and plans that are required under the conditions of this Consent once they have been approved.

*Note:*

1. *Construction of the Development shall not commence until written approval of this plan has been received from the Secretary.*
2. The City of Botany Bay Council shall be provided with a copy of the approved Construction Environmental Management Plan within 7 days of the date of its approval.

##### Operational Environmental Management Plan

2. The Applicant shall prepare and implement an Operational Environmental Management Plan to the satisfaction of the Secretary. This plan must:
  - (a) be submitted to the Secretary for approval prior to commencement of operations;
  - (b) be prepared by a suitably qualified and experienced expert;
  - (c) provide the strategic framework for environmental management of the development;
  - (d) identify the statutory requirements that apply to the development;
  - (e) consolidate all relevant environmental management plans and monitoring programs required in the conditions of this consent and committed to in the EIS;
  - (f) describe the role, responsibility, authority, and accountability of all the key personnel involved in environmental management of the development.
  - (g) describe in general how the environmental performance of the development would be monitored and managed; and
  - (h) describe the procedures that would be implemented to:
    - keep the local community and relevant agencies informed about the operation and environmental performance of the development;
    - receive, handle, respond to, and record complaints;
    - resolve any disputes that may arise during the course of the development;

- respond to any non-compliances; and
- respond to emergencies.

### **Management Plan Requirements**

3. The Applicant shall ensure that the Management Plans required under this consent are prepared in accordance with any relevant guidelines, and include:
- (a) detailed baseline data;
  - (b) a description of:
    - the relevant statutory requirements (including any relevant approval, licence or lease conditions);
    - any relevant limits or performance measures/criteria; and
    - the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;
  - (c) a description of the measures that will be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;
  - (d) a program to monitor and report on the:
    - impacts and environmental performance of the development; and
    - effectiveness of any management measures (see (c) above);
  - (e) a contingency plan to manage any unpredicted impacts and their consequences;
  - (f) a program to investigate and implement ways to improve the environmental performance of the development over time;
  - (g) a protocol for managing and reporting any:
    - incidents;
    - complaints;
    - non-compliances with statutory requirements; and
    - exceedances of the impact assessment criteria and/or performance criteria; and
  - (h) a protocol for periodic review of the plan.

*Note: The Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.*

## **REPORTING**

### **Incident Reporting**

4. The Applicant shall notify the Secretary, City of Botany Bay Council and any other relevant agencies of any incident or potential incident with actual or potential significant off-site impacts on people or the biophysical environment associated with the project as soon as practicable after the Proponent becomes aware of the incident. Within 7 days of the date of this incident, the Proponent shall provide the Secretary and any relevant agencies with a detailed report on the incident.

### **Regular Reporting**

5. The Applicant shall provide regular reporting on the environmental performance of the project on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this approval.

## **INDEPENDENT ENVIRONMENTAL AUDIT**

6. Within one (1) year of the date of this consent, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the development. This audit must:
- (a) be conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;



- (b) include consultation with the relevant agencies;
- (c) assess the environmental performance of the development and whether it is complying with the relevant requirements in this consent and any relevant EPL and/or Water License (including any assessment, plan or program required under these approvals);
- (d) review the adequacy of any approved strategy, plan or program required under the these approvals; and
- (e) recommend measures or actions to improve the environmental performance of the development, and/or any assessment, plan or program required under these approvals.

*Note: This audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Secretary.*

- 7. Within 3 months of commissioning this audit, or as otherwise agreed by the Secretary, the Applicant shall submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report.

### **Annual Review**

- 8. Within one (1) year of the date of this consent, and every year thereafter, the Applicant shall review the environmental performance of the development to the satisfaction of the Secretary. This review must:
  - (a) describe the development that was carried out in the previous calendar year, and the development that is proposed to be carried out over the current calendar year;
  - (b) include a comprehensive review of the monitoring results and complaints records of the development over the previous calendar year, which includes a comparison of these results against:
    - the relevant statutory requirements, limits or performance measures/criteria;
    - the monitoring results of previous years; and
    - the relevant predictions in the EIS;
  - (c) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance;
  - (d) identify any trends in the monitoring data over the life of the development;
  - (e) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and
  - (f) describe what measures will be implemented over the current calendar year to improve the environmental performance of the development.

### **Revision of Strategies, Plans & Programs**

- 9. Within 3 months of the submission of an:
  - (a) annual review under Condition D8 of this schedule;
  - (b) incident report under Condition D4 of this schedule;
  - (c) audit report under Condition D6 of this schedule; and
  - (d) any modifications to this consent,
 the Applicant shall review, and if necessary revise, the strategies, plans, and programs required under this consent to the satisfaction of the Secretary.

*Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the development.*

## **ACCESS TO INFORMATION**

10. The Applicant shall:
- (a) make the following information publicly available on its website:
    - the EIS;
    - current statutory approvals for the development;
    - approved strategies, environmental management plans or programs;
    - a summary of the monitoring results of the development, which have been reported in accordance with the various plans and programs approved under the conditions of this consent;
    - a complaints register, updated on a quarterly basis;
    - copies of any annual reviews (over the last 5 years);
    - any independent environmental audit, and the Applicant's response to the recommendations in any audit; and
    - any other matter required by the Secretary; and
  - (b) keep this information up-to-date, to the satisfaction of the Secretary.

## APPENDIX A – MANAGEMENT AND MITIGATION MEASURES

Environmental issue	Mitigation measures
Soils and contamination	<p><b>Construction mitigation measures</b></p> <ul style="list-style-type: none"> <li>▪ A Health and Safety Plan and risk assessment would be developed and implemented prior to construction commencing and all construction workers and staff will be inducted into the plan. The Health and Safety Plan will include details of Site contamination, risks and management measures prior to work commencing. The plan will also outline the difference between inhalation and other pathways where contact with contaminants is possible (e.g. ingestion, dermal absorption) and measures to minimise exposure pathways, including identification of appropriate personal protective equipment to be worn during remediation works.</li> <li>▪ Implementation of the Douglas Partners 2013 RAP for the Keith Engineering land and development &amp; implementation of plan for management of contamination identified on Asciano land <u>would be undertaken</u>, to ensure the Site is suitable for use as a transfer terminal. These plans will clearly describe the works necessary to remediate the contamination identified at each site and including an unexpected finds protocol and contingency measures to manage other issues which may arise during the course of remediation and redevelopment works. The plans will be subject to review and approval of a NSW EPA accredited Site Auditor. At a minimum the remedial works will include: <ul style="list-style-type: none"> <li>- Investigation and assessment of the extent semi-volatile and volatile organic compound concentrations in groundwater, particularly in relation to future remediation and excavation works at the Site and the potential for vapour intrusion into buildings.</li> <li>- Investigation of additional, currently unidentified UPSS or USTs present on the Site and the aboveground petroleum on the Asciano land. These investigations will be undertaken by a Validation Consultant during Site establishment.</li> <li>- Removal of the UPSS and associated infrastructure in accordance with Australian Standard (AS) 4976-2008: The removal and disposal of underground petroleum storage tanks and under the supervision of an Environmental Consultant, specialising in remediation.</li> <li>- Removal of any mobile PSH observed during construction to the extent practicable and disposal at an appropriate facility.</li> <li>- Removal of residual PSH observed during the UPSS removal works, through excavation and off-site disposal, or onsite treatment if necessary.</li> <li>- Removal of PSH contaminated groundwater as encountered during excavation works and removal of the UPSS and disposal at an appropriately licensed facility.</li> <li>- Removal of other contaminated soils not considered suitable for onsite capping due to potential risks to groundwater or human health (related to vapour intrusion) and disposal at an appropriately licensed facility in accordance with the Waste Classification Guidelines.</li> <li>- Onsite capping of contaminated soils that are not considered to present an on-going risk to groundwater or human health if retained onsite, including asbestos contaminated soils.</li> </ul> </li> <li>▪ Remedial works undertaken on the Site will be subject to a Site Auditor Statement, certifying that the works undertaken have rendered the Site suitable for use as a waste transfer terminal.</li> <li>▪ Veolia will consult with the EPA and Orica regarding the interaction of construction and remediation works associated with the Proposal to ensure that any dewatering activities associated with construction and dewatering do not conflict with the Orica Voluntary Management Plan</li> </ul>

Environmental issue	Mitigation measures
	<p>remediation works.</p> <ul style="list-style-type: none"> <li>▪ Disposal of asbestos containing material and soils will be undertaken by a licensed asbestos removalist.</li> <li>▪ A Construction Soil and Water Management Plan (CSWMP) will be developed prior to commencement of construction, in accordance with the Blue Book (Landcom, 2004). Progressive erosion and sediment control plans (ESCP) will be developed in accordance with SWMP to reflect changes to the level of disturbance. Strategies adopted in the SWMP will include the following: <ul style="list-style-type: none"> <li>- Installation of drainage infrastructure and sediment and erosion controls prior to construction commencing.</li> <li>- Where possible, run-on water from upslope lands will be diverted around the Site while land disturbance activities are being carried out.</li> <li>- Water flows onsite will be directed, where possible, across the Site at non-erodible velocities, and stormwater drainage works will be employed to convey stormwater through and away from the Site. Permanent or temporary drainage works will be installed early in the construction program to minimise uncontrolled drainage and associated erosion.</li> <li>- If required, construction sediment basins will be located and sized in accordance with the Blue Book (Landcom, 2004) and constructed prior to commencement of Site disturbance.</li> <li>- Areas of exposed soil will be limited to those areas being actually worked.</li> <li>- Stockpiles will be located away from flow paths on appropriate impermeable surfaces, to minimise potential sediment transportation. Where practicable, stockpiles will be stabilised, if in place for more than ten days, and will be formed with sediment filters in place immediately downslope.</li> <li>- Disturbed areas will be stabilised as soon as practicable.</li> <li>- Earthworks will not take place during or after heavy rain, if the activity is likely to cause soil erosion or structural damage.</li> <li>- The wheels of all vehicles will be cleaned prior to exiting the construction Site where excavation occurs to prevent the tracking of mud. Where this is not practical, or excessive soil transfer occurs onto paved areas, street cleaning will be undertaken when necessary.</li> </ul> </li> <li>▪ Excavated material will be reused onsite where possible (subject to the provisions of the remedial action plan). Any excavated material that requires disposal will be subject to waste classification under the DECCW Waste Classification Guidelines 2009 and will be disposed of at an appropriate licensed facility.</li> <li>▪ An Acid Sulphate Soil Management Plan (ASSMP) will be developed prior to commencement of construction. Construction workers will be instructed on the identification of Potential Acid Sulphate Soils (PASS) and Acid Sulphate Soils (ASS) during the Site induction and the requirements of the ASSMP. The plan will require works to cease in the vicinity of any unexpected potential acid sulphate soils and an environmental consultant to be notified and requested to advise on the appropriate course of action.</li> </ul> <p><b>Operational mitigation measures</b></p> <ul style="list-style-type: none"> <li>▪ A Site Environmental Management Plans (SEMP) would be prepared and implemented for the Keith Engineering land, with provisions for on-</li> </ul>

Environmental issue	Mitigation measures
	<p>going regular inspection and maintenance of the capped contaminated soils. The SEMP's would be reviewed and approved by a NSW EPA accredited Site auditor.</p> <ul style="list-style-type: none"> <li>▪ Appropriate mitigation measures for stormwater runoff detention will be implemented, reducing the risk of erosion and sedimentation as a result of excessive runoff. These measures are outlined in Section 8.2.4 of the EIS.</li> <li>▪ The diesel tank will be self-bunded and compliant with AS - 1940-2004 <i>The storage and handling of flammable and combustible liquids</i>. The diesel fuel tank and refuelling area will be appropriately bunded and all refuelling will take place within this area.</li> <li>▪ An Incident Response Plan (IRP) will be developed for operation of the Site. The plan will specify the procedure to be followed in the event of a spill, including the notification requirements and use of absorbent material to contain the spill. A spill kit will be provided onsite at all times.</li> <li>▪ A refuelling procedure will be developed and implemented for all refuelling activities undertaken. Any fuel, lubricant, or hydraulic fluid spillages will be collected using absorbent material and the contaminated material disposed of to a licensed waste facility.</li> </ul>
Hydrology and Flooding	<p><b>Operational mitigation measures</b></p> <ul style="list-style-type: none"> <li>▪ The leachate management system will be designed to maintain separation between rainfall run-off and leachate at all times. A minimum 20 kL self-bunded tank will be provided for collection of leachate from the transfer terminal building and compactor area.</li> <li>▪ The compactor areas will be fully covered to limit the generation of leachate. A leachate injection system will be incorporated into the compactors to facilitate the transport of leachate to the Woodlawn Eco-Project site.</li> <li>▪ OSD will be provided onsite to achieve Botany Bay City Council's requirement of 20% AEP 'natural condition' detention and to offset the calculated flood storage volume of 810 m<sup>3</sup>.</li> <li>▪ WSUD measures will be included within the detailed design for the Site and will include the provision of bio-retention basins and oil and grease interceptors within the new drainage pits.</li> <li>▪ All excess leachate from the Site will be disposed of in accordance with legislative requirements, through either a trade waste agreement or pumped out and disposed of at an appropriately licensed facility.</li> <li>▪ The diesel fuel tank and refuelling area will be appropriately bunded. All refuelling will take place within this area.</li> <li>▪ An Incident Response Plan (IRP) will be developed for the Site and will form a sub-plan to the OEMP. The IRP will contain a 'spill response procedure'.</li> </ul>
Traffic and Access	<p><b>Construction mitigation measures</b></p> <ul style="list-style-type: none"> <li>▪ A Construction Traffic Management Plan (CTMP) will be developed for the construction phase of the Proposal. The CTMP will form a sub-plan to the CEMP and will prescribe locations for private worker vehicle parking during construction works, access routes to the Site and notification requirements during construction of the Proposal.</li> </ul>

Environmental issue	Mitigation measures
	<p><b>Operational mitigation measures</b></p> <ul style="list-style-type: none"> <li>▪ The requirements of the Roads Act and the Road Transport (General) Act will be followed at all times, including notice requirements, consultation and consent/concurrence requirements for works in, or closures of, public and classified roads and the use of RAV routes for semi-trailers.</li> <li>▪ Veolia will enter into a Works Authorisation Deed with RMS for the upgrade of the Beauchamp Road / Perry Street intersection. Detailed design of the intersection upgrade works will be undertaken in accordance with the Works Authorisation Deed and will be designed in accordance with RMS' standards and specifications.</li> <li>▪ The Site Access will provide access for future land use development proposals on the Asciano land, to the immediate north of the Banksmeadow TT site. Detailed design for the Site Access via a single shared Beauchamp Rd Intersection will be designed for Veolia's required traffic movements plus a minimum of 100 traffic movements (in &amp; out) per hour for the remaining portion of the Asciano Site not being leased by Veolia.</li> <li>▪ During development of the detailed design of the Perry Street /Beauchamp Road intersection upgrades, consideration will be given to the development of engineered measures to restrict trucks using Perry Street to access the Site from the east.</li> <li>▪ <u>Veolia would liaise with City of Botany Council regarding clearing and or trimming of</u> vegetation on the western side of McPherson Street, at the intersection with Beauchamp Road, <del>will be cleared or trimmed,</del> to re-instate a safe entering sight distance sight line.</li> <li>▪ Veolia will liaise with City of Botany Council regarding the implementation of kerb side parking restrictions on McPherson Street and adjust line-marking, to allow vehicles to approach the intersection on a perpendicular angle.</li> <li>▪ Interconnectivity will be provided within the Site between the McPherson Street entry and the Perry Street / Beauchamp Road access to the Banksmeadow TT.</li> <li>▪ Detailed design of the Site will provide for appropriate queuing space provided the approach to the Perry Street/ Beauchamp Road access and provide layover areas for staggering dispatch of trucks.</li> <li>▪ A Traffic Management Plan will be developed for the Proposal that will specify the following: <ul style="list-style-type: none"> <li>- Trucks accessing the Site will be strictly prohibited from using Perry Street.</li> <li>- <u>No right turn movements from Beauchamp Road into the Site would be permitted during the peak AM and PM hours.</u></li> <li>- An induction process and education program will be developed for the Site, which will specify the access route restrictions.</li> <li>- Development of a monitoring an recording program and an enforcement program that will provide for the monitoring and recording of vehicles accessing the Site and provide a mechanism for retraining and reprimand of drivers observed breaching the access restrictions or waste acceptance requirements on the Site.</li> <li>- Development of a traffic congestion procedure for McPherson Street, that will specify the measures to be implemented to manage any</li> </ul> </li> </ul>

Environmental issue	Mitigation measures
	<p>potential traffic impacts on neighbouring businesses. This procedure will be developed in consultation with Botany Building Recyclers.</p> <ul style="list-style-type: none"> <li>▪ Asciano will secure rail access from ARTC on behalf of the Proposal prior to commencement of operation of the Proposal. .</li> </ul>
Waste management	<p><b>Construction mitigation measures</b></p> <ul style="list-style-type: none"> <li>▪ A Construction Waste Management Plan (CWMP) will form a sub-plan to the CEMP and will include the following information: <ul style="list-style-type: none"> <li>- Characterisation of construction waste streams.</li> <li>- Management of hazardous waste streams, including asbestos, contents of the UPSS, contaminated soil and contaminated groundwater.</li> <li>- Procedures to manage construction waste streams, including handling, storage, classification and tracking.</li> <li>- Mitigation measures for avoidance and minimisation of waste materials.</li> <li>- Procedures and targets for reuse and recycling of waste materials.</li> <li>- Roles and responsibilities for ensuring compliance with the CWMP.</li> <li>- Training, monitoring, reporting and reviewing requirements to ensure compliance with the CWMP.</li> </ul> </li> </ul> <p><b>Operational mitigation measures</b></p> <ul style="list-style-type: none"> <li>▪ A Waste Management Plan (WMP) will be incorporated into the OEMP, which will include the following information: <ul style="list-style-type: none"> <li>- Characterisation of waste streams accepted at the facility</li> <li>- Procedures for weighbridge activities – including screening of incoming loads, weighing of incoming and outgoing vehicles, weighbridge data recording and archiving, and weighbridge inspection schedule.</li> <li>- Tipping procedures for each waste stream – including screening and scavenging.</li> <li>- Procedures for management of non-conforming loads and materials.</li> <li>- Procedures for ensuring the Site remains clean and tidy.</li> <li>- Procedures for loading materials – including front end loader operation, loading of non-putrescible waste into semi-trailers, loading of putrescible waste into compactors, compacting and containerising operations.</li> <li>- Procedures for rail transport – loading and unloading of containers.</li> <li>- Operational contingencies – should any Site activity undergo a temporary shutdown.</li> <li>- Roles and responsibilities for compliance with the WMP.</li> <li>- Procedures for inspection, monitoring, review and auditing to ensure compliance with the WMP.</li> </ul> </li> <li>▪ An Operational Contingency Plan will be incorporated into the OEMP and will include the following: <ul style="list-style-type: none"> <li>- Identification of internal and external factors that may disrupt the operation of the Banksmeadow TT.</li> </ul> </li> </ul>



Environmental issue	Mitigation measures
	<ul style="list-style-type: none"> <li>- Identification of the potential operational impacts associated with operational disruption.</li> <li>- Prescribe measures to mitigate potential impacts associated with disruption to operations</li> <li>- Notification of the EPA on 131 555 in the event of unscheduled disruptions to the operation of the Banksmeadow TT.</li> </ul>
Air quality	<p><b>Construction mitigation measures</b></p> <ul style="list-style-type: none"> <li>▪ An Air Quality Management Plan will be developed as a subplan to the CEMP and will contain the following management measures: <ul style="list-style-type: none"> <li>- Burning off of materials will be strictly prohibited onsite.</li> <li>- Engines of onsite vehicles and plant will be switched off when not in use.</li> <li>- Construction machinery and vehicles onsite will be maintained and serviced according to the manufacturer's specifications.</li> <li>- During hauling activities, the following controls will be in place: <ul style="list-style-type: none"> <li>- Watering of unsealed haul roads</li> <li>- Sealed haul roads to be cleaned regularly</li> <li>- Restrict vehicle traffic to designated routes</li> <li>- Impose speed limits</li> <li>- Covering vehicle loads when transporting material off-site</li> </ul> </li> <li>- During material handling activities the drop heights of materials from loading and handling equipment will be minimised.</li> <li>- During construction activities requiring exposed surfaces and stockpiling the following controls will be in place: <ul style="list-style-type: none"> <li>- Minimise area of exposed surfaces.</li> <li>- Water suppression on exposed areas and stockpiles.</li> <li>- Minimise amount of stockpiled material.</li> <li>- Where possible apply barriers, covering or temporary rehabilitation.</li> <li>- Rehabilitate completed sections as soon as practicable.</li> </ul> </li> </ul> </li> </ul> <p><b>Operational mitigation measures</b></p> <ul style="list-style-type: none"> <li>▪ An air extraction system will service the putrescible waste area, within the northern end of the building, and will manage odour through a single exhaust point. The ventilation system for the putrescible waste area of the transfer terminal building will have a single vent stack that will extend to a height of 21 m with a diameter of 2.6 m and be designed to have an exit velocity from the stack of 20 m/s to ensure that the odour emissions from the facility are consistent with the odour criteria prescribed in the EPA Air Quality Guidelines.</li> <li>▪ Plastic strips will be installed on the doorways to help contain odour and dust within the terminal building, which will cover the upper third of the</li> </ul>

Environmental issue	Mitigation measures
	<p>opening.</p> <ul style="list-style-type: none"> <li>▪ Containers used for the transport of putrescible waste will be specially constructed and have activated carbon filtration packs fitted to the air exhaust vent on the container.</li> <li>▪ An Odour Management Plan will be developed as part of the OEMP and will include a Procedure for Minimising Odour to ensure waste is managed to minimise the generation of odours. The odour management strategies that will be implemented through the Odour Management Plan will include: <ul style="list-style-type: none"> <li>- A description of the odour control system and its components and an Odour Control System Operation Protocol, detailing the activities required to maintain and operate the odour control system.</li> <li>- Routine maintenance and cleaning of containers will not be permitted on the Banksmeadow TT site.</li> <li>- Waste delivery trucks entering the terminal will be required to be fully enclosed or covered.</li> <li>- Putrescible and non-putrescible waste stream will be kept separate.</li> <li>- The floor area of the transfer terminal will be cleaned daily.</li> <li>- The amount of putrescible waste left onsite within the terminal will be minimised.</li> <li>- An odour complaint logbook will be maintained onsite. When odour complaints are received, a Site investigation will be conducted to identify any unusual odour sources within the Site boundary and appropriate action taken as required.</li> <li>- Odour monitoring and reporting will be undertaken in accordance with the EPL requirements for the facility.</li> </ul> </li> <li>▪ A Dust Management Plan (DMP) will be developed as part of the OEMP and will document strategies to minimise potential dust emissions from the Proposal's operations. Both preventative and responsive control measures will be identified in the plan, including: <ul style="list-style-type: none"> <li>- All trucks entering and leaving the premises carrying loads must be covered at all times, except during loading and unloading.</li> <li>- Good dust management procedures will be implemented within the terminal building including regular sweeping and washing down, as required.</li> <li>- Good dust management procedures outside of the terminal building, and the general Site including regular sweeping to remove dust and other debris.</li> <li>- Training of all staff and personnel accessing the Site <u>would be undertaken with a focus on</u> in the need to minimise dust generation.</li> <li>- Use of a fine mist dust suppression system within the building, when there are particularly dust loads or noticeable dust levels, as required.</li> <li>- Review of any complaints received relating to dust and reports from monitoring conducted as a result.</li> <li>- Monthly toolbox meetings to discuss any safety and compliance issues, including dust, that have arisen since the previous meeting.</li> </ul> </li> <li>- Air quality and dust monitoring procedures will be outlined in the plan and monitored with respect to the NSW Government Regional Ambient</li> </ul>

Environmental issue	Mitigation measures
	<p>Air Quality and EPA criteria for allowable dust deposition.</p> <ul style="list-style-type: none"> <li>- The components of the dust suppression system and the standard operational procedures for Site personnel to operate and maintain the system will be documented within the DMP.</li> </ul>
Noise and vibration	<p>Construction mitigation measures</p> <ul style="list-style-type: none"> <li>▪ A Construction Noise and Vibration Management Plan (CNVMP) will be developed as part of the CEMP and will address the following items at a minimum: <ul style="list-style-type: none"> <li>- Prior to use of vibratory rollers onsite, vibration trials will be undertaken onsite to confirm that the use of vibratory rollers can comply with the maximum level of 1.1 mm/s at the Goodman Industrial site and the Botany Building Recyclers. This testing will consider the recommendations of Assessing Vibration: A Technical Guideline (DEC, 2006), and give due consideration to the vibration dose method described by the guideline. Should trials indicate that maximum level for human comfort cannot be practicably achieved an acceptable limit will be negotiated with the affected commercial sites and alternative compacting methods will be considered. During the pre-construction trials stockpiles at the Botany Building Recyclers will be visually monitored to ensure construction activities do not compromise their stability.</li> <li>- The CNVMP will include a requirement to inform neighbouring commercial and industrial receivers of the construction schedule and the timing of any particularly noisy activities.</li> <li>- Where practicable, construction activities will be staged to provide quiet, respite periods for commercial receivers.</li> <li>- All construction activities will have regard to the standard hours of 07:00 am to 06:00 pm Monday to Friday, and 08:00 am to 01:00 pm Saturday <del>(with approval from relevant authorities)</del> <u>and no works on Sundays or Public Holidays</u>. Any works undertaken outside of these hours will be undertaken in consultation with relevant authorities. Works outside these hours that may be permitted will include: <ul style="list-style-type: none"> <li>- Any works which do not cause noise emissions to be audible at any nearby sensitive receptors. <ul style="list-style-type: none"> <li>- Activities that do not result in a noise contribution at the nearest residences of more than 50dBALeq,15minute (background + 5dB)</li> <li>- The delivery of materials which is required outside of these hours as requested by Police or other authorities for safety reasons. Local residents, commercial and industrial premises will be informed of the timing and duration of approved works in accordance with the notification provisions outlined in the CNMP.</li> <li>- Emergency work to avoid the loss of lives, property and/or to prevent environmental harm.</li> <li>- Any other work as approved through the CNMP Process.</li> </ul> </li> </ul> </li> <li>- Training and awareness, which will include the following: <ul style="list-style-type: none"> <li>▪ Site awareness training/environmental inductions to provide instruction on noise mitigation techniques/measures to be implemented during construction of the Proposal.</li> </ul> </li> </ul> </li> </ul>

Environmental issue	Mitigation measures
	<ul style="list-style-type: none"> <li>▪ <u>Consideration of a number of noise mitigation techniques would be undertaken including:</u> <ul style="list-style-type: none"> <li>- Working within approved hours.</li> <li>- Working with noisy equipment away from sensitive receivers.</li> <li>- Using noise screens and temporary barriers.</li> <li>- Maintaining plant and equipment.</li> <li>- Turning off machinery when not in use.</li> <li>- Limiting the “clustering” of noisy plant / processes.</li> </ul> </li> <li>- Selection of quiet plant and processes wherever feasible and use of reversing alarms such as “smart alarms” and “squawker alarms”.</li> <li>- Provision of temporary hoardings at the access points to the Site on Beauchamp Road and McPherson Street to mitigate noise impacts during works.</li> </ul> <p>Operational mitigation measures</p> <ul style="list-style-type: none"> <li>▪ Two operational noise management plans will be developed for terminal operations, being a Noise Management Plan – Terminal Operations (TNMP) and a Noise Management Plan – Rail Operations (RNMP). The TNMP will be developed to address noise management for the terminal including waste delivery truck movements, mobile plant and fixed plant onsite, including the compaction units and the extraction fan. A Noise Management Plan – Rail Operations (RNMP) will be developed to prescribe measures to minimise rail noise from the Proposal.</li> <li>▪ <u>Veolia and the contractor would commit to the exclusive use of low frequency quacker style alarms for plant and equipment, including container handlers, to further reduce noise impacts.</u></li> </ul>
Hazards and risk	<p><b>Construction mitigation measures</b></p> <ul style="list-style-type: none"> <li>▪ Construction will be undertaken in accordance with the <i>Work Health and Safety (WHS) Act 2011</i>.</li> <li>▪ Safe operational access and egress for emergency service personnel and workers will be provided at all times, and specified in the CEMP.</li> <li>▪ An asbestos management plan will be developed for the Proposal containing a risk assessment undertaken in accordance with <i>Model Code of Practice – How to Manage and Control Asbestos in the Workplace</i> (Safe Work Australia 2011).</li> <li>▪ Where the management plan recommends the removal of asbestos from Site all works will be undertaken in accordance with the <i>Model Code of Practice – How to Safely Remove Asbestos</i> (Safe Work Australia 2011), including the development of an asbestos removal control plan and an emergency plan. An industrial hygienist will be involved in the development of this plan.</li> <li>▪ Veolia will engage a contractor who is appropriately qualified and competent to ensure appropriate management of asbestos as outlined in the <i>Model Code of Practice – Storage and handling of Dangerous Goods</i> (Safe Work Australia 2005).</li> <li>▪ The WorkCover Authority of NSW (WorkCover) will be notified in writing five days before any licensed asbestos removal work is commenced.</li> </ul>

Environmental issue	Mitigation measures
	<p>The notification will be lodged by the licensed asbestos removalist. The Site will be classified as friable or non-friable by a suitably qualified occupational hygienist prior to the notification being prepared.</p> <ul style="list-style-type: none"> <li>▪ The CEMP will include an Incident Response Plan that will include a Spill Management Procedure.</li> </ul> <p><b>Operational mitigation measures</b></p> <ul style="list-style-type: none"> <li>▪ Hazards associated with <del>construction</del> <u>operation</u> of the Banksmeadow TT will be managed through the Hazard and Operability Study (HAZOP), which will be undertaken as part of the detailed design.</li> <li>▪ Appropriate fire alarms and fire fighting equipment will be provided onsite for an initial emergency response and will include a deluge system, fire extinguishers, hoses and reels. It will be ensured that utility services are adequate to meet the needs of fire fighters.</li> <li>▪ A fire hydrant system and/or foam from portable units, as well as a manually operated fire deluge system, will be provided for mitigating fires on the tipping floor.</li> <li>▪ A designated area will be identified within the putrescible and non-putrescible areas of the terminal building for the management of 'hot loads' and fire. These will be contained through a combination of dousing with fire hoses and discharging the contents and totally extinguishing the fire using onsite fire hose reels. The fire water will be captured within the building bunding and leachate tank.</li> <li>▪ A Pollution Incident Response Management Plan (PIRMP) will be prepared for the facility to meet the requirements of the POEO Act and POEO (General) Regulations.</li> <li>▪ An Incident Response Plan (IRP) will be developed in accordance with <i>AS 3745 - 2010 Planning for emergencies in facilities</i>. An Emergency Response Plan will form an appendix to the IRP</li> </ul>
Greenhouse gas emissions	<p><b>Construction mitigation measures</b></p> <ul style="list-style-type: none"> <li>▪ All trucks leaving the Site carrying waste will be filled to the maximum amount allowable, depending on the truck size, to reduce the number of traffic movements required</li> <li>▪ The contractor will limit idling time of plant and equipment whilst onsite</li> <li>▪ The contractor will make certain that the only lighting left on overnight around the Site office will be security or emergency/access lighting</li> <li>▪ Earthmoving equipment and onsite vehicles will be fitted with exhaust controls in accordance with the Protection of the Environment Operations (Clean Air) Regulation 2010.</li> </ul> <p><b>Operational mitigation measures</b></p> <ul style="list-style-type: none"> <li>▪ Veolia commits to adopting energy saving measures to minimise GHG emissions; including: <ul style="list-style-type: none"> <li>- Assessing the feasibility of efficient electricity devices such as variable speed drives and installation of energy efficient lighting.</li> <li>- B20 biodiesel will be used for diesel powered machinery onsite</li> </ul> </li> </ul>

Environmental issue	Mitigation measures
Land use	<ul style="list-style-type: none"> <li>▪ Detailed design of the Site Access will provide access for future land use development proposals on the Asciano land, to the immediate north of the Banksmeadow TT site.</li> </ul>
Biodiversity	<p><b>Construction mitigation measures</b></p> <ul style="list-style-type: none"> <li>▪ A CEMP will be prepared for the construction phase of the Proposal which will prescribe the following measures to be implemented to minimise impacts on biodiversity: <ul style="list-style-type: none"> <li>- Weed management will be undertaken during the Site preparation works to minimise weed establishment and invasions, and will include the following: <ul style="list-style-type: none"> <li>- Management of weed species onsite will be in accordance with the Noxious Weeds Act 1993.</li> <li>- Equipment used for treating weed infestation will be cleaned prior to moving to a new area within the Site to minimise the likelihood of transferring any plant material and soil.</li> <li>- Soil stripped and stockpiled from areas containing known weed infestations are to be stored separately and are not to be moved to areas free of weeds.</li> </ul> </li> <li>- Clearance of native vegetation will be minimised as far as practicable.</li> <li>- The extent of vegetation clearing will be clearly identified on construction plans.</li> <li>- A pre-start-up check for sheltering native fauna will be undertaken of all infrastructure, plant and equipment.</li> <li>- If any pits/trenches are to remain open overnight, they will be securely covered, if possible. Alternatively, fauna ramps (logs or wooden planks) are to be installed to provide an escape for trapped fauna.</li> <li>- Should lighting be required during the construction phase, directional lighting will be used.</li> <li>- Construction machinery and plant will be maintained regularly to minimise unnecessary noise.</li> <li>- Dust suppression will be undertaken onsite as appropriate.</li> </ul> </li> </ul> <p><b>Operational mitigation measures</b></p> <ul style="list-style-type: none"> <li>▪ A Landscape Plan will be developed during detailed design, in accordance with the Draft Botany Bay DCP and the draft <i>Landscape Technical Guidelines for Development Sites (2013)</i> where appropriate. Plant species to be used in landscaping will be predominantly native, with locally indigenous species incorporated where practical and suitable.</li> <li>▪ The landscaped zone on the western boundary bordering the Botany Building Recyclers will be designed to capture gross pollutants and oil and grits from pavement. This area will be regularly maintained to remove rubbish and can be renewed on a regular basis.</li> <li>▪ Detailed design of the terminal building and associated waste handling facilities will incorporate reasonable measures to minimise the potential for birds, rodents, flies and other pests to gather at the Banksmeadow TT site, including provision for bird deterrent measures.</li> </ul>

Environmental issue	Mitigation measures
	<ul style="list-style-type: none"> <li>▪ Weed and pest infestations identified during the operation of the Proposal will be managed in accordance with a Vermin and Pest Control Plan, which will form part of the OEMP.</li> </ul>
Indigenous heritage	<p><b>Construction mitigation measures</b></p> <ul style="list-style-type: none"> <li>▪ The procedure for the management of unexpected archaeological finds will be documented within the CEMP for the Proposal and will include:               <ul style="list-style-type: none"> <li>- If an item of Aboriginal significance or suspected significance is discovered during construction, all work in the vicinity of the area will cease and the Environmental Representative for construction of the Proposal will be contacted as soon as possible to determine the subsequent course of action.</li> <li>- In the event that suspected human skeletal remains are discovered, all works will cease and the NSW Police and the NSW Coroner's office will be contacted. If the burial is identified as being of Aboriginal origin a heritage professional and NSW OEH will be contacted to determine the subsequent course of action.</li> </ul> </li> </ul>
Non-indigenous heritage	<p><b>Construction mitigation measures</b></p> <ul style="list-style-type: none"> <li>▪ Procedures for the management of unexpected finds of items of potential heritage significance will be included within the CEMP for the Proposal, and will include:               <ul style="list-style-type: none"> <li>- Should an item of non-Indigenous significance, or suspected significance, be discovered during construction, all work in the vicinity of the area will cease and the Proposal Environmental Representative will be contacted as soon as possible to determine the subsequent course of action.</li> <li>- In the event that suspected human skeletal remains are discovered, all works will cease and the NSW Police and the NSW Coroner's office will be contacted.</li> </ul> </li> </ul>
Socio economic	<p><b>Construction mitigation measures</b></p> <ul style="list-style-type: none"> <li>▪ A Community Engagement Strategy will be developed to ensure that community engagement is maintained throughout the construction period, including:               <ul style="list-style-type: none"> <li>▪ Continuing communication pathways, including a dedicated, 1800 phone line, email address and section on Veolia's website, to provide information regarding the Proposal.</li> <li>▪ Maintaining communication with key government and community stakeholders, through the provision of letters and information sheets.</li> <li>▪ Ensuring landholders, within proximity of the Site, are kept well informed about the Proposal, the construction hours and duration of the works. Landholders will be provided relevant contact details to address queries relating to the works.</li> </ul> </li> </ul> <p><b>Operational mitigation measures</b></p> <ul style="list-style-type: none"> <li>▪ Parking, toilet facilities and vending machines for food will be provided on the Site for truck drivers to use.</li> <li>▪ An OEMP will be developed for the operational phase of the Proposal and will include procedures and measures to ensure that the community</li> </ul>

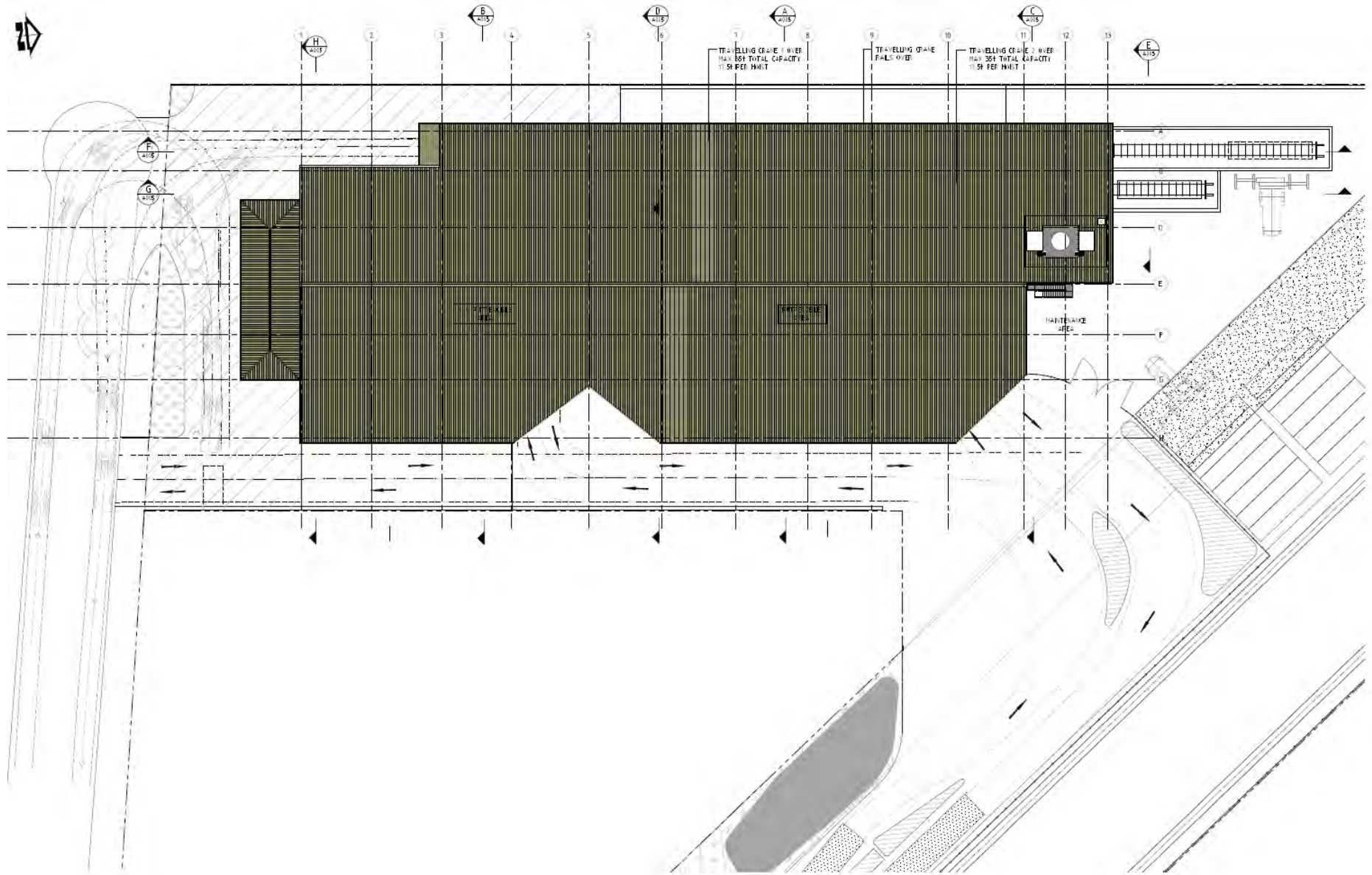
Environmental issue	Mitigation measures
	<p>is kept informed of the Proposal in a pro-active and responsive manner. The OEMP will contain provisions for the following:</p> <ul style="list-style-type: none"> <li>- A Complaints Handling Procedure and maintenance of a Complaints Register.</li> <li>- Operation of a 24 hour telephone line.</li> <li>- Publication of contact details for the Banksmeadow TT on the Veolia website.</li> </ul>
Visual amenity	<p><b>Construction mitigation measures</b></p> <ul style="list-style-type: none"> <li>▪ All works equipment and materials will be contained within designated boundaries of the work site.</li> <li>▪ The spread of stockpiles, waste, and vehicle parking will be minimised during construction.</li> <li>▪ The construction site will be left tidy at the end of each day.</li> <li>▪ Dust and dirt will be regularly cleaned from the road surface.</li> </ul> <p><b>Operational mitigation measure</b></p> <ul style="list-style-type: none"> <li>▪ Highly reflective building surfaces, bright coloured surfaces and unpainted metal or materials will be avoided for the transfer terminal building and offices.</li> <li>▪ Where possible, exterior light fittings will be installed in such a way that directs the light downwards and minimises impacts on adjacent land users.</li> <li>▪ The terminal building will be covered with light coloured Colourbond cladding to reduce its prominence in upwards views against the sky. The Colourbond cladding will be alternated with translucent panels to reduce the building bulk. Veolia has selected a pale eucalypt colour for the shed, however is willing to receive proposals from the community regarding the appearance of the terminal building. <u>Further detail on materials and finishes would be provided to Planning and Environment for approval and Randwick City Council for review, prior to construction.</u></li> <li>▪ The cladding of the building will be robust and graffiti resistant. Additionally, the Site will be fenced to prevent unauthorised entry of the Site by vandals.</li> <li>▪ The office building would be brick veneer, matching the existing office buildings onsite.</li> <li>▪ In accordance with the Botany Bay DCP (2013) Part 3L (<i>Landscaping</i>) and Part 10 (<i>Landscape Technical Guidelines for Development Sites</i>) and a detailed (construction level) landscape documentation, Site analysis and schedule of finishes will be prepared by a suitably qualified landscape architect.</li> <li>▪ Lighting design for the Site will be such that the criteria prescribed in Table 2.1 of Australian Standard - AS 4282-1997, "Control of Obtrusive Effects of Outdoor Lighting" for commercial areas will be achieved at the Site boundary.</li> <li>▪ The maximum reflectivity of any glazing on street frontages will not exceed 20 per cent to avoid nuisance in the form of glare to occupants of nearby buildings, pedestrians and motorists.</li> </ul>

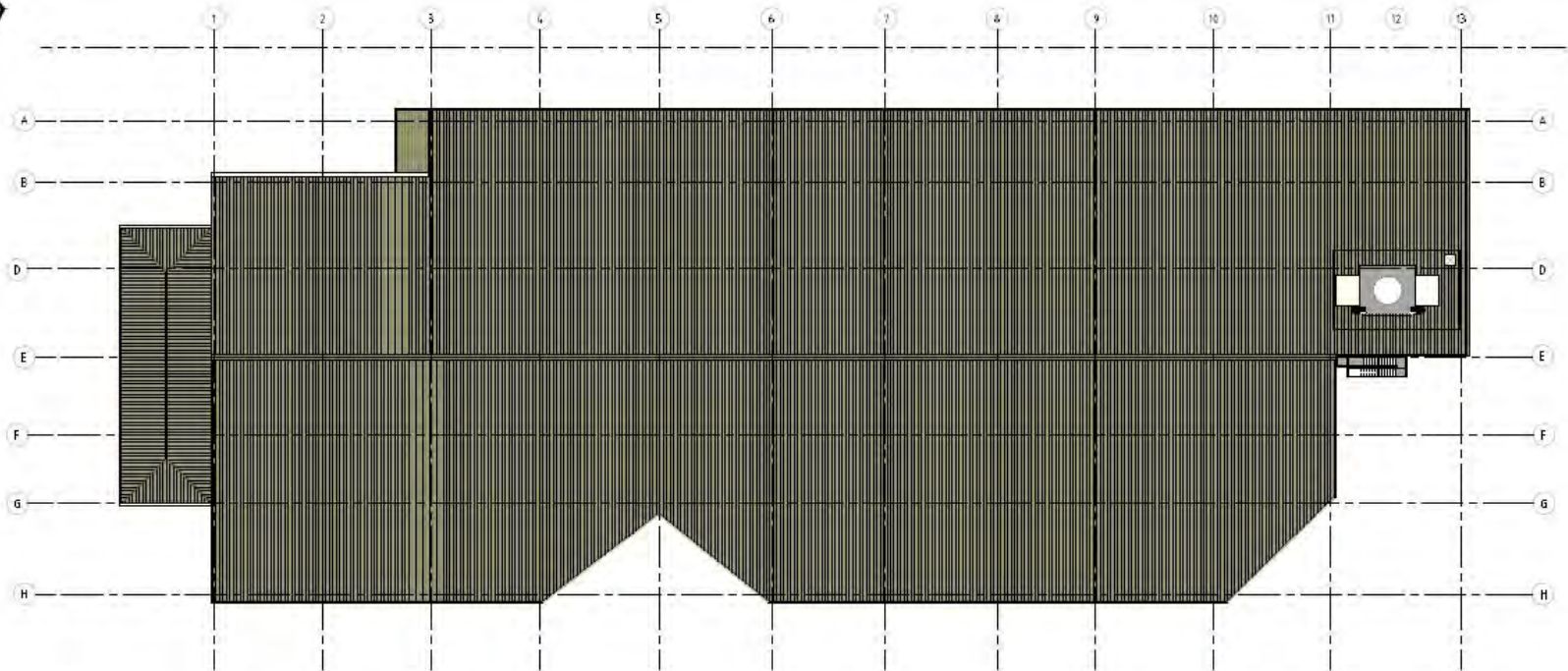


Environmental issue	Mitigation measures
	<ul style="list-style-type: none"> <li>Appropriate directional signage will be provided at the Site entrances to direct vehicles and pedestrians safely around the Site. Signage for the Proposal will be designed to relate, in size and form, to the scale of the transfer terminal, visibility and other advertisements within the vicinity, including the Goodman's Industrial Park and Botany Industrial Park on Beauchamp Road. Signage will be designed such that there will be no lighting overspill from the signs. <u>Further detail for signage which approval is required (i.e. not under the Exempt Development under SEPP: Exempt and Complying Development Codes) would be provided to Planning and Environment prior to construction. Randwick City Council would be consulted.</u></li> </ul>

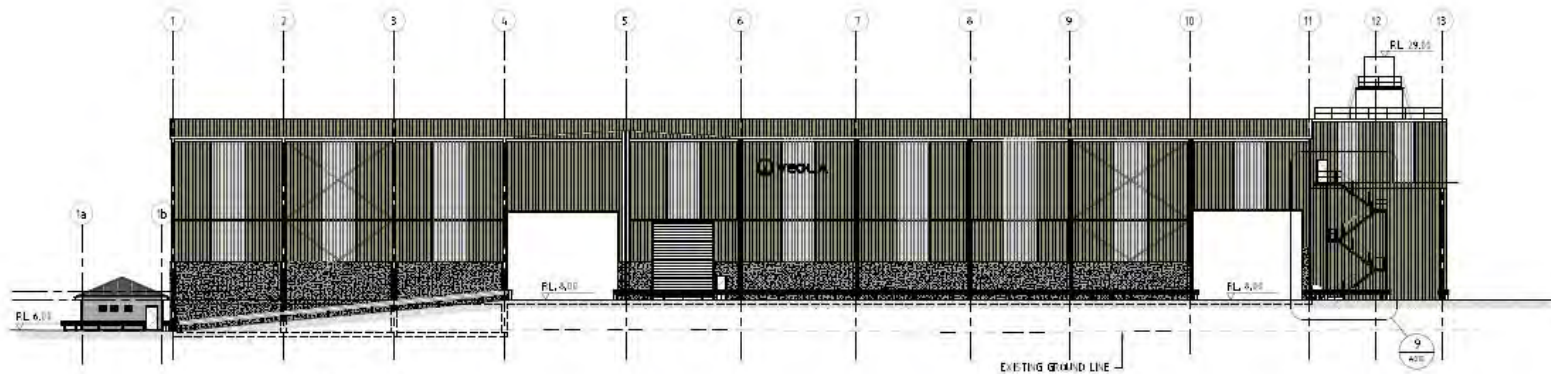
## APPENDIX B – SITE PLANS AND ELEVATIONS



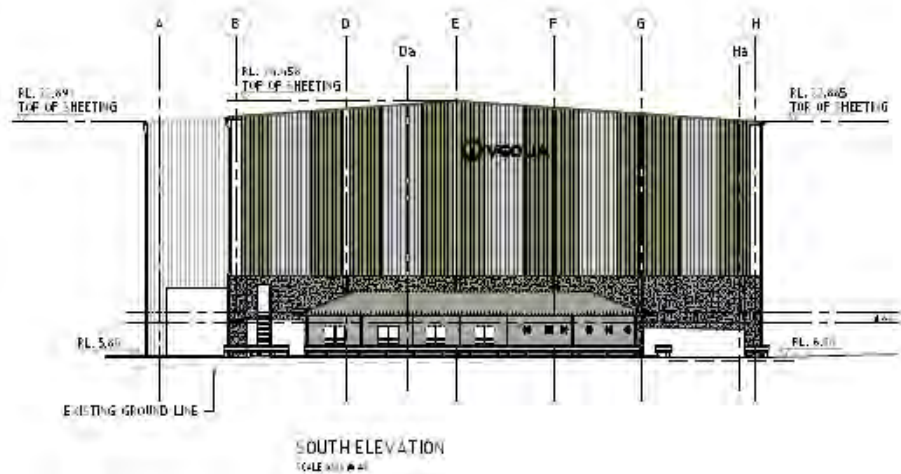
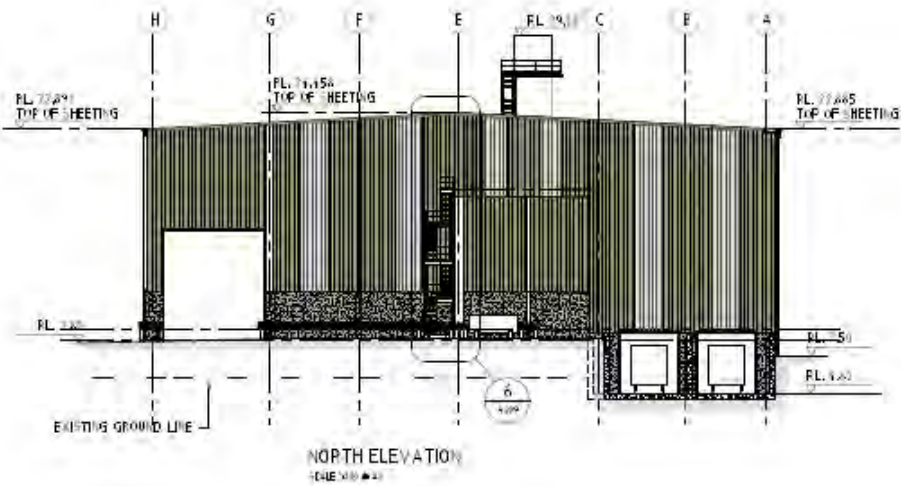
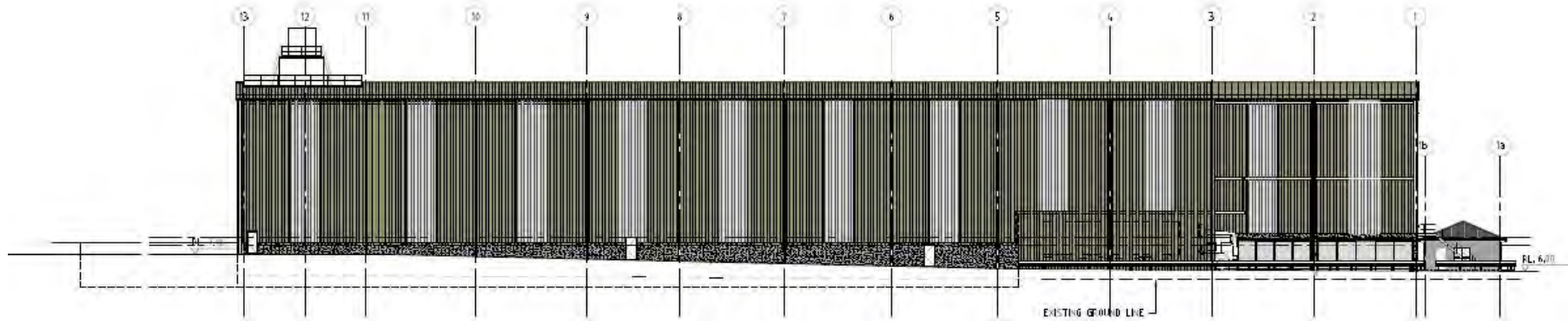


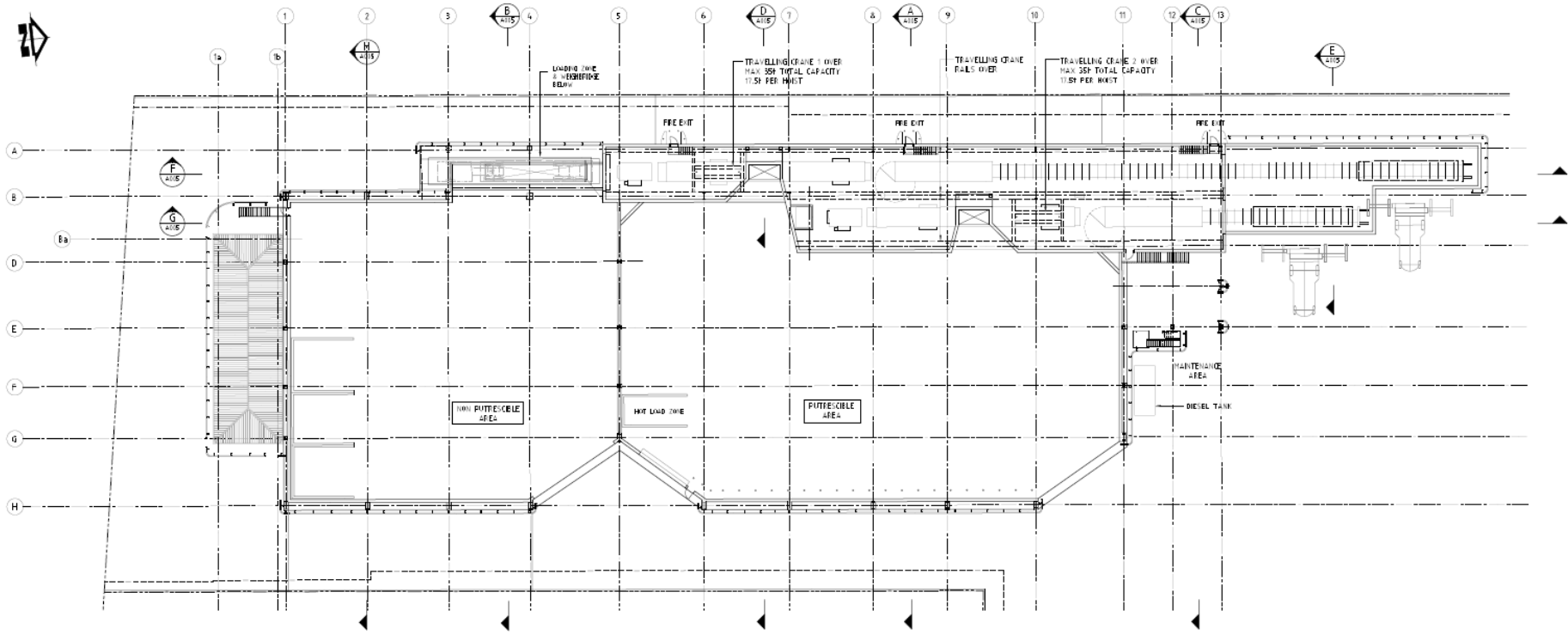


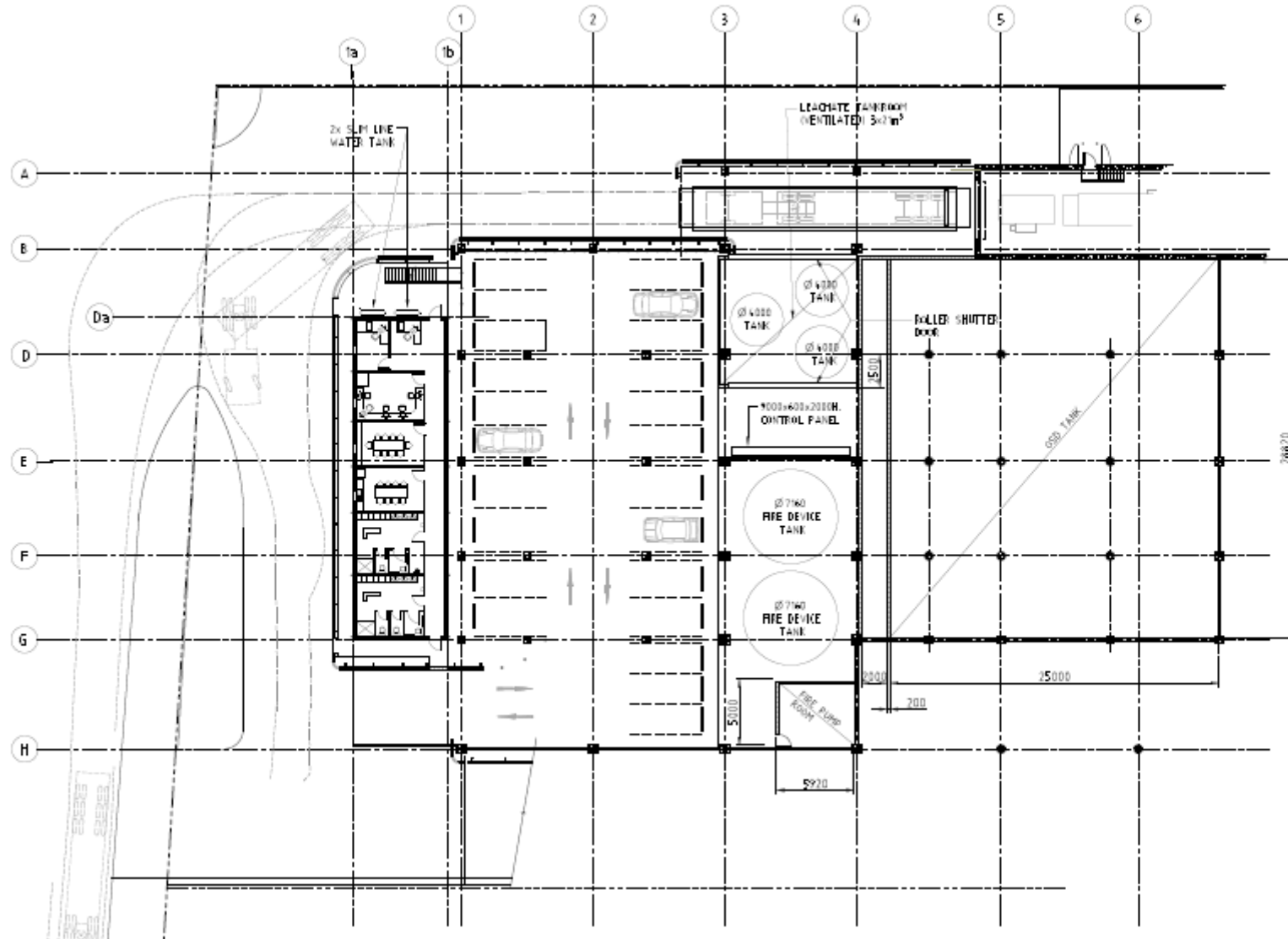
ROOF PLAN  
SCALE 1:100 @ A1



EAST ELEVATION  
SCALE 1:100 @ A1









**APPENDIX 3**  
**ENVIRONMENT PROTECTION LICENCE 20581**

# Environment Protection Licence



Licence - 20581

## Licence Details

Number:	20581
Anniversary Date:	02-July

## Licensee

VEOLIA ENVIRONMENTAL SERVICES (AUSTRALIA) PTY LTD

PO BOX 171

GRANVILLE NSW 2142

## Premises

BANKSMEADOW TRANSFER TERMINAL

34-36 MCPHERSON STREET

BANKSMEADOW NSW 2019

## Scheduled Activity

Waste Processing (non-thermal treatment)

Waste Storage

## Fee Based Activity

### Scale

Non-thermal treatment of general waste	Any T treated
Waste storage - other types of waste	> 0 T stored

## Region

Waste & Resources - Waste Management

59-61 Goulburn Street

SYDNEY NSW 2000

Phone: (02) 9995 5000

Fax: (02) 9995 5999

PO Box A290 SYDNEY SOUTH

NSW 1232

# Environment Protection Licence

Licence - 20581



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# Environment Protection Licence

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Licence - 20581

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# Environment Protection Licence

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Licence - 20581



## Information about this licence

### Dictionary

A definition of terms used in the licence can be found in the dictionary at the end of this licence.

### Responsibilities of licensee

Separate to the requirements of this licence, general obligations of licensees are set out in the Protection of the Environment Operations Act 1997 ("the Act") and the Regulations made under the Act. These include obligations to:

- ensure persons associated with you comply with this licence, as set out in section 64 of the Act;
- control the pollution of waters and the pollution of air (see for example sections 120 - 132 of the Act);
- report incidents causing or threatening material environmental harm to the environment, as set out in Part 5.7 of the Act.

### Variation of licence conditions

The licence holder can apply to vary the conditions of this licence. An application form for this purpose is available from the EPA.

The EPA may also vary the conditions of the licence at any time by written notice without an application being made.

Where a licence has been granted in relation to development which was assessed under the Environmental Planning and Assessment Act 1979 in accordance with the procedures applying to integrated development, the EPA may not impose conditions which are inconsistent with the development consent conditions until the licence is first reviewed under Part 3.6 of the Act.

### Duration of licence

This licence will remain in force until the licence is surrendered by the licence holder or until it is suspended or revoked by the EPA or the Minister. A licence may only be surrendered with the written approval of the EPA.

### Licence review

The Act requires that the EPA review your licence at least every 5 years after the issue of the licence, as set out in Part 3.6 and Schedule 5 of the Act. You will receive advance notice of the licence review.

### Fees and annual return to be sent to the EPA

For each licence fee period you must pay:

- an administrative fee; and
- a load-based fee (if applicable).

# Environment Protection Licence



Licence - 20581

The EPA publication “A Guide to Licensing” contains information about how to calculate your licence fees. The licence requires that an Annual Return, comprising a Statement of Compliance and a summary of any monitoring required by the licence (including the recording of complaints), be submitted to the EPA. The Annual Return must be submitted within 60 days after the end of each reporting period. See condition R1 regarding the Annual Return reporting requirements.

Usually the licence fee period is the same as the reporting period.

## Transfer of licence

The licence holder can apply to transfer the licence to another person. An application form for this purpose is available from the EPA.

## Public register and access to monitoring data

Part 9.5 of the Act requires the EPA to keep a public register of details and decisions of the EPA in relation to, for example:

- licence applications;
- licence conditions and variations;
- statements of compliance;
- load based licensing information; and
- load reduction agreements.

Under s320 of the Act application can be made to the EPA for access to monitoring data which has been submitted to the EPA by licensees.

## This licence is issued to:

<b>VEOLIA ENVIRONMENTAL SERVICES (AUSTRALIA) PTY LTD</b>
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<b>PO BOX 171</b>
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<b>GRANVILLE NSW 2142</b>
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subject to the conditions which follow.

# Environment Protection Licence

Licence - 20581



## 1 Administrative Conditions

### A1 What the licence authorises and regulates

A1.1 This licence authorises the carrying out of the scheduled development work listed below at the premises listed in A2:

Construction of the Veolia Banksmeadow Waste Transfer Terminal.

A1.2 No waste shall be received at the premises until all construction works are complete and the licensee has received written approval from the EPA.

A1.3 The licensee shall comply with the environmental controls detailed in the Banksmeadow Transfer Terminal Construction Environmental Management Plan, inclusive of Appendices (to be approved).

The licensee must ensure all works associated with the construction of the Banksmeadow Transfer Terminal comply with the requirements of the Protection of the Environment Operations Act, 1997.

A1.4 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.

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.

Scheduled Activity	Fee Based Activity	Scale
Waste Processing (non-thermal treatment)	Non-thermal treatment of general waste	Any T treated
Waste Storage	Waste storage - other types of waste	> 0 T stored

### A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
BANKSMEADOW TRANSFER TERMINAL
34-36 MCPHERSON STREET
BANKSMEADOW
NSW 2019
LOTS A & B DP.366725, LOT 1 DP.435497, AND PART LOT 2 DP.1006865

### A3 Information supplied to the EPA

A3.1 Works and activities must be carried out in accordance with the proposal contained in the licence

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application, except as expressly provided by a condition of this licence.

In this condition the reference to "the licence application" includes a reference to:

- 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
- b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.

## 2 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.

### L2 Waste

- L2.1 The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled "Waste" and meeting the definition, if any, in the column titled "Description" in the table below.

Any waste received at the premises must only be used for the activities referred to in relation to that waste in the column titled "Activity" in the table below.

Any waste received at the premises is subject to those limits or conditions, if any, referred to in relation to that waste contained in the column titled "Other Limits" in the table below.

This condition does not limit any other conditions in this licence.

Code	Waste	Description	Activity	Other Limits
NA	General solid waste (non-putrescible)	As defined in Schedule 1 of the POEO Act, in force from time to time.	Waste processing (non-thermal treatment)	100,000t per annum
NA	General solid waste (putrescible)	As defined in Schedule 1 of the POEO Act, in force from time to time.	Waste processing (non-thermal treatment)	400,000t per annum

### L3 Potentially offensive odour

- L3.1 No condition of this licence identifies a potentially offensive odour for the purposes of section 129 of the Protection of the Environment Operations Act 1997.

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.



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## 3 Operating Conditions

### O1 Activities must be carried out in a competent manner

O1.1 Licensed activities must be carried out in a competent manner.

This includes:

- a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

### 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.

### O3 Dust

O3.1 A dust suppression system must be operated and maintained within the transfer building to effectively suppress all dust emissions.

O3.2 All operations and activities occurring at the premises must be carried out in a manner that will prevent the emission of dust from the premises.

### O4 Emergency response

O4.1 The licensee must maintain, and implement as necessary, a current emergency response plan for the premises. The licensee must keep the emergency response plan on the premises at all times. The emergency response plan must document systems and procedures to deal with all types of incidents (e.g. spills, explosions or fire) that may occur at the premises or that may be associated with activities that occur at the premises and which are likely to cause harm to the environment. If a current emergency response plan does not exist at the date on which this condition is attached to the licence, the licensee must develop an emergency response plan within three months of that date.

O4.2 The licensee must have adequate fire prevention measures in place, and ensure that facility personnel are able to access fire-fighting equipment and manage fire outbreaks at any part of the premises.

### O5 Processes and management

O5.1 The licensee must ensure that any general solid waste (putrescible) and/or general solid waste (non-putrescible) received for storage or recovery or processing at the premises is assessed and classified in accordance with the EPA Waste Classification Guidelines as in force from time to time.

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- O5.2 The licensee must ensure that each waste for recovery/recycling is stockpiled separately.
- O5.3 No maintenance or cleaning of waste vehicles or waste containers shall be conducted at the Premises.

## **O6 Waste management**

- O6.1 All waste processing activities shall be conducted within the transfer building.
- O6.2 No waste shall be stored outside the transfer building except when containerised for the purpose of transport to the Woodlawn Eco-Project Site.
- O6.3 Waste shall be processed on a first in, first out basis.
- O6.4 Vehicles leaving the waste processing areas must not track materials outside the transfer building.
- O6.5 All areas that involve the handling of waste including container transfer and handling areas, clean container storage areas and internal roadways must be sealed.
- O6.6 All waste containers shall be maintained so as to contain all waste, liquid and odour.

## **O7 Other operating conditions**

- O7.1 The mechanical ventilation system must be operated and maintained to ensure the putrescible waste and compactor areas are maintained under negative pressure and can only discharge to atmosphere via the stack.

# **4 Monitoring and Recording Conditions**

## **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.
- M1.2 All records required to be kept by this licence must be:
  - a) in a legible form, or in a form that can readily be reduced to a legible form;
  - b) kept for at least 4 years after the monitoring or event to which they relate took place; and
  - c) produced in a legible form to any authorised officer of the EPA who asks to see them.
- M1.3 The following records must be kept in respect of any samples required to be collected for the purposes of this licence:
  - a) the date(s) on which the sample was taken;
  - b) the time(s) at which the sample was collected;
  - c) the point at which the sample was taken; and

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d) the name of the person who collected the sample.

## **M2 Recording of pollution complaints**

M2.1 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.

M2.2 The record must include details of the following:

- a) the date and time of the complaint;
- b) the method by which the complaint was made;
- 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;
- d) the nature of the complaint;
- e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
- f) if no action was taken by the licensee, the reasons why no action was taken.

M2.3 The record of a complaint must be kept for at least 4 years after the complaint was made.

M2.4 The record must be produced to any authorised officer of the EPA who asks to see them.

## **M3 Telephone complaints line**

M3.1 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.

M3.2 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.

M3.3 The preceding two conditions do not apply until 2 July 2015 the date of the issue of this licence.

# **5 Reporting Conditions**

## **R1 Annual return documents**

R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:  
a) a Statement of Compliance; and  
b) a Monitoring and Complaints Summary.

At the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.

R1.2 An Annual Return must be prepared in respect of each reporting period, except as provided below.

Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the

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Annual Return until after the end of the reporting period.

R1.3 Where this licence is transferred from the licensee to a new licensee:

- 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
- 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.

Note: An application to transfer a licence must be made in the approved form for this purpose.

R1.4 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:

- a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
- b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.

R1.5 The Annual Return for the reporting period must be supplied to the EPA 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').

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.

R1.7 Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:

- a) the licence holder; or
- b) by a person approved in writing by the EPA to sign on behalf of the licence holder.

## R2 Notification of environmental harm

R2.1 Notifications must be made by telephoning the Environment Line service on 131 555.

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.

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.

## R3 Written report

R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:

- a) where this licence applies to premises, an event has occurred at the premises; or
- 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,

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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.

- 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.
- R3.3 The request may require a report which includes any or all of the following information:
- the cause, time and duration of the event;
  - the type, volume and concentration of every pollutant discharged as a result of the event;
  - 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;
  - 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;
  - action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
  - details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
  - any other relevant matters.
- 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.

## 6 General Conditions

### G1 Copy of licence kept at the premises or plant

- G1.1 A copy of this licence must be kept at the premises to which the licence applies.
- G1.2 The licence must be produced to any authorised officer of the EPA who asks to see it.
- G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.

## 7 Special Conditions

### E1 Requirement to Maintain Financial Assurance

- E1.1 (a) A financial assurance in the form of an unconditional and irrevocable and on demand guarantee from a bank, building society or credit union operating in Australia as "Authorised Deposit-taking Institutions" under the Banking Act 1959 of the Commonwealth of Australia and supervised by the Australian Prudential Regulatory Authority (APRA) must be provided to the EPA prior to issuing this licence. The financial assurance must be in favour of the EPA in the amount of one hundred thousand dollars (\$100,000). The financial assurance is required to secure or guarantee funding for works or programs

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required by or under this licence. The financial assurance must contain a term that provides that any monies claimed can be paid to the EPA or, at the written direction of the EPA, to any other person.

(b) A financial assurance in the form of an unconditional and irrevocable and on demand guarantee from a bank, building society or credit union operating in Australia as "Authorised Deposit-taking Institutions" under the Banking Act 1959 of the Commonwealth of Australia and supervised by the Australian Prudential Regulatory Authority (APRA) must be provided to the EPA by 30 June 2017. The financial assurance must be in favour of the EPA for a total amount to be held by the EPA of two hundred thousand dollars (\$200,000). The financial assurance is required to secure or guarantee funding for works or programs required by or under this licence. The financial assurance must contain a term that provides that any monies claimed can be paid to the EPA or, at the written direction of the EPA, to any other person. Note that this total financial assurance is inclusive of that required in E1.1a).

(c) The licensee must provide to the EPA, along with the original counterpart guarantees, confirmation in writing that the financial institution providing the guarantees is subject to supervision by the Australian Prudential Regulatory Authority (APRA).

- E1.2 The financial assurance must be maintained during the operation of the premises and thereafter until such time as the EPA is satisfied the premises are environmentally secure.
- E1.3 The financial assurance must be replenished by the full amount claimed or realised if the EPA has claimed on or realised the financial assurance or any part of it to undertake a work or program required to be carried out by the licence which has not been undertaken by the licence holder.
- E1.4 The EPA may require an increase in the amount of the financial assurance at any time as a result of reassessment of the total likely costs and expenses of rehabilitation of the premises.
- E1.5 The licensee must provide to the EPA the original counterpart guarantee within five working days of the issue of:
  - (a) the financial assurance required by condition E1.1; or
  - (b) the adjusted financial assurance as required by condition E1.3 and E1.4.

## E2 Environment Obligations of Licensee (Works and Programs)

- E2.1 While the licensee's premises are being used for the purpose to which the licence relates, the licensee must:
  - (a) Clean up any spill, leak or other discharge of any waste(s) or other material(s) as soon as practicable after it becomes known to the licensee or to one of the licensee's employees or agents.
  - (b) In the event(s) that any liquid and non-liquid waste(s) is unlawfully deposited on the premises, such waste(s) must be removed and lawfully disposed of as soon as practicable or in accordance with any direction given by the EPA.
  - (c) Provide all monitoring data as required by the conditions of this licence or as directed by the EPA.
- E2.2 In the event of an earthquake, storm, fire, flood or any other event where it is reasonable to suspect that a pollution incident has occurred, is occurring or is likely to occur, the licensee (whether or not the premises continue to be used for the purposes to which the licence relates) must:
  - (a) Make all efforts to contain all firewater on the licensee's premises;
  - (b) Make all efforts to control air pollution from the licensee's premises;
  - (c) Make all efforts to contain any discharge, spill or run-off from the licensee's premises;

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- (d) Make all efforts to prevent flood water entering the licensee's premises;
- (e) Remediate and rehabilitate any exposed areas of soil and/or waste;
- (f) Lawfully dispose of all liquid and solid waste(s) stored on the premises that is not already securely disposed of;
- (g) At the request of the EPA monitor groundwater beneath the licensee's premises and its potential to migrate from the licensee's premises;
- (h) At the request of the EPA monitor surface water leaving the licensee's premises; and
- (i) Ensure the licensee's premises is secure.

- E2.3 After the licensee's premises cease to be used for the purpose to which the licence relates or in the event that the licensee ceases to carry out the activity that is the subject of this licence, that licensee must:
- (a) remove and lawfully dispose of all liquid and non-liquid waste stored on the licensee's premises;
  - (b) rehabilitate the site, including conducting an assessment of and if required remediation of any site contamination.

### **E3 EPA May Claim On a Financial Assurance**

- E3.1 The EPA may claim on a financial assurance under s303 of the POEO Act if a licensee fails to carry out any work or program required to comply with the conditions of this licence.

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## Dictionary

### General Dictionary

<b>3DGM [in relation to a concentration limit]</b>	Means the three day geometric mean, which is calculated by multiplying the results of the analysis of three samples collected on consecutive days and then taking the cubed root of that amount. Where one or more of the samples is zero or below the detection limit for the analysis, then 1 or the detection limit respectively should be used in place of those samples
<b>Act</b>	Means the Protection of the Environment Operations Act 1997
<b>activity</b>	Means a scheduled or non-scheduled activity within the meaning of the Protection of the Environment Operations Act 1997
<b>actual load</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>AM</b>	Together with a number, means an ambient air monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
<b>AMG</b>	Australian Map Grid
<b>anniversary date</b>	The anniversary date is the anniversary each year of the date of issue of the licence. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
<b>annual return</b>	Is defined in R1.1
<b>Approved Methods Publication</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>assessable pollutants</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>BOD</b>	Means biochemical oxygen demand
<b>CEM</b>	Together with a number, means a continuous emission monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
<b>COD</b>	Means chemical oxygen demand
<b>composite sample</b>	Unless otherwise specifically approved in writing by the EPA, a sample consisting of 24 individual samples collected at hourly intervals and each having an equivalent volume.
<b>cond.</b>	Means conductivity
<b>environment</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>environment protection legislation</b>	Has the same meaning as in the Protection of the Environment Administration Act 1991
<b>EPA</b>	Means Environment Protection Authority of New South Wales.
<b>fee-based activity classification</b>	Means the numbered short descriptions in Schedule 1 of the Protection of the Environment Operations (General) Regulation 2009.
<b>general solid waste (non-putrescible)</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997



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<b>flow weighted composite sample</b>	Means a sample whose composites are sized in proportion to the flow at each composites time of collection.
<b>general solid waste (putrescible)</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>grab sample</b>	Means a single sample taken at a point at a single time
<b>hazardous waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>licensee</b>	Means the licence holder described at the front of this licence
<b>load calculation protocol</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>local authority</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>material harm</b>	Has the same meaning as in section 147 Protection of the Environment Operations Act 1997
<b>MBAS</b>	Means methylene blue active substances
<b>Minister</b>	Means the Minister administering the Protection of the Environment Operations Act 1997
<b>mobile plant</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>motor vehicle</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>O&amp;G</b>	Means oil and grease
<b>percentile [in relation to a concentration limit of a sample]</b>	Means that percentage [eg.50%] of the number of samples taken that must meet the concentration limit specified in the licence for that pollutant over a specified period of time. In this licence, the specified period of time is the Reporting Period unless otherwise stated in this licence.
<b>plant</b>	Includes all plant within the meaning of the Protection of the Environment Operations Act 1997 as well as motor vehicles.
<b>pollution of waters [or water pollution]</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>premises</b>	Means the premises described in condition A2.1
<b>public authority</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>regional office</b>	Means the relevant EPA office referred to in the Contacting the EPA document accompanying this licence
<b>reporting period</b>	For the purposes of this licence, the reporting period means the period of 12 months after the issue of the licence, and each subsequent period of 12 months. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
<b>restricted solid waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>scheduled activity</b>	Means an activity listed in Schedule 1 of the Protection of the Environment Operations Act 1997
<b>special waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>TM</b>	Together with a number, means a test method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .

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<b>TSP</b>	Means total suspended particles
<b>TSS</b>	Means total suspended solids
<b>Type 1 substance</b>	Means the elements antimony, arsenic, cadmium, lead or mercury or any compound containing one or more of those elements
<b>Type 2 substance</b>	Means the elements beryllium, chromium, cobalt, manganese, nickel, selenium, tin or vanadium or any compound containing one or more of those elements
<b>utilisation area</b>	Means any area shown as a utilisation area on a map submitted with the application for this licence
<b>waste</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>waste type</b>	Means liquid, restricted solid waste, general solid waste (putrescible), general solid waste (non - putrescible), special waste or hazardous waste

Mr Trevor Wilson

Environment Protection Authority

(By Delegation)

Date of this edition: 02-July-2015

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## End Notes

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