

Intended for  
**Veolia Environmental Services Australia**

Prepared by  
**Ramboll Environ Australia Pty Ltd**

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# INDEPENDENT ENVIRONMENTAL AUDIT CLYDE TRANSFER TERMINAL

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Revision **Final 1**  
Date **09/02/2017**  
Made by **David Ford & Ronan Kellaghan**  
Checked by **Victoria Sedwick**  
Approved by **Victoria Sedwick**  
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## 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 Clyde Transfer Terminal (the Site). The site visit components of the Audit were conducted by David Ford and Ronan Kellaghan (the Auditors) on 29 September 2016 and Victoria Sedwick (Lead Auditor) on 18 October 2016. The Audit Report was prepared by the Auditors and reviewed and authorised by the Lead Auditor.

The objective of the Audit was to assess the environmental performance of the Clyde Transfer Terminal, as required under Condition 60 of the Development Consent (DA 205-08-01), including the requirements of the Site Environmental Protection Licence (EPL).

A number of non-compliances have been identified, as follows. The auditors note that Veolia has been issued with a Clean-up Notice by the EPA in relation to leachate escaping waste containers and a Show Cause letter by the Department of Planning and Environment (DPE) in relation to six conditions of consent.

- The facility received 542,000 tonnes of waste during the 12 month audit period, exceeding the permitted maximum of 500,000 tonnes per annum. Veolia has commenced the process to seek a modification of the condition.
- Stormwater treatment at the facility does not fully meet the minimum levels of treatment in the conditions of consent. In particular, the car park does not drain to the Humeceptor and detention pond. The Auditors understand that options for modifying car park drainage are being considered as part of the current review of stormwater management.

The following administrative non-compliance were identified during the Audit:

- Records are maintained of waste leaving the site by motor vehicle; however, not all records include the weight as required by the conditions of consent.
- A waste vehicle was observed turning right from Parramatta Road to enter the facility, which is prohibited by the conditions of consent. The Auditors understand Veolia will seek a modification of the condition.
- A Community Consultative Committee is not maintained, which is in non-compliance with both the Development Consent and the EPL. Veolia is liaising with the DPE on the need for a Community Consultative Committee; however, a variation of the EPL may also be required.

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

- Updating of the OEMP and sub-plans should be completed as a matter of priority.
- The review of stormwater management should be completed as a matter of priority and the necessary improvements implemented to minimise the potential for contamination of stormwater discharge to Duck River.
- Valves used to contain potential pollutants, such as contaminated stormwater, should be of a type where the distinction between the open and closed positions is obvious by looking at the valve.
- Consider opportunities to improve the PIRMP as part of the current update of the Emergency Response Plan.
- Make monitoring and auditing reports available on the Veolia website.
- Ensure that printed copies of the EPL are replaced with the most recent issue.

# 1. INTRODUCTION

Veolia Environmental Services Australia Pty Ltd (Veolia) engaged Ramboll Environ Australia Pty Ltd (Ramboll Environ) to conduct an Independent Environmental Audit (the Audit) of the Clyde Transfer Terminal.

The Clyde Transfer Terminal (CTT) is located at 322 Parramatta Road, Clyde NSW. The CTT is approved under Development Consent DA 205-08-01 (and subsequent modifications) and operates under Environment Protection Licence (EPL) 11763, issued by the NSW Environment Protection Authority (EPA) under the *Protection of the Environment Operations Act 1997* (POEO Act). This Audit is required under Condition 60 of Development Consent DA 205-08-01.

The site visit component of the Audit was conducted by David Ford and Ronan Kellaghan (the Auditors) on 29 September 2016. A follow up site visit was also conducted by Victoria Sedwick (the Lead Auditor) on 18 October 2016.

The Audit Report was prepared by the Auditors and reviewed and authorised by the Lead Auditor.

## 1.1 Audit objective and scope

The objective of the Audit was to assess the environmental performance of the Site for the period since the last audit, as required under Condition 60 of the Development Consent (DA 205-08-01), as follows.

*Every year following the date of this consent, or at periods otherwise agreed to by the Secretary, and until such time as agreed to by the Secretary, the Applicant shall arrange for an independent audit of the environmental performance of the development. The audits shall:*

- (a) be conducted pursuant to ISO 14010 – Guidelines and General Principles for Environmental Auditing, ISO 14011 – Procedures for Environmental Monitoring and any specifications of the Secretary;*
- (b) be conducted by a suitably qualified independent person approved by the Secretary;*
- (c) assess compliance with the requirements of this consent;*
- (d) assess the implementation of the EMP (Construction) and EMP (Operation) and review the effectiveness of the environmental management of the development; and*
- (e) be carried out at the Applicants' expense.*

*The audits shall be submitted to the Secretary. The Applicant shall comply with all reasonable requirements of the Secretary in respect of any measures arising from or recommended by the audits and within such time as agreed to by the Secretary.*

The last audit (conducted in July 2015) covered the audit period January 2014 to January 2015. This Audit covers the Audit period January 2015 to January 2016. Records reviewed fell within this period; however, some observations made by the Auditors relate to the period from January 2016 until the site visits conducted in September/October 2016

Although not specifically required under Condition 60, the Audit also assessed environmental performance against EPL 11763.

## 1.2 Exclusions

Consent conditions relevant only to prior audit periods have not been assessed in this Audit.

## 1.3 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 in **Table 1** and **Table 2**.

The following tasks were completed during the audit:

- Review of 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.
- Review site records for verification of the audit findings.
- Preparation of a written Audit Report (this report).

The draft Audit Report was provided to Veolia on 24 November 2016 to review for factual correctness.

#### **1.4 Audit Team**

The audit team including Victoria Sedwick (Lead Auditor), David Ford (Auditor) and Ronan Kellaghan (Auditor) was approved in writing by the Department of Planning and Environment in a letter to Veolia dated 30 August 2016 (**Appendix 1**).

## 2. AUDIT FINDINGS

This section contains a summary of the Audit findings. Formal compliance assessment is presented in **Section 4** of this report, including **Table 3** (DA 205-08-01) and **Table 4** (EPL 11763). An Action Plan is outlined in **Table 5**.

### 2.1 General

The audit relates to Clyde Transfer Terminal located at 322 Parramatta Road, Clyde NSW. Mixed household and commercial waste is received at the facility and containerised for transfer, by rail, to Veolia's site at Woodlawn. The containerised waste from CTT is received at the Woodlawn Intermodal Facility (IMF) where containers are unloaded and transferred by road to the Woodlawn Bioreactor.

The operation of the CTT site includes:

- Weighbridge for the processing of incoming trucks and recording of waste quantities;
- Transfer terminal building where waste is unloaded, checked for contaminants and pushed by an excavator into compactors.
- Waste compactors and container packing facility.
- Leachate containment and odour controls associated with the transfer terminal building;
- Bitumen hardstand area for container storage.
- Rail siding for loading/unloading containers to/from trains.
- Stormwater management system including drains and on site detention ponds.

### 2.2 Environmental Management

The Site operates under Veolia's integrated management system which includes health safety and environmental management. Measures to prevent and/or minimise harm to the environment are outlined in the Operational Environmental Management Plan (OEMP). The OEMP and sub-plans were issued in 2010 and elements of these plans require updating. The Auditors note that updating of these plans was proposed at the last audit. Veolia has advised that updating of these plans is in progress.

**Recommendation:** Updating of the OEMP and sub-plans should be completed as a matter of priority.

#### 2.2.1 Complaints

Veolia operates a complaints telephone line. No complaints were received during the Audit period. The complaints line telephone number is posted on a sign at the site entry. At present, the complaints line telephone number is not advertised in media or available on the Veolia website. Veolia has advised that the complaints line telephone number will be included in the updated OEMP to be made publicly available on their website.

### 2.3 Planning Approval

Development Consent DA 205-08-01 (refer **Appendix 2**) was granted on 29 August 2002 and subsequently modified in 2007, 2010 and 2014. The compliance findings are documented in **Table 3** which shows the consolidated conditions of consent and are summarised in this section. The auditors note that the DPE issued a Show Cause letter to Veolia in July 2016 in relation to six conditions of consent as noted below.

**Non-Compliance:** The facility received 542,000 tonnes of waste during the 12 month audit period, exceeding the maximum of 500,000 tonnes per annum permitted by condition 10 of the consent. Veolia informed the DPE of the likely exceedance in late 2015 and reported the exceedance as a non-conformance in the 2015-16 Annual Environmental Management Report. Veolia has commenced the process to seek a modification of the condition. This matter was raised by the DPE in its July 2016 Show Cause letter.

**Recommendation:** Veolia works with the DPE to resolve the modification, either temporarily or permanently, of the consent condition permitting a maximum of 500,000 tonnes per annum of waste to be received at the facility.

**Administrative Non-Compliance:** Condition 68 of the consent requires records to be kept of any waste leaving the facility by motor vehicle, including the weight of the waste. Records are maintained of waste leaving the site by motor vehicle; however, not all records include the weight as required by the condition (e.g. loads of gas cylinders).

**Recommendation:** Change procedures to ensure that weights of all waste leaving the site are recorded, either using the on-site weighbridges or by obtaining weights from the receiving facility.

**Non-Compliance:** Stormwater treatment at the facility does not fully meet the minimum levels of treatment in the condition 102 of the consent. In particular, the car park does not drain to the Humeceptor and detention pond. The Auditors understand that options for modifying car park drainage are being considered as part of the current review of stormwater management.

**Recommendation:** The review of stormwater management should be completed as a matter of priority and the necessary improvements implemented to minimise the potential for contamination of stormwater discharge to Duck River.

**Administrative Non-Compliance:** A waste vehicle was observed turning right from Parramatta Road to enter the facility. Turning right from Parramatta Road to enter the facility is lawful under traffic rules; however, it is prohibited by the condition 119 of the consent. This matter was also raised by the DPE in its July 2016 Show Cause letter.

**Recommendation:** Veolia to work with the DPE to modify the consent condition restricting vehicles entering the development from turning right off Parramatta Road.

**Administrative Non-Compliance:** Condition 134 requires Veolia to maintain a Community Consultative Committee for the duration of the development. The Community Consultative Committee was disbanded in 2009. This matter was also raised by the DPE in its July 2016 Show Cause letter.

**Recommendation:** Veolia is to liaise with the DPE and EPA on the need for Community Consultative Committee and potential modification of both Development Consent and EPL conditions.

## 2.4 Environment Protection Licence

The facility operates under EPL 11763 (refer to **Appendix 3**), issued by the NSW Environment Protection Authority (EPA) on 15 January 2004 in accordance with Section 55 of the POEO Act.

The EPL covers the following Scheduled Activities:

- Waste processing (non-thermal treatment).
- Waste storage.

A review of the EPL was carried out as part of this Audit. The compliance findings are documented in **Table 4** and summarised in this section.

**Observation:** An EPA Clean-Up Notice was issued in June 2016 in relation to an observation by EPA officers of leachate escaping waste containers and entering a stormwater pit that discharges to Duck River. On 5 October 2016, the EPA issued a Penalty Notice in relation to this incident for the offence of contravening a licence condition. Veolia has taken steps to prevent a reoccurrence of this issue and is considering further improvements to stormwater management.

**Recommendation:** The review of stormwater management should be completed as a matter of priority and the necessary improvements implemented to minimise the potential for contamination of stormwater discharge to Duck River.

**Administrative Non-Compliance:** Condition G2.1 requires a community environmental liaison committee to meet at least quarterly. The Community Consultative Committee was disbanded in 2009.

**Recommendation:** Veolia is to liaise with the EPA as well as the DPE on the need for Community Consultative Committee and potential modification of both Development Consent and EPL conditions.

## 2.5 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. Veolia's procedure for communication with external parties is available on their website (<http://www.veolia.com/anz/about-us/about-us/sustainability-action/environmental-compliance>) and satisfies the requirements for the publicly available parts.

The main content of the PIRMP is incorporated into the Incident Response Plan and Emergency Response Plan. As noted above, these Plans are currently being revised. The following areas are identified as opportunities to improve the PIRMP:

- Information required for the PRIMP is not readily identifiable within the Incident Response Plan and Emergency Response Plan (POEO Regulation 98B(2)).
- Potential pollution incidents are identified; however, the likelihood of an incident occurring is not addressed (POEO Regulation 98C(1)(b)).
- An inventory of potential pollutants is not provided (POEO Regulation 98C(1)(d)).
- Contact details for each of the relevant authorities have been provided; however, only 000 is provided for Fire & Rescue NSW. This is the correct number where an emergency response is required. A "non-emergency" number should be provided for when an emergency response is not required but a notification obligation exists.
- Veolia contacts listed in the Incident Response Plan and Emergency Response Plan are not up to date and the persons responsible for activating the PIRMP and authorised to notify relevant authorities are not identified by name (POEO Regulation 98C(1)(g)).
- A Site diagram is provided; however, the diagram is not up to date and does not show areas surrounding the Site that may be affected by a pollution incident (POEO Regulation 98C(1)(k)).
- The manner in which the PIRMP is to be tested and maintained is not provided (POEO Regulation 98C(1)(p)).

**Recommendation:** Consider opportunities to improve the PIRMP as part of the current update of the Emergency Response Plan.

## 2.6 Environmental issues

### 2.6.1 Odour

Odour management practices at the facility are considered good. The odour control systems in place are effective in preventing the emission of offensive odours from the premises, as evidenced by the lack of odour complaints received for a number of years and the conclusions in the 6-monthly odour audit.

### 2.6.2 Air Quality (General)

General air quality management practices at the facility are considered adequate. During the audit site visit, no dust emissions were observed from within the building or from hardstand areas. General housekeeping, including daily hardstand sweeping, appears to be effective in controlling dust.

### 2.6.3 Waste Management

With the exception of issues raised in sections 2.2, 2.3 and 2.4 above, waste management practices at the facility are generally good. It is noted that a large proportion of waste is delivered to the site in sealed front lift or rear lift trucks that cannot be inspected prior to unloading. Procedures are in place to reject or separate non-conforming waste if identified in waste delivered to the site. These procedures include monitoring of the unloading area by the weighbridge operators via closed circuit television (CCTV).

#### 2.6.4 Trade Waste

The facility is not connected to sewer. All liquid waste (including domestic sewage) is transported off site either by waste contractors or, in the case of leachate, by rail to the Woodlawn Bio Reactor facility.

#### 2.6.5 Traffic Management

With the exception of issues raised in section 2.3, no traffic management issues have been identified at the CTT.

#### 2.6.6 Surface Water Quality

As noted in sections 2.3 and 2.4 above, there have been recent issues with surface water quality at the facility, primarily related to leachate escaping waste containers and entering a stormwater pit that discharges to Duck River. Veolia has taken steps to prevent a reoccurrence of this issue and no leaking containers were observed during the Audit site visits.

There are two stormwater detention ponds at the facility, each with a Humeceptor pollutant trap on either the inlet (pond 1) or discharge (pond 2); however, drainage from some yard areas bypasses both systems. Veolia has engaged a consultant to assess options to further improve stormwater management at the facility, including separation of clean runoff (e.g. from roofs) from potentially contaminated runoff, and to improve containment of potentially contaminated runoff. A draft report from the consultant is expected in November. Veolia advised that the outlet valve from pond 1 is now kept in the closed position to prevent the discharge on contaminated stormwater; however, the Auditors note that the position of the valve cannot be verified by looking at the visible handle extension. The valve is not locked; however, it is within a locked enclosure.

**Recommendation:** Valves used to contain potential pollutants, such as contaminated stormwater, should be of a type where the distinction between the open and closed positions is obvious by looking at the valve.

#### 2.6.7 Storage and Handling of Chemicals and Fuels

Storage of chemicals, fuels and oils is considered to be appropriate. A 20,000 litre above ground diesel storage tank is double skinned and installed on paved area. A 2,000 litre hydraulic fluid tanks is contained within a bund within the compactor pit. The Auditors note that the area where vehicles refuel from the diesel tank does not have secondary containment and drains directly to Duck River. Spill equipment, suitable to contain a moderate spill, is located near the tank. Veolia has advised that approval of capital expenditure is being sought to roof part of this area and provided secondary containment for vehicles while refuelling.

#### 2.6.8 Noise and Vibration

Noise and vibration have not been identified as significant issues at the CTT.

#### 2.6.9 Monitoring and Reporting

Condition 61 of the Development Consent requires the results of all monitoring and auditing required by the Consent to be made publicly available. Veolia will make monitoring and auditing reports available upon request; however, no requests were made during the Audit period. The monitoring and auditing reports are not currently available on the Veolia website. This was raised by the DPE in its July 2016 Show Cause letter. Veolia has advised the DPE that it is developing new website and that monitoring and auditing reports will be made available on the new website when launched. At the time of the Audit site visit, the new website had just been launched; however, monitoring and auditing reports were not yet available.

**Recommendation:** Make monitoring and auditing reports available on the Veolia website.

### 3. CONCLUSIONS

The Auditors consider that overall, the environmental practices at the Site were adequate; however, the facility received a Show Cause letter from the DPE in July 2016 in relation to six conditions of consent and a Clean-Up Notice in June 2016 and Penalty Notice in October 2016 in relation to an observation by EPA officers of leachate escaping waste containers and entering stormwater. The following non-compliances were identified during the Audit:

- The facility received 542,000 tonnes of waste during the 12 month audit period, exceeding the maximum of 500,000 tonnes per annum permitted by the consent.
- Stormwater treatment at the facility does not fully meet the minimum levels of treatment in the conditions of consent. In particular, the car park does not drain to the Humeceptor and detention pond.

The following administrative non-compliance were identified during the Audit:

- Records are maintained of waste leaving the site by motor vehicle; however, not all records include the weight as required by the conditions of consent.
- A waste vehicle was observed turning right from Parramatta Road to enter the facility, which is prohibited by the conditions of consent.
- A Community Consultative Committee is not maintained, which is in non-compliance with both the Development Consent and the EPL.

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

- Updating of the OEMP and sub-plans should be completed as a matter of priority.
- The review of stormwater management should be completed as a matter of priority and the necessary improvements implemented to minimise the potential for contamination of stormwater discharge to Duck River.
- Valves used to contain potential pollutants, such as contaminated stormwater, should be of a type where the distinction between the open and closed positions is obvious by looking at the valve.
- Consider opportunities to improve the PIRMP as part of the current update of the Emergency Response Plan.
- Make monitoring and auditing reports available on the Veolia website.
- Ensure that printed copies of the EPL are replaced with the most recent issue.

<b>INDEPENDENT AUDIT CERTIFICATION</b>	
Development Name	Clyde Transfer Terminal
Development Consent No.	Development Consent DA 205-08-01
Description of Development	Clyde Transfer Terminal
Development Address	322 Parramatta Road, Clyde NSW
Operator	Veolia Environmental Services (Australia) Pty Ltd
Operator Address	PO BOX 171 GRANVILLE NSW 2142
<b>Independent Audit</b>	
Title of Audit	Clyde 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	
Name of Lead / Principal Auditor	Victoria Sedwick
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Auditor Certification	Exemplar Global Lead Auditor Accreditation No.13180
Date:	9 February 2017

## 4. COMPLIANCE ASSESSMENT TABLES

<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 – DA 205-08-01 (incorporating MOD 1, 2, 3 and 4)</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
<b>SCHEDULE 2. General Conditions</b>			
	<b><i>Adherence to Terms of DA, EIS and SEIS</i></b>		
1	<p>Development shall be carried out in accordance with:</p> <p>(a) DA No. 205-08-01;</p> <p>(b) the EIS prepared for the “Clyde Transfer Terminal” by Maunsell McIntyre Pty Ltd, dated 14 August 2001;</p> <p>(c) the Supplementary EIS prepared for the “Clyde Transfer Terminal” by Maunsell McIntyre Pty Ltd, dated 18 December 2001;</p> <p>(d) all additional information supplied by the Applicant or the Applicant’s consultants or subconsultants to the Department or integrated approval bodies pertaining to the development, including the documents listed (refer to consent);</p> <p>(e) modification application MOD-133-11-2006, accompanied by <i>Statement of Environmental Effects Modification to the Terminal Building Forced Ventilation System Clyde Waste Transfer Station</i>, prepared by Environ and dated October 2006, <i>the Odour Mitigation Study Clyde Waste Transfer Terminal Addendum to Final Report</i>, prepared by the Odour Unit and dated July 2006, and Veolia Environmental Services’ letter (and attachments) to the Department of Planning dated 15 February 2007;</p> <p>(f) modification application DA-205-08-01-MOD-2; and</p> <p>(g) modification application DA-205-08-01-MOD-3 and accompanying letter dated 14 December 2009; and</p> <p>(h) modification application DA-205-08-01 MOD 4 and accompanying Environmental Assessment letter prepared by Veolia Environmental Services (Australia) Pty Ltd and dated 20 January 2014;</p> <p>except as modified by the following conditions.</p>	Observation	A number of non-compliances with conditions of consent have been identified as further outlined in this table.
2	<p>In the event of any inconsistency between:</p> <p>(a) the conditions of this consent and any document listed from condition 1(a) to 1(g) inclusive, the conditions of this consent shall prevail to the extent of the inconsistency; and</p> <p>(b) any document listed from condition 1(a) to 1(g) inclusive, the most recent document shall prevail to the extent of the inconsistency.</p>	Note	

<b>Table 3: Conditions of Development Consent – DA 205-08-01 (incorporating MOD 1, 2, 3 and 4)</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
2A	The Proponent shall comply with any reasonable requirements of the Secretary arising from the Department's assessment of: (a) any reports, plans, programs, strategies or correspondence that are submitted in accordance with the conditions of this approval; and (b) the implementation of any actions or measures contained in these reports, plans, programs, strategies or correspondence.	Observation	The DPE has issued a Show Cause letter in relation to non-conformance with six conditions of consent, including those reported by Veolia in the 2014-15 AEMR. Veolia has responded to the DPE.
2B	The Proponent shall prepare revisions of any strategies, plans or programs required under this approval if directed to do so by the Secretary. Such revisions shall be prepared to the satisfaction of, and within a timeframe approved by, the Secretary.	Note	Veolia is currently revising the OEMP; however, the Auditors understand this is an internal process and not at the direction of the Secretary; however, actions arising from the Show Cause letter may need to be incorporated into the revision.
<b>Compliance</b>			
3	It shall be the ultimate responsibility of the Applicant to ensure compliance with these Conditions	Note	
4	These Conditions do not relieve the Applicant of the obligation to obtain all other approvals and licences from all relevant authorities required under any other Act.	Note	
5	The Applicant shall comply or ensure compliance with all the requirements of the Secretary in respect of the implementation of any measures arising from these Conditions.	Observation	The DPE has issued a Show Cause letter in relation to non-conformance with six conditions of consent. Veolia has responded to the DPE and is seeking, or will seek, modification of some conditions of consent.
6	The Applicant must bring to the attention of the Secretary any matter that may require further investigation, or the issuing of instructions from the Secretary, to enable compliance with these Conditions. The Applicant shall comply or ensure compliance with any instruction issued by the Director- General to enable compliance with these Conditions.	Observation	The DPE has issued a Show Cause letter in relation to non-conformance with six conditions of consent. Veolia has responded to the DPE and is seeking, or will seek, modification of some conditions of consent.

<b>Table 3: Conditions of Development Consent – DA 205-08-01 (incorporating MOD 1, 2, 3 and 4)</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
7	Where the results of any monitoring demonstrate an exceedance of a limit in this consent, the Applicant shall provide, within 30 days of the monitoring, the monitoring results to the Secretary and Auburn Council stating: (a) The reason for the exceedance; (b) Action taken to ensure the limit is not exceeded in the future; (c) Proposed action to ensure the limit is not exceeded in the future; (d) Timetable for implementing the proposed action in (c); and (e) Results of additional monitoring which has been conducted within 7 days of the action taken in (b) and (c) above, to demonstrate compliance with the limit.	Not Triggered	No monitoring results exceeded limits in the consent during the Audit period.
<b>Waste Volumes</b>			
8	No waste shall be received at the development except waste to be transported by rail from Clyde to the Crisps Creek Intermodal Facility for disposal or treatment at Woodlawn.	Observation	Procedures are in place to reject or separate non-conforming waste if identified in waste delivered to the site. A large proportion of waste is delivered to the site in sealed front lift or rear lift trucks that cannot be inspected prior to unloading.
9	Deleted	Note	
10	The Applicant shall ensure that no more than 500,000 tonnes per annum of waste is received at the development in any calendar year.	Non-compliant	The facility received 542,000 tonnes of waste during the 12 month audit period (15.01.15 - 17.01.16). Veolia informed the DPE of the likely exceedance in late 2015 and reported the exceedance as a non-conformance in the 2015-16 Annual Environmental Management Report. Veolia has commenced the process to seek a modification of the condition.
<b>Fit and Proper Person</b>			
11	The applicant must, in the opinion of the EPA, be a fit and proper person to hold a licence under the <i>Protection of the Environment Operations Act 1997</i> , having regard to the matters in s.83 of that Act.	Compliant	The EPA has issued an Environment Protection Licence.





<b>Table 3: Conditions of Development Consent – DA 205-08-01 (incorporating MOD 1, 2, 3 and 4)</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
19	For any unresolved dispute arising out of the implementation of these Conditions between the Applicant and a public authority, company or person (but excluding any dispute between the Applicant and its contractors and/or subcontractors engaged in the construction or operation of the development), in the first instance either party can refer the matter to the Secretary for resolution and, if not resolved, to the Minister. The Minister's determination of the disagreement shall be final and binding on all parties.	Not Triggered	
<b>Monitoring Records</b>			
20	The results of any monitoring required to be conducted by the Conditions of this Consent or a licence under the <i>Protection of the Environment Operations Act 1997</i> , in relation to the development, must be recorded and retained as specified in this Consent.	Compliant	
21	All records required to be kept by this Consent or an environment protection 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) provided in a legible form to the Secretary or any authorised officer of the EPA as soon as practicable after request.	Compliant	Veolia maintains a master records list and monitoring reports are electronically filed in a network folder. The Auditors sighted odour monitoring reports for the past four years.
22	The following records must be kept in respect of any samples required to be collected: (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	No samples were required to be collected during the Audit period.
<b>GENERAL ENVIRONMENTAL MANAGEMENT</b>			
<b>Site Contamination</b>			
23	The applicant shall obtain an environmental report prepared by a site auditor accredited under the <i>Contaminated Land Management Act 1997</i> to determine the nature and extent of contamination at the site and any investigation and/or remediation necessary before the land is suitable for commercial/industrial use. Prior to construction the Applicant shall obtain written endorsement from the site auditor for the following aspects of the Site Contamination Management Plan: (a) A plan to manage the disturbance of contaminated soil in a manner that protects sub-surface waters from contamination (b) A plan to manage dust during the construction and operational stages in a manner that protects the health of on-site and off-site personnel.	Note	This condition has been audited previously and is not relevant to the current Audit period.

<b>Table 3: Conditions of Development Consent – DA 205-08-01 (incorporating MOD 1, 2, 3 and 4)</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
24	Prior to completion of construction, any amelioration measures required to enable a site audit statement to be issued shall be implemented.	Note	This condition has been audited previously and is not relevant to the current Audit period.
<b><i>Environmental Management Plan (EMP) (Construction Stage)</i></b>			
25	The Applicant shall prepare an EMP (Construction Stage) which is specific to the development.	Note	This condition has been audited previously and is not relevant to the current Audit period.
25A	Prior to commencement of construction of the odour control system subject to MOD-133-11-2006, the Applicant shall prepare and obtain approval from the Secretary for a Construction Environmental Management Plan (CEMP) specific to such works. The CEMP, to be submitted to the Secretary and the EPA, shall include (but not necessarily be limited to) measures to be undertaken to minimise environmental impacts during construction with particular emphasis on measures for mitigating odour, dust, noise and traffic impacts on surrounding land uses. The CEMP shall provide details of how the environmental performance of the remediation works will be monitored, what actions will be taken to address identified adverse environmental impacts, and how the relevant requirements of conditions 26 to 38 shall be addressed. The CEMP shall reflect restrictions to construction hours as follows: Monday to Friday from 7am to 6pm, and Saturdays from 8am to 5pm, with no construction work on Sundays and Public Holidays. The CEMP shall be implemented during construction.	Note	This condition has been audited previously and is not relevant to the current Audit period.
26	The EMP (Construction Stage) shall be prepared in accordance with the Conditions of this Consent, all relevant Acts and Regulations and accepted best practice management procedures.	Note	This condition has been audited previously and is not relevant to the current Audit period.
27	The Applicant must not commence any works until the EMP (Construction Stage) has been completed and submitted to the Secretary.	Note	This condition has been audited previously and is not relevant to the current Audit period.
28	The Applicant shall certify the EMP (Construction Stage) as being in accordance with the Conditions of Consent prior to submitting it to the Secretary.	Note	This condition has been audited previously and is not relevant to the current Audit period.

<b>Table 3: Conditions of Development Consent – DA 205-08-01 (incorporating MOD 1, 2, 3 and 4)</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
29	The EMP (Construction Stage) shall be made publicly available.	Note	This condition has been audited previously and is not relevant to the current Audit period.
30	The EMP (Construction Stage) shall include, but is not necessarily limited to, the following plans: (a) Soil and Water Management Plan (b) Construction Noise Management Plan (c) Dust Management Plan (d) Construction Waste Management Plan (e) Site Contamination Management Plan (f) Landscaping Plan	Note	This condition has been audited previously and is not relevant to the current Audit period.
31	The Applicant shall address the elements outlined in Attachment 1 of this Consent when preparing the EMP (Construction Stage).	Note	This condition has been audited previously and is not relevant to the current Audit period.
32	All site personnel (including contractors and subcontractors) during the construction stage must be inducted and trained to ensure compliance with the EMP (Construction Stage).	Note	This condition has been audited previously and is not relevant to the current Audit period.
33	The <i>Soil and Water Management Plan</i> (SWMP) must describe the measures that will be employed to minimise soil erosion and the discharge of sediment and other pollutants to lands and/or waters during construction activities. The SWMP must be prepared in accordance with the requirements for such plans outlined in <i>Managing Urban Stormwater: Soils and Construction</i> (available from the Department of Housing).	Note	This condition has been audited previously and is not relevant to the current Audit period.
34	The <i>Construction Noise Management Plan</i> must address, but is not necessarily limited to, the following issues: (a) compliance standards (b) community consultation (c) complaints handling monitoring/system (d) site contact person to follow up complaints (e) mitigation measures, including details of any noise attenuation measures (f) the design and operation of the proposed mitigation methods demonstrating best practice (g) construction times (h) contingency measures where noise complaints are received (i) monitoring methods and programs.	Note	This condition has been audited previously and is not relevant to the current Audit period.

<b>Table 3: Conditions of Development Consent – DA 205-08-01 (incorporating MOD 1, 2, 3 and 4)</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
35	The <i>Dust Management Plan</i> must include, but not necessarily be limited to, control strategies to achieve compliance with dust emission limits in this Consent and any environment protection licence.	Note	This condition has been audited previously and is not relevant to the current Audit period.
36	The <i>Construction Waste Management Plan</i> must include, but not necessarily be limited to, strategies to ensure any waste generated during the construction stage is recycled, reused or disposed of in a lawful manner.	Note	This condition has been audited previously and is not relevant to the current Audit period.
37	The <i>Site Contamination Management Plan</i> must include, but not necessarily be limited to, the following issues that apply to construction stage activities: (a) A plan to manage the disturbance of contaminated soil in a manner that protects sub-surface waters from contamination (b) A plan to manage dust in a manner that protects the health of on-site and off-site personnel.	Note	This condition has been audited previously and is not relevant to the current Audit period.
38	The <i>Landscaping Plan</i> must include, but not necessarily be limited to: (a) the recommendations of the Visual Assessment Study in the EIS for landscaping and planting of native species, and (b) commitments by the Applicant for an appropriate financial or in-kind contribution towards landscaping the Parramatta Road frontage to soften and screen the access point as viewed from Parramatta Road.	Note	This condition has been audited previously and is not relevant to the current Audit period.
<b><i>Environmental Management Plan (EMP) (Operation Stage)</i></b>			
39	The Applicant shall prepare an EMP (Operation Stage) which is specific to the development.	Compliant	
40	The EMP (Operation Stage) shall be prepared in accordance with the Conditions of this Consent, all relevant Acts and Regulations and accepted best practice management procedures.	Observation	The OEMP was last issued in 2010. The OEMP is currently being revised to reflect more recent changes in consent and licence conditions and changes in management practices, such as those arising from the EPA Clean-Up Notice.
41	The EMP (Operation Stage) shall include, but is not necessarily limited to, the following plans: (a) Waste Management Plan (b) Odour Management Plan (c) Dust Management Plan (d) Traffic Management Plan (includes monitoring and enforcement of “left turn only”) (e) Vermin and Pest Control Plan (includes housekeeping measures) (f) Stormwater Management Plan	Compliant	The OEMP includes the required sub-plans. This requirement to update the OEMP prior to commencement of operation of the odour control system has been audited previously and is not relevant to the current Audit period.

<b>Table 3: Conditions of Development Consent – DA 205-08-01 (incorporating MOD 1, 2, 3 and 4)</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
	<p>(g) Site Contamination Management Plan (h) Incident Response Plan</p> <p>Prior to commencement of operation of the odour control system subject to MOD-133-11-2006, the Applicant shall review the EMP (Operation) in order to update procedures, measures and monitoring requirements applicable to the modified odour control system. The revision of the EMP shall cover the relevant plans (a)-(i) outlined above, including (but not necessarily limited to) the Odour Management Plan, the Dust Management Plan and the Noise Management Plan. The revised EMP (Operation) shall be submitted to the EPA and the Secretary. The Secretary's approval of the revised EMP (Operation) shall be obtained prior to commencement of operation of the odour control system.</p>		
42	The Applicant shall address the elements outlined in Attachment 1 of this Consent when preparing the EMP (Operation Stage).	Observation	The OEMP generally satisfies the requirements of the condition; however, the OEMP was last issued in 2010. The OEMP is currently being revised to reflect more recent changes in consent and licence conditions.
43	The Applicant must not accept any uncontainerised waste at the premises until the EMP (Operation Stage) has been approved by the Secretary.	Note	This condition has been audited previously and is not relevant to the current Audit period.
44	The Applicant shall certify the EMP (Operation Stage) as being in accordance with the Conditions of Consent prior to seeking approval of the Secretary	Note	This condition has been audited previously and is not relevant to the current Audit period.
45	All site personnel (including contractors and subcontractors) during the operational stage must be inducted and trained to ensure compliance with the approved EMP (Operation Stage).	Observation	Clean-Up Notice 1541441 was issued on 10/06/16 in relation to an observation by EPA on 08/06/16 of leachate escaping waste containers and entering a stormwater pit that discharges to Duck River. Issue had not been identified by site personnel, indicating shortcomings in

<b>Table 3: Conditions of Development Consent – DA 205-08-01 (incorporating MOD 1, 2, 3 and 4)</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
			procedures and/or training. Veolia has taken steps to prevent a reoccurrence of this issue.
46	The approved EMP (Operation Stage) shall be made publicly available on request to the Applicant.	Observation	Veolia will make the OEMP available upon request; however, no request were made during the Audit period. The OEMP is not currently available on the Veolia website. Veolia has advised that, when finalised, the revised OEMP will be available on the website.
47	<p>The <i>Waste Management Plan</i> must address, but is not necessarily limited to, the following issues:</p> <ul style="list-style-type: none"> <li>(a) Procedures for inspecting and recording each load of uncontainerised waste received at the terminal and for separating and disposing of any component of the waste that is not permitted to be accepted</li> <li>(b) Priority waste handling given to the most offensive wastes, otherwise “first in/first out” waste handling</li> <li>(c) Procedures for cleaning vehicles before they leave the premises in a manner that prevents the tracking of waste from the premises</li> <li>(d) An education program for all drivers of waste vehicles using the site, about waste types permitted to be received at the premises and the need to ensure their vehicle does not track waste from the premises</li> <li>(e) The inclusion of conditions in contracts with waste transporters addressing acceptable waste types and punitive measures for non-compliances</li> <li>(f) An enforcement program to be maintained for the duration of the development which includes the imposition of punitive measures for delivering unacceptable waste types</li> <li>(g) Procedures for minimising wind blown litter from leaving the premises and for regular patrols of surrounding areas to collect any litter that has been carried from the premises</li> <li>(h) Procedures for preventing washdown waters and any other liquid that has been in contact with waste from entering the stormwater system</li> <li>(i) An operational contingency plan to be implemented in the event of equipment failure, industrial action or other situation that prevents the containerisation of waste that has been in the terminal building in excess of 18 hours</li> </ul>	Observation	The Waste Management Plan generally satisfies the requirements of the condition; however, it was last issued in 2010 and does reflect more recent changes in consent conditions (e.g. it still refers to a deleted condition). The Auditors understand that the Waste Management Plan is currently being revised as part of the revision of the OEMP.

<b>Table 3: Conditions of Development Consent – DA 205-08-01 (incorporating MOD 1, 2, 3 and 4)</b>		
<b>Condition</b>	<b>Compliant</b>	<b>Comments</b>
		(j) Fire management procedures including the management of fire water in a manner that will not pollute waters.
48	Compliant	<p>The <i>Odour Management Plan</i> shall address, but is not necessarily limited to, the following issues:</p> <ul style="list-style-type: none"> <li>(a) detailed description of the odour control system subject to MOD-133-11-2006, including (but not necessarily limited to) scaled drawings of the system and its location, technical specifications and operational methods;</li> <li>(b) procedures for the management of waste at the premises at all times to minimise the generation of odours;</li> <li>(c) protocols for the operation of the odour control mechanisms for the terminal building, including the forced air extraction system, to minimise the risk of any adverse impact on surrounding commercial and residential areas;</li> <li>(d) procedures for the maintenance and repair of the forced air extraction system on the terminal building;</li> <li>(e) an emission monitoring program designed to determine compliance with the EPA's odour goal of less than 20U at the nearest sensitive receiver and to establish the efficiency of the forced air extraction system and appropriate equipment maintenance schedules. The program is to include odour emission monitoring using dynamic olfactometry in such a way as to allow determination of the performance of the odour control system;</li> <li>(f) an odour audit program which provides for a comprehensive odour audit of the premises and nearby commercial and residential areas, by an independent, appropriately qualified and experienced person, to be conducted 3-monthly for the initial 24 months of receiving uncontainerised waste at the terminal, 3-monthly for the 12 months following commissioning the odour control system subject to MOD-133-11-2006, and 6-monthly thereafter, unless otherwise approved in writing by the Secretary.</li> <li>(g) an operational contingency plan to be initiated in the event of equipment failure, industrial action or any other situation that prevents the containerisation of any waste that has been in the terminal building in excess of 18 hours. Such a plan shall include suspending the acceptance of further uncontainerised waste at the premises;</li> <li>(h) a testing program designed to determine appropriate maintenance schedules for replacement of odour adsorption material in the pressure relief vents of the waste containers;</li> <li>(i) procedures for the maintenance and repair of the odour adsorption and pressure relief vents of the waste containers, including the replacement of the odour adsorption material; and</li> </ul> <p>The Odour Management Plan (OMP) satisfies the requirements of the condition; however, it was last issued in 2010 and requires updating. For example, the OMP still refers to the Community Consultative Committee, which is no longer in place (see condition 134). The Auditors understand that the Odour Management Plan is currently being revised as part of the revision of the OEMP.</p>

Table 3: Conditions of Development Consent – DA 205-08-01 (incorporating MOD 1, 2, 3 and 4)		
Condition	Compliant	Comments
		(j) a community consultation program on odour. The community consultation program may include a community survey, to be developed in conjunction with the community consultative committee.
49	Compliant	<p>The <i>Dust Management Plan</i> shall include, but not necessarily limited to, control strategies to achieve compliance with dust emission limits in this Consent and any environment protection licence. The Dust Management Plan shall adopt the recommendations made by Turnkey Environmental Services Pty Ltd (dated 13 Feb 2006) and provided in Appendix D of the <i>Statement of Environmental Effects Modification to the Terminal Building Forced Ventilation System Clyde Waste Transfer Station</i> (Environ, Oct 2006) in relation to the dust suppression spray system at the terminal. The Dust Management Plan shall provide for the monitoring of the performance of the dust suppression system and for improving its performance as it may be necessary. Following the receipt of any dust related complaints, the Secretary may require the Applicant to undertake further investigations, monitoring or implement measures aimed to mitigate identified dust impacts on residential areas associated with the operation of the terminal.</p> <p>The Dust Management Plan generally satisfies the requirements of the condition; however, it was last issued in 2010 and requires updating, including the section of the plan which refers to the dust suppression system requirements of this condition.</p> <p>The Auditors understand that the Dust Management Plan is currently being revised as part of the revision of the OEMP.</p>
50	Compliant	<p>The <i>Traffic Management Plan</i> must address, but is not necessarily limited to, the following issues:</p> <ul style="list-style-type: none"> <li>(a) An education program for all drivers and owners of waste vehicles using the site, about the “left turn only” restrictions on entering and leaving the premises via Parramatta Road</li> <li>(b) A monitoring and recording program to identify and record any waste vehicle and its driver that breaches the “left turn only” restriction upon entering or leaving the premises via Parramatta Road.</li> <li>(c) An education program for all drivers and owners of waste vehicles using the site, about the waste transport routes permitted to be used in the vicinity of the development</li> <li>(d) A monitoring and recording program to identify and record any waste vehicle and its driver that breaches the permitted transport routes</li> <li>(e) An enforcement program including the imposition of identified punitive measures against any driver or vehicle owner whenever the above restrictions are breached</li> <li>(f) Contracts with waste transporters to include conditions addressing entry and exit restrictions and permissible waste transport routes and punitive measures for non-compliances.</li> </ul> <p>Also see condition 119 concerning compliance with “left turn only” restriction when entering the site from Parramatta Road.</p>

<b>Table 3: Conditions of Development Consent – DA 205-08-01 (incorporating MOD 1, 2, 3 and 4)</b>		
<b>Condition</b>	<b>Compliant</b>	<b>Comments</b>
		(g) Measures to minimise trucks and other heavy vehicles from entering or exiting the premises between the following hours: 10pm and 5am Mondays to Saturdays; 10pm and 7am Sundays and public holidays.
51	Not Verified	<p>The <i>Vermin and Pest Control Plan</i> must address, but is not necessarily limited to, the following issues:</p> <ul style="list-style-type: none"> <li>(a) Removing all waste from the tipping areas at the end of each day</li> <li>(b) Cleaning up all waste tipping and handling areas at the end of each day</li> <li>(c) Regular cleaning of catch drains and drainage sumps</li> <li>(d) Minimising onsite waste storage and handling</li> <li>(e) Maintaining any bird deterrent measures such as hanging wires</li> <li>(f) Routine inspection and action for potential vector habitats</li> <li>(g) Using commercial vector control specialists</li> <li>(h) Conducting routine litter patrols to collect trash on site, around the perimeter, on immediately adjacent properties and on approach roads.</li> </ul>
52	Observation	<p>The <i>Stormwater Management Plan</i> must describe the post construction measures to be employed to operate and maintain the stormwater controls at the premises in a manner that minimises the pollution of waters.</p>
53	Compliant	<p>The <i>Site Contamination Management Plan</i> must include any actions recommended in the environmental report by the site auditor that apply to operation stage activities.</p>
54	Not Verified	<p>The Noise Management Plan shall be drafted in consultation with the rail operator for operation of the rail siding adjacent to the waste packaging terminal for the rail haulage services for Collex. The plan is to be submitted to Auburn Council. The plan must address the objective of mitigating operational rail noise from operations directly attributable to the loading and unloading of containers and associated rail operation</p>

<b>Table 3: Conditions of Development Consent – DA 205-08-01 (incorporating MOD 1, 2, 3 and 4)</b>		
<b>Condition</b>	<b>Compliant</b>	<b>Comments</b>
<p>on the siding adjacent to the Collex terminal, relating to the movement of containers from the Collex packing terminal. The plan must also identify reasonable noise mitigation strategies:</p> <ul style="list-style-type: none"> <li>a) Upgrade to hardstand areas utilised for loading and unloading of trains and rail track upgrade where feasible;</li> <li>b) Resurfacing of hardstand area with appropriate noise mitigation materials;</li> <li>c) Track repair and realignment where feasible and appropriate to minimise forklift travel having regard for other rail operations and heritage issues;</li> <li>d) Container management protocols to minimise movement and handling of containers with an emphasis on noise mitigation;</li> <li>e) Identification and utilisation of forklifts to minimise noise impacts and implement measures to minimise use of reversing alarms at night;</li> <li>f) Establishment of a noise complaints procedure;</li> <li>g) Investigating the scheduling of trains outside critical hours subject to metropolitan curfew, Rail Infrastructure Corporation slot management and rail operational considerations;</li> <li>h) Ongoing community consultation; and</li> <li>i) Employee education in noise mitigation practices.</li> </ul>		<p>Management Plan - Rail Operations was not reviewed as part of this Audit; however, it was found to be compliant with the condition at 2015 audit. The Auditors have no reason to believe the condition has not been complied with.</p>
<b><i>Environmental Management Representative (EMR)</i></b>		
<p>55</p> <p>The Applicant shall employ or contract a suitably qualified Environmental Management Representative (EMR) throughout the duration of the development. The EMR shall:</p> <ul style="list-style-type: none"> <li>(a) be the principle person responsible for overseeing environmental management of the development and supervision of environmental services</li> <li>(b) have the authority to stop work if an adverse impact on the environment has occurred or is likely to occur</li> <li>(c) be responsible for the certification of all environmental management plans and procedures</li> <li>(d) be responsible for considering and advising on matters specified in the Conditions of Consent and compliance with such matters</li> <li>(e) oversee the receipt of, and response to, complaints about the environmental performance of the development</li> <li>(f) be present on-site during any critical construction or operational activity as defined in the relevant Environmental Management Plan</li> <li>(g) be a member of the Community Consultative Committee for the development</li> </ul>	<p>Observation</p>	<p>There is an Environmental Management Representative; however, it is noted that the Community Consultative Committee is no longer in place (see condition 134).</p>



<b>Table 3: Conditions of Development Consent – DA 205-08-01 (incorporating MOD 1, 2, 3 and 4)</b>		
<b>Condition</b>	<b>Compliant</b>	<b>Comments</b>
<p>report shall be made available to the public on request to the Applicant. The report may be combined with the Annual Return required by the environment protection licence to be submitted to the EPA.</p> <p>The report must:</p> <ul style="list-style-type: none"> <li>(a) identify all the standards, performance measures, and statutory requirements the development is required to comply with</li> <li>(b) review the environmental performance of the development to determine whether it is complying with the standards, performance measures, and statutory requirements</li> <li>(c) identify each occasion during the previous year when the standards, performance measures, or statutory requirements have not been complied with</li> <li>(d) where any non-compliance is identified, describe the actions or measures taken to ensure compliance, who is responsible for carrying out the actions, and when the actions were (or will be) implemented</li> <li>(e) include a summary of any complaints made about the development, and indicate the actions taken to address the complaints</li> <li>(f) include a report on the Environmental Monitoring Program as specified in this Consent.</li> </ul>		<p>longer operates (also see condition 134). Veolia will make monitoring and auditing reports available to the public upon request; however, reports are not currently available on the Veolia website (also see condition 61).</p>
<b><i>Independent Environmental Audits</i></b>		
<p>60</p> <p>Every year following the date of this consent, or at periods otherwise agreed to by the Secretary, and until such time as agreed to by the Secretary, the Applicant shall arrange for an independent audit of the environmental performance of the development. The audits shall:</p> <ul style="list-style-type: none"> <li>(a) be conducted pursuant to ISO 14010 – Guidelines and General Principles for Environmental Auditing, ISO 14011 – Procedures for Environmental Monitoring and any specifications of the Secretary;</li> <li>(b) be conducted by a suitably qualified independent person approved by the Secretary;</li> <li>(c) assess compliance with the requirements of this consent;</li> <li>(d) assess the implementation of the EMP (Construction) and EMP (Operation) and review the effectiveness of the environmental management of the development; and</li> <li>(e) be carried out at the Applicants' expense.</li> </ul> <p>The audits shall be submitted to the Secretary. The Applicant shall comply with all reasonable requirements of the Secretary in respect of any measures arising from or recommended by the audits and within such time as agreed to by the Secretary.</p>	Compliant	<p>This Audit covers the 2015-16 reporting period.</p>



<b>Table 3: Conditions of Development Consent – DA 205-08-01 (incorporating MOD 1, 2, 3 and 4)</b>		
<b>Condition</b>	<b>Compliant</b>	<b>Comments</b>
64	Observation	The site is not connected to sewer. Liquid wastes other than leachate, including waste from amenities, is removed by a waste contractor. Leachate is either removed by a waste contractor or transferred by rail iso-tanker to the Woodlawn Bio Reactor. Condition O6.6 of EPL 11436 permits the Woodlawn Bio Reactor to receive leachate from the CTT.
65	Not Verified	The Waste Management Plan has been implemented. The Auditors are not aware that the Director-General (now Secretary) is dissatisfied with the implementation and have no reason to believe the condition has not been complied with.
		<b>Asbestos Waste</b>
66	Observation	A large proportion of waste is delivered to the site in sealed front lift or rear lift trucks that cannot be inspected prior to unloading. Procedures are in place to reject or separate non-conforming waste if identified in waste delivered to the site.
		<b>Waste Management Record Keeping</b>
67	Observation	Veolia maintains records of each load of waste entering the premises, including the identification of the vehicle, weight and

<b>Table 3: Conditions of Development Consent – DA 205-08-01 (incorporating MOD 1, 2, 3 and 4)</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
			nature and origin of the waste received. The record does not state whether the waste was received in prepackaged shipping containers or for on-site containerisation; however, prepackaged shipping containers are no longer received at the facility.
68	Records shall be made and maintained of any waste leaving the premises by motor vehicle, including the identification of the vehicle, and the weight, classification and destination of the waste.	Administrative Non-compliance	Records are maintained of waste leaving the site by motor vehicle; however, not all records include the weight (e.g. loads of gas cylinders).
69	Records shall be made and maintained of all events involving the removal of any waste received at the premises which is not permitted to be accepted at the premises.	Compliant	
	<b>ODOUR MANAGEMENT</b>		
70	The Applicant shall install a forced ventilation system in the Terminal Building in accordance with MOD-133-11-2006, the design specified in the report <i>Addendum to Final Report – Odour Mitigation Study – Clyde Waste Transfer Terminal – Collex Pty Ltd</i> prepared by the Odour Unit Ltd and dated July 2006, and drawing N3630/100 titled <i>Clyde Transfer Terminal Roof and Gallery Level Proposed Ducting Layout Details</i> prepared by Turnkey Environmental Systems Pty Ltd. The system shall include a single air exhaust stack to discharge all air from the waste receipt and compaction/loading building, in accordance with the following specifications:	Note	This condition has been audited previously and is not relevant to the current Audit period.

Table 3: Conditions of Development Consent – DA 205-08-01 (incorporating MOD 1, 2, 3 and 4)									
Condition							Compliant	Comments	
	Minimum Stack Height (metres above existing ground level)	<i>Minimum Stack Height above the top of the roof (metres)</i>	Minimum Stack Diameter (metres)	Minimum Stack Exit Velocity (m/s)	Minimum Stack Exit Volumetric Flowrate (m <sup>3</sup> /s)	Location (X coordinate )	Location (Y coordinate )		
	21	4	2.64	20	109.48	317145	6254129		
	<p>The six original fans drawing air from the building through the odour control system shall be replaced with six fans of at least 18kW capacity (each) as per MOD-133-11-2006. The forced air extraction system installed under MOD-133-11-2006 shall be capable of operating in a proper and efficient manner under continuous duty.</p> <p>Any variations of the design and specifications indicated above resulting from the detailed design of the odour control system shall be approved by the Secretary, in consultation with the EPA, prior to the commencement of construction. As part of such approval, the Secretary may require the Applicant to provide information demonstrating that the final design will not result in increased impacts as those predicted in the documents referred to under condition 1(e).</p>								
71	<p>Construction of the Terminal Building forced ventilation system in accordance with MOD-133-11-2006 shall be undertaken under continuous operation of the original forced ventilation system (as per design approved by the Secretary in correspondence to Collex dated 5 January 2003). Forced ventilation in the Terminal Building, by the operation of the original system or the new system subject to MOD-133-11-2006, shall not be interrupted at any time during the period of transferring odour control systems, unless otherwise approved by the Secretary following a written application for temporary stoppage of the ventilation system during that period. Such application shall provide details of stoppage time required, impacts predicted, and proposed mitigation measures and notification requirements. This condition does not apply at times when waste is not contained within the building.</p>							Note	This condition has been audited previously and is not relevant to the current Audit period.

<b>Table 3: Conditions of Development Consent – DA 205-08-01 (incorporating MOD 1, 2, 3 and 4)</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
72	Prior to commencement of construction of the works required under MOD-133-11-2006, the Applicant shall notify the Secretary, Auburn Council, the EPA and the Community Consultative Committee in writing of the date of commencement of construction, details of the main construction activities and anticipated duration of construction and times of the main construction activities.	Note	This condition has been audited previously and is not relevant to the current Audit period.
73	The Applicant shall implement the approved <i>Odour Management Plan</i> to the satisfaction of the Secretary.	Not Verified	The Odour Management Plan has been implemented. The Auditors are not aware that the Secretary is dissatisfied with the implementation and have no reason to believe the condition has not been complied with.
74	The Applicant must not cause or permit the emission of offensive odours from the premises, as defined under section 129 of the <i>Protection of the Environment Operations Act 1997</i> .	Compliant	No odour complaints were received during the audit period. The Auditors did not observe the emission of offensive odours from the premises.
75	The Applicant is not permitted to use deodorisers for odour control at the premises, unless otherwise approved by the Secretary.	Compliant	
76	The Applicant shall continuously operate the forced ventilation system subject to MOD-133-11-2006 (and the original forced ventilation system until the system subject to MOD-133-11-2006 becomes operational) whenever waste is contained within the building, unless otherwise approved by the Secretary. As part of such approval, the Secretary may require the Applicant to carry out additional investigations and implement additional measures to mitigate any off-site impacts that may be anticipated or identified from such investigations.	Compliant	The forced ventilation system operates continuously. The Auditors note that maintenance of the system is required periodically and part of the system may be shut down. While the system operates continuously, it may be at reduced capacity for periods while maintenance activities are undertaken.
77	Within three months of the commissioning of the forced ventilation system subject to MOD-133-11-2006, the Applicant shall conduct: <ul style="list-style-type: none"> <li>(a) odour emission rate sampling and analysis from the single stack (conducted in accordance with the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in NSW</i> (EPA, January 2007); and</li> <li>(b) odour dispersion modelling for the stack odour discharge conducted in accordance with the <i>Approved Methods for the Modelling and Assessment of Air Pollutants in NSW</i> (EPA, August 2005) and the <i>Technical Framework –</i></li> </ul>	Note	This condition has been audited previously and is not relevant to the current Audit period.

<b>Table 3: Conditions of Development Consent – DA 205-08-01 (incorporating MOD 1, 2, 3 and 4)</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
	<p><i>Assessment and Management of Odour from Stationary Sources in NSW</i> (EPA, November 2006) to confirm whether the operation of the modified stack design meets the EPA's odour goal of less than 2 OU at the nearest sensitive receiver.</p>		
78	The results of any odour performance testing and modelling conducted in accordance with the conditions of this consent, including those required under condition 77, shall be submitted to the Community Consultative Committee, the EPA, the Secretary and shall be made publicly available, within eight weeks of the testing and modelling having been completed.	Observation	The Community Consultative Committee no longer operates (also see condition 134). Veolia will make monitoring and auditing reports available to the public upon request; however, reports are not currently available on the Veolia website (also see condition 61).
79	Following the review of the investigations required under condition 77, or any other odour related investigations and documentation required under this consent, the Secretary in consultation with the EPA may require the Applicant to carry out additional investigations and implement additional measures to mitigate any identified off-site odour impacts.	Not Triggered	
80	All odour monitoring and management plans shall be made available to the public on request to the Applicant.	Observation	Veolia will make management plans monitoring and auditing reports available to the public upon request; however, plans reports are not currently available on the Veolia website (also see conditions 46 and 61).
81	Any containerised waste shall not be exposed to the atmosphere at the site, except via a pressure release mechanism and odour filtration system on a container maintained and operated in accordance with the Conditions of this Consent	Compliant	During the audit site visits, containers were observed to be in good condition, completely sealed/enclosed and with no detectable odour from the odour filtration vent.
82	The design of the pressure release mechanism and odour filtration system on the waste containers shall be approved by the Secretary prior to the acceptance of any uncontainerised waste at the premises.	Note	This condition has been audited previously and is not relevant to the current Audit period.
83	Any waste that has been packed into containers on the site, shall not be re-exposed to the atmosphere at the site, except via a pressure release mechanism and odour	Compliant	During the audit site visit, containers were observed to be in good condition and

<b>Table 3: Conditions of Development Consent – DA 205-08-01 (incorporating MOD 1, 2, 3 and 4)</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
	filtration system on a container maintained and operated in accordance with the Conditions of this Consent.		completely sealed/enclosed. The pressure release mechanism is only used (opened) at the Woodlawn Bioreactor as the containers are emptied. No detectable odour was observed from the odour filtration vents.
84	Deleted	Note	
85	Deleted	Note	
86	Deleted	Note	
87	The Applicant shall carry out monitoring of the forced ventilation system subject to MOD-133-11-2006 (including air emissions monitoring or other) as may be required under any Environment Protection Licence. The monitoring results shall be reported in the Annual Environmental Management report required under condition 59	Not Triggered	The EPL does not require monitoring of the forced ventilation system. Service reports attached to the odour audit reports show that occasionally the exit velocity from the vent stack is measured, but not every time. No air emission monitoring of the vent stack is required by the EPL.
88	<p>Monitoring for the concentration of a pollutant emitted to the air must be done in accordance with:</p> <ul style="list-style-type: none"> <li>(a) any methodology which is required by or under the <i>Protection of the Environment Operations Act 1997</i> to be used for the testing of the concentration of the pollutant; or</li> <li>(b) if no such requirement is imposed by or under the <i>Protection of the Environment Operations Act 1997</i>, any methodology which the general terms of approval or a condition of the licence (as the case may be) requires to be used for that testing; or</li> <li>(c) if no such requirement is imposed by or under the <i>Protection of the Environment Operations Act 1997</i> or by the general terms of approval or a condition of the licence (as the case may be), any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.</li> </ul> <p><i>Note: The Clean Air (Plant and Equipment) Regulation 1997 requires testing for certain purposes to be conducted in accordance with test methods contained in</i></p>	Not Triggered	

Table 3: Conditions of Development Consent – DA 205-08-01 (incorporating MOD 1, 2, 3 and 4)																																																																	
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	<i>the publication “Approved Methods for the Sampling and Analysis of Air Pollutants in NSW”.</i>																																																																
89	Deleted	Note																																																															
90	Prior to the installation of the forced ventilation system subject to MOD-133-11-2006, the Applicant shall provide to the EPA, manufacturer’s performance guarantees, demonstrating to the satisfaction of the EPA that the equipment will comply with the design parameters specified in this consent and/or the Environmental Protection Licence	Note	This condition has been audited previously and is not relevant to the current Audit period.																																																														
91	<p>A meteorological station must be sited and operated at the premises in accordance with the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in NSW</i>. The Applicant shall undertake the sampling and analysis of the meteorological parameters specified in table below. Sampling and analysis of meteorological parameters shall be carried out strictly in accordance with the methods and references specified in the table.</p> <table border="1"> <thead> <tr> <th>Parameter</th> <th>Units of measure</th> <th>Averaging Period</th> <th>Method</th> <th>Frequency</th> </tr> </thead> <tbody> <tr> <td>Wind Speed @ 10 m</td> <td>m/s</td> <td>1 hour</td> <td>AM-2 &amp; AM-4</td> <td>Continuous</td> </tr> <tr> <td>Wind Direction @ 10 m</td> <td>Deg</td> <td>1 hour</td> <td>AM-2 &amp; AM-4</td> <td>Continuous</td> </tr> <tr> <td>Sigma Theta @ 10 m</td> <td>Deg</td> <td>1 hour</td> <td>AM-2 &amp; AM-4</td> <td>Continuous</td> </tr> <tr> <td>Temperature @ 10 m</td> <td>K</td> <td>1 hour</td> <td>AM-4</td> <td>Continuous</td> </tr> <tr> <td>Temperature @ 2 m</td> <td>K</td> <td>1 hour</td> <td>AM-4</td> <td>Continuous</td> </tr> <tr> <td>Solar Radiation</td> <td>W/m2</td> <td>1 hour</td> <td>AM-4</td> <td>Continuous</td> </tr> <tr> <td>Rainfall</td> <td>mm</td> <td>24 hour</td> <td>AM-4</td> <td>Continuous</td> </tr> <tr> <td>Evaporation</td> <td>mm</td> <td>24 hour</td> <td>Note2</td> <td>Continuous</td> </tr> <tr> <td colspan="2"><b>Additional Requirements</b></td> <td colspan="3"><b>Additional Requirements</b></td> </tr> <tr> <td colspan="2">Siting</td> <td colspan="3">AM-1 &amp; AM-4</td> </tr> <tr> <td colspan="2">Measurement</td> <td colspan="3">AM-2 &amp; AM-4</td> </tr> </tbody> </table>	Parameter	Units of measure	Averaging Period	Method	Frequency	Wind Speed @ 10 m	m/s	1 hour	AM-2 & AM-4	Continuous	Wind Direction @ 10 m	Deg	1 hour	AM-2 & AM-4	Continuous	Sigma Theta @ 10 m	Deg	1 hour	AM-2 & AM-4	Continuous	Temperature @ 10 m	K	1 hour	AM-4	Continuous	Temperature @ 2 m	K	1 hour	AM-4	Continuous	Solar Radiation	W/m2	1 hour	AM-4	Continuous	Rainfall	mm	24 hour	AM-4	Continuous	Evaporation	mm	24 hour	Note2	Continuous	<b>Additional Requirements</b>		<b>Additional Requirements</b>			Siting		AM-1 & AM-4			Measurement		AM-2 & AM-4			Observation	<p>A meteorological station is operated at the premises. Siting of the station does not comply with the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in NSW</i>; however, the Auditors note that it would be difficult to comply given the constrained nature of the site. For the purpose of observing local conditions, i.e. to investigate odour complaints, the siting of the meteorological station is considered to be suitable.</p> <p>The required monitoring frequency is “continuous”, and while the weather station did operate continuously during the Audit period, some monitoring data was lost due to a data logger failure. Veolia reported this loss in the 2015-16 Annual Environmental Management Report and this matter was raised by the DPE in their July 2016 Show Cause letter. The faulty logger was replaced.</p> <p>It is noted that, for the purpose of observing local conditions, it is reasonable to fill gaps in the onsite data with the</p>		
Parameter	Units of measure	Averaging Period	Method	Frequency																																																													
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<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
	Note: 1 All methods are specified in the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in NSW</i> . Note: 2 Method approved by the EPA in writing.		nearby Bureau of Meteorology data at Sydney Olympic Park.
	<b>DUST MANAGEMENT</b>		
92	The Applicant shall implement the <i>Dust Management Plan (Construction Stage)</i> and the approved <i>Dust Management Plan (Operation Stage)</i> to the satisfaction of the Secretary.	Not Verified	The Dust Management Plan has been implemented. The Auditors are not aware that the Secretary is dissatisfied with the implementation and have no reason to believe the condition has not been complied with.
93	All operations and activities occurring at the premises must be carried out in a manner that will minimise the emission of dust from the premises.	Compliant	The morning of the audit site visit was wet; however, by afternoon the yard area was dry and no dust emission was observed.
94	All trafficable areas and vehicle manoeuvring areas in or on the premises shall be maintained at all times in a condition that will minimise the generation or emission from the premises, of wind-blown or traffic generated dust.	Compliant	Trafficable areas are swept regularly. The morning of the audit site visit was wet and some waste residue was evident; however, by afternoon the yard area was dry and appeared clean.
95	Trucks entering and leaving the premises that are carrying loads must be covered at all times, except during loading and unloading. (EPA)	Compliant	A large proportion of waste is delivered to the site in sealed front lift or rear lift trucks. Open skips observed arriving during the Audit site visit were covered (also see EPL condition O3.2).
96	The Applicant must prepare and implement an Ambient Air Quality Monitoring Plan. The Plan must address, but not necessarily be limited to, the following: (a) Monitoring methodologies and standards (sampling and analysis); (b) Monitoring for concentrations of total suspended particulates (TSP) and dust deposition rates; (c) Locations where monitoring will be carried out; (d) Detailed monitoring cycle and the duration of each monitoring cycle; and (e) Reporting.	Compliant	The ambient air quality monitoring plan is contained within the Dust Management Plan.
97	Deleted	Note	

<b>Table 3: Conditions of Development Consent – DA 205-08-01 (incorporating MOD 1, 2, 3 and 4)</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
	<b>AIR MONITORING</b>		
98	Detailed records of operating conditions inside the waste terminal building shall be made coincident with any monitoring for odour or dust required by Conditions of this Consent.	Compliant	Operating conditions inside the waste terminal building are recorded as part of the bi-annual odour audits.
	<b>WATER MANAGEMENT</b>		
99	Except as may be expressly provided by a licence under the <i>Protection of the Environment Operations Act 1997</i> in relation of the development, section 120 of the <i>Protection of the Environment Operations Act 1997</i> must be complied with and in connection with the carrying out of the development.	Observation	Clean-Up Notice 1541441 was issued on 10/06/16 in relation to an observation by EPA on 08/06/16 of leachate escaping waste containers and entering a stormwater pit that discharges to Duck River. Veolia has taken steps to prevent a reoccurrence of this issue and is considering further improvements to stormwater management. Also see EPL condition L1.1 in Table 4.
100	Any water that comes into contact with waste at the premises must be directed to the leachate collection system.	Observation	Water from within the waste terminal building and the compactor pit area is collected as leachate. As noted under condition 99, an issue with leachate leaking from containers and draining to stormwater was identified in June 2016. Veolia has taken steps to prevent a reoccurrence of this issue.
101	The approved <i>Soil and Water Management Plan</i> must be implemented prior to and for the duration of the construction stage of the development.	Note	This condition has been audited previously and is not relevant to the current Audit period.

<b>Table 3: Conditions of Development Consent – DA 205-08-01 (incorporating MOD 1, 2, 3 and 4)</b>											
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>								
102	<p>Stormwater pollution controls must be implemented prior to and for the duration of the operation of the development. The controls shall be consistent with the Stormwater Management Plan for the catchment. Where a Stormwater Management Plan has not yet been prepared the Scheme shall be consistent with the guidance contained in <i>Managing Urban Stormwater: Council Handbook</i> (available from the EPA). The controls shall incorporate minimum levels of treatment in the following table:</p> <table border="1"> <thead> <tr> <th>Development component</th> <th>Minimum level of stormwater treatment</th> </tr> </thead> <tbody> <tr> <td>Undeveloped sections of access road</td> <td>Existing overland flow to Duck River</td> </tr> <tr> <td>Roof water</td> <td>On-site detention</td> </tr> <tr> <td>Gatehouse and weighbridge area, carpark, access road and container loading area adjacent to the compaction units</td> <td>First flush system, GPT, oil and grease separation, on-site detention</td> </tr> </tbody> </table>	Development component	Minimum level of stormwater treatment	Undeveloped sections of access road	Existing overland flow to Duck River	Roof water	On-site detention	Gatehouse and weighbridge area, carpark, access road and container loading area adjacent to the compaction units	First flush system, GPT, oil and grease separation, on-site detention	Non-compliant	The development does not fully meet the minimum levels of treatment in the condition. In particular, the car park does not drain to the GPT and on-site detention. Veolia is considering further improvements to stormwater management following issue of an EPA Clean-up Notice.
Development component	Minimum level of stormwater treatment										
Undeveloped sections of access road	Existing overland flow to Duck River										
Roof water	On-site detention										
Gatehouse and weighbridge area, carpark, access road and container loading area adjacent to the compaction units	First flush system, GPT, oil and grease separation, on-site detention										
<b>SITE CONTAMINATION</b>											
103	The <i>Site Contamination Management Plan</i> must be implemented to the satisfaction of the Secretary, prior to and for the duration of the development.	Not Verified	The Site Contamination Management Plan has been implemented. The Auditors are not aware that the Secretary is dissatisfied with the implementation and have no reason to believe the condition has not been complied with.								
<b>NOISE MANAGEMENT</b>											
104	The Applicant shall implement the approved <i>Construction Noise Management Plan</i> , to the satisfaction of the Secretary.	Note	This condition has been audited previously and is not relevant to the current Audit period.								
105	The Applicant shall implement the <i>Noise Management Plan</i> , to the satisfaction of the Secretary	Not Verified	The Noise Management Plan has been implemented. The Auditors are not aware that the now Secretary is dissatisfied with the implementation and have no reason to								

<b>Table 3: Conditions of Development Consent – DA 205-08-01 (incorporating MOD 1, 2, 3 and 4)</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
			believe the condition has not been complied with.
106	Except as permitted under condition 25A, all construction work at the premises that creates audible noise at residential premises shall only be conducted between 7:00am and 5:00pm on Mondays to Fridays and between the hours of 8:00am and 5:00pm on Saturdays. There shall be no construction activities on Sundays or public holidays. The allowable construction times may be varied by an environmental protection licence.	Note	This condition has been audited previously and is not relevant to the current Audit period.
107	The delivery of construction material outside the hours of construction permitted by this Consent is not permitted except when required by police or other authorities for safety reasons; and/or because the operation, personnel or equipment are endangered. In such circumstances, notification is to be provided to the EPA and affected residents at least 24 hours prior to the delivery, or within a reasonable period in the case of an emergency.	Note	This condition has been audited previously and is not relevant to the current Audit period.
108	Deleted	Note	
108A	Deleted	Note	
109	Deleted	Note	
110	Deleted	Note	
111	Deleted	Note	
112	<p>The Applicant shall implement a Heavy Vehicle Noise Monitoring Management Program for the development to the satisfaction of the Secretary. This program must:</p> <ul style="list-style-type: none"> <li>a) monitor heavy vehicle noise on the site, in accordance with the methods outlined in the “Truck Noise Monitoring – Proposed Test and Management Plan” prepared by Heggies and dated 26 May 2008;</li> <li>b) be undertaken quarterly for the first year starting in October 2008, and annually thereafter, unless otherwise agreed by the Secretary;</li> <li>c) measure at least 25% of the heavy vehicles visiting the site;</li> <li>d) identify heavy vehicles exceeding the relevant noise criteria specified in Australian Design Rule 28/01, or its successor, and ensure that the owners of these subsequently comply with the relevant noise criteria;</li> </ul>	Compliant	The Auditors sighted the report for annual truck noise monitoring conducted in August 2015 (reference: CTT_TRUCK_1015, Veolia, October 2015). Results were reported in the 2015-16 AEMR.

<b>Table 3: Conditions of Development Consent – DA 205-08-01 (incorporating MOD 1, 2, 3 and 4)</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
	<p>e) report the number of non-compliant heavy vehicles identified and the actions undertaken to address these non-compliances in the Annual Environmental Monitoring Report; and</p> <p>f) be amended, should the monitoring activities not achieve the aim of the program, to the satisfaction of the Secretary.</p>		
113	The Applicant shall implement an induction program for all drivers of trucks that deliver waste to the waste terminal with the objective of mitigating noise impacts of trucks entering and leaving the waste terminal, including driving procedures and throttle management. The program is to be designed in consultation with Auburn Council and is to emphasise the importance of noise emission control, driving and operating practices and procedures for night time activities.	Compliant	
114	The Applicant shall, in conjunction with the rail operator, implement an induction program for all train drivers and other rail staff dedicated to transporting containers to and from the Collex terminal area by train to Woodlawn. The program is to emphasise noise mitigation measures through "Good Neighbour" rail techniques such as notch control, idling practices, shunting speeds and engine control and shall form an integral part of the operational noise management plan.	Not Verified	The Noise Management Plan - Rail Operations was not reviewed as part of this Audit; however, the Auditors have no reason to believe the condition has not been complied with.
<b>VERMIN AND PEST MANAGEMENT</b>			
115	<p>The design of the terminal building and associated waste handling facilities shall incorporate such reasonable measures to eliminate or minimise the potential for birds, rodents, flies and other pests to congregate at the development. Consideration shall be given to incorporating the following measures</p> <p>(a) sealing surfaces to prevent moisture and odour absorption</p> <p>(b) elimination of crevices where waste, moisture and vermin can accumulate</p> <p>(c) providing screening of the ventilation openings in the building</p> <p>(d) eliminating horizontal surfaces where birds can congregate</p> <p>(e) minimising horizontal ledges where dust and litter can accumulate</p> <p>(f) using fencing and netting to prevent wind-blown litter from escaping.</p>	Note	This condition has been audited previously and is not relevant to the current Audit period.
116	The <i>Vermin and Pest Management Plan</i> must be implemented for the duration of the operation of the development, to the satisfaction of the Secretary.	Not Verified	The Vermin and Pest Management Plan has been implemented. The Auditors are not aware that the Secretary is dissatisfied with the implementation and have no

<b>Table 3: Conditions of Development Consent – DA 205-08-01 (incorporating MOD 1, 2, 3 and 4)</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
			reason to believe the condition has not been complied with.
117	The Applicant must take all practicable measures to prevent the attraction and infestation of the premises with vermin and pests.	Compliant	Adequate measures are in place to control vermin and pests, including quarterly service by pest control contractors.
	<b>TRAFFIC MANAGEMENT</b>		
118	All access to the development shall be via a sealed access road from Parramatta Road. No vehicle shall enter or exit the development via the internal road connecting the Clyde Marshalling Yards to Rawson Street.	Compliant	All vehicles were observed entering and leaving the site via the access road from Parramatta Road.
119	No vehicle entering the development shall turn right off Parramatta Road.	Administrative Non-compliance	The Auditors observed a waste vehicle turning right from Parramatta Road to enter the facility. The DPE raised this issue in their 2016 Show Cause letter and Veolia has responded that it will seek a modification of this condition.
120	No vehicle exiting the development shall turn right onto Parramatta Road.	Compliant	No waste vehicles were observed turning right onto Parramatta Road. The auditors are not aware of non-compliances with this condition or traffic infringements issue to vehicles leaving the facility.
121	The <i>Traffic Management Plan</i> must be implemented for the duration of the operation of the development, to the satisfaction of the Secretary.	Observation	The Traffic Management plan has been implemented; however, the DPE has raised concerns with vehicle turning right from Parramatta Road to enter the facility.
122	Prior to the commencement of construction activities, the Applicant shall demonstrate to the satisfaction of the Secretary, it has reasonable arrangements in place in respect of its use of the right of carriageway, concerning traffic sharing, protection of underground and above-ground services in the vicinity of the carriageway and the potential impacts on the existing weighbridge.	Note	This condition has been audited previously and is not relevant to the current Audit period.
123	The Applicant must ensure no trucks or other heavy vehicles enter or exit the premises between the hours 10pm to 5am Mondays to Saturdays and 10pm to 7am	Compliant	Traffic Management Plan provides for access outside these hours.

<b>Table 3: Conditions of Development Consent – DA 205-08-01 (incorporating MOD 1, 2, 3 and 4)</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
	Sundays and public holidays, unless otherwise provided in the Traffic Management Plan approved by the Secretary.		
124	The Applicant shall fund a traffic study, to be conducted by an independent, suitably qualified person. The study is to be completed and submitted to the Secretary within 14 months from commencement of operations, review the operation of the access road in the first 12 months of the development and recommend any future actions to ensure sufficient future capacity of the access road. The Applicant shall provide a reasonable financial contribution towards any upgrade of the access road recommended by the study.	Note	This condition has been audited previously and is not relevant to the current Audit period.
	<b>EMERGENCY MANAGEMENT</b>		
	<b><i>Emergency Management Plan</i></b>		
125	In relation to activities, which in the event of a disruption to operations may result in significant pollution being emitted, the Applicant must: (a) conduct an assessment to determine the potential internal and external causes of disruption of operations at the premises; (b) determine how these disruptions would impact on operations; and (c) identify the pollution that would result due to the disruption of operations and what impact the pollution would have on the health of the community and the environment.	Observation	The Incident Response Plan addresses the requirements of this condition. The Incident Response Plan was issued in 2010 and elements of the Plan require updating (e.g. the hydraulic services plan does not reflect current site arrangements). The Auditors understand that the Incident Response Plan is currently being revised as part of the revision of the OEMP.
126	In relation to matters identified in the previous condition, the Applicant must prepare an Emergency Management Plan. The Plan shall address, but not necessarily be limited to: (a) identification of threats to the environment and/or public health that could arise in relation to the construction and operation of development. These threats may include fire, overflow, power or other utility failure, natural disaster etc; (b) identification of strategies to minimise and ameliorate the effects of any water pollution identified from the groundwater and surface water monitoring programs; (c) an estimate of the cost of implementation; (d) actions to effectively respond to the disruption of operations so the risk of pollution is minimised; (e) a communications strategy for alerting relevant agencies and the potentially affected community in the event of the disruption to operations leading to significant pollution; and	Observation	The Emergency Response Plan addresses the requirements of this condition. The Emergency Response Plan is not dated; however, elements of the Plan are out of date and require updating (e.g. references to repealed legislation and the stormwater plan does not reflect current site arrangements). The Auditors understand that the Emergency Response Plan is currently being revised as part of the revision of the OEMP.



<b>Table 3: Conditions of Development Consent – DA 205-08-01 (incorporating MOD 1, 2, 3 and 4)</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
	<b>DUCK RIVER ACCESSWAY</b>		
131	The Applicant shall facilitate as appropriate and as required by the Secretary, the provision of a 3.0 metre wide reinforced concrete multi-purpose recreation path along the landward side of a 30 metre riparian/public open space dedication zone between the proposed development and Duck River, extending from Parramatta Road to the base of the Clyde railway bridge, along the edge of the development.	Note	This condition has been audited previously and is not relevant to the current Audit period.
	<b>LAND DEDICATION</b>		
132	The Applicant shall facilitate as appropriate and as required by the Secretary and/or contribute to the dedication to Auburn Council of land incorporating the riparian restoration zone and multi-purpose recreation path between the proposed development and Duck River, extending from Parramatta Road to the base of the Clyde railway bridge, along the edge of the development.	Note	This condition has been audited previously and is not relevant to the current Audit period.
	<b>HERITAGE</b>		
133	The Applicant shall contribute to the development and installation of heritage interpretation signage in consultation with Auburn Council, regarding the heritage significance of the Clyde Marshalling Yards and in particular Track 22 and associated pre-use of the area occupied by the development. The heritage signage is to be approved by Auburn Council and installed within 6 months of commencement of the approved use or as otherwise agreed to by Auburn Council.	Note	This condition has been audited previously and is not relevant to the current Audit period.
	<b>COMMUNITY LIAISON</b>		
	<b>Community Consultative Committee</b>		
134	The Applicant shall establish and maintain a Community Consultative Committee for the whole duration of the development, and take all reasonable steps to ensure that the first meeting is held prior to commencement of construction. Selection of representatives shall be agreed by the Secretary and the appointment of an independent Chairperson shall be to the satisfaction of the Secretary in consultation with the Applicant, Parramatta City Council and Auburn Council. The Committee shall include two representatives from the Applicant (including the Environmental Officer), four community representatives and a representative from each Council. Representatives from relevant government agencies (including PlanningNSW) may be invited to attend meetings of the Committee as required. The Committee may make comments and recommendations about the implementation of the development and draft management plans, environmental plans and/or studies. The Applicant shall ensure that the Committee has access to the necessary plans and/or studies for such purposes. The Applicant shall consider the recommendations and comments of the Committee and provide a response to the Committee and the Secretary.	Administrative Non-compliance	The Community Consultative Committee was disbanded in 2009. The DPE has issued a Show Cause letter to Veolia and Veolia is liaising with the DPE on the need for a Community Consultative Committee and is considering other options for community engagement and/or participation (also see Table 4 - licence condition G2.1).

<b>Table 3: Conditions of Development Consent – DA 205-08-01 (incorporating MOD 1, 2, 3 and 4)</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
135	The Applicant shall, at its own expense: (a) provide appropriate facilities for meetings of the Committee; (b) nominate a representative to attend all meetings of the Committee; (c) provide to the Committee regular information on the progress of the work and monitoring results; (d) promptly provide to the Committee such other information as the Chairperson of the Committee may reasonably request concerning the environmental performance of the development; and (e) provide reasonable access for site inspections by the Committee.	Observation	See condition 134.
136	The Applicant shall establish a trust fund to be managed by the Chairperson of the Committee to facilitate functioning of the Committee, and pay \$2000 per annum to the fund for the duration of the development. The payment shall be indexed according to the Consumer Price Index (CPI) at the time of payment. The first payment shall be made by the date of the first Committee meeting. The Applicant shall also contribute reasonable funds for payment of the independent Chairperson, to the satisfaction of the Secretary.	Observation	See condition 134.
<b>COMMUNITY ENHANCEMENT PROGRAM</b>			
137	Prior to the commencement of construction, or as otherwise approved by the Secretary in consultation with Auburn Council, the Applicant shall take all reasonable steps to negotiate an agreed outcome with Auburn Council for an appropriate level of contribution (financial or in-kind) towards mitigating the social and community impacts resulting from the construction and operation of the development. The contribution shall provide, but not necessarily be limited to, the following: (a) the payment of \$50,000 (unless otherwise agreed to by the Secretary) to Auburn Council as a contribution to the drafting of a masterplan for the entire Clyde Marshalling Yards (b) appropriate monetary lump sum contributions to be negotiated with Auburn Council for the purposes of: <ul style="list-style-type: none"> <li>• the widening of the Western Overbridge;</li> <li>• establishing a vegetated riparian restoration zone along the eastern bank of Duck River from Parramatta Road to the Clyde railway bridge;</li> <li>• establishing a multi-purpose recreation path adjacent to the riparian zone from Parramatta Road to the Clyde railway bridge; and</li> <li>• the development and installation of heritage interpretation signage along the multi-purpose recreation path regarding the heritage significance of the Clyde</li> </ul>	Note	This condition has been audited previously and is not relevant to the current Audit period.

<b>Table 3: Conditions of Development Consent – DA 205-08-01 (incorporating MOD 1, 2, 3 and 4)</b>		
<b>Condition</b>	<b>Compliant</b>	<b>Comments</b>
<p>Marshalling Yards and in particular Track 22 and associated pre-use of the area occupied by the development.</p> <p>(c) ongoing or as otherwise agreed to financial contributions proportional to the tonnage throughput of the terminal for the purpose of local community enhancement projects and/or activities in accordance with a community enhancement plan to be prepared by Auburn Council to reflect community priorities and needs. Should such a negotiated outcome not be reached, the Applicant shall abide by the requirements of the Secretary concerning community enhancement contribution in light of an independent investigation to establish such contribution. Such investigation is to be carried out by an independent person(s) to be appointed by the Secretary in consultation with the Applicant and Auburn Council. The commencement of any construction on-site shall not proceed unless the above outcomes have been agreed or otherwise approved by the Secretary in consultation with Auburn Council.</p>		

<b>Table 4: Conditions of EPL 11763 Clyde Transfer Terminal</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
<b>1</b>	<b>Administrative Conditions</b>		
<b>A1</b>	<b>What the licence authorises and regulates</b>		
<b>A1</b>	<b>What the licence authorises and regulates</b>		
A1.1	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.	Compliant	Scale of activity is not limited by this condition. Also see condition L2.2.
<b>A2</b>	<b>Premises or plant to which this licence applies</b>		
A2.1	The licence applies to the following premises: <i>Refer to table in EPL</i>	Note	
<b>A3</b>	<b>Information supplied to the EPA</b>		
A3.1	Works and activities must be carried out in accordance with the proposal contained in the licence 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.	Not Verified	The licence was first issued in 2004 and was varied in 2008, 2009 and 2016. The 2016 variation was initiated by the EPA in response to changes in the POEO (Waste) Regulation changes in EPA software systems. The Auditors have no reason to believe the condition has not been complied with.

<b>Table 4: Conditions of EPL 11763 Clyde Transfer Terminal</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
<b>2</b>	<b>Discharges to Air and Water and Applications to Land</b>		
<b>P1</b>	<b>Location of monitoring/discharge points and areas</b>		
P1.1	The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point. <i>Refer to EPL for table</i>	Note	An air emissions monitoring point is identified; however, the condition does not require any action.
<b>3</b>	<b>Limit Conditions</b>		
<b>L1</b>	<b>Pollution of waters</b>		
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.	Observation	Clean-Up Notice 1541441 was issued on 10/06/16 in relation to an observation by EPA on 08/06/16 of leachate escaping waste containers and entering a stormwater pit that discharges to Duck River. On 5 October 2016, the EPA issued a Penalty Notice in relation to this incident for the offence of contravening a licence condition. Veolia has taken steps to prevent a reoccurrence of this issue and is considering further improvements to stormwater management. No leaking containers were observed during the Audit site visits. Site personnel advised that the outlet from detention pond No.1 is now kept in the closed position and the pond is pumped out for disposal as required. The Auditors note that the position of the valve cannot be verified by looking at the handle extension.

<b>Table 4: Conditions of EPL 11763 Clyde Transfer Terminal</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
<b>L2</b>	<b>Waste</b>		
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. <i>Refer to EPL for table</i>	Compliant	Wastes referred to are General Solid Waste (putrescible) and General Solid Waste (non-putrescible). Procedures are in place to identify and separate waste that cannot be processed at the facility (e.g. asbestos) or that may cause damage (e.g. gas cylinders).
L2.2	The authorised amount of waste permitted on the premises cannot exceed 4,000 tonnes at any one time.	Compliant	
<b>L3</b>	<b>Noise Limits</b>		
L3.1	Noise generated at the premises must not exceed the noise limits presented in the table below <i>Refer to EPL for table</i>	Not Verified	Noise monitoring is not undertaken at the nominated residences and is not required by the licence (or conditions of consent). No noise complaints were received by the facility during the Audit period. The Auditors have no reason to believe the condition has not been complied with.
L3.2	For the purpose of Condition L3.1: a) Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and Public Holidays, b) Evening is defined as the period from 6pm to 10pm c) Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays d) LAeq(15minute) is defined as the equivalent continuous 'A' weighted sound pressure level- the energy average of the noise measured over a 15 minute period. e) LA1 (1 minute) is defined as the sound pressure level exceeded for one percent of a 1 minute measurement period.	Note	

<b>Table 4: Conditions of EPL 11763 Clyde Transfer Terminal</b>			
<b>Condition</b>	<b>Compliant</b>	<b>Comments</b>	
L3.3	Noise from the Clyde Transfer Terminal premises is to be measured at the most affected point on or within the residential boundary to determine compliance with the LAeq(15 minute) noise limits in condition L3.1. Note: Where it can be demonstrated that direct measurement of noise from the premises is impractical, the EPA may accept alternative means of determining compliance. See Chapter 11 of the NSW Industrial Noise Policy. Note: The modification factors presented in Section 4 of the NSW Industrial Noise Policy shall also be applied to the measured noise level where applicable.	Note	
L3.4	Noise from the Clyde Transfer Terminal premises is to be measured at 1m from the dwelling façade to determine compliance with the LA1(1 minute) noise limits in condition L3.1	Note	
L3.5	The noise emission limits identified in condition L3.1 apply under meteorological conditions of: <ul style="list-style-type: none"> <li>• wind speeds up to 3 m/s at 10 metres above ground level; and/or</li> <li>• temperature inversion conditions of up to 3 degrees Celsius/100m.</li> </ul>	Note	
<b>L4</b>	<b>Potentially Offensive Odour</b>		
L4.1	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.	Note	

<b>Table 4: Conditions of EPL 11763 Clyde Transfer Terminal</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
<b>L5</b>	<b>Other limit conditions</b>		
L5.1	Asbestos The licensee must comply with the conditions as specified in this licence or where no specific conditions are outlined in this licence, the licensee must comply with the Protection of the Environment Operations (Waste) Regulation 2014.	Note	The site is not licensed to accept asbestos. Procedures are in place to separate asbestos if identified in waste delivered to the site. A large proportion of waste is delivered to the site in sealed front lift or rear lift trucks that cannot be inspected prior to unloading.
<b>4</b>	<b>Operating Conditions</b>		
<b>O1</b>	<b>Activities must be carried out in a competent manner</b>		
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.	Compliant	While there has been a recent incident at the site relating to stormwater and issue of a Clean-Up Notice and Penalty Notice, the Auditors note that Veolia is taking steps to manage this issue and consider that environmental practices at the site are generally adequate.
<b>O2</b>	<b>Maintenance of plant and equipment</b>		
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	
<b>O3</b>	<b>Dust</b>		
O3.1	All operations and activities occurring at the premises must be carried out in a manner that will minimise the emission of dust at the boundary of the premises.	Compliant	Most of the site is paved and is machine swept on a regular basis. No dust was observed during the Audit site visit.
O3.2	Trucks which are entering and leaving the premises and carrying loads must be sealed or covered at all times, except during loading and unloading.	Compliant	A large proportion of waste is delivered to the site in sealed front lift or rear lift trucks. Open skips observed arriving during the Audit site visit were covered.

<b>Table 4: Conditions of EPL 11763 Clyde Transfer Terminal</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
<b>O4</b>	<b>Emergency Response</b>		
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.	Compliant	The Emergency Response Plan is currently being revised.
O4.1	Firefighting capability 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.	Compliant	In addition to firefighting equipment, procedures are in place to manage "hot loads" arriving at the site.
<b>O5</b>	<b>Processes and management</b>		
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 DECC Waste Classification Guidelines as in force from time to time	Observation	A large proportion of waste is delivered to the site in sealed front lift or rear lift trucks that cannot be inspected prior to unloading. Veolia relies on its arrangements with waste contractors to ensure wastes are appropriately classified with procedures in place to reject or separate non-conforming waste if identified in waste delivered to the site.
O5.2	The licensee must ensure that each waste for recovery/recycling is stockpiled separately	Compliant	The only wastes separated at the site for recovery/recycling are steel and concrete which are stored in skips.
<b>O6</b>	<b>Waste Management</b>		
O6.1	Stormwater and wastewater management – operating phase. All areas that involve the handling of waste including container transfer and handling areas, clean container storage areas and internal roadways must be sealed.	Compliant	Bitumen seal of open areas was observed to be in generally good condition. Some areas are to be repaired where containers have damaged the surface.
O6.2	Tracking of mud and waste - Vehicles leaving the premises must not track materials to external surfaces.	Compliant	During the Audit site visits, there was no evidence of material being tracked to external surfaces.

<b>Table 4: Conditions of EPL 11763 Clyde Transfer Terminal</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
<b>5</b>	<b>Monitoring and Recording Conditions</b>		
<b>M1</b>	<b>Monitoring records</b>		
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.	Note	The licence does not require monitoring.
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.	Note	The licence does not require monitoring.
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.	Note	The licence does not require monitoring.
<b>M2</b>	<b>Requirement to monitor concentration of pollutants discharged</b>		
M2.1	Air <i>Refer to tables in EPL</i>	Note	The licence does not require monitoring.
<b>M5</b>	<b>Recording of pollution complaints</b>		
M5.1	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.	Note	Facility personnel advise that no complaints have been received from neighbours or the public in over 4 years.

<b>Table 4: Conditions of EPL 11763 Clyde Transfer Terminal</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
M5.2	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.	Note	
M5.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	Note	
M5.4	The record must be produced to any authorised officer of the EPA who asks to see them.	Note	
<b>M6</b>	<b>Telephone complaints line</b>		
M6.1	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	
M6.2	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 posted on a sign at the site entry. At present, the complaints line telephone number is not advertised or available on the Veolia website. Site personnel advised that the complaints line telephone number will be included in an updated OEMP to be made available on the website when ready.
M6.3	The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.	Note	

<b>Table 4: Conditions of EPL 11763 Clyde Transfer Terminal</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
<b>6</b>	<b>Reporting Conditions</b>		
<b>R1</b>	<b>Annual return documents</b>		
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.	Compliant	
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 Annual Return until after the end of the reporting period.	Compliant	
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	Not Triggered	

<b>Table 4: Conditions of EPL 11763 Clyde Transfer Terminal</b>			
<b>Condition</b>	<b>Compliant</b>	<b>Comments</b>	
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.	Not Triggered	
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').	Compliant	
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.	Compliant	Auditors sighted copies of Annual Returns for past four years.
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.	Compliant	
<b>R2</b>	<b>Notification of environmental harm</b>		
R2.1	Notifications must be made by telephoning the Environment Line service on 131 555.	Note	

<b>Table 4: Conditions of EPL 11763 Clyde Transfer Terminal</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
R2.2	<p>The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.</p> <p>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.</p>	Note	
<b>R3</b>	<b>Written report</b>		
R3.1	<p>Where an authorised officer of the EPA suspects on reasonable grounds that:</p> <p>a) where this licence applies to premises, an event has occurred at the premises; or</p> <p>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 issued on 10/06/16 in relation to an observation by EPA on 08/06/16 of leachate escaping waste containers may request a written report of the event.</p>	Note	Veolia has submitted written reports to the EPA in relation to the observation by EPA on 08/06/16 of leachate escaping waste containers and subsequent Clean-Up Notice issued on 10/06/16; however it is not clear if there was a direct request by an EPA officer for a written report.
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.	Note	
R3.3	The request may require a report which includes any or all of the information (listed in the condition).	Note	
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.	Note	

<b>Table 4: Conditions of EPL 11763 Clyde Transfer Terminal</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
<b>7</b>	<b>General Conditions</b>		
<b>G1</b>	<b>Copy of licence kept at the premises or plant</b>		
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	The licence is available electronically at the site.
G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it.	Note	
G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.	Observation	A printed copy of the license on display at the site had not been replaced with the most recent issue of the licence.
<b>G2</b>	<b>Other general conditions</b>		
G2.1	The licensee must establish a community environment liaison committee, comprising representatives of the community, the applicant, Parramatta City Council and Auburn Council that will meet at least quarterly. Representatives from relevant NSW Government agencies (including the Department of Planning and the Department of Environment and Climate Change) may be invited to attend meetings as required. Discussion at the meetings must include the progress in implementation of the development consent and other statutory approvals, and must provide adequate time for the community to raise matters of concern associated with the environmental impact of the development, with a view to achieving mutually satisfactory solutions.	Administrative non-compliance	The Community Consultative Committee was disbanded in 2009. Veolia is liaising with the DPE on the need for a Community Consultative Committee and is considering other options for community engagement and/or participation. Also see Table 3 – condition of consent 134.

<b>Table 4: Conditions of EPL 11763 Clyde Transfer Terminal</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
<b>8</b>	<b>Special Conditions</b>		
<b>E1</b>	<b>Financial assurance</b>		
E1.1	<p>(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 30 June 2015. 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.</p> <p>(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).</p> <p>(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).</p>	Compliant	The Auditors sighted an email from the EPA confirming that the first stage financial assurance had been received.

<b>Table 4: Conditions of EPL 11763 Clyde Transfer Terminal</b>			
<b>Condition</b>	<b>Compliant</b>	<b>Comments</b>	
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 safe.	Note	
E1.3	The financial assurance must be replenished by the full amount claimed or realised if the EPA has claimed 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.	Note	
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.	Note	
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.	Not Verified	The Auditors have no reason to believe the condition has not been complied with.
<b>E2</b>	<b>Environment Obligations of Licensee (Works and Programs)</b>		
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.	Observation	Clean-Up Notice 1541441 was issued on 10/06/16 in relation to an observation by EPA on 08/06/16 of leachate escaping waste containers and entering a stormwater pit that discharges to Duck River. Issue had not been identified by site personnel, indicating shortcomings in procedures and/or training. Veolia has taken steps to prevent a reoccurrence of this issue.

<b>Table 4: Conditions of EPL 11763 Clyde Transfer Terminal</b>			
<b>Condition</b>		<b>Compliant</b>	<b>Comments</b>
E2.2	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.	Not Triggered	
<b>E3</b>	<b>EPA May Claim On a Financial Assurance</b>		
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.	Note	

<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>Development Consent DA 205-08-01</b>				
1	Condition 10 - No more than 500,000 tonnes per annum of waste to be received at the development in any calendar year.	Veolia works with the DPE to resolve the modification of this condition to further increase the permitted annual waste tonnage.	1/09/2017	Modification Application including the increase of the tonnage will be submitted to DPE
2	Condition 68 - Records shall be made and maintained of any waste leaving the premises by motor vehicle, including the weight of the waste.	Change procedures to ensure that weights of all waste leaving the site are recorded, either using the on-site weighbridges or by obtaining weights from the receiving facility.	Completed	Weights of all waste leaving the site will be recorded as per the procedures
3	Condition 102 - Stormwater pollution controls must be implemented and shall incorporate minimum levels of treatment specified in the condition.	The review of stormwater management should be completed as a matter of priority and the necessary improvements implemented to minimise the potential for contamination of stormwater discharge to Duck River.	Review of the existing stormwater management system is completed and upgrade works will be completed by 1/09/2017	Existing storm water system will be upgraded to make the necessary improvements to minimise the potential for contamination of storm water discharge to Duck River
4	Condition 119 - No vehicle entering the development shall turn right off Parramatta Road.	Work with the DPE to modify the consent condition restricting vehicles entering the development from turning right off Parramatta Road.	1/09/2017	Modification Application will be submitted to DPE
5	Condition 134 - Maintain a Community Consultative Committee for the duration of the development.	Liaise with the EPA as well as the DPE on the need for Community Consultative Committee and potential modification of both this condition and EPL condition G2.1.	1/09/2017	Will be discussed with EPA and DPE, as no positive response from local Community to be part of Consultation Committee

<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>EPL 11763</b>				
6	Condition G2.1 - The licensee must establish a community environment liaison committee that will meet at least quarterly.	Liaise with the EPA as well as the DPE on the need for Community Consultative Committee and potential modification of both this condition and Development Consent condition 134.	1/09/2017	Will be discussed with EPA and DPE, as no positive response from local Community to be part of Consultation Committee
<b>Observations</b>				
7	Environmental Management.	Updating of the Operational Environmental Management Plan and sub-plans should be completed as a matter of priority.	1/09/2017	Operational Environmental Management Plan will be updated
8	Surface water quality.	The review of stormwater management should be completed as a matter of priority.	Completed	Review of the existing stormwater system is completed
9	Surface water quality.	Valves used to contain potential pollutants, such as contaminated stormwater, should be of a type where the distinction between the open and closed positions is obvious by looking at the valve.	1/09/2017	Valves will updated during the stormwater upgrade works
10	Pollution Incident Response Management Plan.	Consider opportunities to improve the PIRMP as part of the current update of the Emergency Response Plan.	Completed	
11	Results of monitoring and auditing required by the Development Consent to be publicly available.	Make monitoring and auditing reports available on the Veolia website.	Completed	
12	The EPL must be available for inspection at the premises.	Ensure that printed copies of the EPL are replaced with the most recent issue.	Completed	

## 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 (P3363) to Veolia dated 30 June 2016 and approved on 27 September 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.

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



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

Dear Ms Bachu

**Clyde Transfer Terminal (DA 205-08-01) - Independent Audit Team Approval**

I refer to your correspondence seeking approval for Ramboll Environ Australia Pty Ltd (Ramboll Environ) to undertake the Independent Environment Audit (IEA) required under Condition 60 of the Minister's consent for the above development.

Approval is granted having reviewed the details of the qualifications and experience of Victoria Sedwick (lead auditor), David Ford, Ronan Kellaghan and Shaun Taylor. This approval is conditional upon their independence from the project.

In preparing the IEA, you must ensure the 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; and
- identifies opportunities for improved environmental management and performance.

Finally, the Department requests that you:

1. review the IEA report to ensure it complies with the relevant conditions of consent, prior to submitting the report to the Secretary; and
2. submit an action plan with the audit report(s) detailing your response to the auditor's recommendations and timeframes to implement any adopted recommendations.

Should you have any queries in relation to this matter, please contact Kelly McNicol on the details above.

Yours sincerely

  
Chris Ritchie *30/8/15*  
**Director**  
**Industry Assessments**  
*as delegate of the Secretary*

**APPENDIX 2**  
**DEVELOPMENT CONSENT DA 205-08-01**

# Notice of Modification

## Section 75W 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 New South Wales (the Commission) hereby approve the modification of the Project Application referred to in Schedule 1, subject to the conditions outlined in Schedule 2.



**Gabrielle Kibble AO**  
Member of the Commission

Sydney

13 May 2014

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### SCHEDULE 1

<b>Application No:</b>	Development Application (DA 205-08-01), assented under the <i>Clyde Waste Transfer Terminal (Special Provisions) Act 2003</i> , as modified by MOD 113-11-2006, DA 205-08-01 MOD 2 and DA 205-08-01 MOD 3
<b>Proponent:</b>	Veolia Environmental Services (Australia) Pty Ltd
<b>Approval Authority:</b>	Minister for Planning
<b>Land:</b>	322 Parramatta Road, Auburn in the Auburn local government area (Lot 201 DP 1007683)
<b>Project:</b>	Clyde Waste Transfer Terminal
<b>Modification:</b>	DA 205-08-01 MOD 4: <ul style="list-style-type: none"><li>permanently increase the permissible waste acceptance rate of the facility to 500,000 tonnes a year.</li></ul>

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### SCHEDULE 2

This project approval is modified by:

- Replacing the definition of 'Department' in the definitions list in Schedule 2 as follows:  
Department, the                      the Department of Planning and Environment
- Inserting a new definition of 'Secretary' in the definitions list in Schedule 2 in alphabetical order as follows:  
Secretary, the                      the Secretary of the Department of Planning and Environment (or nominee)
- Deleting the definitions of 'DECCW' and 'Director-General' in the definitions list in Schedule 2.
- Replacing all references to 'DECCW' in the consent with 'EPA'.
- Replacing all references to 'Director-General' in the consent with 'Secretary'.
- Replacing Condition 1 in Schedule 2 with the following:

1. The development shall be carried out in accordance with:
  - (a) DA No. 205-08-01;
  - (b) the EIS prepared for the "Clyde Transfer Terminal" by Maunsell McIntyre Pty Ltd, dated 14 August 2001;
  - (c) the Supplementary EIS prepared for the "Clyde Transfer Terminal" by Maunsell McIntyre Pty Ltd, dated 18 December 2001;
  - (d) all additional information supplied by the Applicant or the Applicant's consultants or subconsultants to the Department or integrated approval bodies pertaining to the development, including:
    - Noise Mitigation Details provided to the EPA by Vipac Engineers & Scientists Ltd by facsimile dated 15 February 2002;
    - Stormwater Outlet Design, dated 18 February 2002, provided to the Department by Maunsell Australia Pty Ltd;
    - Information on traffic, odour and noise, dated 9 April 2002, provided to the independent assessor Mr John Court by Maunsell Australia Pty Ltd;
    - Information on the construction EMP, stormwater drainage, site contamination, landscaping and rehabilitation of Duck River, and the property boundary, dated 10 April 2002, provided to Waterways Authority by Maunsell Australia Pty Ltd;
    - Information on odour management, Duck River cycleway, and traffic management, dated 10 April 2002, provided to the independent assessor Mr John Court by Maunsell Australia Pty Ltd;
    - Information on the property boundary, dated 17 April 2002, provided to Waterways Authority by Maunsell Australia Pty Ltd;
    - Information on modifications to pipeline, pipe outlet, scour protection works, detention basin, weighbridge and noise barrier, dated 19 April 2002, provided to Waterways Authority by Maunsell Australia Pty Ltd;
    - Information on a proposed community consultative committee and possible community enhancement projects, dated 4 June 2002, provided to the Department by the Applicant;
    - Information on Parramatta Road plans and odour control procedure, dated 12 June 2002, provided to the Department by Maunsell Australia Pty Ltd; and
    - Information on odour management, dated 4 July 2002, provided to the Department by the Applicant;
  - (e) modification application MOD-133-11-2006, accompanied by *Statement of Environmental Effects Modification to the Terminal Building Forced Ventilation System Clyde Waste Transfer Station*, prepared by Environ and dated October 2006, *the Odour Mitigation Study Clyde Waste Transfer Terminal Addendum to Final Report*, prepared by the Odour Unit and dated July 2006, and Veolia Environmental Services' letter (and attachments) to the Department of Planning dated 15 February 2007;
  - (f) modification application DA-205-08-01-MOD-2:
  - (g) modification application DA-205-08-01-MOD-3 and accompanying letter dated 14 December 2009; and
  - (h) modification application DA-205-08-01 MOD 4 and accompanying Environmental Assessment letter prepared by Veolia Environmental Services (Australia) Pty Ltd and dated 20 January 2014,

except as modified by the following conditions.

7. Replacing Condition 8 in Schedule 2 with the following:
  8. No waste shall be received at the development except waste to be transported by rail from Clyde to the Crisps Creek Intermodal Facility for disposal or treatment at Woodlawn.
8. Deleting Condition 9 in Schedule 2 and inserting the words 'Deleted'.
9. Replacing Condition 10 in Schedule 3 with the following:
  10. The Applicant shall ensure that no more than 500,000 tonnes per annum of waste is received at the development in any calendar year.

## Clyde Waste Transfer Terminal (Special Provisions) Bill 2003

### Clyde Waste Transfer Terminal – Conditions of Development Consent

The following acronyms and abbreviations are used:

Act, the	Environmental Planning and Assessment Act 1979
AM	Approved Method
Applicant, the	Veolia Environmental Services (Australia) Pty Ltd (formerly known as Collex Pty Limited)
ARI	Average Recurrence Interval
AS	Australian Standard
DA	Development application
dB(A)	Decibel (A-weighted scale)
DECCW	Department of Environment, Climate Change and Water
Containerised waste	Waste that arrives at the premises pre-packaged into sealed containers which remain unopened at the premises
Department, the	Department of Planning
Director-General, the	Director-General of the Department (or delegate)
EIS	Environmental Impact Statement
EMP	Environmental Management Plan
EMR	Environmental Management Representative
EMS	Environmental Management System
EPA	NSW Environment Protection Authority
GTA	General Terms of Approval
K	Degrees Kelvin
m	Metres
m/s	Metres per second
MHWM	Mean high water mark
Minister, the	Minister for Planning
mm	Millimetres
MSW	Municipal Solid Waste

This and the following 27 pages comprise the “Clyde Waste Transfer Terminal – Conditions of Development Consent” referred to in clause 4 of the Clyde Waste Transfer Terminal (Special Provisions) Bill 2003.

Signed:

Hon Craig Knowles MP  
**Minister for Infrastructure and Planning**  
**Minister for Natural Resources**

Dated:

OEMP	Operational Environmental Management Plan
OSD	Onsite stormwater detention
RTA	NSW Roads and Traffic Authority
SEIS	Supplementary Environmental Impact Statement
SWMP	Soil and Water Management Plan
TSP	Total suspended particulates
Uncontainerised waste	Waste that arrives at the premises in bulk, to be compacted and containerised at the premises
USEPA	United States Environmental Protection Agency
W/m <sup>2</sup>	Watts per square metre
°C	Degrees Celsius

**THIS INSTRUMENT INCLUDES CHANGES MADE BY MOD-133-11-2006 (MARKED IN RED) approved by the Director-General, as delegate of the Minister for Planning, pursuant to section 96(1A) of the EP&A Act, on 4 April 2007**

**And changes proposed for DA 205-08-01 Mod 2 (Marked in orange)**  
**And changes proposed for DA 205-08-01 Mod 3 (Marked in blue)**

## GENERAL CONDITIONS

### *Adherence to Terms of DA, EIS and SEIS*

1. Development shall be carried out in accordance with:
  - (a) DA No. 205-08-01;
  - (b) the EIS prepared for the "Clyde Transfer Terminal" by Maunsell McIntyre Pty Ltd, dated 14 August 2001;
  - (c) the Supplementary EIS prepared for the "Clyde Transfer Terminal" by Maunsell McIntyre Pty Ltd, dated 18 December 2001;
  - (d) all additional information supplied by the Applicant or the Applicant's consultants or subconsultants to the Department or integrated approval bodies pertaining to the development, including:
    - Noise Mitigation Details provided to the EPA by Vipac Engineers & Scientists Ltd by facsimile dated 15 February 2002;
    - Stormwater Outlet Design, dated 18 February 2002, provided to the Department by Maunsell Australia Pty Ltd;
    - Information on traffic, odour and noise, dated 9 April 2002, provided to the independent assessor Mr John Court by Maunsell Australia Pty Ltd;
    - Information on the construction EMP, stormwater drainage, site contamination, landscaping and rehabilitation of Duck River, and the property boundary, dated 10 April 2002, provided to Waterways Authority by Maunsell Australia Pty Ltd;
    - Information on odour management, Duck River cycleway, and traffic management, dated 10 April 2002, provided to the independent assessor Mr John Court by Maunsell Australia Pty Ltd;
    - Information on the property boundary, dated 17 April 2002, provided to Waterways Authority by Maunsell Australia Pty Ltd;
    - Information on modifications to pipeline, pipe outlet, scour protection works, detention basin, weighbridge and noise barrier, dated 19 April 2002, provided to Waterways Authority by Maunsell Australia Pty Ltd;
    - Information on a proposed community consultative committee and possible community enhancement projects, dated 4 June 2002, provided to the Department by the Applicant;
    - Information on Parramatta Road plans and odour control procedure, dated 12 June 2002, provided to the Department by Maunsell Australia Pty Ltd; ~~and~~
    - Information on odour management, dated 4 July 2002, provided to the Department by the Applicant;
  - (e) modification application MOD-133-11-2006, accompanied by *Statement of Environmental Effects Modification to the Terminal Building Forced Ventilation System Clyde Waste Transfer Station*, prepared by Environ and dated October 2006, *the Odour Mitigation Study Clyde Waste Transfer Terminal Addendum to Final Report*, prepared by the Odour Unit and dated July 2006, and Veolia Environmental Services' letter (and attachments) to the Department of Planning dated 15 February 2007-;
  - (f) modification application DA-205-08-01-MOD-2; and
  - (g) modification application DA-205-08-01-MOD-3 and accompanying letter dated 14 December 2009

except as modified by the following conditions.

2. In the event of any inconsistency between:
  - (a) the conditions of this consent and any document listed from condition 1(a) to 1(g) inclusive, the conditions of this consent shall prevail to the extent of the inconsistency; and
  - (b) any document listed from condition 1(a) to 1(g) inclusive, the most recent document shall prevail to the extent of the inconsistency.
- 2A. The Proponent shall comply with any reasonable requirements of the Director-General arising from the Department's assessment of:
  - (a) any reports, plans, programs, strategies or correspondence that are submitted in accordance with the conditions of this approval; and

(b) the implementation of any actions or measures contained in these reports, plans, programs, strategies or correspondence.

2B. The Proponent shall prepare revisions of any strategies, plans or programs required under this approval if directed to do so by the Director-General. Such revisions shall be prepared to the satisfaction of, and within a timeframe approved by, the Director-General.

### **Compliance**

3. It shall be the ultimate responsibility of the Applicant to ensure compliance with these Conditions.
4. These Conditions do not relieve the Applicant of the obligation to obtain all other approvals and licences from all relevant authorities required under any other Act.
5. The Applicant shall comply or ensure compliance with all the requirements of the Director-General in respect of the implementation of any measures arising from these Conditions.
6. The Applicant must bring to the attention of the Director-General any matter that may require further investigation, or the issuing of instructions from the Director-General, to enable compliance with these Conditions. The Applicant shall comply or ensure compliance with any instruction issued by the Director-General to enable compliance with these Conditions.
7. Where the results of any monitoring demonstrate an exceedance of a limit in this consent, the Applicant shall provide, within 30 days of the monitoring, the monitoring results to the Director-General and Auburn Council stating:
  - (a) The reason for the exceedance;
  - (b) Action taken to ensure the limit is not exceeded in the future;
  - (c) Proposed action to ensure the limit is not exceeded in the future;
  - (d) Timetable for implementing the proposed action in (c); and
  - (e) Results of additional monitoring which has been conducted within 7 days of the action taken in (b) and (c) above, to demonstrate compliance with the limit.

### **Waste Volumes**

8. No waste shall be received at the development except waste to be transported by rail from the Clyde Marshalling Yards for disposal at the Woodlawn Bioreactor.
9. The volumes of waste accepted at the development shall not exceed the annual waste input rates in Table 1, approved for acceptance at the Woodlawn Bioreactor, unless otherwise approved by the Minister. The Minister shall give such approval if the need for additional capacity at the Woodlawn Bioreactor is demonstrated by an independent public assessment of landfill capacity and demand in the Sydney Region. The assessment shall:
  - (a) take into account the status of alternative technologies for putrescible waste management and be undertaken at five-yearly intervals;
  - (b) be completed one year before commencement of each five year period from the date of operational commencement of the Woodlawn Bioreactor, or at any other time at the request of the Applicant, with the first review due four years from the date of operational commencement of the Woodlawn Bioreactor; and
  - (c) be undertaken by an independent person or organisation, to be appointed by the Minister, with the costs to be funded by the Applicant.

(i) **Table 1: Maximum Waste Input Rates**

Years from date of operational commencement of Woodlawn Bioreactor	Maximum input rate (tonnes per annum)
0-5	400,000
6-10	360,000

11-15	325,000
16-20	290,000

10. In any event, no more than 500,000 tonnes of waste shall be accepted at the development in any one year.

***Fit and Proper Person***

11. The applicant must, in the opinion of the EPA, be a fit and proper person to hold a licence under the *Protection of the Environment Operations Act 1997*, having regard to the matters in s.83 of that Act.

***Obligation to Prevent and Minimise Harm to the Environment***

12. The Applicant is to take all practicable measures to prevent and minimise harm to the environment as a result of the Development.

13. If at any time the Director-General is made aware of the occurrence of any impact from the project that poses serious environmental or amenity concerns, and is due to the failure of measures required by these Conditions or those measures identified in the documentation referred to in Condition 1 to ameliorate the impact, the Director-General may request the Applicant to cease the activities causing the impact.

14. The Applicant may recommence the activities that were ceased, upon written advice by the Director-General that those concerns have been satisfactorily addressed.

***Date of Commencement***

15. The date of commencement shall be the date that the Applicant determines to proceed with the development. The Applicant must provide the date of commencement in writing to the Director-General before commencement of the development.

***Pre-Construction Compliance Report***

16. At least two weeks prior to commencement of construction (or within such period as otherwise agreed in writing by the Director-General), the Applicant shall submit to the Director-General a report detailing the level of compliance with each Condition of this Consent that relates to pre-construction activities. The report shall include, but not necessarily be limited to:

- (a) the identification of each relevant Condition
- (b) the details of any study or report required by the relevant Conditions
- (c) the level of compliance with each relevant Condition
- (d) the reasons for any non-compliance
- (e) any action taken or proposed to make good any non-compliance, and
- (f) any action taken or proposed to implement the recommendations made in any study or report required by the relevant Conditions

***Pre-Operation Compliance Report***

17. At least one month prior to the receipt of uncontainerised waste at the premises (or within such period as otherwise agreed in writing by the Director-General), the Applicant shall submit to the Director-General a report detailing the level of compliance with each Condition of this Consent that relates to pre-operation activities. The report shall include, but not necessarily be limited to:

- (a) identification of each relevant Condition
- (b) the details of any study or report required by the relevant Conditions
- (c) the level of compliance with each relevant Condition
- (d) the reasons for any non-compliance
- (e) any action taken or proposed to make good any non-compliance, and
- (f) any action taken or proposed to implement the recommendations made in any study or report required by the relevant Conditions

### ***Dispute Resolution***

18. The Applicant shall endeavour to resolve any dispute arising out of the implementation of these Conditions.
19. For any unresolved dispute arising out of the implementation of these Conditions between the Applicant and a public authority, company or person (but excluding any dispute between the Applicant and its contractors and/or subcontractors engaged in the construction or operation of the development), in the first instance either party can refer the matter to the Director-General for resolution and, if not resolved, to the Minister. The Minister's determination of the disagreement shall be final and binding on all parties.

### ***Monitoring Records***

20. The results of any monitoring required to be conducted by the Conditions of this Consent or a licence under the *Protection of the Environment Operations Act 1997*, in relation to the development, must be recorded and retained as specified in this Consent.
21. All records required to be kept by this Consent or an environment protection 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) **provided in a legible form to the Director-General or any authorised officer of the DECCW as soon as practicable after request.**
22. The following records must be kept in respect of any samples required to be collected:
  - (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.

## **GENERAL ENVIRONMENTAL MANAGEMENT**

### ***Site Contamination***

23. The applicant shall obtain an environmental report prepared by a site auditor accredited under the *Contaminated Land Management Act 1997* to determine the nature and extent of contamination at the site and any investigation and/or remediation necessary before the land is suitable for commercial/industrial use.

Prior to construction the Applicant shall obtain written endorsement from the site auditor for the following aspects of the Site Contamination Management Plan:

- (a) A plan to manage the disturbance of contaminated soil in a manner that protects sub-surface waters from contamination
  - (b) A plan to manage dust during the construction and operational stages in a manner that protects the health of on-site and off-site personnel.
24. Prior to completion of construction, any amelioration measures required to enable a site audit statement to be issued shall be implemented.

### ***Environmental Management Plan (EMP) (Construction Stage)***

25. The Applicant shall prepare an EMP (Construction Stage) which is specific to the development.
- 25A. **Prior to commencement of construction of the odour control system subject to MOD-133-11-2006, the Applicant shall prepare and obtain approval from the Director-General for a Construction Environmental Management Plan (CEMP) specific to such works. The CEMP, to be submitted to the Director-General and the DECCW, shall include (but not necessarily be limited to) measures to be undertaken to minimise environmental impacts during construction with particular emphasis on measures for mitigating odour, dust, noise and traffic impacts on surrounding landuses. The CEMP shall provide details of how the**

environmental performance of the remediation works will be monitored, what actions will be taken to address identified adverse environmental impacts, and how the relevant requirements of conditions 26 to 38 shall be addressed. The CEMP shall reflect restrictions to construction hours as follows: Monday to Friday from 7am to 6pm, and Saturdays from 8am to 5pm, with no construction work on Sundays and Public Holidays. The CEMP shall be implemented during construction.

26. The EMP (Construction Stage) shall be prepared in accordance with the Conditions of this Consent, all relevant Acts and Regulations and accepted best practice management procedures.
27. The Applicant must not commence any works until the EMP (Construction Stage) has been completed and submitted to the Director-General.
28. The Applicant shall certify the EMP (Construction Stage) as being in accordance with the Conditions of Consent prior to submitting it to the Director-General.
29. The EMP (Construction Stage) shall be made publicly available.
30. The EMP (Construction Stage) shall include, but is not necessarily limited to, the following plans:
  - (a) Soil and Water Management Plan
  - (b) Construction Noise Management Plan
  - (c) Dust Management Plan
  - (d) Construction Waste Management Plan
  - (e) Site Contamination Management Plan
  - (f) Landscaping Plan
31. The Applicant shall address the elements outlined in Attachment 1 of this Consent when preparing the EMP (Construction Stage).
32. All site personnel (including contractors and subcontractors) during the construction stage must be inducted and trained to ensure compliance with the EMP (Construction Stage).
33. The *Soil and Water Management Plan* (SWMP) must describe the measures that will be employed to minimise soil erosion and the discharge of sediment and other pollutants to lands and/or waters during construction activities. The SWMP must be prepared in accordance with the requirements for such plans outlined in *Managing Urban Stormwater: Soils and Construction* (available from the Department of Housing).
34. The *Construction Noise Management Plan* must address, but is not necessarily limited to, the following issues:
  - (a) compliance standards
  - (b) community consultation
  - (c) complaints handling monitoring/system
  - (d) site contact person to follow up complaints
  - (e) mitigation measures, including details of any noise attenuation measures
  - (f) the design and operation of the proposed mitigation methods demonstrating best practice
  - (g) construction times
  - (h) contingency measures where noise complaints are received
  - (i) monitoring methods and programs.
35. The *Dust Management Plan* must include, but not necessarily be limited to, control strategies to achieve compliance with dust emission limits in this Consent and any environment protection licence.
36. The *Construction Waste Management Plan* must include, but not necessarily be limited to, strategies to ensure any waste generated during the construction stage is recycled, reused or disposed of in a lawful manner.

37. The *Site Contamination Management Plan* must include, but not necessarily be limited to, the following issues that apply to construction stage activities:
- (a) A plan to manage the disturbance of contaminated soil in a manner that protects sub-surface waters from contamination
  - (b) A plan to manage dust in a manner that protects the health of on-site and off-site personnel.
38. The *Landscaping Plan* must include, but not necessarily be limited to:
- (a) the recommendations of the Visual Assessment Study in the EIS for landscaping and planting of native species, and
  - (b) commitments by the Applicant for an appropriate financial or in-kind contribution towards landscaping the Parramatta Road frontage to soften and screen the access point as viewed from Parramatta Road.

### ***Environmental Management Plan (EMP) (Operation Stage)***

39. The Applicant shall prepare an EMP (Operation Stage) which is specific to the development.
40. The EMP (Operation Stage) shall be prepared in accordance with the Conditions of this Consent, all relevant Acts and Regulations and accepted best practice management procedures.
41. The EMP (Operation Stage) shall include, but is not necessarily limited to, the following plans:
- (a) Waste Management Plan
  - (b) Odour Management Plan
  - (c) Dust Management Plan
  - (d) Traffic Management Plan (includes monitoring and enforcement of "left turn only")
  - (e) Vermin and Pest Control Plan (includes housekeeping measures)
  - (f) Stormwater Management Plan
  - (g) Site Contamination Management Plan
  - (h) Incident Response Plan
  - (i) Noise Management Plan

Prior to commencement of operation of the odour control system subject to MOD-133-11-2006, the Applicant shall review the EMP (Operation) in order to update procedures, measures and monitoring requirements applicable to the modified odour control system. The revision of the EMP shall cover the relevant plans (a)-(i) outlined above, including (but not necessarily limited to) the Odour Management Plan, the Dust Management Plan and the Noise Management Plan. The revised EMP (Operation) shall be submitted to the DECCW and the Director-General. The Director-General's approval of the revised EMP (Operation) shall be obtained prior to commencement of operation of the odour control system.

42. The Applicant shall address the elements outlined in Attachment 1 of this Consent when preparing the EMP (Operation Stage).
43. The Applicant must not accept any uncontainerised waste at the premises until the EMP (Operation Stage) has been approved by the Director-General.
44. The Applicant shall certify the EMP (Operation Stage) as being in accordance with the Conditions of Consent prior to seeking approval of the Director-General.
45. All site personnel (including contractors and subcontractors) during the operational stage must be inducted and trained to ensure compliance with the approved EMP (Operation Stage).
46. The approved EMP (Operation Stage) shall be made publicly available on request to the Applicant.
47. The *Waste Management Plan* must address, but is not necessarily limited to, the following issues:
- (a) Procedures for inspecting and recording each load of uncontainerised waste received at the terminal and for separating and disposing of any component of the waste that is not permitted to be accepted

- (b) Priority waste handling given to the most offensive wastes, otherwise "first in/first out" waste handling
- (c) Procedures for cleaning vehicles before they leave the premises in a manner that prevents the tracking of waste from the premises
- (d) An education program for all drivers of waste vehicles using the site, about waste types permitted to be received at the premises and the need to ensure their vehicle does not track waste from the premises
- (e) The inclusion of conditions in contracts with waste transporters addressing acceptable waste types and punitive measures for non-compliances
- (f) An enforcement program to be maintained for the duration of the development which includes the imposition of punitive measures for delivering unacceptable waste types
- (g) Procedures for minimising wind blown litter from leaving the premises and for regular patrols of surrounding areas to collect any litter that has been carried from the premises
- (h) Procedures for preventing washdown waters and any other liquid that has been in contact with waste from entering the stormwater system
- (i) An operational contingency plan to be implemented in the event of equipment failure, industrial action or other situation that prevents the containerisation of waste that has been in the terminal building in excess of 18 hours
- (j) Fire management procedures including the management of fire water in a manner that will not pollute waters.

48. The *Odour Management Plan* shall address, but is not necessarily limited to, the following issues:

- (a) detailed description of the odour control system subject to MOD-133-11-2006, including (but not necessarily limited to) scaled drawings of the system and its location, technical specifications and operational methods;
- (b) procedures for the management of waste at the premises at all times to minimise the generation of odours;
- (c) protocols for the operation of the odour control mechanisms for the terminal building, including the forced air extraction system, to minimise the risk of any adverse impact on surrounding commercial and residential areas;
- (d) procedures for the maintenance and repair of the forced air extraction system on the terminal building;
- (e) an emission monitoring program designed to determine compliance with the DECCW's odour goal of less than 2OU at the nearest sensitive receiver and to establish the efficiency of the forced air extraction system and appropriate equipment maintenance schedules. The program is to include odour emission monitoring using dynamic olfactometry in such a way as to allow determination of the performance of the odour control system;
- (f) an odour audit program which provides for a comprehensive odour audit of the premises and nearby commercial and residential areas, by an independent, appropriately qualified and experienced person, to be conducted 3-monthly for the initial 24 months of receiving uncontainerised waste at the terminal, 3-monthly for the 12 months following commissioning the odour control system subject to MOD-133-11-2006, and 6-monthly thereafter, unless otherwise approved in writing by the Director-General.
- (g) an operational contingency plan to be initiated in the event of equipment failure, industrial action or any other situation that prevents the containerisation of any waste that has been in the terminal building in excess of 18 hours. Such a plan shall include suspending the acceptance of further uncontainerised waste at the premises;
- (h) a testing program designed to determine appropriate maintenance schedules for replacement of odour adsorption material in the pressure relief vents of the waste containers;
- (i) procedures for the maintenance and repair of the odour adsorption and pressure relief vents of the waste containers, including the replacement of the odour adsorption material; and
- (j) a community consultation program on odour. The community consultation program may include a community survey, to be developed in conjunction with the community consultative committee.

49. The *Dust Management Plan* shall include, but not necessarily limited to, control strategies to achieve compliance with dust emission limits in this Consent and any environment protection licence. The Dust Management Plan shall adopt the recommendations made by Turnkey Environmental Services Pty Ltd (dated 13 Feb 2006) and provided in Appendix D of the *Statement of Environmental Effects Modification to the Terminal Building Forced Ventilation System Clyde Waste Transfer Station* (Environ, Oct 2006) in relation to the dust suppression spray system at the terminal. The Dust Management Plan shall provide for the monitoring of the performance of the dust suppression system and for improving its performance as it may be

necessary. Following the receipt of any dust related complaints, the Director-General may require the Applicant to undertake further investigations, monitoring or implement measures aimed to mitigate identified dust impacts on residential areas associated with the operation of the terminal.

50. The *Traffic Management Plan* must address, but is not necessarily limited to, the following issues:
  - (a) An education program for all drivers and owners of waste vehicles using the site, about the "left turn only" restrictions on entering and leaving the premises via Parramatta Road
  - (b) A monitoring and recording program to identify and record any waste vehicle and its driver that breaches the "left turn only" restriction upon entering or leaving the premises via Parramatta Road.
  - (c) An education program for all drivers and owners of waste vehicles using the site, about the waste transport routes permitted to be used in the vicinity of the development
  - (d) A monitoring and recording program to identify and record any waste vehicle and its driver that breaches the permitted transport routes
  - (e) An enforcement program including the imposition of identified punitive measures against any driver or vehicle owner whenever the above restrictions are breached
  - (f) Contracts with waste transporters to include conditions addressing entry and exit restrictions and permissible waste transport routes and punitive measures for non-compliances.
  - (g) Measures to minimise trucks and other heavy vehicles from entering or exiting the premises between the following hours: 10pm and 5am Mondays to Saturdays; 10pm and 7am Sundays and public holidays.
  
51. The *Vermin and Pest Control Plan* must address, but is not necessarily limited to, the following issues:
  - (a) Removing all waste from the tipping areas at the end of each day
  - (b) Cleaning up all waste tipping and handling areas at the end of each day
  - (c) Regular cleaning of catch drains and drainage sumps
  - (d) Minimising onsite waste storage and handling
  - (e) Maintaining any bird deterrent measures such as hanging wires
  - (f) Routine inspection and action for potential vector habitats
  - (g) Using commercial vector control specialists
  - (h) Conducting routine litter patrols to collect trash on site, around the perimeter, on immediately adjacent properties and on approach roads.
  
52. The *Stormwater Management Plan* must describe the post construction measures to be employed to operate and maintain the stormwater controls at the premises in a manner that minimises the pollution of waters.
  
53. The *Site Contamination Management Plan* must include any actions recommended in the environmental report by the site auditor that apply to operation stage activities.
  
54. The *Noise Management Plan* shall be drafted in consultation with the rail operator for operation of the rail siding adjacent to the waste packaging terminal for the rail haulage services for Collex. The plan is to be submitted to Auburn Council. The plan must address the objective of mitigating operational rail noise from operations directly attributable to the loading and unloading of containers and associated rail operation on the siding adjacent to the Collex terminal, relating to the movement of containers from the Collex packing terminal. The plan must also identify reasonable noise mitigation strategies:
  - a) Upgrade to hardstand areas utilised for loading and unloading of trains and rail track upgrade where feasible;
  - b) Resurfacing of hardstand area with appropriate noise mitigation materials;
  - c) Track repair and realignment where feasible and appropriate to minimise forklift travel having regard for other rail operations and heritage issues;
  - d) Container management protocols to minimise movement and handling of containers with an emphasis on noise mitigation;
  - e) Identification and utilisation of forklifts to minimise noise impacts and implement measures to minimise use of reversing alarms at night;
  - f) Establishment of a noise complaints procedure;
  - g) Investigating the scheduling of trains outside critical hours subject to metropolitan curfew, Rail Infrastructure Corporation slot management and rail operational considerations;

- h) Ongoing community consultation; and
- i) Employee education in noise mitigation practices.

**Article II. Environmental Management Representative (EMR)**

55. The Applicant shall employ or contract a suitably qualified Environmental Management Representative (EMR) throughout the duration of the development. The EMR shall:
- (a) be the principle person responsible for overseeing environmental management of the development and supervision of environmental services
  - (b) have the authority to stop work if an adverse impact on the environment has occurred or is likely to occur
  - (c) be responsible for the certification of all environmental management plans and procedures
  - (d) be responsible for considering and advising on matters specified in the Conditions of Consent and compliance with such matters
  - (e) oversee the receipt of, and response to, complaints about the environmental performance of the development
  - (f) be present on-site during any critical construction or operational activity as defined in the relevant Environmental Management Plan
  - (g) be a member of the Community Consultative Committee for the development

**Environmental Monitoring Program**

56. The Applicant shall prepare and implement a detailed Environmental Monitoring Program for the proposed development. The program shall include, but is not necessarily limited to, all the monitoring required by this Consent, the environment protection licence, the EMP (Construction Stage) and the EMP (Operation Stage) for the development. The program must:
- (a) Identify the environmental issues to be monitored
  - (b) For each issue, indicate whether its monitoring is required by this Consent, the environment protection licence, the EMP (Construction Stage), the EMP (Operation Stage), or by another instrument
  - (c) Set standards and performance measures for each issue
  - (d) Describe in detail how each issue is to be monitored, who will conduct the monitoring, how often the monitoring will be conducted, and how the results of the monitoring will be recorded and reported to the Director-General and other relevant authorities
  - (e) Indicate the actions taken and procedures to be followed if any non-compliance is detected.
57. All monitoring required by this Consent must be:
- (a) conducted by suitably qualified persons approved by the Director-General
  - (b) conducted in accordance with established standards and protocols
  - (c) reported annually in the Annual Environmental Management Report.
58. The Applicant shall include a report on the Environmental Monitoring Program in the Annual Environmental Management Report. The report must:
- (a) summarise the results from the Environmental Monitoring Program over the previous year
  - (b) analyse the results in relation to both past performance, and the relevant standards and performance measures of the development
  - (c) identify any emerging trends in the data over the life of the development
  - (d) include a copy of the detailed monitoring results as an attachment.

**Annual Environmental Management Report**

59. Between twelve and fourteen months after the issue date of an environment protection licence for the development, and annually thereafter for the duration of the development, the Applicant shall submit an Annual Environmental Management Report to the Director-General, the EPA and the Community Consultative Committee. The report shall be made available to the public on request to the Applicant. The report may be combined with the Annual Return required by the environment protection licence to be submitted to the EPA. The report must:

- (a) identify all the standards, performance measures, and statutory requirements the development is required to comply with
- (b) review the environmental performance of the development to determine whether it is complying with the standards, performance measures, and statutory requirements
- (c) identify each occasion during the previous year when the standards, performance measures, or statutory requirements have not been complied with
- (d) where any non-compliance is identified, describe the actions or measures taken to ensure compliance, who is responsible for carrying out the actions, and when the actions were (or will be) implemented
- (e) include a summary of any complaints made about the development, and indicate the actions taken to address the complaints
- (f) include a report on the Environmental Monitoring Program as specified in this Consent.

### ***Independent Environmental Audits***

60. Every year following the date of this consent, or at periods otherwise agreed to by the Director-General, and until such time as agreed to by the Director-General, the Applicant shall arrange for an independent audit of the environmental performance of the development. The audits shall:
- (a) be conducted pursuant to ISO 14010 – Guidelines and General Principles for Environmental Auditing, ISO 14011 – Procedures for Environmental Monitoring and any specifications of the Director-General;
  - (b) be conducted by a suitably qualified independent person approved by the Director-General;
  - (c) assess compliance with the requirements of this consent;
  - (d) assess the implementation of the EMP (Construction) and EMP (Operation) and review the effectiveness of the environmental management of the development; and
  - (e) be carried out at the Applicants' expense.

The audits shall be submitted to the Director-General.

The Applicant shall comply with all reasonable requirements of the Director-General in respect of any measures arising from or recommended by the audits and within such time as agreed to by the Director-General.

### ***Monitoring and audit results to be publicly available***

61. The results of all monitoring and auditing required by this Consent must be made publicly available at the same time they are submitted to the Director-General.

## **WASTE MANAGEMENT**

### ***Waste receipt and removal***

62. The Applicant must not cause, permit or allow any waste generated outside the premises to be received at the premises unless permitted to do so by an environment protection licence.
63. The Applicant must ensure that waste received at the premises is restricted to inert and solid waste as defined in Schedule 1, Part 3 of the *Protection of the Environment Operations Act 1997* or is assessed as inert waste or solid waste following the technical assessment procedure outlined in Technical Appendix 1 of the *Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes* (EPA, 1999).
64. No waste shall be removed from the premises except:
- (a) construction waste arising from activities during the construction stage of the development
  - (b) waste in sealed shipping containers to be transported by rail for disposal at the Woodlawn Bioreactor
  - (c) small quantities of waste not permitted by the EPL to be received at the terminal, that have been separated out from the incoming waste stream through a documented operational procedure of regular waste inspections and associated control measures: these wastes are to be disposed of to a lawful waste facility

- (d) waste generated from onsite activities such as plant maintenance and repairs, that is not suitable for acceptance at the Woodlawn Bioreactor: these wastes are to be disposed of to a lawful waste facility
- (e) wastewater generated onsite: these wastes are to be disposed of to sewer
- (f) leachate generated from the onsite management of waste: these wastes are to be disposed of to sewer or a lawful liquid waste treatment plant
- (g) recyclable materials generated from the onsite office: these wastes are to be directed to a suitable recycling facility.

65. The Applicant shall implement the approved *Waste Management Plan* to the satisfaction of the Director-General.

### **Asbestos Waste**

66. The Applicant will not accept asbestos at the premises. The *Waste Management Plan* must make provision for identification of asbestos in waste not knowingly received at the premises and for the proper and safe disposal of any asbestos so identified.

### **Waste Management Record Keeping**

- 67. Records shall be made and maintained of each load of waste entering the premises, including the identification of the vehicle, weight, nature and origin of the waste received, and whether the waste was received in pre-packaged shipping containers or for on-site containerisation.
- 68. Records shall be made and maintained of any waste leaving the premises by motor vehicle, including the identification of the vehicle, and the weight, classification and destination of the waste.
- 69. Records shall be made and maintained of all events involving the removal of any waste received at the premises which is not permitted to be accepted at the premises.

## **ODOUR MANAGEMENT**

70. The Applicant shall install a forced ventilation system in the Terminal Building in accordance with MOD-133-11-2006, the design specified in the report *Addendum to Final Report – Odour Mitigation Study – Clyde Waste Transfer Terminal – Collex Pty Ltd* prepared by the Odour Unit Ltd and dated July 2006, and drawing N3630/100 titled *Clyde Transfer Terminal Roof and Gallery Level Proposed Ducting Layout Details* prepared by Turnkey Environmental Systems Pty Ltd. The system shall include a single air exhaust stack to discharge all air from the waste receipt and compaction/loading building, in accordance with the following specifications:

<b>Minimum Stack Height (metres above existing ground level)</b>	<b>Section 2.01 Minimum Stack Height above the top of the roof (metres)</b>	<b>Minimum Stack Diameter (metres)</b>	<b>Minimum Stack Exit Velocity (m/s)</b>	<b>Minimum Stack Exit Volumetric Flowrate (m<sup>3</sup>/s)</b>	<b>Location (X coordinate)</b>	<b>Location (Y coordinate)</b>
21	4	2.64	20	109.48	317145	6254129

The six original fans drawing air from the building through the odour control system shall be replaced with six fans of at least 18kW capacity (each) as per MOD-133-11-2006. The forced air extraction system installed under MOD-133-11-2006 shall be capable of operating in a proper and efficient manner under continuous duty.

Any variations of the design and specifications indicated above resulting from the detailed design of the odour control system shall be approved by the Director-General, in consultation with the DECCW, prior to the commencement of construction. As part of such approval, the Director-General may require the Applicant to provide information demonstrating that the final design will not result in increased impacts as those predicted in the documents referred to under condition 1(e).

71. Construction of the Terminal Building forced ventilation system in accordance with MOD-133-11-2006 shall be undertaken under continuous operation of the original forced ventilation system (as per design approved by the Director-General in correspondence to Collex dated 5 January 2003). Forced ventilation in the Terminal Building, by the operation of the original system or the new system subject to MOD-133-11-2006, shall not be interrupted at any time during the period of transferring odour control systems, unless otherwise approved by the Director-General following a written application for temporary stoppage of the ventilation system during that period. Such application shall provide details of stoppage time required, impacts predicted, and proposed mitigation measures and notification requirements. This condition does not apply at times when waste is not contained within the building.
72. Prior to commencement of construction of the works required under MOD-133-11-2006, the Applicant shall notify the Director-General, Auburn Council, the DECCW and the Community Consultative Committee in writing of the date of commencement of construction, details of the main construction activities and anticipated duration of construction and times of the main construction activities.
73. The Applicant shall implement the approved *Odour Management Plan* to the satisfaction of the Director-General.
74. The Applicant must not cause or permit the emission of offensive odours from the premises, as defined under section 129 of the *Protection of the Environment Operations Act 1997*.
75. The Applicant is not permitted to use deodorisers for odour control at the premises, unless otherwise approved by the Director-General.
76. The Applicant shall continuously operate the forced ventilation system subject to MOD-133-11-2006 (and the original forced ventilation system until the system subject to MOD-133-11-2006 becomes operational) whenever waste is contained within the building, unless otherwise approved by the Director-General. As part of such approval, the Director-General may require the Applicant to carry out additional investigations and implement additional measures to mitigate any off-site impacts that may be anticipated or identified from such investigations.
77. Within three months of the commissioning of the forced ventilation system subject to MOD-133-11-2006, the Applicant shall conduct:
  - (a) odour emission rate sampling and analysis from the single stack (conducted in accordance with the *Approved Methods for the Sampling and Analysis of Air Pollutants in NSW* (DECCW, January 2007); and
  - (b) odour dispersion modelling for the stack odour discharge conducted in accordance with the *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW* (DECCW, August 2005) and the *Technical Framework – Assessment and Management of Odour from Stationary Sources in NSW* (DECCW, November 2006)to confirm whether the operation of the modified stack design meets the DECCW's odour goal of less than 2 OU at the nearest sensitive receiver.
78. The results of any odour performance testing and modelling conducted in accordance with the conditions of this consent, including those required under condition 77, shall be submitted to the Community Consultative Committee, the DECCW, the Director-General and shall be made publicly available, within eight weeks of the testing and modelling having been completed.
79. Following the review of the investigations required under condition 77, or any other odour related investigations and documentation required under this consent, the Director-General in consultation with the DECCW may require the Applicant to carry out additional investigations and implement additional measures to mitigate any identified off-site odour impacts.

80. All odour monitoring and management plans shall be made available to the public on request to the Applicant.
81. Any containerised waste shall not be exposed to the atmosphere at the site, except via a pressure release mechanism and odour filtration system on a container maintained and operated in accordance with the Conditions of this Consent.
82. The design of the pressure release mechanism and odour filtration system on the waste containers shall be approved by the Director-General prior to the acceptance of any uncontainerised waste at the premises.
83. Any waste that has been packed into containers on the site, shall not be re-exposed to the atmosphere at the site, except via a pressure release mechanism and odour filtration system on a container maintained and operated in accordance with the Conditions of this Consent.
84. Deleted
85. Deleted
86. Deleted
87. The Applicant shall carry out monitoring of the forced ventilation system subject to MOD-133-11-2006 (including air emissions monitoring or other) as may be required under any Environment Protection Licence. The monitoring results shall be reported in the Annual Environmental Management report required under condition 59.
88. Monitoring for the concentration of a pollutant emitted to the air must be done in accordance with:
- any methodology which is required by or under the *Protection of the Environment Operations Act 1997* to be used for the testing of the concentration of the pollutant; or
  - if no such requirement is imposed by or under the *Protection of the Environment Operations Act 1997*, any methodology which the general terms of approval or a condition of the licence (as the case may be) requires to be used for that testing; or
  - if no such requirement is imposed by or under the *Protection of the Environment Operations Act 1997* or by the general terms of approval or a condition of the licence (as the case may be), any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.

*Note: The Clean Air (Plant and Equipment) Regulation 1997 requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".*

89. Deleted
90. Prior to the installation of the forced ventilation system subject to MOD-133-11-2006, the Applicant shall provide to the DECCW, manufacturer's performance guarantees, demonstrating to the satisfaction of the DECCW that the equipment will comply with the design parameters specified in this consent and/or the Environmental Protection Licence.
91. A meteorological station must be sited and operated at the premises in accordance with the *Approved Methods for the Sampling and Analysis of Air Pollutants in NSW*. The Applicant shall undertake the sampling and analysis of the meteorological parameters specified in table below. Sampling and analysis of meteorological parameters shall be carried out strictly in accordance with the methods and references specified in the table.

Parameter	Units of measure	Averaging Period	Method <sup>1</sup>	Frequency
Wind Speed @ 10 m	m/s	1 hour	AM-2 & AM-4	Continuous
Wind Direction @ 10 m	°	1 hour	AM-2 & AM-4	Continuous

Sigma Theta @ 10 m	°	1 hour	AM-2 & AM-4	Continuous
Temperature @ 10 m	K	1 hour	AM-4	Continuous
Temperature @ 2 m	K	1 hour	AM-4	Continuous
Solar Radiation	W/m <sup>2</sup>	1 hour	AM-4	Continuous
Rainfall	mm	24 hours	AM-4	Continuous
Evaporation	mm	24 hours	Note <sup>2</sup>	Continuous
<b>Additional Requirements</b>		<b>Method<sup>1</sup></b>		
Siting		AM-1 & AM-4		
Measurement		AM-2 & AM-4		

Note: <sup>1</sup> All methods are specified in the *Approved Methods for the Sampling and Analysis of Air Pollutants in NSW*.

Note: <sup>2</sup> Method approved by the EPA in writing.

## DUST MANAGEMENT

92. The Applicant shall implement the *Dust Management Plan (Construction Stage)* and the approved *Dust Management Plan (Operation Stage)* to the satisfaction of the Director-General.
93. All operations and activities occurring at the premises must be carried out in a manner that will minimise the emission of dust from the premises.
94. All trafficable areas and vehicle manoeuvring areas in or on the premises shall be maintained at all times in a condition that will minimise the generation or emission from the premises, of wind-blown or traffic generated dust.
95. Trucks entering and leaving the premises that are carrying loads must be covered at all times, except during loading and unloading. (EPA)
96. The Applicant must prepare and implement an Ambient Air Quality Monitoring Plan. The Plan must address, but not necessarily be limited to, the following:
  - (a) Monitoring methodologies and standards (sampling and analysis);
  - (b) Monitoring for concentrations of total suspended particulates (TSP) and dust deposition rates;
  - (c) Locations where monitoring will be carried out;
  - (d) Detailed monitoring cycle and the duration of each monitoring cycle; and
  - (e) Reporting.

97. Deleted.

## AIR MONITORING

98. Detailed records of operating conditions inside the waste terminal building shall be made coincident with any monitoring for odour or dust required by Conditions of this Consent.

## WATER MANAGEMENT

99. Except as may be expressly provided by a licence under the *Protection of the Environment Operations Act 1997* in relation of the development, section 120 of the *Protection of the Environment Operations Act 1997* must be complied with and in connection with the carrying out of the development.
100. Any water that comes into contact with waste at the premises must be directed to the leachate collection system.
101. The approved *Soil and Water Management Plan* must be implemented prior to and for the duration of the construction stage of the development.

102. Stormwater pollution controls must be implemented prior to and for the duration of the operation of the development. The controls shall be consistent with the Stormwater Management Plan for the catchment. Where a Stormwater Management Plan has not yet been prepared the Scheme shall be consistent with the guidance contained in *Managing Urban Stormwater: Council Handbook* (available from the EPA). The controls shall incorporate minimum levels of treatment in the following table:

Development component	Minimum level of stormwater treatment
Undeveloped sections of access road	Existing overland flow to Duck River
Roof water	On-site detention
Gatehouse and weighbridge area, carpark, access road and container loading area adjacent to the compaction units	First flush system, GPT, oil and grease separation, on-site detention

#### SITE CONTAMINATION

103. The *Site Contamination Management Plan* must be implemented to the satisfaction of the Director-General, prior to and for the duration of the development.

#### NOISE MANAGEMENT

104. The Applicant shall implement the approved *Construction Noise Management Plan*, to the satisfaction of the Director-General.
105. The Applicant shall implement the *Noise Management Plan*, to the satisfaction of the Director-General.
106. Except as permitted under condition 25A, all construction work at the premises that creates audible noise at residential premises shall only be conducted between 7:00am and 5:00pm on Mondays to Fridays and between the hours of 8:00am and 5:00pm on Saturdays. There shall be no construction activities on Sundays or public holidays. The allowable construction times may be varied by an environmental protection licence.
107. The delivery of construction material outside the hours of construction permitted by this Consent is not permitted except when required by police or other authorities for safety reasons; and/or because the operation, personnel or equipment are endangered. In such circumstances, notification is to be provided to the EPA and affected residents at least 24 hours prior to the delivery, or within a reasonable period in the case of an emergency.
108. Deleted.
- 108A. Deleted.
109. Deleted.
110. Deleted.
111. Deleted.
112. The Applicant shall implement a Heavy Vehicle Noise Monitoring Management Program for the development to the satisfaction of the Director-General. This program must:

- (a) monitor heavy vehicle noise on the site, in accordance with the methods outlined in the "Truck Noise Monitoring – Proposed Test and Management Plan" prepared by Heggies and dated 26 May 2008;
- (b) be undertaken quarterly for the first year starting in October 2008, and annually thereafter, unless otherwise agreed by the Director-General;
- (c) measure at least 25% of the heavy vehicles visiting the site;
- (d) identify heavy vehicles exceeding the relevant noise criteria specified in Australian Design Rule 28/01, or its successor, and ensure that the owners of these subsequently comply with the relevant noise criteria;
- (e) report the number of non-compliant heavy vehicles identified and the actions undertaken to address these non-compliances in the Annual Environmental Monitoring Report; and
- (f) be amended, should the monitoring activities not achieve the aim of the program, to the satisfaction of the Director-General.

~~The Applicant shall ensure that annual noise emission assessments of all trucks owned or operated by the Applicant or trucks the subject of a delivery contract with the Applicant are carried out. The assessment shall assess compliance with relevant noise emission requirements of ADR 28/01 or its successor. The assessment shall be made available to Auburn Council and to the Director General within 3 weeks of the Applicant's annual licensing report to the EPA. If any non-compliance with the relevant noise emission requirements is identified, the assessment report shall recommend mitigation measures with the objective of ensuring compliance with relevant noise emission requirements of ADR 28/01.~~

113. The Applicant shall implement an induction program for all drivers of trucks that deliver waste to the waste terminal with the objective of mitigating noise impacts of trucks entering and leaving the waste terminal, including driving procedures and throttle management. The program is to be designed in consultation with Auburn Council and is to emphasise the importance of noise emission control, driving and operating practices and procedures for night time activities.
114. The Applicant shall, in conjunction with the rail operator, implement an induction program for all train drivers and other rail staff dedicated to transporting containers to and from the Collex terminal area by train to Woodlawn. The program is to emphasise noise mitigation measures through "Good Neighbour" rail techniques such as notch control, idling practices, shunting speeds and engine control and shall form an integral part of the operational noise management plan.

## VERMIN AND PEST MANAGEMENT

115. The design of the terminal building and associated waste handling facilities shall incorporate such reasonable measures to eliminate or minimise the potential for birds, rodents, flies and other pests to congregate at the development. Consideration shall be given to incorporating the following measures
- (a) sealing surfaces to prevent moisture and odour absorption
  - (b) elimination of crevices where waste, moisture and vermin can accumulate
  - (c) providing screening of the ventilation openings in the building
  - (d) eliminating horizontal surfaces where birds can congregate
  - (e) minimising horizontal ledges where dust and litter can accumulate
  - (f) using fencing and netting to prevent wind-blown litter from escaping.
116. The *Vermin and Pest Management Plan* must be implemented for the duration of the operation of the development, to the satisfaction of the Director-General.
117. The Applicant must take all practicable measures to prevent the attraction and infestation of the premises with vermin and pests.

## TRAFFIC MANAGEMENT

118. All access to the development shall be via a sealed access road from Parramatta Road. No vehicle shall enter or exit the development via the internal road connecting the Clyde Marshalling Yards to Rawson Street.

119. No vehicle entering the development shall turn right off Parramatta Road.
120. No vehicle exiting the development shall turn right onto Parramatta Road.
121. The *Traffic Management Plan* must be implemented for the duration of the operation of the development, to the satisfaction of the Director-General.
122. Prior to the commencement of construction activities, the Applicant shall demonstrate to the satisfaction of the Director-General, it has reasonable arrangements in place in respect of its use of the right of carriageway, concerning traffic sharing, protection of underground and above-ground services in the vicinity of the carriageway and the potential impacts on the existing weighbridge.
123. The Applicant must ensure no trucks or other heavy vehicles enter or exit the premises between the hours 10pm to 5am Mondays to Saturdays and 10pm to 7am Sundays and public holidays, unless otherwise provided in the Traffic Management Plan approved by the Director-General.
124. The Applicant shall fund a traffic study, to be conducted by an independent, suitably qualified person. The study is to be completed and submitted to the Director-General within 14 months from commencement of operations, review the operation of the access road in the first 12 months of the development and recommend any future actions to ensure sufficient future capacity of the access road. The Applicant shall provide a reasonable financial contribution towards any upgrade of the access road recommended by the study.

## EMERGENCY MANAGEMENT

### *Emergency Management Plan*

125. In relation to activities, which in the event of a disruption to operations may result in significant pollution being emitted, the Applicant must:
  - (a) conduct an assessment to determine the potential internal and external causes of disruption of operations at the premises;
  - (b) determine how these disruptions would impact on operations; and
  - (c) identify the pollution that would result due to the disruption of operations and what impact the pollution would have on the health of the community and the environment.
126. In relation to matters identified in the previous condition, the Applicant must prepare an Emergency Management Plan. The Plan shall address, but not necessarily be limited to:
  - (a) identification of threats to the environment and/or public health that could arise in relation to the construction and operation of development. These threats may include fire, overflow, power or other utility failure, natural disaster etc;
  - (b) identification of strategies to minimise and ameliorate the effects of any water pollution identified from the groundwater and surface water monitoring programs;
  - (c) an estimate of the cost of implementation;
  - (d) actions to effectively respond to the disruption of operations so the risk of pollution is minimised;
  - (e) a communications strategy for alerting relevant agencies and the potentially affected community in the event of the disruption to operations leading to significant pollution; and
  - (f) ensuring that all relevant employees are familiar with the emergency management plan.

The Applicant should regularly review the adequacy of the plan obtaining expert advice as required.

*Note: When developing this emergency plan, consideration should be given to the possible integration with current emergency management plans for the entire site.*

127. The Applicant shall consult with the NSW Fire Brigades and install a fire main and hydrants as required by the Fire Brigades. The system shall comply with AS 2419.

## **LANDSCAPING**

128. The Applicant shall implement the Landscaping Plan in consultation with Auburn Council and to the satisfaction of the Director-General.

## **DEVELOPMENT SETBACK**

129. The Applicant shall not construct any new buildings, hardstand, storage areas or vehicle manoeuvring areas within 30 metres of the Duck River Mean High Water Mark (as measured horizontally), to allow for the establishment of a viable riparian zone and multi-purpose recreation path.

## **RIPARIAN RESTORATION**

130. The Applicant shall prepare at its own expense a site specific Riparian Zone Management Plan to address the issues contained in Auburn's draft Duck River Riparian Management Plan. The Plan shall be submitted to Auburn Council's Director Service Planning prior to the issue of the Occupation Certificate, or as otherwise agreed to by Auburn Council.

Any riparian restoration activities undertaken by the Applicant shall, where appropriate, be consistent with but not necessarily limited to the activities listed in Attachment 3.

## **DUCK RIVER ACCESSWAY**

131. The Applicant shall facilitate as appropriate and as required by the Director-General, the provision of a 3.0 metre wide reinforced concrete multi-purpose recreation path along the landward side of a 30 metre riparian/public open space dedication zone between the proposed development and Duck River, extending from Parramatta Road to the base of the Clyde railway bridge, along the edge of the development.

## **LAND DEDICATION**

132. The Applicant shall facilitate as appropriate and as required by the Director-General and/or contribute to the dedication to Auburn Council of land incorporating the riparian restoration zone and multi-purpose recreation path between the proposed development and Duck River, extending from Parramatta Road to the base of the Clyde railway bridge, along the edge of the development.

## **HERITAGE**

133. The Applicant shall contribute to the development and installation of heritage interpretation signage in consultation with Auburn Council, regarding the heritage significance of the Clyde Marshalling Yards and in particular Track 22 and associated pre-use of the area occupied by the development. The heritage signage is to be approved by Auburn Council and installed within 6 months of commencement of the approved use or as otherwise agreed to by Auburn Council.

## **COMMUNITY LIAISON**

### **Community Consultative Committee**

134. The Applicant shall establish and maintain a Community Consultative Committee for the whole duration of the development, and take all reasonable steps to ensure that the first meeting is held prior to commencement of construction. Selection of representatives shall be agreed by the Director-General and

the appointment of an independent Chairperson shall be to the satisfaction of the Director-General in consultation with the Applicant, Parramatta City Council and Auburn Council. The Committee shall include two representatives from the Applicant (including the Environmental Officer), four community representatives and a representative from each Council. Representatives from relevant government agencies (including PlanningNSW) may be invited to attend meetings of the Committee as required. The Committee may make comments and recommendations about the implementation of the development and draft management plans, environmental plans and/or studies. The Applicant shall ensure that the Committee has access to the necessary plans and/or studies for such purposes. The Applicant shall consider the recommendations and comments of the Committee and provide a response to the Committee and the Director-General.

135. The Applicant shall, at its own expense:

- (a) provide appropriate facilities for meetings of the Committee;
- (b) nominate a representative to attend all meetings of the Committee;
- (c) provide to the Committee regular information on the progress of the work and monitoring results;
- (d) promptly provide to the Committee such other information as the Chairperson of the Committee may reasonably request concerning the environmental performance of the development; and
- (e) provide reasonable access for site inspections by the Committee.

136. The Applicant shall establish a trust fund to be managed by the Chairperson of the Committee to facilitate functioning of the Committee, and pay \$2000 per annum to the fund for the duration of the development. The payment shall be indexed according to the Consumer Price Index (CPI) at the time of payment. The first payment shall be made by the date of the first Committee meeting. The Applicant shall also contribute reasonable funds for payment of the independent Chairperson, to the satisfaction of the Director-General.

#### COMMUNITY ENHANCEMENT PROGRAM

137. Prior to the commencement of construction, or as otherwise approved by the Director-General in consultation with Auburn Council, the Applicant shall take all reasonable steps to negotiate an agreed outcome with Auburn Council for an appropriate level of contribution (financial or in-kind) towards mitigating the social and community impacts resulting from the construction and operation of the development.

The contribution shall provide, but not necessarily be limited to, the following:

- (a) the payment of \$50,000 (unless otherwise agreed to by the Director-General) to Auburn Council as a contribution to the drafting of a **masterplan** for the entire Clyde Marshalling Yards
- (b) appropriate monetary lump sum contributions to be negotiated with Auburn Council for the purposes of:
  - the widening of the **Western Overbridge**;
  - establishing a vegetated **riparian restoration zone** along the eastern bank of Duck River from Parramatta Road to the Clyde railway bridge;
  - establishing a **multi-purpose recreation path** adjacent to the riparian zone from Parramatta Road to the Clyde railway bridge; and
  - the development and installation of **heritage interpretation signage** along the multi-purpose recreation path regarding the heritage significance of the Clyde Marshalling Yards and in particular Track 22 and associated pre-use of the area occupied by the development.
- (c) ongoing or as otherwise agreed to financial contributions proportional to the tonnage throughput of the terminal for the purpose of local community enhancement projects and/or activities in accordance with a community enhancement plan to be prepared by Auburn Council to reflect community priorities and needs.

Should such a negotiated outcome not be reached, the Applicant shall abide by the requirements of the Director-General concerning community enhancement contribution in light of an independent investigation to establish such contribution.

Such investigation is to be carried out by an independent person(s) to be appointed by the Director-General in consultation with the Applicant and Auburn Council.

The commencement of any construction on-site shall not proceed unless the above outcomes have been agreed or otherwise approved by the Director-General in consultation with Auburn Council.

## Attachment 1

### Elements to be addressed in the Environmental Management Plan (Construction Stage) and the Environmental Management Plan (Operation Stage)

The EMP (Construction Stage) and EMP (Operation Stage) shall address but not be limited to:

1. identification of the statutory and other obligations which the Applicant is required to fulfill during construction stage including all approvals and consultations/agreements required from authorities and other stakeholders, and key legislation and policies which control the Applicant's implementation of the development
2. periodic or otherwise revision of the EMP to address changed or evolving circumstances
3. definition of the role, responsibility, authority, accountability and reporting of all personnel relevant (including sub-contractors) to compliance with the construction EMP
4. measures to avoid the occurrence of adverse environmental impacts
5. induction and training of all personnel (including sub-contractors) to ensure compliance with the construction EMP
6. the role of the EMR
7. measures to provide positive environmental offsets to unavoidable adverse environmental impacts
8. environmental management procedures for all construction processes which are important for the quality of the environment in respect of permanent and/or temporary works
9. monitoring, inspection and test plans for all activities and environmental qualities which are important to the environmental management of the project including performance criteria, specific tests, protocols (eg. frequency and location) and procedures to follow including procedures for notifying all relevant authorities should non-compliance with any limits or performance standards specified in the construction EMP arise
10. environmental management instructions for all complex environmental control processes which do not follow common practice or where the absence of such instructions could be potentially detrimental to the environment
11. requirements to undertake environmental audits to ensure that the construction EMP is working and steps the Applicant intends to take to ensure that all plans and procedures are being complied with
12. delegation of responsibilities for compliance with the EMP and relevant environmental statutes
13. community consultation and notification strategy (including the local community and all relevant authorities) and complaint handling procedures
14. project records to be maintained to provide objective evidence of the level of compliance with the construction EMP.

## Section 2.02 Mandatory Conditions for all EPA Licences

### ARTICLE III. ADMINISTRATIVE CONDITIONS

### ARTICLE IV. OPERATING CONDITIONS

#### Section 4.01

#### *Section 4.02 Activities must be carried out in a competent manner*

M1. 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.

#### *Section 4.03 Maintenance of plant and equipment*

M2. 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.

### ARTICLE V. MONITORING AND RECORDING CONDITIONS

#### Section 5.01

#### *Section 5.02 Recording of pollution complaints*

M3. 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. 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.

The record of a complaint must be kept for at least 4 years after the complaint was made. The record must be produced to any authorised officer of the EPA who asks to see it.

#### *Section 5.03 Telephone complaints line*

M4. 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.

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.

## ARTICLE VI. REPORTING CONDITIONS

### Section 6.01

#### Section 6.02 *Annual Return documents*

### Section 6.03

#### Section 6.04 *What documents must an Annual Return contain?*

M5. 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.

A copy of the form in which the Annual Return must be supplied to the EPA accompanies this licence. Before 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.

#### (a) *Period covered by Annual Return*

M6. An Annual Return must be prepared in respect of each reporting, except as provided below.

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

M7. 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.

M8. 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.

#### (b) *Deadline for Annual Return*

M9. 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').

#### (c) *Notification where actual load can not be calculated (Licences with assessable pollutants)*

M10. Where the licensee is unable to complete a part of the Annual Return by the due date because the licensee was unable to calculate the actual load of a pollutant due to circumstances beyond the licensee's control, the licensee must notify the EPA in writing as soon as practicable, and in any event not later than the due date.

The notification must specify:

- (a) the assessable pollutants for which the actual load could not be calculated; and
- (b) the relevant circumstances that were beyond the control of the licensee.

#### (d) *Licensee must retain copy of Annual Return*

M11. 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.

(e) *Certifying of Statement of Compliance and Signing of Monitoring and Complaints Summary*

M12. 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.

A person who has been given written approval to certify a Statement of Compliance under a licence issued under the Pollution Control Act 1970 is taken to be approved for the purpose of this condition until the date of first review this licence.

(f) *Notification of environmental harm*

M13. The licensee or its employees must notify the EPA of incidents causing or threatening material harm to the environment as soon as practicable after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the *Protection of the Environment Operations Act 1997*.

Notifications must be made by telephoning the EPA's Pollution Line service on 131 555.

The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

(g) *Written report*

M14. 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.

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.

M15. The request may require a report which includes any or all of the following information:

- (a) the cause, time and duration of the event;
- (b) the type, volume and concentration of every pollutant discharged as a result of the event;
- (c) 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; and
- (d) 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;
- (e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
- (f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event;
- (g) any other relevant matters.

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.

## ARTICLE VII. GENERAL CONDITIONS

### *Section 7.01 Copy of licence kept at the premises or on the vehicle or mobile plant*

M16. A copy of this licence must be kept at the premises or on the vehicle or mobile plant to which the licence applies. The licence must be produced to any authorised officer of the EPA who asks to see it. The licence must

be available for inspection by any employee or agent of the licensee working at the premises or operating the vehicle or mobile plant.

## Attachment 3

### Riparian Restoration Activities

- (a) The vegetated riparian restoration zone shall be located adjacent to the development along the Duck River from Parramatta Road to the Clyde railway bridge, in consultation with Auburn Council.
- (b) The Applicant shall manage the riparian restoration zone for a period of no less than ten years.
- (c) At the completion of the ten-year management period, the Applicant shall engage a suitably qualified expert as agreed by Auburn Council, to conduct a performance audit of the management of the riparian restoration zone.
- (d) At the completion of a satisfactory performance audit, the Riparian Management Plan shall be amended in accordance with the recommendations of the audit, to provide management for the next five years or dedication to Auburn Council, whichever ever may occur first.
- (e) The riparian area shall be managed in accordance with the approved Riparian Management Plan by the Applicant for the initial ten year period, or until satisfactory achievement of the performance targets identified in the Riparian Management Plan, as certified by the independent audit, whichever ever is the greater.
- (f) The current steeply sloping land shall be re-contoured in accordance with the land profiles indicated within Auburn Council's draft Duck River Riparian Management Plan to ensure that the risk of erosion is minimised and to facilitate safe pedestrian and other recreational use.
- (g) Subject to the above conditions, riparian vegetation restoration works shall be landscaped by the Applicant with a diversity of local native plant species in accordance with Auburn Council's draft Riparian Management Plan in consultation with Auburn Council. Prior to commencement of the restoration works, a vegetation plan is to be prepared by the applicant in consultation with and to the satisfaction of Auburn Council indicating how such vegetation is to be established.
- (h) A suitable weed free soil, similar to soil which occurs naturally in local riparian areas, must form the surface of the riparian zone. This soil must not be less than one metre in thickness and be suitable for the establishment and on-going viability of riparian vegetation. Any such soil must be tested and certified for its suitability by a NATA registered soils laboratory prior to being used on the site. Documentation arising from this testing and certification must be provided to Auburn Council prior to the placement of any soil.
- (i) A landscape / riparian restoration plan shall be submitted to Auburn Council and include the following information:
  - Cross-sections are to extend for a distance of 40 metres inland from the top of the bank or shore of each waterway and must continue 5 metres beyond the toe of the bank of Duck River. All cross-sections are to show MHWM and the 1 in 100 year AEP flood level. Any traversed features such as existing catch drains, sediment basins and any other features, are to be shown on the cross sections. Cross-sections are to show known stratigraphy and the nature and depth of soil material, which must support riparian vegetation.
  - The location of each species to be used and size at maturity.
  - A planting schedule that includes botanic names, container size, quantities and staking where required.
  - Standard construction and detail drawings including sections through mass planting beds, individual tree planting and bank stabilisation.

**APPENDIX 3**  
**EPL 11763**

# Environment Protection Licence



Licence - 11763

## Licence Details

Number:	11763
Anniversary Date:	15-January

## Licensee

VEOLIA ENVIRONMENTAL SERVICES (AUSTRALIA) PTY LTD

PO BOX 171

GRANVILLE NSW 2142

## Premises

CLYDE TRANSFER TERMINAL

PARRAMATTA ROAD

CLYDE NSW 2142

## 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 - 11763

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# Environment Protection Licence



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# Environment Protection Licence

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Licence - 11763



## 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 - 11763

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 - 11763

## 1 Administrative Conditions

### A1 What the licence authorises and regulates

A1.1 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
CLYDE TRANSFER TERMINAL
PARRAMATTA ROAD
CLYDE
NSW 2142
PART LOT 201 DP 1007683

### A3 Information supplied to the EPA

A3.1 Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.

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

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

## 2 Discharges to Air and Water and Applications to Land

# Environment Protection Licence

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## P1 Location of monitoring/discharge points and areas

P1.1 The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point.

### Air

EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
1	Air emissions monitoring; Discharge to air	Air emissions monitoring; Discharge to air	A 2.64 diameter exhaust stack, 21 metres above ground level installed centrally to the roof line supported off the mezzanine level, labelled as "New stack 2640mm" on map titled "Stack position-centre discharge" submitted to the EPA on 5 Nov 2007

## 3 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 (putrescible)	As defined in Schedule 1 of the POEO Act, in force from time to time	Waste processing (non-thermal treatment) Waste storage	NA
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) Waste storage	NA

L2.2 The authorised amount of waste permitted on the premises cannot exceed 4,000 tonnes at any one time.

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## L3 Noise limits

L3.1 Noise generated at the premises must not exceed the noise limits presented in the table below:

Location	Day - LAeq (15 min)	Evening - LAeq (15 min)	Night - LAeq (15 min)	Night- LA1 (1 min)
First St, Granville (nearest residence)	44	38	39	56
10 Hampstead Rd, Auburn	40	38	38	54
17 Cumberland Rd, Auburn	41	39	39	52

L3.2 For the purpose of Condition L3.1:

- Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and Public Holidays,
- Evening is defined as the period from 6pm to 10pm
- Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays
- LAeq(15minute) is defined as the equivalent continuous 'A' weighted sound pressure level- the energy average of the noise measured over a 15 minute period.
- LA1 (1 minute) is defined as the sound pressure level exceeded for one percent of a 1 minute measurement period.

L3.3 Noise from the Clyde Transfer Terminal premises is to be measured at the most affected point on or within the residential boundary to determine compliance with the LAeq(15 minute) noise limits in condition L3.1.

Note: Where it can be demonstrated that direct measurement of noise from the premises is impractical, the EPA may accept alternative means of determining compliance. See Chapter 11 of the NSW Industrial Noise Policy.

Note: The modification factors presented in Section 4 of the NSW Industrial Noise Policy shall also be applied to the measured noise level where applicable.

L3.4 Noise from the Clyde Transfer Terminal premises is to be measured at 1m from the dwelling façade to determine compliance with the LA1(1 minute) noise limits in condition L3.1.

L3.5 The noise emission limits identified in condition L3.1 apply under meteorological conditions of:

- wind speeds up to 3 m/s at 10 metres above ground level; and/or
- temperature inversion conditions of up to 3 degrees Celsius/100m.

## L4 Potentially offensive odour

L4.1 No condition of this licence identifies a potentially offensive odour for the purposes of section 129 of the

# Environment Protection Licence

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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.

## **L5 Other limit conditions**

### **L5.1 Asbestos**

The licensee must comply with the conditions as specified in this licence or where no specific conditions are outlined in this licence, the licensee must comply with the Protection of the Environment Operations (Waste) Regulation 2014.

## **4 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 All operations and activities occurring at the premises must be carried out in a manner that will minimise the emission of dust from the premises.

O3.2 Trucks entering and leaving the premises that are carrying loads must be covered at all times, except during loading and unloading.

### **O4 Emergency response**

O4.1 The licensee must maintain, and implement as necessary, a current emergency response plan for the

# Environment Protection Licence

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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 Fire fighting capability.

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 DECC Waste Classification Guidelines as in force from time to time.

O5.2 The licensee must ensure that each waste for recovery/recycling is stockpiled separately.

## O6 Waste management

O6.1 Stormwater and wastewater management – operating phase.

All areas that involve the handling of waste including container transfer and handling areas, clean container storage areas and internal roadways must be sealed.

O6.2 Tracking of mud and waste.

Vehicles leaving the premises must not track materials to external surfaces.

## 5 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;

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- 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.

## M2 Requirement to monitor concentration of pollutants discharged

### M2.1 Air

Other	Units of Measure	Frequency	Sampling Method
Selection of sampling positions	-	-	TM-1

## M3 Recording of pollution complaints

M3.1 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.

M3.2 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.

M3.3 The record of a complaint must be kept for at least 4 years after the complaint was made.

M3.4 The record must be produced to any authorised officer of the EPA who asks to see them.

## M4 Telephone complaints line

M4.1 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.

M4.2 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.

M4.3 The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.

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## 6 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 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.

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.

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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.

## 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, 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:
- a) the cause, time and duration of the event;
  - b) the type, volume and concentration of every pollutant discharged as a result of the event;
  - c) 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;
  - d) 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;
  - e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
  - f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
  - g) 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.

## 7 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.

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## G2 Other general conditions

- G2.1 The licensee must establish a community environment liaison committee, comprising representatives of the community, the applicant, Parramatta City Council and Auburn Council that will meet at least quarterly. Representatives from relevant NSW Government agencies (including the Department of Planning and the Department of Environment and Climate Change) may be invited to attend meetings as required. Discussion at the meetings must include the progress in implementation of the development consent and other statutory approvals, and must provide adequate time for the community to raise matters of concern associated with the environmental impact of the development, with a view to achieving mutually satisfactory solutions.

## 8 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 30 June 2015. 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.

(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 safe.
- E1.3 The financial assurance must be replenished by the full amount claimed or realised if the EPA has claimed 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.

# Environment Protection Licence

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- 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 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.

# Environment Protection 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 Stephen Beaman

Environment Protection Authority

(By Delegation)

Date of this edition: 15-January-2004

## End Notes

- 1 Licence varied by notice 1083444, issued on 02-Jun-2008, which came into effect on 02-Jun-2008.
- 2 Licence varied by notice 1101264, issued on 01-Jun-2009, which came into effect on 01-Jun-2009.
- 3 Licence varied by Correction to EPA Region data record., issued on 25-Jun-2010, which came into effect on 25-Jun-2010.
- 4 Licence varied by notice 1530072 issued on 18-Jan-2016