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2019 INDEPENDENT ENVIRONMENTAL AUDIT STOLTHAVEN BULK FUEL STORAGE FACILITY

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AGENCY CONSULTATION

GLOSSARY

AQMP	Air Quality Management Plan
AS	Australian Standards
BLB	Bulk Liquids Berth
CEMP	Construction Environmental Management Plan
Council	Newcastle City Council
CSMP	Contaminated Site Management Plan
DP	Deposited Plan
DPE	NSW Department of Planning & Environment
EEP	Energy Efficiency Plan
EIS	Environmental Impact Statement
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EPA	NSW Environment Protection Authority
EPL	Environment Protection Licence
IBC	Intermediate Bulk Container
IEA	Independent Environmental Audit
kL	Kilolitres
LMP	Landscape Management Plan
M4	Mayfield Berth 4
M7	Mayfield Berth 7
MCP	Mayfield Concept Plan
ML	Mega litres
MOD	Modification
NSW	New South Wales
OEMP	Operational Environmental Management Plan
ONMP	Operational Noise Management Plan
pa	Per annum
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
PON	Port of Newcastle
SEE	Statement of Environmental Effects
SSD	State Significant Development
SWMP	Stormwater Management Plan
T	Tonnes
TMP	Traffic Management Plan
TSS	Total Suspended Solids
USMP	Utilities and Services Management Plan
VOCs	Volatile Organic Compounds
WMP	Water Management Plan

1. EXECUTIVE SUMMARY

Stolthaven Australia Pty Ltd (Stolthaven) engaged Ramboll Australia Pty Ltd (Ramboll) to conduct an Independent Environmental Audit (IEA) of the Stolthaven Bulk Fuel Storage Facility (the 'Project') located on industrial land managed by the Port of Newcastle Pty Ltd (PON) in Mayfield, New South Wales (NSW).

The Project generally comprises: ship unloading facilities at the Mayfield No. 4 Berth (M4) wharf facility (no longer operational); a delivery pipeline from M4 and Mayfield No. 7 Berth (M7) to the terminal; seven diesel storage tanks and two biodiesel tanks; a four bay automated truck loading and unloading facility; and associated ancillary infrastructure.

The Project operates under the State Significant Development (SSD) Development Consent SSD 6664 (as modified) issued on 16 April 2015 under Part 4 of the *Environmental Planning and Assessment Act* (EP&A Act). A new Development Consent (SSD 7065) was issued on 15 December 2016 under Part 4 of the EP&A Act to further expand operations and replace SSD 6664. Some conditions of SSD 7065 were activated in 2018 for the construction and operation of M7 and the associated fuel pipeline, referred to as 'Stage 1' of the development. Only conditions related to Stage 1 activities have been assessed in this IEA for SSD 7065.

The Project also operates under an Environment Protection Licence (EPL) 20193 issued by the Environment Protection Authority (EPA).

In accordance with Schedule 4, Condition 8 of Development Consent SSD 6664 and Schedule D, Condition 12 of SSD 7065, an IEA is required "*Within 1 year of the date of this consent, and every 3 years thereafter, unless the Secretary directs otherwise*". The previous IEA covered the period up to 3 February 2016. The audit period for this IEA is from 4 February 2016 to 11 June 2019. The site visit was held on 8 April 2019.

The Auditors assessed the development to be generally compliant with the conditions of Development Consent SSD 6664, SSD 7065 and EPL 20193. Six non-compliance issues were identified relating to seven conditions and two Applicant's Management and Mitigation Measures (AMMM) (contained in appendices to the development consents), which are considered to be of an administrative nature. Opportunities for improvement were also identified. Management systems and environmental performance of the development are considered to be adequate for the stage of development. The six non-compliance issues identified were:

SSD 6664 Condition 2-2c: Some non-compliance issues were identified against the AMMM's contained in Appendix 2 of the SSD 6664 Development Consent as described below.

SSD 6664 Condition 2-2e and SSD 7065 Condition B2a: Some non-compliance issues were identified against the conditions of the SSD 6664 and SSD 7065 Development Consents as described below.

SSD 6664 Condition 4-2a and SSD 7065 Condition D7a: The Traffic Management Plan (TMP), Operational Noise Management Plan (ONMP), SWMP, Water Management Plan (WMP), Utilities Services Management Plan (USMP) and Landscape Management Plan (LMP) do not include a description of detailed baseline data.

SSD 6664 Condition 4-2g and SSD 7065 Condition D7g: The TMP, USMP and LMP do not include a procedure (or reference to a procedure) for complaints management.

SSD 6664 AMMM 5: The TMP does not include expected traffic numbers as a result of the project.

SSD 6664 AMMM 26: Fire pump testing is not undertaken on a weekly basis (it is undertaken monthly).

No non-compliance issues against EPL 20193 were identified.

2. INTRODUCTION

Ramboll Australia Ltd (Ramboll) has been engaged by Stolthaven Australia Pty Ltd (Stolthaven) to conduct an Independent Environmental Audit (IEA) of the Stolthaven Bulk Fuel Storage Facility (the 'Project') located on industrial land managed by the Port of Newcastle Pty Ltd (PON) in Mayfield, New South Wales (NSW).

The Project is located at 103 Selwyn Street Mayfield North and identified as Part of Lot 2 in Deposited Plan (DP) 1177466. The Mayfield No. 4 Berth (M4), used by Stolthaven up until October 2018, is located on Lot 44 on DP1191982 and the pipeline connecting the Project and M4 is located on Lot 42 and Lot 45 on DP1191982.

In October 2018, Stolthaven commissioned the Mayfield No. 7 Berth (M7) under a complying development certificate issued by Newcastle City Council (Council). Since October 2018, Stolthaven uses M7 for the delivery of diesel.

The Project operates under the State Significant Development (SSD) development consent SSD 6664 (as modified) issued on 16 April 2015 under Part 4 of the *Environmental Planning and Assessment Act* (EP&A Act) and development consent SSD 7065 issued on 15 December 2016 issued under Part 4 of the EP&A Act.

The IEA is a statutory requirement by the NSW Department of Planning and Environment (DPE) under Schedule 4, Condition 8 of SSD 6664 and Schedule D, Condition 12 of SSD 7065.

2.1 Scope of Works

To assess the environmental performance of the site for the period since the last IEA, as required under Schedule 4, Condition 8 of SSD 6664, the IEA is required to verify and report as per the following:

"8. Within 1 year of the date of this consent, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the Development. This audit must:

- a) be carried out by a suitably qualified, experienced and independent audit team whose appointment has been endorsed by the Secretary;*
- b) include consultation with EPA and PON;*
- c) assess the environmental performance of the Development, and its effects on the surrounding environment;*
- d) determine whether the Development is complying with the relevant standards, performance measures and statutory requirements;*
- e) review the adequacy of the Environmental Management Strategy for the Development compliance with the requirements of this consent, and any other licences and consents; and, if necessary;*
- f) recommend measures or actions to improve the environmental performance of the Development, and/or any plan/program required under this consent.*

9. Within 3 months of commissioning the audit, or as otherwise agreed by the Secretary, the Applicant must submit a copy of the audit report to the Secretary, EPA and PON with a response to any recommendations contained in the audit report."

To assess the environmental performance of the site for the period since the last IEA, as required under Schedule D, Condition 12 of SSD 7065, the IEA is required to verify and report as per the following:

"D12. Within one year of the date of this consent, and every three years thereafter, unless the Secretary directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the Site. The audit must:

- a) *be carried out by a suitably qualified, experienced and independent audit team whose appointment has been endorsed by the Secretary;*
- b) *include consultation with PON;*
- c) *assess the environmental performance of the Site, and its effects on the surrounding environment;*
- d) *determine whether the Site is complying with the relevant standards, performance measures and statutory requirements, including the Mayfield Concept Plan;*
- e) *review the adequacy of the EMS for the Site, compliance with this consent, and any other licences and consents; and, if necessary;*
- f) *recommend measures or actions to improve the environmental performance of the Site, and/or any plan/program required under this consent.*

D13. Within three months of commissioning the audit, or as otherwise agreed by the Secretary, the Applicant shall submit a copy of the audit report to the Secretary, EPA and PON with a response to all recommendations contained in the audit report."

2.2 Audit Period

The site visit for the previous IEA was held on 3 February 2016. The audit period covered by this IEA is from 4 February 2016 to 11 June 2019. The site visit was held on 8 April 2019.

2.3 Audit Team

The Audit Team comprised Victoria Sedwick (Lead Auditor), Shaun Taylor (Auditor) and Taylor Jackson (Auditor) of Ramboll. The IEA Report was prepared by the Auditors and reviewed and authorised by the Lead Auditor.

The DPE issued a letter of endorsement on 18 December 2018 for the IEA auditors (refer to **Appendix 2**).

3. METHODOLOGY

The IEA has been conducted at the site to review the Project's: activities; management of impacts on the environment from these activities; and to confirm compliance against the relevant Development Consent conditions and Environment Protection Licence (EPL) for the Project.

The IEA was conducted in accordance with Australian Standard AS/NZS ISO 19011:2014 *Australian/New Zealand Standards: Guidelines for quality and/or environmental management systems auditing* (which replaced ISO 14010) and the DPE *Independent Audit Post Approval Requirements* (June 2018).

3.1 Task 1: Document Review

To address subclauses (c), (d), (e) and (f) of Schedule 4, Condition 8 of SSD 6664 and Schedule D, Condition 12 of SSD 7065, Ramboll undertook a review of documentation relevant to the environmental management, compliance and performance of the Project including:

- Previous IEA report (2016)
- Development consent for SSD 6664 (as modified)
- Development consent for SSD 7065
- Environmental Impact Statement (EIS) titled *Bulk Fuel Storage Terminal, Environmental Impact Statement* prepared by AECOM, dated December 2014 (SSD 6664 EIS)
- Statement of Environmental Effects (SEE) titled *Section 96 Modification – SSD_6664 Throughput Increase* prepared by AECOM, dated 21 August 2015 (SSD 6664 MOD1)
- EIS titled *Stolthaven Bulk Fuel Terminal - Stage 3, Environmental Impact Statement* prepared by AECOM, dated 19 February 2016 (SSD 7065 EIS)
- The 2016, 2017 and 2018 Annual Reviews
- Management plans as listed in **Section 4.3**
- EPL 20193 and Annual Returns for the audit period
- Complaints and Incidents Register
- Examples of inspection and Maintenance Checklists
- Compliance Tracking Program (excel spreadsheet)
- Waste Register (excel spreadsheet)
- Throughput Register (excel spreadsheet)
- Email correspondence records
- Hazard Audit titled *2016 Hazard Audit Report – Newcastle Bulk Fuel Terminal* prepared by Sherpa Consulting, dated 12 May 2016
- Quarterly Groundwater Monitoring Reports prepared by AECOM for the period Q1 2016 to Q1 2019
- Annual Operational Noise Compliance Assessments prepared by AECOM for 2016, 2017 and 2018

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

3.2 Task 2: Develop Audit Plan

A comprehensive audit checklist was developed to facilitate onsite interviews and inspection for the assessment of compliance. Where conditions were repeated across the two development consents or the EPL, a reference is made to the corresponding condition containing the audit response. **Appendix 1** includes the completed audit checklists.

3.3 Task 3: Site Visit

A one day site visit was undertaken on 8 April 2019. During this site visit, the auditors, Shaun Taylor and Taylor Jackson observed operations and activities at the Project, interviewed key Stolthaven personnel, reviewed on-site records and clarified any issues identified during the document review (**Task 1**).

The Audit Team was accompanied by Stolthaven representative Ryan Duckmanton, Site Manager.

3.4 Task 4: Agency Consultation

SSD 6664 and SSD 7064 require the IEA to include consultation with the Environment Protection Authority (EPA) and PON. Ramboll consulted with representatives of these agencies on the following:

- With the EPA, feedback on any compliance matters associated with Stolthaven's performance regarding their EPL and any other feedback or comment on the environmental performance at the Project.
- With PON, any other feedback or comment on the environmental performance at the Project.

No issues were raised by the EPA or PON. Copies of correspondence are included in **Appendix 4**.

3.5 Task 5: Reporting

All information gathered throughout the IEA process was reviewed, evaluated and collated into this IEA Report to assess compliance with SSD 6664, SSD 7065 and EPL 20193.

This IEA Report has been prepared generally in accordance with DPE's *Independent Audit Post Approval Requirements* (June 2018). As such, the following compliance descriptors have been used:

Compliant	The auditor has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with within the scope of the audit.
Non-compliant	The auditor has determined that one or more specific elements of the conditions or requirements have not been complied with within the scope of the audit.
Not triggered	A requirement has an activation or timing trigger that has not been met at the time when the Audit is undertaken, therefore an assessment of compliance is not relevant.

Observations have also been made that identify opportunities for improvement with recommendations given where relevant (refer to **Section 6**).

4. SITE DESCRIPTION AND BACKGROUND

4.1 Operations

The Project site is located on the southern bank of the South Arm of the Hunter River, within the Port of Newcastle and is surrounded by a mixture of industrial, residential and commercial land uses.

The Project generally comprises: ship unloading facilities at the M4 wharf facility (no longer operational); a delivery pipeline from M4 and M7 to the terminal; seven diesel storage tanks and two biodiesel tanks; a four bay automated truck loading and unloading facility; and associated ancillary infrastructure.

The Project was originally approved under Project Approval MP08_0130 issued on 8 June 2012 under Part 3A of the EP&A Act. A new development consent SSD 6664 was approved by DPE on 16 April 2015 for the expansion of operations and MP08_0130 was subsequently relinquished on 3 December 2015. An application to further expand operations was submitted on 19 February 2016 and a new development consent SSD 7065 was issued on 15 December 2016. The new development consent will replace SSD 6664 once surrendered by Stolthaven.

Some conditions of SSD 7065 were activated in 2018 for the construction and operation of M7 and associated fuel pipeline, referred to as 'Stage 1' of the development (see description in **Section 4.2.3**). No further operations under SSD 7065 have progressed and the site still operates largely under SSD 6664. DPE approved the staged approach in a letter dated 16 October 2018 (viewed during the audit).

Stolthaven also holds an EPL regulated by the EPA (EPL 20193).

4.2 Approvals and Licences

4.2.1 MP08_0130 (original approval, surrendered)

The Project was originally approved under Project Approval MP08_0130 issued on 8 June 2012 under Part 3A of the EP&A Act and was subsequently modified on three occasions. MP08_0130 (as originally granted) generally approved:

- Three diesel storage tanks
- Total throughput of 300 ML per annum (pa) of diesel and biodiesel

Modification (MOD)1 was approved on 26 July 2013 for two additional 18 ML tanks, one additional 4.2 ML biodiesel tank and an additional 100 ML pa throughput. MOD2 was approved on 15 November 2013 as an administrative amendment to condition 6 to remove reference to the Department of Health. MOD 3 was approved on 10 July 2014 to increase throughput to a total of 500 ML pa.

MP08_0130 was surrendered on 3 December 2015. Compliance with MP08_0130 has not been included in the scope of this IEA.

4.2.2 SSD 6664 (current approval)

The Project is currently subject to development consent SSD 6664, which has been modified on one occasion. SSD 6664 (as originally granted) generally approved:

- Continuation of existing operations under MP08_0130
- Two additional 18 ML diesel storage tanks
- Increased throughput to a total of 1,010 ML pa

MOD1 was approved on 28 September 2015 to increase the total throughput to 1,300 ML.

An assessment of compliance with SSD 6664 is in **Appendix 1, Table A1**.

4.2.3 SSD 7065 (current approval)

Development consent SSD 7065 was issued on 15 December 2016 to expand the existing operations under SSD 6664 and generally approves:

- Existing operations approved under SSD 6664 and surrender of SSD 6664 (to be surrendered following this IEA)
- Increasing the throughput of the Project from 1,300 ML to 3,500 ML pa
- Importing flammable fuels (petroleum, ethanol and jet fuel), in addition to the combustibles (diesel and biodiesel) already imported
- 17 new fuel storage tanks and bunds, in addition to the 10 existing tanks
- A marine loading arm, pumps and dual pipeline to transfer fuels to the terminal from ships
- Docking at the new M7
- A new six bay truck loading gantry, vapour control system, office and firefighting systems

SSD 7065 was partially activated in 2018 for the construction and operation of the new M7 and associated fuel pipeline, referred to as 'Stage 1' of the development. Stage 1 specifically includes (as per DPE letter dated 16/10/18):

- New ship hose connections on M7 including pumped draw down piping and pigging facilities
- New 400NB diesel fuel line from M7 to the existing Lot 2 diesel facility
- New berth fire protection system comprising of pumped firewater and self-oscillating foam monitors connected to Intermediate Bulk Container (IBC) foam supply
- Compressed air and potable water services at M7
- Operational shelters and huts at M7

No flammable liquids are received or stored as part of Stage 1. Only conditions related to Stage 1 activities have been assessed in this IEA (**Appendix 1, Table A2**). It is assumed that construction of the pipeline does not constitute construction of the development consistent with the DPE Stage 1 approval letter dated 16 October 2018, and as defined in the SSD 7065 development consent as: "*Earthworks, civil works, drainage, bund construction, tank foundation, tank fabrication and installation, office construction, gantry and fire water installation, mechanical and electrical works for the expanded terminal, as described in the EIS*".

4.2.4 EPL 20193

The Project is a premises-based activity under Schedule 1 of the *Protection of the Environment Operations Act 1997* (POEO Act). On this basis, the occupier of the premises must hold an EPL administered by the EPA under Section 43(b) of the Act.

The Project operates under EPL 20193, which has an anniversary date of the 11 October (latest version dated 14 September 2018). This EPL covers a storage capacity of petroleum products over 100,000 kL and shipping over 500,000 T annually.

An assessment of compliance with EPL 20193 is in **Appendix 1, Table A3**.

4.2.5 MP09_0096 (Mayfield Concept Plan Approval)

The Mayfield Concept Plan (MCP) (MP09_0096) was approved by the Minister under Section 75M of the EP&A Act on 16 July 2012 to enable development of the former BHP Steelworks site, a 90 hectare portside portion of land on the South Arm of the Hunter River within which the Project sits. The MCP area is to be developed progressively in stages to accommodate anticipated future trade needs over a 20-25 year timeframe.

Compliance with MP09_0096 has only been included in this IEA where relevant to specific conditions under SSD 6664, SSD 7064 and EPL 20193.

4.2.6 DA-293-08-00 (M4)

M4 is subject to a separate development consent DA-293-08-00 (as modified on nine occasions). The M4 is only rated for the import of combustible materials, meaning that no flammable liquids could be imported through the M4.

M4 is no longer operational and compliance with DA-293-08-00 has not been included in the scope of this IEA.

4.2.7 Complying Development Certificate for M7

The M7 is subject to separate approval under the provisions of *State Environmental Planning Policy (Three Ports) 2013*. The construction of M7 is complying development and a complying development certificate has been obtained from Council.

The M7 has been designed specifically as a Bulk Liquids Berth (BLB) suitable for the ship to shore transfer of fuels including flammable liquids. The berth became operational during the 2018 reporting period and began accepting fuels in late October 2018.

Compliance with the complying development certificate and associated operations of M7 have not been included in the scope of this IEA.

4.3 Management Plans

The following management plans have been prepared for the Project in accordance with the conditions of SSD 6664 and SSD 7065 (Stage 1 only):

- Air Quality Management Plan (May 2018) (AQMP)
- Construction Environmental Management Plan (October 2018) (CMP)
- Contaminated Site Management Plan (December 2016) (CSMP)
- Energy Efficiency Plan (October 2015) (EEP)
- Landscape Management Plan (June 2018) (LMP)
- Operational Environmental Management Plan (October 2018) (OEMP)
- Operational Noise Management Plan (May 2018) (ONMP)
- Stormwater Management Plan (April 2018) (SWMP)
- Traffic Management Plan (August 2018) (TMP)
- Utilities and Services Management Plan (June 2018) (USMP)
- Water Management Plan (June 2018) (WMP)

Compliance with these management plans was assessed during the IEA (refer to **Appendix 1**) and is discussed in **Section 5.3**. The Auditors have reviewed these plans and provided recommendations for improvement, where relevant.

5. AUDIT FINDINGS

5.1 SSD 6664, SSD 7065 and EPL 20193

The following is a summary of the auditors' review of project documentation, audit observations and interviews with site representatives as to ascertain the Project's compliance with the Development Consent and the Applicant's Management and Mitigation Measures (AMMM) contained in **Appendix 2** in both the SSD 6664 Development Consent and SSD 7065 Development Consent. Full details of the auditors' findings are documented within **Appendix 1** of this report.

Key non-compliances with the conditions of SSD 6664 and SSD 7065 are noted in **Table 1**.

No non-compliances were identified for EPL 20193. The Pollution Incident Response Management Plan (PIRMP) was last tested on 28 May 2018.

Section 6.1 provides recommendations associated with each non-compliance below.

Table 1: SSD 6664 and SSD 7065 Non-compliances

Condition/s	Non-compliance
SSD 6664 2-2c	Some non-compliances against the AMMM were identified by the Auditor as detailed in Appendix 1, Table A1 .
SSD 6664 2-2e, SSD 7065 B2a	Some non-compliances against the conditions of Development Consent SSD 6664 and Development Consent SSD 7065 were identified by the Auditor as detailed in this Table and Appendix 1 .
SSD 6664 4-2a, SSD 7065 D7a	The TMP, ONMP, SWMP, WMP, USMP and LMP do not include detailed baseline data.
SSD 6664 4-2g, SSD 7065 D7g	The TMP, USMP and LMP do not include a procedure (or reference to a procedure) for complaints management.
SSD 6664 AMMM 5	The current TMP does not include expected traffic numbers as a result of the project.
SSD 6664 AMMM 26	Fire pump testing is not undertaken on a weekly basis (undertaken monthly)

5.2 Previous IEA

An assessment of compliance with non-compliance recommendations made in the previous IEA was undertaken as part of the IEA.

The previous IEA identified one non-compliance issue relating an exceedance of the annual diesel and biodiesel throughput levels. The non-compliance issue had been addressed by Stolthaven at the time of the IEA through approval of SSD 6664 MOD1, which increased throughput levels from 1,010 ML pa to 1,300 ML pa.

It was recommended by the Auditor that Stolthaven undertake further review of market demands to ensure throughput levels were appropriate for the Project. Stolthaven have progressed this recommendation through the SSD 7065 application, which increased throughput to 3,500 ML pa. Stolthaven also complied with all throughput levels during the audit period as evident by the Throughput Register.

5.3 Management Plans

Consideration of compliance with management plans required under SSD 6664 and SSD 7065 is included in **Appendix 1** with a summary of recommendations in **Section 6**.

Overall, operations at the Project site are generally consistent with the management plans listed in **Section 4.3**. Examples of site inspections and recording of information in the various site databases was observed by the auditors to be consistent with the management plans. Minor administrative non-compliances were identified where information required under the consent was not clearly included in the management plan (such as the inclusion of the complaints protocol and baseline data).

5.4 Environmental Performance

Overall environmental performance at the site was observed to be high standard. Specific environmental performance observations with regard to noise, air, traffic and access, water and waste management are discussed in further detail below. Comments have also been included around the predicted versus actual impacts where relevant.

5.4.1 Noise Management

Noise generating activities are predominately from heavy vehicles entering or exiting the site, fuel pumps and compressor operation. Noise impacts from the Project are well managed as evident by the absence of complaints, no exceedances of noise criteria in the audit period (AECOM annual reports) and no excessive noise generating activities were observed during the site visit.

A Noise and Vibration Impact Assessment was prepared as part of the EIS for the SSD_7065 development consent application. The assessment concluded that there would be no exceedances of the noise criteria under all operational scenarios, for day and night activities. The operational noise compliance reports for the audit period support this conclusion.

5.4.2 Air Management

The main potential sources of air emissions associated with the operation of the Project are vapour emissions from the storage and transfer of fuels (volatile organic compounds (VOCs)). VOC emissions associated with diesel and biodiesel storage from operation of the Project were predicted in the SSD 6664 MOD1 SEE to be compliant with NSW EPA criteria at all sensitive receiver locations.

As the Project's operations are expected to result in acceptable air quality impacts, air monitoring specifically for the Project's is not undertaken and instead Stolthaven has committed to consulting with PON to develop and implement a MCP monitoring program. Active air quality management measures observed during the site visit included: use of hard surfaces or paving wherever possible; vegetation and/or grass cover; vehicles switched off when not in use; and covering of truck loads.

5.4.3 Traffic and Access

Stolthaven maintains a register and produces bi-monthly reports to track truck movements at the site. A copy of the bi-monthly report is sent to PON.

The Traffic Impact Assessment for SSD 7605 assessed a worst case potential operational traffic scenario of 200 truck movements per day. Truck movements during the audit period were well below this value: 115 in 2016; 113 in 2017; and 89 in 2018.

Roads and access areas appeared to be fully functional and adequate to accommodate light and heavy vehicle movements and parking requirements during the site visit. Speed limits were sign posted and no issues with user non-compliance was observed during the site visit.

5.4.4 Water Management

There are eight concrete bund walls around the Project's bulk storage area, designed to contain spills onsite and prevent environmental harm. The bund walls observed during the site visit appeared to be well maintained with no evidence of spills or leaks. Hair line fractures had been identified by Stolthaven personnel during routine inspections and had been repaired (filled in).

Stormwater monitoring is undertaken prior to any discharges to confirm compliance with EPL criteria. Some exceedances of the Total Suspended Solids (TSS) and pH criteria were recorded during the audit period, and in each case nil discharge was released. This is consistent with the procedure outlined in the WMP and the SSD 7065 EIS.

5.4.5 Waste Management

Waste is managed in accordance with the Waste Management Plan (included in the OEMP). Waste is removed from the Project on a weekly basis by an appropriately licensed waste collector and quantities are recorded in the Waste Register including effluent, slops and hazardous waste (liquid and solid).

General waste is not recorded in the Waste Register. The auditors identified that it may be beneficial to record the quantities of general waste and recyclables in the Waste Register and develop specific waste/recycling targets for the Project to help identify any areas of improvement.

A waste assessment was undertaken as part of the EISs for SSD 6664 and SSD 7065. Table 23 of the SSD 6664 EIS and Table 61 of the SSD 7065 EIS predicts the following quantities of waste will be generated as a result of the development (both predictions are consistent):

- Sludge from stormwater retention pits (solid) ~ 1 tonne per annum
- Ablutions waste (industrial) ~1.3 tonnes per annum
- Domestic and putrescible waste (inert) < 1 tonne per quarter
- Vegetation from landscaping maintenance (inert) < 1 tonne per quarter

The Waste Register does not provide sufficient details to enable a comparison to the EIS predictions. It is recommended that additional categories and tracking of waste is included in the Waste Register to enable comparison to the relevant EIS predictions. It is also recommended these results are reported in future annual reviews with a comment on whether or not actual waste quantities produced are consistent with the EIS predictions.

5.5 Complaints

No complaints were received by Stolthaven during the audit period as evidenced by the complaints register. The complaints register is updated on a monthly basis and is publicly available on Stolthaven's website.

5.6 Incidents

No reportable incidents occurred during the audit period. A number of non-reportable incidents occurred during the audit period and are recorded in the site database (viewed during the site visit) and appended to the Annual Reviews. The site database includes details such as date, time, name of reporter, severity and type of incident, detailed explanation of what happened and follow up details. Near misses are also recorded. No recurring incidents were identified.

5.7 Site Inspection

In general, the Project site was observed to be kept in a well maintained, organised and clean condition including the administration, load outs, M7 and tank storage areas. Active management was evident including erosion and sediment controls (sediment fences, diversion drains, gravelling/grass cover), repairs of hair line fractures on foam bunding structures, lawn maintenance and general site cleanliness.

All chemical storage areas (including bulk storage) were considered to be adequately bunded and chemicals were stored appropriately to minimise spill risks or hazards to the environment or personnel. This is consistent with the findings of the Hazard Audit undertaken by Sherpa Consulting (May, 2016) which concluded that the storage tank bunds "*showed no visible signs of cracking or vegetation growth*" and "*housekeeping was in good order*". Spill kits and fire extinguishers were located in various locations at the site and appeared to be well maintained and inspected regularly.

5.8 Site interviews

A meeting was held at the administration building on the day of the site visit that involved the Auditors and Stolthaven representative Ryan Duckmanton. Information regarding the history of the site and the Project was provided and documents and records were reviewed. Further information was later provided on request via email and has been incorporated into this IEA Report where relevant.

6. RECOMMENDATIONS AND CONCLUSION

6.1 Non-compliance Recommendations

Table 2 provides a summary of the non-compliance recommendations identified as part of this IEA with specific details in **Appendix 1**.

Table 2: Non-compliance Recommendations

Condition/s	Recommendation
SSD 6664 2-2c, SSD 6664 2-2e, SSD 7065 B2a	It is recommended all actions arising from this IEA are completed to avoid future non-compliances with the development consents and commitments.
SSD 6664 4-2a, SSD 7065 D7a	Update management plans to include detailed baseline data at the next review.
SSD 6664 4-2g, SSD 7065 D7g	Include a section in the TMP, USMP and LMP with protocols to receive, handle and respond to complaints in each management plan at next update or reference to the procedure in the OEMP.
SSD 6664 AMMM 5	Although not required under SSD 7065, it is recommended that the TMP for SSD 7065 is updated to include expected traffic numbers as a result of the Project to inform any management and mitigation measures that may be required.
SSD 6664 AMMM 26	Monthly testing of the fire pumps is undertaken and weekly testing is required in this condition, and therefore this is a non-compliance. It should be noted, however, that: the Hazard Audit assessment states " <i>Testing of the fire system is done monthly by an accredited 3rd party provider... This was found to be in order</i> "; and it is not a requirement under SSD 7065.

6.2 Continual Improvement Recommendations

Table 3 provides a summary of the additional continual improvement recommendations identified as part of this IEA with specific details in **Appendix 1**.

Table 3: Continual Improvement Recommendations

Condition/s	Recommendation
SSD 6664 3-10b, SSD 6664 3-10c, SSD 7065 C44a	Undertake a review of the SWMP prior to commencement of works under SSD 7065 to ensure it is consistent with the <i>Managing Urban Stormwater</i> Guidelines, and include figures where relevant.
SSD 6664 3-18d	Include copies of all approvals from utilities and services providers as an appendix to the USMP at the next update.
SSD 6664 3-40	It is recommended the Waste Register is updated to record quantities for other waste streams identified in SSD 7065 EIS such as general waste, recyclables, sludge, ablutions waste and vegetation/landscaping waste.
SSD 6664 3-40	It is recommended specific recycling targets are developed for the Project to help identify any areas of improvement.
SSD 6664 4-5c	It is recommended further comparisons to predictions in the EIS are included in future annual reviews such as waste quantities produced.
SSD 7065 D15a	The Stolthaven website contains a link to DPE's major project website. It is recommended the EIS documents are uploaded directly to Stolthaven's website.

Condition/s	Recommendation
EPL 20193 L2.1	It is recommended Stolthaven undertake the revised pollutant load assessments required in consultation with the EPA to finalise the Benzene assessable load limits and update the EPL accordingly.
EPL 20193 L5.7a	It is recommended photos and/or detailed notes are taken from the monitoring locations during the annual noise compliance assessments undertaken by AECOM, describing the distance and direction from dwellings.

6.3 Conclusion

The Auditors assessed the development to be generally compliant with the conditions of Development Consent SSD 6664, SSD 7065 and EPL 20193. Six non-compliances were identified, all of which are considered to be of an administrative nature. Some opportunities for improvement were also identified. Management systems and environmental performance of the development are considered to be generally adequate for the stage of development.

APPENDIX 1

INDEPENDENT AUDIT TABLES

Table A-1: Compliance with Development Consent SSD 6664				
CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
Schedule 2 – Administrative Conditions				
	Obligation to Minimise Harm to the Environment			
2-1	The Applicant must implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction, operation or decommissioning of the Development.	<ul style="list-style-type: none"> Site inspection Various evidence as per this table 	Observed operations onsite were considered to be generally compliant with the Development Consent and EPL requirements and no reportable incidents have occurred during the audit period. The management plans and procedures described in this table describe how Stolthaven implements measures to prevent and/or minimise any harm to the environment.	Compliant
	Terms of Consent			
2-2	The Applicant must carry out the Development generally in accordance with the:			N/A
2-2a	EIS and RTS;	<ul style="list-style-type: none"> Site inspection EIS RTS 	Site operations appeared to be generally consistent with these documents (see discussion in Section 5.4 of the IEA Report).	Compliant
2-2b	Development layout plans and drawings in the EIS (see Appendix 1);	<ul style="list-style-type: none"> Appendix 1 of development consent Site inspection 	Site operations appeared to be generally consistent with the layout plans.	Compliant
2-2c	Applicant's Management and Mitigation Measures (see Appendix 2);	<ul style="list-style-type: none"> Various evidence as listed at the end of this table 	Commitments have been assessed at the end of this table. Some non-compliances against the Applicant's Management and Mitigation Measures were identified by the Auditor.	Non-compliant
2-2d	MOD1; and	<ul style="list-style-type: none"> MOD 1 SEE 	Site operations appeared to be generally consistent with MOD1. Annual throughput for the Project is up to 1,300 million litres per year (see response to condition 2-6).	Compliant
2-2e	Conditions of this consent	<ul style="list-style-type: none"> This IEA 	Some non-compliances identified as per this table.	Non-compliant

Table A-1: Compliance with Development Consent SSD 6664				
CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
2-3	If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this approval shall prevail to the extent of any inconsistency.	<ul style="list-style-type: none"> General review of above documents throughout the auditing process 	No inconsistencies with the above documents was noted by the Auditor during the IEA.	Compliant
2-4	The Applicant must comply with all reasonable requirements of the Secretary arising from the Department's assessment of:			N/A
2-4a	any reports, strategies, plans, programs, reviews, audits or correspondence that are submitted in accordance with this consent; and	<ul style="list-style-type: none"> Letter from DPE dated 23/08/18 2018 Annual Review 	Following review of the 2017 Annual Review, DPE recommended future annual reviews be prepared in accordance with the <i>Compliance Reporting Post Approvals Requirements</i> document (PAR). This is noted as a voluntary requirement. Stolthaven have prepared the 2018 Annual Review generally in accordance with the PAR and a statement of compliance is included in Appendix E of the 2018 Annual Review.	Compliant
2-4b	the implementation of any actions or measures contained in these documents.	<ul style="list-style-type: none"> Previous IEA 	Stolthaven has completed all required actions from the previous IEA (see discussion in Section 5.2 of the IEA Report).	Compliant
Limits of Consent				
2-5	The Applicant shall not receive, store and dispatch more than 500 million litres of diesel and biodiesel per year, until the Applicant has received an amended EPL for the Development. The Applicant shall provide a copy of the amended EPL to Secretary prior to increasing throughput above 500 million litres per year.	<ul style="list-style-type: none"> Previous IEA 	Annual throughput was amended under the EPL on 2/10/15. The previous IEA cited evidence of the amended EPL being provided to the Secretary on 2/10/15.	Compliant
2-6	Following the receipt of an amended EPL for the Development, the Applicant shall not receive, store and dispatch more than 1,300 million litres (1,300,000,000 L) of diesel and biodiesel per year.	<ul style="list-style-type: none"> Annual Reviews Throughput Database (last updated 7/04/19) 	<p>Stolthaven records this information in a 'Throughput Database' and quantities are reported in the Annual Reviews.</p> <ul style="list-style-type: none"> <u>2016</u>: received 969,984,872 L; stored 15,809,546 L; dispatched 1,000,496,051 L 	Compliant

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
			<ul style="list-style-type: none"> • <u>2017</u>: received 1,019,150,251 L; stored 50,844,846 L; dispatched 985,200,849 L • <u>2018</u>: received 741,759,410 L; stored 12,667,905; dispatched 780,610,075 • <u>2019</u> (to date): received 190,852,775 L; dispatched 179,565,369 L 	
2-6A	The storage capacity of the tank farm must not exceed 131 million litres at any one time.	<ul style="list-style-type: none"> • Annual Reviews 	The maximum storage capacity for the nine tanks is 129.06 ML.	Compliant
2-6B	<p>With the exception of the following tanks, the proponent must not store flammable liquids, as classified under the <i>Australian Cods for the Transport of Dangerous Goods by Road and Rail</i>, in bulk at the premises:</p> <ul style="list-style-type: none"> • The 30,000 litre Slops Tank (UN 1203) identified on site at "SL1", and • The 50,000 litre Additive Tank (UN 3082) identified on site as "AT1". 	<ul style="list-style-type: none"> • Annual Reviews • Site interview 	<p>Stolthaven advised that no flammable liquids are kept onsite other than those identified in this condition.</p> <p>Note: SSD 7065 provides for the storage and use of Intermediate Bulk Containers (IBC) for additives additional to those identified in this condition, however these have not been constructed as part of 'Stage 1' activities.</p>	Compliant
Surrender of Existing Development Consents				
2-7	<p>Following receipt of an amended EPL for the Development, or as otherwise agreed to in writing by the Secretary, the Applicant shall surrender Development Approval MP 08_0130 for the site in accordance with EP&A Regulation.</p> <p><i>Note: This requirement does not extend to the surrender of construction and occupation certificated for existing and proposed building works under Part 4A of the EP&A Act. Surrender of a consent or consent should not be understood as implying that works legally constructed under a valid consent or consent can no longer be legally maintained or used.</i></p>	<ul style="list-style-type: none"> • Previous IEA • EPL dated 14/09/18 	The previous IEA notes evidence that an amended EPL was issued on 2/10/15 and Stolthaven requested surrender of MP 08_0130 on 2/12/15. DPE accepted surrender on 3/12/15.	Compliant
Statutory Requirements				
2-8	The Applicant must ensure that all necessary licences, permits and approvals are obtained and kept up-to-date as required throughout the life of the Development. No condition of this consent removes the obligation for the Applicant to obtain, renew or comply with such licences, permits or approvals.	<ul style="list-style-type: none"> • Management plans • EPL dated 14/09/18 	Management plans have been updated in 2018 as discussed in Section 5.3 of the IEA Report and schedule 4 in this table. The EPL was last renewed on 14/09/18.	Compliant

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
			Stolthaven have updated the development consent by issue of SSD 7065 on 15/12/16.	
	Other Consents and Approvals			
2-9	Nothing in this consent will impact on the following consents/ approvals:			N/A
2-9a	PA 12/001 issued under Section 111 of the EP&A Act dated 20 February 2012;			Noted.
2-9b	DA 293-08-00 as modified issued under Section 80 of the EP&A Act dated 6 April 2001; and			Noted.
2-9c	any other consents or consents issued under the EP&A Act.			Noted.
	Structural Adequacy			
2-10	The Applicant must ensure that any new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA.	<ul style="list-style-type: none"> Annual Review Site interview 	No new structures or buildings were constructed under this consent during the audit period. Note: The M7 diesel fuel line was constructed in the audit period under SSD 7065.	Not Triggered
	Notes: <ul style="list-style-type: none"> Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for any building works. Part 8 of the EP&A Regulation sets out the detailed requirements for the certification of a Development. 	<ul style="list-style-type: none"> Annual Review Site interview 	No new structures or buildings were constructed under this consent during the audit period.	Not Triggered
	Protection of Public Infrastructure			
2-11	The Applicant must:			N/A
2-11a	repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the Development; and	<ul style="list-style-type: none"> Annual Review Site interview 	Stolthaven advised that no damage to public infrastructure has been detected by Stolthaven and no requests have been received to repair any public infrastructure.	Not Triggered
2-11b	relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the Development.	<ul style="list-style-type: none"> Annual Review Site interview EIS documents 	No public infrastructure is required to be relocated for the Project.	Not Triggered

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
	Utilities			
2-12	Prior to the construction of any utility works, the Applicant must obtain relevant approvals from service providers.	<ul style="list-style-type: none"> Annual Review Site interview 	Stolthaven advised that no utility works occurred during the audit period.	Not Triggered
	Operation of Plant and Equipment			
2-13	The Applicant must ensure that any plant and equipment used on site, or in connection with the Development is:			N/A
2-13a	maintained in a proper and efficient condition; and	<ul style="list-style-type: none"> Calibration and Service Report for a water quality meter dated 13/11/18 Equipment Maintenance Register (Excel™) Equipment maintenance whiteboard chart Site inspection 	Stolthaven maintains an Equipment Maintenance Register in Microsoft Excel™ and has a whiteboard chart displayed in the main administration building for all relevant personnel to complete details of any maintenance that has been undertaken or is due. The hard copy is completed when personnel undertake the inspections and any maintenance that is required is transferred to the electronic database. Both were viewed by the Auditors during the site audit. As an example, the Auditors viewed a six monthly Calibration and Service Report for a water quality meter with all parameters listed as 'PASS'. Repairs of hair line fractures had also been undertaken on foam bunding to the west of the diesel tanks and was viewed during the site inspection.	Compliant
2-13b	operated in a proper and efficient manner.	<ul style="list-style-type: none"> Site inspection Calibration and Service Report for a water quality meter dated 13/11/18 Equipment Maintenance Register (Excel) Equipment maintenance whiteboard chart Induction Register 	Operational equipment appeared to be well maintained and is regularly inspected (see response to condition 2-13a). Stolthaven operate in accordance with a SHEQ Management System. The Induction Register includes details that personnel have undertaken the appropriate training to operate in a proper and efficient manner.	Compliant

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
Staged Submission of Strategies, Plans or Programs				
2-14	With the written approval of the Secretary, the Applicant may submit any strategy, plan or program required by this approval on a progressive basis.	<ul style="list-style-type: none"> • Previous IEA • Management plans 	The management plans required under this consent have not been submitted on a progressive basis. Note: Approval was granted by DPE to only include Stage 1 works for the Project under SSD 7065 (refer to response to condition B22a of SSD 7065).	Not Triggered
2-15	With the written consent of the Secretary, the Applicant may use the strategies, plans or programs approved under MP 08_0130 to address the requirements of this consent.	<ul style="list-style-type: none"> • Management plans • Previous IEA 	New management plans have been prepared for the Project in 2018.	Not Triggered
Development Contribution				
2-16	Prior to the commencement of operation of the Development, the Applicant shall pay Council \$11,058.00 in development contributions.	<ul style="list-style-type: none"> • ANZ Payment Receipt dated 9/03/16 (copy available) 	The Auditors viewed a payment receipt dated 9/03/16 for the value of \$11,332.61 to the City of Newcastle (includes CPI as per note to this condition).	Compliant
	Note: This contribution is subject to indexation to reflect quarterly variations in the Consumer Price Index All Group Index Number for Sydney, as published by the Australian Bureau of Statistics.			Noted.
Dispute Resolution				
2-17	In the event that a dispute arises between the Applicant and Council or a public authority other than the Department, in relation to a specification or requirement applicable under this consent, the matter must be referred by either party to the Secretary, or if not resolved, to the Minister, whose determination of the dispute shall be final and binding to all parties. For the purpose of this condition, 'public authority' has the same meaning as provided under Section 4 of the Act.	<ul style="list-style-type: none"> • Site interview • Complaints Register 	No disputes have occurred during the audit period as evident by the site interview and no complaints have been received.	Compliant
2-17A	A Hazard Audit shall be undertaken twelve months after the commencement of operations and every three years thereafter, or at such intervals as the Secretary may agree, in accordance with the requirement for project associated with the Mayfield Concept Plan Approval No. 09_0096 Condition No. 2.28 that	<ul style="list-style-type: none"> • 2016 Hazard Audit Report by Sherpa Consulting (May 2016) • Letter from DPE dated 12/12/15 	A Hazard Audit was undertaken in May 2016 at the request of PON in accordance with DPE's <i>Hazardous Industry Advisory paper No. 5 Hazard Audit Guidelines</i> . No major issues were identified. DPE	Compliant

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
	involve the transport, handling or storage of hazardous or dangerous materials. The audits shall be carried out by a qualified person or team, independent of the project, and shall be consistent with the Department of Planning's Hazardous Industry Planning Advisory No. 5, 'Hazard Audit Guidelines'. Each audit shall be submitted to the Secretary within one month of the audit being undertaken. An electronic copy of each audit must be provided to Port of Newcastle (PON) at the same time as submission to the Secretary.		approved the auditors (Stuart Chia and Jenny Polich of Sherpa Consulting) on 12/12/15.	
Schedule 3 – Specific Environmental Conditions				
CONTAMINATION AND REMEDIATION				
Statutory Requirements				
3-1	The Applicant shall carry out the Development in accordance with the requirements of the:			N/A
3-1a	Remediation Notice; and	<ul style="list-style-type: none"> Previous IEA 	See response to condition 3-2.	Compliant
3-1b	CSMP.	<ul style="list-style-type: none"> Previous IEA 	See response to condition 3-2.	Compliant
3-2	Prior to commencement of construction, the Applicant shall provide written evidence to the Secretary from the Site Auditor confirming that all construction works associated with the Development meets the requirements of the documents listed in Condition 1 above.	<ul style="list-style-type: none"> Previous IEA 	The previous IEA references that a letter from the Site Auditor confirming the Project meets the requirements under condition 3-1 was provided in April 2015 and confirmation to DPE was provided on 13/05/15. No further construction activities were undertaken during the audit period under SSD 6664.	Compliant
3-3	Prior to commencement of operation, the Applicant shall provide written evidence to the Secretary from the Site Auditor confirming that all works associated with the Development have been constructed in accordance with the requirements of the documents listed in Condition 1 above.	<ul style="list-style-type: none"> Previous IEA 	See response to condition 3-2 above.	Compliant
Human Health Risk				
3-4	The Applicant shall provide written advice from the Site Auditor confirming that all works associated with the Development would be constructed to address any risk of harm to human	<ul style="list-style-type: none"> Previous IEA 	The previous IEA states " <i>The report "Soil Vapour Investigation for the proposed Bulk Fuel Storage Facility, located within the Mayfield Terminal, Newcastle, NSW"</i>	Compliant

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
	health posed by the potential ingress of volatile vapours into buildings and confined spaces.		<i>(AECOM, 2013) was prepared to satisfy this condition under MP 08_0130. A letter from the Site Auditor dated 6 August 2013 noted that the Site Auditor agreed with the conclusions of the Assessment. The environmental consultant for Stolthaven (AECOM) advised that subsequent investigations and reporting were therefore not required for subsequent modifications that only included the construction of tanks (no additional buildings that would be occupied by personnel)."</i>	
	Imported Soil			
3-5	The Applicant shall:			N/A
3-5a	ensure that only VENM or ENM or other material approved in writing by the EPA or the Site Auditor is used as fill on the site;	<ul style="list-style-type: none"> Annual Reviews Site interview 	No soil was imported during the audit period.	Not Triggered
3-5b	keep accurate records of the volume and type of fill to be used on site; and	<ul style="list-style-type: none"> Annual Reviews Site interview 	No soil was imported during the audit period.	Not Triggered
3-5c	make these records available to PON and the Department upon request.	<ul style="list-style-type: none"> Annual Review Site interview 	No soil was imported during the audit period.	Not Triggered
	SOIL AND WATER			
	Water Licences			
3-6	The Applicant is required to obtain the necessary water licences for the Development under the <i>Water Act 1912</i> and/or the <i>Water Management Act 2000</i> .	<ul style="list-style-type: none"> Site interview EIS Previous IEA 	Stolthaven holds a Bore Licence Certificate issued under the <i>Water Act 1912</i> for the groundwater monitoring wells (issued 23 September 2014). Extraction licences are not held by Stolthaven and are not required for the operation consistent with the EIS assessment (p.g. 37).	Compliant
	Note: Licences are required for groundwater bores, excavations that may intercept groundwater, dewatering activities and extraction or interception of surface water.			Noted.
	Discharge Limits			

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
3-7	The Applicant shall ensure that all water discharges from the site comply with the:			N/A
3-7a	discharge limits (both volume and quality) set for the Development in any EPL; or	<ul style="list-style-type: none"> Annual Reviews Quarterly groundwater monitoring reports prepared by AECOM for the period 2016 Q1 – 2019 Q1 	See response to condition L3.5 of the EPL. Some criteria were exceeded in samples collected prior to discharge during the audit period; however in each case, nil discharge occurred.	Compliant
3-7b	the relevant provisions of the POEO Act.	<ul style="list-style-type: none"> EPL Annual Returns Annual Reviews EPA POEO Public Register 	No prosecutions under the POEO Act have occurred and no non-compliances were identified in the EPL Annual Returns or on EPA's Public Register.	Compliant
Bunding and Storage of Liquids				
3-8	The Applicant shall store all chemicals, fuels and oils used on-site in appropriately bunded areas in accordance with the requirements of all relevant Australian Standards, and/or the EPA's <i>Storing and Handling of Liquids: Environmental Protection – Participants Handbook</i> .	<ul style="list-style-type: none"> Site inspection EPA's <i>Storing and Handling of Liquids: Environmental Protection – Participants Handbook</i>: https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/licensing/2007210liquidsmanual.pdf?la=en&hash=F58F9A86A4293434464AC43554AEEEB7FDCF6E01 	The Auditors viewed the chemical storage facility during the site inspection which is self-bunded and designed to only hold a maximum of 8,000 L (which is sign posted on the container). The observed chemical storage containers were raised and bunded appropriately and empty fuel storage containers were raised on pallets. The Auditors viewed the bulk storage area which was bunded by eight concrete bund walls.	Compliant
Stormwater and Drainage System				
3-9	The Applicant shall maintain the stormwater and drainage system for the Development to the satisfaction of PON.	<ul style="list-style-type: none"> Site inspection Previous IEA 	The Project design (including stormwater) was developed in consultation with PON as evidenced in the previous IEA. The stormwater drainage system is regularly inspected (see response to condition 3-10d) and appeared to be well maintained during the site inspection i.e. no evidence of any blockages.	Compliant

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
	Stormwater and Drainage Management Plan			
3-10	The Applicant shall update the existing Stormwater and Drainage Management Plan for the site to include the Development to the satisfaction of the Secretary. The plan shall:	<ul style="list-style-type: none"> • <i>Stormwater Management Plan</i> (April, 2018) • Letter from DPE dated 16/10/18 (copy available) 	The current SWMP is dated April 2018. The Auditors viewed an approval letter from DPE dated 16/10/18.	Compliant
3-10a	be updated prior to the commencement of construction;	<ul style="list-style-type: none"> • Previous IEA 	The previous IEA notes evidence that the SWMP was approved by DPE on 11/12/15.	Compliant
3-10b	be prepared in accordance with OEH's <i>Managing Urban Stormwater</i> and any other relevant guidelines;	<ul style="list-style-type: none"> • <i>Managing Urban Stormwater: Soils and Construction</i> Guidelines • <i>Stormwater Management Plan</i> (April, 2018) 	<p>The SWMP has been prepared in accordance with the MCP <i>Concept Stormwater Management Strategy</i> (AECOM, 2015). The <i>Managing Urban Stormwater: Soils and Construction</i> Guidelines are largely associated with construction activities. However, it is noted that the general objectives outlined in Section 2 of the SWMP are consistent with the guideline objectives.</p> <p>Recommendation: It is recommended a review of the SWMP is undertaken prior to commencement of works under SSD 7065 to ensure it is consistent with the <i>Managing Urban Stormwater</i> Guidelines, including the addition of figures where relevant.</p>	Compliant
3-10c	show what stormwater, treatment and control infrastructure will be installed as part of the stormwater and drainage system for the Development and how it will integrate with other stormwater and drainage systems in the area;	<ul style="list-style-type: none"> • <i>Stormwater Management Plan</i> (April, 2018) • Site inspection 	As discussed in the response to condition 3-10b, the SWMP does not contain any figures showing the key stormwater management infrastructure. Section 4 of the SWMP describes the stormwater infrastructure that is to be installed on site and how this integrates with the existing system. The stormwater infrastructure includes minor/major open drains and swales, stormwater pipes, bunds and ponds. The stormwater infrastructure	Compliant

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
			described in the SWMP appeared to be generally consistent with those observed during the site inspection. Recommendation: Update the SWMP to include figures showing the existing and new stormwater and drainage system.	
3-10d	describe the measures that will be implemented to maintain this infrastructure over time;	<ul style="list-style-type: none"> • <i>Stormwater Management Plan</i> (April, 2018) • Daily shift log dated 5/04/19 (copy available) • Weekly operational checklist dated 1/04/19 (copy available) 	A maintenance program is included in Section 4.3 of the SWMP and includes daily and monthly inspections. The stormwater management system is discussed during the daily site shift meeting and an example copy of a completed daily shift log dated was viewed during the site audit. Weekly operational inspections are also undertaken, which includes checking stormwater management systems, and an example completed checklist was viewed by the Auditors.	Compliant
3-10e	include a program to monitor stormwater quality and quantity; and	<ul style="list-style-type: none"> • <i>Stormwater Management Plan</i> (April, 2018) • ALS water monitoring results 	The monitoring program is included in Section 8 of the SWMP and includes monthly monitoring commitments. The Auditors viewed during the site audit water monitoring results from ALS for samples collected following a rainfall event.	Compliant
3-10f	include a strategy to integrate the stormwater management system with the broader system to be provided by PON for the Mayfield Concept Plan area.	<ul style="list-style-type: none"> • <i>Stormwater Management Plan</i> (April, 2018) • Previous IEA 	A strategy to integrate the stormwater management system with the broader system is included in Section 4.1.2 of the SWMP. The previous IEA notes evidence that the SWMP was provided to PON on 26/10/15 and was considered to be consistent with the MCP.	Compliant

Table A-1: Compliance with Development Consent SSD 6664				
CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
	Note: The intent of condition 10(e) is to ensure coordinated delivery of infrastructure across the Mayfield Concept Plan area.			
	Water Management Plan			
3-11	The Applicant shall prepare and implement a Water Management Plan for the Development to the satisfaction of the Secretary. This plan must be prepared in consultation with PON, HDC, NOW, EPA and the Site Auditor and be submitted to the Secretary for approval prior to carrying out any works on site. The plan shall:	<ul style="list-style-type: none"> • <i>Water Management Plan</i> (June, 2018) • Letter from DPE dated 16/10/18 (copy available) • Email to PON dated 30/10/18 (copy available) 	The current WMP is dated June 2018. The Auditors viewed an approval letter from DPE dated 16/10/18. The updated WMP was sent to PON on 30/10/18.	Compliant
3-11a	be updated prior to the commencement of operation;	<ul style="list-style-type: none"> • Previous IEA 	The previous IEA notes evidence that the WMP was approved by DPE on 11/12/15 and provided to PON on 26/10/15.	Compliant
3-11b	include procedures for the prevention and management of spills and leaks from the Development, including the M4 berth, pipeline and fuel storage facility;	<ul style="list-style-type: none"> • <i>Water Management Plan</i> (June, 2018) • Stormwater Bund Testing Form dated 18/03/19 (copy available) • Emergency Response Plan (June 2018) 	Section 12 of the WMP includes a procedure to prevent and manage spills and leaks and includes enacting the Emergency Response Plan, Pollution Incident Response Management Plan (PIRMP) and maintenance of bunding. The Auditors viewed the Emergency Response Plan and a completed stormwater bund water testing form dated 18/03/19.	Compliant
3-11c	include a surface and groundwater monitoring program to measure the quality and quantity of water discharges from the site; and	<ul style="list-style-type: none"> • <i>Water Management Plan</i> (June, 2018) • EPL • Quarterly groundwater monitoring reports prepared by AECOM for the period 2016 Q1 – 2019 Q1 • Annual Reviews 	A surface water monitoring program is included in Section 9.5 of the WMP and includes visual inspections and testing of any discharge (see response to condition P1.3 of the EPL for evidence). The groundwater monitoring program is included in Section 10.5 of the WMP and includes monitoring on a quarterly basis. The Quarterly Groundwater Monitoring Reports are available on Stolthaven's website dating back to Q1 2014. Discharge criteria under the EPL are listed in Table 1 of the WMP and included in the	Compliant

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
			quarterly assessments undertaken by AECOM and reported in Annual Reviews (see response to condition M2.3 of the EPL).	
3-11d	include a surface and groundwater response plan, including remedial actions and procedures that will be followed in the event of an incident.	<ul style="list-style-type: none"> • <i>Water Management Plan</i> (June, 2018) • Annual Reviews • Emergency Response Plan (June 2018) 	<p>A surface water response program is included in Section 9.7 of the WMP and includes resampling and testing of any suspected contaminated water, then removal offsite via discharge procedures if required.</p> <p>The groundwater monitoring program is included in Section 10.6 of the WMP and includes operations in accordance with the Emergency Response Plan.</p> <p>The water quality results from licensed discharge events are reported in the Annual Reviews (refer to Table 9, Table 15, Table 16 of the 2016, 2017 and 2018 Annual Reviews respectively). During the audit period, some instances occurred where EPL criteria was exceeded (see response to condition L3.5). In each instance, re-testing was undertaken, and nil discharge occurred for confirmed exceedances.</p>	Compliant
TRAFFIC AND ACCESS				
Traffic Movements				
3-12	The Applicant shall:			N/A
3-12a	keep accurate records of: <ul style="list-style-type: none"> • Total hourly truck movements in peak periods; • the volume of diesel and biodiesel that is received, stored and dispatched. 	<ul style="list-style-type: none"> • Traffic Movement Register • Email to PON representative dated 7/03/19 (copy available) • Email from PON representative dated 2/05/18 (copy available) 	Stolthaven maintains a 'Traffic Movement Register' and produce bi-monthly reports to track truck movements (as well as air, noise and groundwater monitoring results). The bi-monthly report is sent to PON, evidence of which was viewed during	Compliant

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
		<ul style="list-style-type: none"> January and February 2019 bi-monthly reports (copy available) Annual Reviews 	the audit (emails as noted in the evidence column). Traffic movement records are also included in the Annual Reviews.	
3-12b	make these records available in its Annual Review.	<ul style="list-style-type: none"> Annual Reviews 	<ul style="list-style-type: none"> <u>2016 Annual Review</u>: Fuel storage records are included in Section 6.1 (Table 17). Truck movements are included in Section 6.2. <u>2017 Annual Review</u>: Fuel storage records are included in Section 6.1 (Table 22). Truck movements are included in Section 6.2. <u>2018 Annual Review</u>: Fuel storage records are included in Section 6.1 (Table 23). Truck movements are included in Section 6.2. 	Compliant
3-12c	provide these records to PON on a bi-monthly basis.	<ul style="list-style-type: none"> Email to PON representative dated 7/03/19 (copy available) Email from PON representative dated 2/05/18 (copy available) January and February 2019 bi-monthly reports (copy available) 	The bi-monthly report containing these records is sent to PON. An email dated 2/05/18 to a PON representative with the Jan/Feb report attached was viewed during the site audit.	Compliant
	Traffic Management Plan			
3-13	The Applicant shall update the existing Traffic Management Plan for the site to include the Development, to the satisfaction of the Secretary. The plan shall:	<ul style="list-style-type: none"> <i>Traffic Management Plan</i> (August, 2018) Letter from DPE dated 16/10/18 (copy available) 	The current TMP is dated August 2018. The Auditor viewed an approval letter from DPE dated 16/10/18.	Compliant
3-13a	be approved by the Secretary prior to commencement of operation;	<ul style="list-style-type: none"> Previous IEA 	The previous IEA notes evidence that the TMP was approved by DPE on 26/11/15.	Compliant
3-13b	be prepared in consultation with PON, GPNSW, Council, RMS, adjoining land owners and the local community;	<ul style="list-style-type: none"> Previous IEA Email to DPE dated 23/10/18 (copy available) 	The previous IEA notes evidence that the TMP was provided to PON on 26/10/15.	Compliant

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
			Approval was provided by DPE not to consult with external parties again for the revised TMP (August 2018) as changes were internal to the site only (i.e. construction parking).	
3-13c	detail construction and operational vehicle routes, access arrangements and coordination with other developments in the Mayfield Concept Plan area;	<ul style="list-style-type: none"> <i>Traffic Management Plan</i> (August, 2018) 	Operational vehicle routes are described in Section 7.1 of the TMP. Construction vehicle routes are described in Section 8.1 of the TMP. Appendix A and C of the TMP provide figures. The vehicle routes shown in the TMP appeared consistent with those viewed on site.	Compliant
3-13d	include details of driver training awareness to minimise noise, in particular from reversing alarms and compression braking;	<ul style="list-style-type: none"> <i>Traffic Management Plan</i> (August, 2018) Induction Register (last updated 3/04/19) Site interview 	Driver awareness training included in Section 5 of the TMP and is part of the induction process. Stolthaven maintain an Induction Register which was viewed during the audit. The register includes induction date, expiry date and induction number. In case of induction expiries, contractors are locked out of the gate.	Compliant
3-13e	detail procedures for managing operational traffic, including adherence to the <i>Australian Code for Transport of Dangerous Goods by Road and Rail</i> , January 1998 or its latest version; and	<ul style="list-style-type: none"> <i>Traffic Management Plan</i> (August, 2018) <i>Australian Code for Transport of Dangerous Goods by Road and Rail</i> (2018): https://www.ntc.gov.au/Media/Reports/(A890348-C-BEE7-3C64-A770-E98CFD8DDEFA).pdf Site inspection 	The TMP includes reference to the <i>Australian Code for Transport of Dangerous Goods by Road and Rail</i> as it relates to management procedures in Section 5.1. Procedures to manage operational traffic are described in Sections 7 and 8 of the TMP and include the use of traffic lights, speed limits, STOP signs and parking areas which were all viewed by the Auditor's during the site visit and appeared to be adequate.	Compliant
3-13f	be updated to be consistent with the Traffic Management Plan required under the Mayfield Concept Plan, once prepared.	<ul style="list-style-type: none"> <i>Traffic Management Plan</i> (August, 2018) 	The MCP objectives are described in Section 3.1 of the TMP.	Compliant
Access and Parking				

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
3-14	The Applicant must ensure that all internal roads and parking (including driveways, grades, lighting, aisle widths, aisle lengths, turning paths, sight distance requirements and parking bay dimensions) associated with the Development are designed and constructed in accordance with the latest versions of the Australian Standards 2890.1:2004 and 2890.2:2002, and AUSTRROADS for heavy vehicle usage.	<ul style="list-style-type: none"> EIS <i>Traffic Impact Assessment</i> (AECOM, 2014) MOD1 <i>Traffic Impact Assessment</i> (AECOM, 2015) Site Inspection Annual Reviews 	The Stolthaven representative advised that no roads or car parks were constructed during the audit period (consistent with the Annual Reviews). The EIS and MOD1 Traffic Assessments states that the RMS <i>Guide to Traffic Generating Developments</i> (2002) and the <i>Road Design Guide Supplements to Austroads Guides</i> (2009) were used to prepare the traffic assessments and no new upgrades were required for the Project.	Compliant
HAZARDS				
3-15	The Applicant shall update the Fire Safety Study for the site to incorporate the changes due to the Development, prior to the commencement of construction. This plan must:	<ul style="list-style-type: none"> <i>Fire Safety Study</i> (Aurecon, August 2018) Letter from DPE dated 16/10/18 (copy available) 	The Fire Safety Study was last updated on 27/08/18 for Stage 1 activities under SSD 7065. The updated Fire Safety Study was approved by DPE on 16/10/18.	Compliant
3-15a	be approved by the Secretary, prior to the commencement of construction;	<ul style="list-style-type: none"> Previous IEA 	The previous IEA notes evidence that the Fire Safety Study was approved by DPE on 13/05/15.	Compliant
3-15b	cover the relevant aspects of the Department's Hazardous Industry Planning Advisory Paper No. 2 – Fire Safety Study Guidelines and the Best Practice Guidelines for Contaminated Water Retention and Treatment Systems;	<ul style="list-style-type: none"> <i>Fire Safety Study</i> (Aurecon, August 2018) 	The Fire Safety Study is based on the Department's <i>Hazardous Industry Planning Advisory Paper No. 2 – Fire Safety Study Guidelines</i> which is noted on page 3 of the Fire Safety Study.	Compliant
3-15c	be prepared in consultation with adjacent landowners, including PON and OneSteel; and	<ul style="list-style-type: none"> Previous IEA 	The previous IEA notes evidence that PON was involved with the workshop for the original Stolthaven Fire Safety Study and that PON were satisfied that the updated study had been reviewed and accepted by Fire and Rescue NSW.	Compliant
3-15d	meet the requirements of NSW Fire and Rescue.	<ul style="list-style-type: none"> Previous IEA Letter from DPE dated 16/10/18 (copy available) 	The previous IEA notes evidence that the Fire Safety Study was reviewed and accepted by NSW Fire and Rescue on 11/08/15. The letter from DPE dated	Compliant

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
			16/10/18 notes that the Fire Safety Study for future stages is required to be approved by the Fire and Rescue at least one month prior to construction of the new tanks under SSD 7065.	
3-16	The Applicant shall update the Emergency Plan for the site to incorporate the changes due to the Development, prior to commencement of operation. The updated plan shall:	<ul style="list-style-type: none"> • Previous IEA • Emergency Response Plan (June 2018) 	The previous IEA notes evidence that the Emergency Plan was updated prior to operations. The Emergency Response Plan was updated in June 2018.	Compliant
3-16a	be prepared in consultation with PON;	<ul style="list-style-type: none"> • Previous IEA 	The previous IEA notes evidence that PON was consulted on 2/02/16 and provided feedback on 6/02/16.	Compliant
3-16b	be consistent with the Department's <i>Hazardous Industry Planning Advisory Paper No. 1 – Emergency Planning</i> ; and	<ul style="list-style-type: none"> • Emergency Response Plan (June 2018) • <i>Hazardous Industry Planning Advisory Paper No. 1 – Emergency Planning</i>: https://www.planning.nsw.gov.au/-/media/Files/DPE/Other/hazardous-industry-planning-advisory-paper-no-1-emergency-planning-2011-01.pdf?la=en 	The Emergency Response Plan appears to be generally consistent with the Department's <i>Hazardous Industry Planning Advisory Paper No. 1 – Emergency Planning</i> and includes emergency procedures, resources, reporting requirements, training and personnel responsibilities during emergency situations.	Compliant
3-16c	detail the emergency procedures for the Development.	<ul style="list-style-type: none"> • Emergency Response Plan (June 2018) 	The Emergency Response Plan details emergency procedures for the Project. A hard copy of the plan was viewed during the site audit.	Compliant
3-17	The Applicant shall contribute to, in so far as it relates to the Development, preparation of the following plans and audits for the Mayfield Concept Plan, in consultation with PON:		See below.	N/A

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
3-17a	a Port Emergency Response Plan, consistent with the Department's <i>Hazardous Industry Advisory Paper No. 1 – Emergency Planning</i> ;	<ul style="list-style-type: none"> Emergency Response Plan (June 2018) 2016 Hazard Audit Report by Sherpa Consulting (May 2016) 	The Stolthaven representative advised the Emergency Response Plan and Hazard Audit are provided to PON as contribution. Both documents were viewed during the audit.	Compliant
3-17b	a Safety Management System, consistent with the Department's <i>Hazardous Industry Advisory Paper No. 9 – Safety Management</i> ; and	<ul style="list-style-type: none"> Environmental management plans 	The 'Safety Management System' is the operational environmental management plans which are developed in consultation with PON and assessed in this table.	Compliant
3-17c	hazard audits, consistent with the Department's <i>Hazardous Industry Advisory Paper No. 5 – Hazard Audit Guidelines</i>		See response to condition 2-17A.	Compliant
	Notes: The intent of condition 18(d) is to ensure coordinated delivery of infrastructure across the Mayfield Concept Plan Area.			Noted.
UTILITIES AND SERVICES				
3-18	The Applicant shall update and implement the existing Utilities and Services Plan for the site to include the Development, to the satisfaction of the Secretary. The plan must:	<ul style="list-style-type: none"> <i>Utilities and Services Plan</i> (June, 2018) Letter from DPE dated 16/10/18 (copy available) 	The current USMP is dated June 2018. The Auditors viewed an approval letter from DPE dated 16/10/18.	Compliant
3-18a	be updated prior to the commencement of operation;	<ul style="list-style-type: none"> Previous IEA 	The previous IEA notes evidence approval by DPE was granted on 11/12/15.	Compliant
3-18b	be prepared in consultation with relevant utility and service providers and adjacent landowners, where relevant;	<ul style="list-style-type: none"> <i>Utilities and Services Plan</i> (June, 2018) Email to DPE dated 23/10/18 (copy available) 	Section 1.2 of the USMP includes details of consultation with service and utility providers including AusGrid, Hunter Water, Jemena and Telstra and where each requirement has been addressed in the document. Approval was provided by DPE not to consult with external parties again for the revised USMP (June 2018) as no additional utility connections were required.	Compliant
3-18c	include an implementation schedule which shows how all essential utilities and services are to be provided to the site;	<ul style="list-style-type: none"> <i>Utilities and Services Plan</i> (June, 2018) 	The implementation schedule is included in Section 2 of the USMP.	Complaint

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
3-18d	provide a copy of all necessary approvals from relevant utility and service providers showing that access to these utilities and services is available and secured; and	<ul style="list-style-type: none"> <i>Utilities and Services Plan</i> (June, 2018) 	<p>Whilst the USMP does not contain physical copies of the approvals with service providers, Stolthaven have provided evidence in the USMP that the required agreements are in place, consistent with the intent of this condition. A discussion on the approvals is included in Section 3 of the USMP and includes an electricity supply agreement with PON, water supply from Hunter Water, sewerage management in accordance with the EPL, and telecommunications with Telstra. A summary of consultation with the service providers is outlined in Section 1.2. Consultation with Hunter Water is ongoing with regards to the design of a sewer pumping station (as detailed in Section 3.3 of the USMP). There is no requirement for gas services on site.</p> <p>Recommendation: Include copies of all approvals from utilities and services providers as an appendix to the USMP at the next update.</p>	Compliant
3-18e	include a strategy to integrate all utilities and services with the broader system to be provided by PON for the Mayfield Concept Plan.	<ul style="list-style-type: none"> <i>Utilities and Services Plan</i> (June, 2018) Previous IEA 	The previous IEA notes evidence that a copy of the USMP was provided to PON on 26/10/15. A strategy to integrate all utilities is included in Section 3 of the USMP.	Compliant
	Note: The intent of condition 18(d) is to ensure coordinated delivery of infrastructure across the Mayfield Concept Area.		Noted.	N/A
	NOISE			
	Construction Noise			
3-19	The Applicant must ensure that all reasonable and feasible management and mitigation measures are employed so that	<ul style="list-style-type: none"> Site interview Annual Reviews 	No construction has been undertaken under this consent during the audit period.	Not Triggered

Table A-1: Compliance with Development Consent SSD 6664

CONDITION			EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS												
	construction noise generated by the Development meets the construction noise goals in Table 1. <i>Table 1: Construction Noise Goals dB(A)</i> <table><tr><th colspan="2">Location</th><th>L_{Aeq}(15min)</th></tr><tr><td>R1, R2, R3, R4, R7, R8</td><td>Mayfield</td><td>53</td></tr><tr><td>R5</td><td>Carrington</td><td>54</td></tr><tr><td>R9</td><td>Mayfield East Public School</td><td>55</td></tr></table>		Location		L _{Aeq} (15min)	R1, R2, R3, R4, R7, R8	Mayfield	53	R5	Carrington	54	R9	Mayfield East Public School	55			
Location		L _{Aeq} (15min)															
R1, R2, R3, R4, R7, R8	Mayfield	53															
R5	Carrington	54															
R9	Mayfield East Public School	55															
	Notes: <ul style="list-style-type: none">To identify the locations referred to in Table 1, see Figure 4 in Appendix 4.Noise generated by the Development is to be measured in accordance with the Interim Construction Noise Guideline.			No construction has been undertaken under this consent during the audit period.	Not Triggered												
	Operational Noise																
3-20	Prior to commencement of construction, the Applicant shall provide the Noise and Vibration Impact Assessment for the Development prepared by AECOM, dated 8 December 2014 including all modelling data, to the PON for the purposes of updating the Site Noise Model of the Mayfield Concept Plan.		<ul style="list-style-type: none">Previous IEA	The previous IEA notes evidence that the Noise and Vibration Impact Assessment was provided to PON on 2/08/15.	Compliant												
3-21	Prior to commencement of operation, the Applicant shall provide written evidence to the Secretary that the PON is satisfied that the methodology and outcomes of the Noise and Vibration Impact Assessment for the Development, dated 8 December 2014 are consistent with the Site Noise Model of the Mayfield Concept Plan.		<ul style="list-style-type: none">Previous IEASSD 7065	The previous IEA notes evidence of compliance with this condition (AECOM advice). PON accepted the methodology as part of the EIS and a copy of the landowner’s consent for the SSD 6664 application dated 9/02/14 was viewed. The Site Noise Model for the MCP was included in the assessment for SSD 7065.	Compliant												
3-22	The Applicant shall, in consultation with the PON ensure that noise from operation of the Development:		<ul style="list-style-type: none">Email to PON representative dated 7/03/19 (copy available)	The bi-monthly report is sent to PON and includes a summary of noise monitoring data. An email dated 2/05/18 to a PON representative was viewed during the audit.	Compliant												
3-22a	fits within the Site Noise Model developed for the Mayfield Concept Plan; and		<ul style="list-style-type: none">Operational Noise Compliance Assessments (AECOM, 2016-2018)	A methodology to deal with cumulative noise from the entire MCP is currently in development and is yet to be finalised (AECOM, 2018). The representative from	Compliant												

Table A-1: Compliance with Development Consent SSD 6664

CONDITION			EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS													
				PON was asked for an update on the status of this but did not provide comment (see Appendix 4). The Operational Noise Compliance Assessments include assessment against overall MCP noise goals (Table 3). No exceedances of criteria were identified during the audit period.														
3-22b	does not exceed any noise quota provided by PON for the Development, in accordance with the Site Noise Model developed for the Mayfield Concept Plan.		<ul style="list-style-type: none"><i>Operational Noise Compliance Assessments</i> (AECOM, 2016-2018)	PON uses a Cumulative Environmental Noise Management Tool (CENMT) that has been developed for the MCP to manage individual site noise requirements. The Operational Noise Compliance Assessments include assessment against the allocated noise quotas. No exceedances of criteria were identified during the audit period.	Compliant													
3-23	The Applicant shall comply with the directions of the PON in relation to the management of noise from the Development.		<ul style="list-style-type: none">Site interview	The Stolthaven representative advised no directions have been received from PON.	Not Triggered													
	Construction and Operation Hours																	
3-24	<div>The Applicant must comply with the hours of construction and operation in Table 2, unless otherwise agreed to in writing by the Secretary. <i>Table 2: Hours of Work</i></div> <table><tr><td>Activity</td><td>Day</td><td>Hours</td></tr><tr><td rowspan="3">Construction</td><td>Monday – Friday</td><td>7am – 6pm</td></tr><tr><td>Saturday</td><td>8am – 1pm</td></tr><tr><td>Sunday & Public Holidays</td><td>Nil</td></tr><tr><td>Operation</td><td>Monday – Sunday</td><td>24 hours</td></tr></table>		Activity	Day	Hours	Construction	Monday – Friday	7am – 6pm	Saturday	8am – 1pm	Sunday & Public Holidays	Nil	Operation	Monday – Sunday	24 hours	<ul style="list-style-type: none">Annual Reviews<i>Operational Noise Compliance Assessments</i> (AECOM, 2016-2018)	Operational hours are Monday – Sunday, 24 hours per day. No construction has been undertaken under this consent during the audit period.	Compliant
Activity	Day	Hours																
Construction	Monday – Friday	7am – 6pm																
	Saturday	8am – 1pm																
	Sunday & Public Holidays	Nil																
Operation	Monday – Sunday	24 hours																
	Note: Construction activities are permitted to take place outside of these hours provided they are inaudible at surrounding receivers.		<ul style="list-style-type: none">Annual ReviewsSite interview	No construction has been undertaken under this consent during the audit period.	Compliant													

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
	Operating Conditions			
3-25	The Applicant shall implement best practice noise and vibration management, including all reasonable and feasible measures to minimise noise and vibration emissions of the Development to the satisfaction of the Secretary.	<ul style="list-style-type: none"> Operational Noise Compliance Assessments (AECOM, 2016-2018) Annual Reviews 	Operational noise is calculated in accordance with the <i>Industrial Noise Policy 2000</i> and <i>Noise Policy for Industry 2017</i> (as applicable) and is referenced in the Operational Noise Compliance Assessments undertaken on an annual basis by AECOM. No exceedances of criteria were identified during the audit period. Noise monitoring results are also reported in the Annual Reviews sent to DPE.	Compliant
	Noise Management Plan			
3-26	The Applicant shall update the existing Noise Management Plan for the site to include the Development, to the satisfaction of the Secretary. This plan must:	<ul style="list-style-type: none"> Operational Noise Management Plan (May, 2018) Letter from DPE dated 16/10/18 (copy available) 	The current ONMP is dated May 2018. The Auditors viewed an approval letter from DPE dated 16/10/18.	Compliant
3-26a	be prepared by a suitably qualified expert, in accordance with EPA Guidelines;	<ul style="list-style-type: none"> Operational Noise Management Plan (May, 2018) EPA's Noise Policy for Industry 2017 https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/noise/17p0293-implement-transition-arrange-noise-pol-industry.pdf 	The ONMP was prepared by AECOM and includes references to EPA's <i>Industrial Noise Policy 2000</i> . The <i>Industrial Noise Policy 2000</i> was replaced by the <i>Noise Policy for Industry</i> in 2017 however, the 2000 guidelines still applies to the operation as described in the EPA document <i>Implementation and transitional arrangements for the Noise Policy for Industry (2017)</i> , point 8 which states: "The NSW Industrial Noise Policy (2000) will continue to apply where it is referenced in existing statutory instruments (such as consents and licences), except for the NSW Industrial Noise Policy Section 4 modifying factors,	Compliant

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
			<p>which will be transitioned to the Noise Policy for Industry (2017)...".</p> <p>The Auditor has not undertaken a detailed review to confirm if the ONMP is consistent with the 2017 guidelines but notes that key elements, such as sleep disturbance assessments and use of the 'precinct' concept, are included in the plan.</p>	
3-26b	be approved by the Secretary prior to the commencement of construction;	<ul style="list-style-type: none"> Previous IEA 	The previous IEA notes evidence that the ONMP was approved by DPE on 26/11/15.	Compliant
3-26c	describe the measures that would be implemented to ensure compliance with the relevant noise goals included in the Mayfield Concept Plan or noise quota established by the PON;	<ul style="list-style-type: none"> <i>Operational Noise Management Plan</i> (May, 2018) <i>Operational Noise Compliance Assessments</i> (AECOM, 2016-2018) 	Measures are described in Sections 4.2-4.4 of the ONMP and includes reporting requirements to the EPA (under the EPL) and as part of the MCP CENMT. Operation Noise Compliance Assessments are undertaken on an annual basis and were reviewed during the audit (see response to condition 3-22a and 3-22b).	Compliant
3-26d	include a procedure for implementing noise mitigation measures, should the Applicant be directed to by the PON, or should non-compliant be detected; and	<ul style="list-style-type: none"> <i>Operational Noise Management Plan</i> (May, 2018) <i>Operational Noise Compliance Assessments</i> (AECOM, 2016-2018) 	Procedures are described in Section 4.3 and 4.4 of the ONMP and includes investigation procedures in the case of exceedances or complaints and corrective actions. No non-compliances were received during the audit period (see responses to condition 3-22).	Compliant
3-26e	include procedures to receive, record and respond to complaints.	<ul style="list-style-type: none"> <i>Operational Noise Management Plan</i> (May, 2018) Complaints register 	Procedures are described in Section 5.2 of the ONMP. No complaints have been received in the audit period in relation to noise.	Compliant
	Noise Monitoring			
3-27	The Applicant shall monitor noise from the operation of the Development, to the satisfaction of the Secretary. The monitoring shall:	<ul style="list-style-type: none"> Letter from DPE dated 16/10/18 (copy available) Annual review 	DPE approved the monitoring program as part of the ONMP on 16/10/18. Monitoring results are reported in the Annual Reviews which is also approved by DPE.	Compliant

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
3-27a	Be undertaken annually, or to address genuine noise complaints that are related to the Development as determined by the Department or the EPA;	<ul style="list-style-type: none"> <i>Operational Noise Compliance Assessments</i> (AECOM, 2016-2018) Complaints Register 	Annual noise monitoring was undertaken by AECOM during the audit period (see responses to condition 3-22). No complaints have been received for noise during the audit period.	Compliant
3-27b	Be undertaken in accordance with the <i>NSW Industrial Noise Policy</i> ; and	<ul style="list-style-type: none"> <i>Operational Noise Compliance Assessments</i> (AECOM, 2016-2018) 	Operational noise is calculated in accordance with the <i>Industrial Noise Policy 2000</i> and <i>Noise Policy for Industry 2017</i> (as applicable) and is referenced in the Operational Noise Compliance Assessments undertaken by AECOM.	Compliant
3-27c	Demonstrate compliance with the relevant noise goals in the Mayfield Concept Plan, or any noise quota established by the PON for the Development.	<ul style="list-style-type: none"> <i>Operational Noise Compliance Assessments</i> (AECOM, 2016-2018) 	Compliance with noise quotas is assessed in the annual noise monitoring reports by AECOM (see response to condition 3-22a and 22b).	Compliant
	Note: The monitoring requirements could be satisfied by the monitoring network required for the Mayfield Concept Plan once it is established.	<ul style="list-style-type: none"> <i>Operational Noise Compliance Assessment</i> (AECOM, 2018) 	A methodology to deal with cumulative noise from the entire MCP is currently in development and is yet to be finalized (AECOM, 2018). The representative from PON was asked for an update on the status of this but did not provide comment.	Compliant
AIR QUALITY AND GREENHOUSE GAS				
Dust Minimisation				
3-28	The Applicant shall carry out all reasonable and feasible measures to minimise dust generated by the Development.	<ul style="list-style-type: none"> Site inspection <i>Air Quality Management Plan</i> (May, 2018) 	All operational areas are sealed, gravelled or grassed to prevent the generation of dust (evident during the site inspection).	Compliant
Offensive Odour				
3-29	The Applicant must not cause or permit the emission of offensive odours from the site, as defined under Section 129 of the POEO Act.	<ul style="list-style-type: none"> EPL Annual Returns Annual Reviews EPA's POEO Public Register 	Stolthaven has not been prosecuted under the POEO Act and has not reported any non-compliances in the EPL Returns or on EPA's Public Register. No odour issues were present during the site inspection.	Compliant

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
	Energy Efficiency and Greenhouse Gas Emissions			
3-30	The Applicant shall implement all reasonable and feasible measures to minimise energy use and greenhouse gas emissions from the Development.	<ul style="list-style-type: none"> • <i>Energy Efficiency Plan</i> (AECOM, October 2015) • Site inspection 	Energy and Greenhouse Gas Emissions are managed in accordance with the EEP (required under condition 3-34) and the AQMP (required under condition 3-33). Operational measures to minimise greenhouse gas emissions and energy use includes installation of emission control equipment, regular service and maintenance of machinery and switching off vehicles when not in use. Operations appeared to be consistent with measures described in the EEP during the site inspection such as switching off vehicles and lights when not in use.	Compliant
	Air Quality Discharges			
3-31	The Applicant shall install and operate equipment in line with best practice to ensure that Development complies with all load limits, air quality criteria and air quality monitoring requirements as specified in the amended EPL for the site.	<ul style="list-style-type: none"> • DPE approval letter dated 24/10/18 (copy available) 	See response to condition M3.1 of the EPL. The air quality monitoring program is undertaken in accordance with the MCP as opposed to specific site monitoring.	Not Triggered
	Dust Mitigation Measures			
3-32	The Applicant must design, construct, operate and maintain the Development in a manner that minimises or prevents the emission of dust from the site and complies with any monitoring requirements in the EPL.		See response to condition 3-28 of SSD 6664. Dust monitoring is not required under the EPL.	Compliant
	Air Quality and Greenhouse Gas Management Plan			
3-33	The Applicant shall update the existing Air Quality and Greenhouse Gas Management Plan for the site to include the Development, to the satisfaction of the Secretary. This plan must:	<ul style="list-style-type: none"> • <i>Air Quality Management Plan</i> (May, 2018) • Letter from DPE dated 16/10/18 (copy available) 	The current AQMP is dated May 2018. The Auditors viewed an approval letter from DPE dated 16/10/18.	Compliant
3-33a	be approved by the Secretary prior to the commencement of construction;	<ul style="list-style-type: none"> • Previous IEA 	The previous IEA notes evidence that the original AQMP was approved by DPE on 26/11/15.	Compliant
3-33b	describe the measures that would be implemented to ensure compliance with the relevant conditions of this consent;	<ul style="list-style-type: none"> • <i>Air Quality Management Plan</i> (May, 2018) 	Mitigation measures are described in Section 6.1 of the AQMP and include	Compliant

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
		<ul style="list-style-type: none"> Site inspection 	installation of emission controls on equipment, covered truck loads, hard surfaces or paving used on site, vegetation and switching off vehicles when not in use. These practices were in place during the site inspection.	
3-33c	include an air monitoring program to measure the performance of the Development against the relevant conditions of this consent;	<ul style="list-style-type: none"> <i>Air Quality Management Plan</i> (May, 2018) Letter from DPE dated 16/10/18 (copy available 	The air quality monitoring program is described in Section 6.3 of the AQMP and includes monitoring in accordance with the MCP as opposed to specific site monitoring (see note to condition below). Justification is provided in the AQMP as follows: "As the site's operations are expected to result in acceptable air quality impacts, air monitoring specifically for the site's operations is not considered necessary." This approach was approved by DPE on 16/10/18.	Compliant
3-33d	describes a protocol that has been agreed with PON for the provision of input to the broader Site Air Quality Model required under the Mayfield Concept Plan.	<ul style="list-style-type: none"> Previous IEA 	The previous IEA notes evidence that the AQMP was sent to PON on 26/10/15. Integration with the MCP is described in Section 3.3 of the AQMP.	Compliant
	Note: The monitoring requirements of condition 31(c) could be satisfied by the monitoring network required for the Mayfield Concept Plan, if sufficient justification is provided.		See response to condition 3-31c.	Compliant
Energy Efficiency Plan				
3-34	The Applicant shall update the existing Energy Efficiency Plan for the site to include the Development, to the satisfaction of the Secretary. The plan shall:	<ul style="list-style-type: none"> <i>Energy Efficiency Plan</i> (AECOM, October 2015) 	The current EEP is dated October 2015. Note: An EEP is not required under SSD 7065 and therefore was not updated in 2018.	Compliant
3-34a	be updated prior to the commencement of operation;	<ul style="list-style-type: none"> Previous IEA 	The previous IEA notes evidence that the DPE approved the EEP on 26/11/15.	Compliant
3-34b	describe the measures to be implemented to minimise energy use on the site including energy consumption levels, predicted energy savings and options for alternative energy sources	<ul style="list-style-type: none"> <i>Energy Efficiency Plan</i> (AECOM, October 2015) 	Section 3 of the EEP describes the plan to manage energy for the operation. The annual baseline is provided in section	Compliant

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
	including solar power generation, potential for third party access to roofs for solar generation, and co-generation; and		4.1.1 of the EEP with detailed calculations in Appendix A. Alternative energy sources are discussed in section 5 of the EEP and include Photovoltaic panels, wind technology and energy efficient lighting.	
3-34c	include a program for monitoring the effectiveness of these measures, and a protocol for the periodic review of the plan.	<ul style="list-style-type: none"> • <i>Energy Efficiency Plan</i> (AECOM, October 2015) • Environmental Management Log (copy available) 	The monitoring program is included in Appendix D to the EEP. Stolthaven maintain an 'Environmental Management Log' which contains monitoring records of electricity and water meter readings for the audit period and dating back to 2014.	Compliant
VISUAL AMENITY				
Design and Landscaping				
3-35	The Applicant shall update the existing design and landscape management plan for the site to include the Development, to the satisfaction of the Secretary. The plan must:	<ul style="list-style-type: none"> • <i>Landscape Management Plan</i> (April 2018) • Letter from DPE dated 16/10/18 (copy available) 	The current LMP is dated April 2018. The Auditors viewed an approval letter from DPE dated 16/10/18.	Compliant
3-35a	be prepared in consultation with PON;	<ul style="list-style-type: none"> • Previous IEA • Email to DPE dated 23/10/18 (copy available) 	The previous IEA notes evidence PON was provided a draft plan for comment on 18/08/15. Approval was provided by DPE not to consult with external parties again for the revised LMP (April 2018) on 23/10/18.	Compliant
3-35b	be updated and implemented prior to the commencement of operation;	<ul style="list-style-type: none"> • Previous IEA 	The previous IEA notes evidence that DPE approved the LMP on 11/12/15.	Compliant
3-35c	demonstrate the building treatments are of sufficient design quality to minimise the visual impacts of the Development, and include a variety of materials and external finishes;	<ul style="list-style-type: none"> • <i>Landscape Management Plan</i> (April 2018) 	Building design is described in Section 7 of the LMP and includes photos and descriptions of landscaped areas. The visual impact is discussed in Section 7.1 of the LMP.	Compliant
3-35d	illustrate the location, species and mature heights of plants to be established on site;	<ul style="list-style-type: none"> • <i>Landscape Management Plan</i> (April 2018) 	Plants are described in Section 8 of the LMP and includes a list of species and mature heights for potted plants, ornamental grasses and traditional grasses.	Compliant

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
3-35e	provide for the maintenance of the landscaping on site; and	<ul style="list-style-type: none"> • <i>Landscape Management Plan</i> (April 2018) • Site inspection 	Maintenance is described in Section 7.3 of the LMP and includes lawn mowing, vegetation management, weed control and repairs. The site appeared to be in a tidy and well-maintained condition during the site inspection. The Stolthaven representative advised a ride on lawn mower is used regularly.	Compliant
3-35f	illustrate how the design of the buildings would integrate with the 3-8 proposed, ensuring landscaping is used to minimise views of the site.		See response to condition 3-35c.	Compliant
Construction Materials				
3-36	Where possible the Applicant must utilise building materials that will minimise the potential visibility of the Development (ie. use of non-reflective materials).	<ul style="list-style-type: none"> • Site inspection • <i>Landscape Management Plan</i> (April 2018) 	Cladding for the load gantry, office building and fire water tank are coloured 'Woodland Grey' to minimise visual impact as this colour has a neutral appearance.	Compliant
Lighting				
3-37	The Applicant shall ensure that any lighting associated with the Development:			N/A
3-37a	complies with the latest version of Australian Standard AS 4282(INT)-Control of Obtrusive Effects of Outdoor Lighting; and	<ul style="list-style-type: none"> • Previous IEA • Site inspection • Complaints Register 	<p>The previous IEA notes that lighting associated with the Stage 2 project has not been specifically modelled against AS 4282. These standards were determined by design engineers at Aurecon to be not applicable to the Project and more associated with residential areas during a discussion held on 18/02/16. Although not specifically prepared to AS 4282, the lighting was determined to be compliant and installed to minimise impacts to surrounding properties and the public road network.</p> <p>During the site inspection, the Auditors observed all lighting to be facing downwards as to not provide a nuisance to</p>	Compliant

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
			receivers. No lighting complaints were received during the audit period.	
3-37b	is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.		See response to condition 3-37a.	Compliant
	Signage			
3-38	The Applicant must not install any advertising signs on site without the written consent of the Secretary.	<ul style="list-style-type: none"> Site interview Annual Reviews 	The Stolthaven representative advised no new signs have been installed during the audit period (consistent with Annual Reviews).	Compliant
	SITE SECURITY			
3-39	The Applicant shall:			N/A
3-39a	install and maintain a perimeter fence and security gates on the site; and	<ul style="list-style-type: none"> Site inspection 	The perimeter fence and security gates were observed during the site visit and appeared to be well maintained and secure.	Compliant
3-39b	ensure that the security gates on site are locked whenever the site is unattended,	<ul style="list-style-type: none"> Site interview Site inspection 	The Stolthaven representative advised all security gates are locked when the site is unattended. Locks were visible during the site inspection.	Compliant
	WASTE			
3-40	The Applicant shall ensure that all waste generated on the site during construction and operation of the Development is stored, handled and disposed of in accordance with the EPA's <i>Waste Classification Guidelines</i> .	<ul style="list-style-type: none"> <i>Operational Environmental Management Plan</i> (October, 2018) Site inspection Waste Register (last updated 5/04/19) Waste docket 8/03/19 (copy available) 	The Waste Management Plan (included in Section 11 of the OEMP) includes a description of the storage, handling, classification and disposal of wastes generated on site. Specific reference to the EPA's <i>Waste Classification Guidelines</i> is included on page 11 with list of the waste categories generated by operations. Management measures include inspections, weekly monitoring and recording of waste quantities, and sign-posting of waste receptacles. General waste is collected on a weekly basis by and external contractor.	Complaint

Table A-1: Compliance with Development Consent SSD 6664				
CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
			Quantities of slops and effluent are collected by Toxfree and are recorded in a Waste Register (viewed during the audit). Recommendation It is recommended the Waste Register is updated to record quantities for other waste streams identified in SSD 7065 EIS such as general waste, recyclables, sludge, ablutions waste and vegetation/landscaping waste. Recommendation: It is recommended specific recycling targets are developed for the Project to help identify any areas of improvement.	
	AVIATION SAFETY			
3-41	Prior to the commencement of construction, the Applicant must obtain all necessary approvals from the Air Base Command Post of RAAF Base Williamtown and the Directorate of External Land Planning within the Defence Support Group of the Department of Defence for the erection of all structures that constitute transient/ temporary or permanent obstructions in accordance with the <i>Operation of cranes and tall structures in the vicinity of Newcastle Airport</i> (Department of Defence, 2013).	<ul style="list-style-type: none"> Previous IEA 	The previous IEA notes evidence of correspondence from the Department of Defence dated 29/04/15, which was provided to DPE to confirm all required approvals have been obtained.	Compliant
Schedule 4 – Environmental Management, Reporting and Auditing				
	ENVIRONMENTAL MANAGEMENT			
	Environmental Management Strategy			
4-1	The Applicant shall update the existing Environmental Management Strategy for the site to include the Development to the satisfaction of the Director General. The strategy must be approved by the Secretary prior to commencement of construction and shall:	<ul style="list-style-type: none"> Previous IEA Letter from DPE dated 24/10/18 	The previous IEA notes evidence that the EMS was approved on 26/11/15. The EMS includes the OEMP and all management plans required under SSD 6664 and for Stage 1 activities under SSD	Compliant

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
			7065. The updated EMS was approved by DPE on 24/10/18.	
4-1a	provide the strategic context for environmental management of the Development;	<ul style="list-style-type: none"> <i>Operational Environmental Management Plan (October, 2018)</i> 	The strategic context is described in Section 1.1 and throughout the OEMP.	Compliant
4-1b	identify the statutory requirements that apply to the Development	<ul style="list-style-type: none"> <i>Operational Environmental Management Plan (October, 2018)</i> 	The statutory requirements are described in Section 1.3 of the OEMP.	Compliant
4-1c	describe in general how the environmental performance of the Development would be monitored and managed;	<ul style="list-style-type: none"> <i>Operational Environmental Management Plan (October, 2018)</i> 	Monitoring and management of environmental performance is described in Sections 5, 7.3.2, 8, 9 and 11 of the OEMP.	Compliant
4-1d	describe the procedures that would be implemented to: <ul style="list-style-type: none"> keep the local community and relevant agencies informed about the operation and environmental performance of the Development; receive, handle and respond to complaints; resolve any disputes that may arise during the course of the Development; respond to any non-compliance; manage cumulative impacts; respond to emergencies; and 	<ul style="list-style-type: none"> <i>Operational Environmental Management Plan (October, 2018)</i> 	Included in sections of the OEMP as follows: <ul style="list-style-type: none"> <u>Keep the community and relevant agencies informed</u>: Section 5.1 (Annual Review) <u>Complaints procedure</u>: Section 5.5 <u>Dispute response</u>: Section 5.5 <u>Response to non-compliances</u>: Referenced in Sections 6-11 throughout <u>Management of cumulative impacts</u>: Referenced in Sections 6-11 throughout <u>Emergency response</u>: Section 5.5 and referenced in Sections 6-11 throughout 	Compliant
4-1e	describe the role, responsibility, authority and accountability of all the key personnel involved in the environmental management of the development.	<ul style="list-style-type: none"> <i>Operational Environmental Management Plan (October, 2018)</i> 	Included in Section 4 of the OEMP.	Compliant
Management Plan Requirements				

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
4-2	The Applicant must ensure that the management plans required under this consent are prepared in accordance with any relevant guidelines, and include:		See discussion on management plans in Section 5.3 of the IEA Report and under various conditions in this table.	N/A
4-2a	detailed baseline data;	<ul style="list-style-type: none"> Management plans as listed in the adjacent column 	Included in sections as follows: <ul style="list-style-type: none"> <u>AQMP</u>: Section 4 <u>TMP</u>: Not included <u>ONMP</u>: Not included <u>SWMP</u>: Not included <u>WMP</u>: Not included <u>USMP</u>: N/A <u>LMP</u>: N/A Recommendation: Update management plans to include detailed baseline data at the next review.	Non-compliant
4-2b	a description of: <ul style="list-style-type: none"> the relevant statutory requirements (including any relevant approval, licence or lease conditions); any relevant limits or performance measures/criteria; and the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the Development or any management measures; 	<ul style="list-style-type: none"> Management plans as listed in the adjacent column 	Included in sections as follows: <ul style="list-style-type: none"> <u>AQMP</u>: Section 3, 3.1, 3.5 <u>TMP</u>: Section 2 and 3 <u>ONMP</u>: Section 2 <u>SWMP</u>: Section 1.1 <u>WMP</u>: Section 1.1, 4.3 <u>USMP</u>: Section 1.1 <u>LMP</u>: Section 2.1 	Compliant
4-2c	a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;	<ul style="list-style-type: none"> Management plans as listed in the adjacent column 	Included in sections as follows: <ul style="list-style-type: none"> <u>AQMP</u>: Section 6 <u>TMP</u>: Section 7.1.3 and 8.1.4 <u>ONMP</u>: Section 3 <u>SWMP</u>: Section 4 <u>WMP</u>: Section 7-12 <u>USMP</u>: Section 3 <u>LMP</u>: Section 7 	Compliant
4-2d	a program to monitor and report on the: <ul style="list-style-type: none"> impacts and environmental performance of the Development; and effectiveness of any management measures (see c) above); 	<ul style="list-style-type: none"> Management plans as listed in the adjacent column 	Included in sections as follows: <ul style="list-style-type: none"> <u>AQMP</u>: Section 3.3.1 and 4.1 <u>TMP</u>: Neighbouring operational traffic considered throughout <u>ONMP</u>: Section 2.5 	Compliant

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
			<ul style="list-style-type: none"> • <u>SWMP</u>: Section 4.1.2 • <u>WMP</u>: Section 5 • <u>USMP</u>: Section 2 • <u>LMP</u>: Section 3 	
4-2e	a contingency plan to manage any unpredicted impacts and their consequences;	<ul style="list-style-type: none"> • Management plans as listed in the adjacent column 	Included in sections as follows: <ul style="list-style-type: none"> • <u>AQMP</u>: Section 8.1 • <u>TMP</u>: Section 9 • <u>ONMP</u>: Section 4.4 • <u>SWMP</u>: Section 10 • <u>WMP</u>: Section 14 • <u>USMP</u>: Not applicable • <u>LMP</u>: Section 10 	Compliant
4-2f	a program to investigate and implement ways to improve the environmental performance of the Development over time;	<ul style="list-style-type: none"> • Management plans as listed in the adjacent column 	Included in sections as follows: <ul style="list-style-type: none"> • <u>AQMP</u>: Section 9 • <u>TMP</u>: Section 9 • <u>ONMP</u>: Section 6 • <u>SWMP</u>: Section 8 • <u>WMP</u>: Section 14 • <u>USMP</u>: Not applicable • <u>LMP</u>: Section 10 	Compliant
4-2g	a protocol for managing and reporting any: <ul style="list-style-type: none"> • incidents; • complaints; • non-compliances with statutory requirements; and • exceedances of the relevant limits and/or performance measures / criteria; and 	<ul style="list-style-type: none"> • Management plans as listed in the adjacent column 	Incident response protocol is included in sections as follows: <ul style="list-style-type: none"> • <u>AQMP</u>: Section 7.1 • <u>TMP</u>: Section 9 • <u>ONMP</u>: Section 4.3 • <u>SWMP</u>: Section 10 • <u>WMP</u>: Section 9 • <u>USMP</u>: Not applicable • <u>LMP</u>: Section 10 Complaints protocol is included in sections as follows: <ul style="list-style-type: none"> • <u>AQMP</u>: Section 7.1 • <u>TMP</u>: Not included • <u>ONMP</u>: Section 5 • <u>SWMP</u>: Section 9 • <u>WMP</u>: Section 13 	Non-compliant

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
			<ul style="list-style-type: none"> • <u>USMP</u>: Not included • <u>LMP</u>: Not included <p>Procedure for non-compliances and exceedances is included in sections as follows:</p> <ul style="list-style-type: none"> • <u>AQMP</u>: Section 7.1 • <u>TMP</u>: Section 9 • <u>ONMP</u>: Section 4.3 • <u>SWMP</u>: Section 10 • <u>WMP</u>: Section 9 • <u>USMP</u>: Not applicable • <u>LMP</u>: Section 10 <p>Recommendation: Revise the TMP, USMP and LMP to include either: a section with protocols to receive, handle and respond to complaints in each management plan at next update; or a reference to the procedures in the OEMP.</p>	
4-2h	a protocol for periodic review of the plan.	<ul style="list-style-type: none"> • Management plans as listed in the adjacent column 	<p>Included in sections as follows:</p> <ul style="list-style-type: none"> • <u>AQMP</u>: Section 9 • <u>TMP</u>: version control on title page states when next revision due • <u>ONMP</u>: Section 6 • <u>SWMP</u>: version control on title page states when next revision due • <u>WMP</u>: version control on title page states when next revision due • <u>USMP</u>: version control on title page states when next revision due • <u>LMP</u>: version control on title page states when next revision due 	Compliant
	Construction Management Plan			
4-3	The Applicant shall update the existing Construction Environmental Management Plan for the site to include the Development. The Plan must:		See below.	Compliant

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
4-3a	be approved by the Secretary prior to the commencement of construction;	<ul style="list-style-type: none"> Previous IEA 	The previous IEA notes evidence that the CEMP (Daracon, 2015) and the associated specialist plans were approved by the Secretary on 13/05/15.	Compliant
4-3b	be submitted to the Secretary for approval prior to commencement of any works associated with MP 08_0130 MOD 1; include: <ul style="list-style-type: none"> an erosion and sediment control plan; a soil and water management plan; a traffic management plan; a noise and vibration management plan; an air quality (dust) management plan; a heritage management plan; a utilities and services provision plan; and a waste management plan. 	<ul style="list-style-type: none"> Previous IEA 	As above. Note: a new CEMP is required under condition D1 of SSD 7065 (see response in Table A-2).	Compliant
Revisions to Strategies, Plans and Programs				
4-4	Within 3 months of the submission of an:			N/A
4-4a	Audit under condition 8 of schedule 4;	<ul style="list-style-type: none"> Management plans as listed in the adjacent column Previous IEA Email to DPE dated 12/05/16 (copy available) 	The previous IEA is dated 13/04/16. Document control registers within management plans confirms revisions were undertaken on the following dates during the audit period: <ul style="list-style-type: none"> <u>OEMP</u>: 30/09/16, 23/03/18, 18/10/18 and 23/10/18 <u>AQMP</u>: 02/05/18 <u>TMP</u>: September 2016, January 2018 and August 2018 <u>NMP</u>: 10/05/18 <u>SWMP</u>: September 2016 and April 2018 <u>WMP</u>: September 2016 and June 2018 <u>USMP</u>: September 2016 and June 2018 <u>LMP</u>: September 2016 and June 2018 	Compliant

Table A-1: Compliance with Development Consent SSD 6664				
CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
			Management plans were reviewed in May 2016 and an email was sent to DPE confirming a review had been undertaken (viewed during the audit).	
4-4b	Incident report under conditions 6 and 7 of schedule 4;	<ul style="list-style-type: none"> Annual Reviews Site Interview Incident Register 	No reportable incidents occurred during the audit period.	Not Triggered
4-4c	Annual review under condition 5 of schedule 4; and/or	<ul style="list-style-type: none"> Management plans Email to DPE dated 15/03/19 (copy available) 	See response to condition 4-4a for dates of when each management plan was revised. The Auditors viewed an email dated 15/03/19 confirming management plans were reviewed following submission of 2018 Annual Review.	Compliant
4-4d	A modification to this consent	<ul style="list-style-type: none"> DPE Major Projects Website 	No modifications to SSD 6664 were made during the audit period.	Not Triggered
	The Applicant must review, and if necessary revise, the strategies, plans and programs required under this consent to the satisfaction of the Secretary.	<ul style="list-style-type: none"> Management plans Site interview 	See response to condition 4-4a for dates of when each management plan was revised. No requests have been made by DPE to update any management plans.	Compliant
	Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the development.		Noted.	Compliant
REPORTING				
Annual Review				
4-5	By the end of December each year, and annually thereafter, the Applicant shall review the environmental performance of the Development, to the satisfaction of the Secretary. This review must:	<ul style="list-style-type: none"> Annual Reviews Letter from DPE dated 14/03/19 (copy available) 	The Auditors viewed Annual Reviews for 2016, 2017 and 2018 and viewed a letter from DPE dated 14/03/19 confirming approval of 2018 Annual Review.	Compliant
4-5a	be prepared in consultation with PON	<ul style="list-style-type: none"> Email dated 25/02/19 from PON representative (Jackie Spiteri) Previous IEA Annual Reviews 	The 2016 Annual Review was provided to PON on 15/01/16 and re-issued to PON following changes on 18/01/16 (evidence provided in previous IEA). The 2018 Annual Review was sent to PON on 15/02/19. Two minor comments were	Compliant

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
			made by PON and included in the updated 2018 Annual Review.	
4-5b	describe the operations that were carried out in the past year;	<ul style="list-style-type: none"> Annual Reviews 	<p>Operations are described for the reporting period in the following sections:</p> <ul style="list-style-type: none"> <u>2016 Annual Review</u>: Section 2 <u>2017 Annual Review</u>: Section 2 <u>2018 Annual Review</u>: Section 2 	Compliant
4-5c	<p>analyse the monitoring results and complaints records of the Development over the past year, which includes a comparison of these results against the</p> <ul style="list-style-type: none"> relevant statutory requirements, limits or performance measures/criteria; monitoring results of previous years; and relevant predictions in the EIS; 	<ul style="list-style-type: none"> Annual Reviews 	<p>Included in sections as follows:</p> <ul style="list-style-type: none"> <u>2016 Annual Review</u>: Monitoring results are described in Sections 3-8 with a comparison against some EIS predictions (e.g. noise and traffic). Complaints are discussed in Section 10. <u>2017 Annual Review</u>: Monitoring results are described in Sections 3-8 with a comparison against some EIS predictions (e.g. noise and traffic). Complaints are discussed in Section 9.2. <u>2018 Annual Review</u>: Monitoring results are described in Sections 3-8 with a comparison against some EIS predictions (e.g. noise and traffic). Complaints are discussed in Section 9.2. <p>Recommendation: It is recommended further comparisons to predictions in the EIS are included in future annual reviews such as to waste quantities produced.</p>	Compliant
4-5d	identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance;	<ul style="list-style-type: none"> Annual Reviews 	<p>Included in sections as follows:</p> <ul style="list-style-type: none"> <u>2016 Annual Review</u>: Non-compliances are described in Section 9. None were noted for the review period. 	Compliant

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
			<ul style="list-style-type: none"> • <u>2017 Annual Review</u>: Non-compliances are described in Section 10. None were noted for the review period. • <u>2018 Annual Review</u>: Non-compliances are described in Section 10. None were noted for the review period. 	
4-5e	identify any trends in the monitoring data over the life of the Development; and	<ul style="list-style-type: none"> • Annual Reviews • <i>Operational Noise Compliance Assessments</i> (AECOM, 2016-2018) • Throughput Database (last updated 7/04/19) 	<p>Included in sections as follows:</p> <ul style="list-style-type: none"> • <u>2016 Annual Review</u>: Monitoring results are described in Sections 3-8 with trends noted as relevant. • <u>2017 Annual Review</u>: Monitoring results are described in Sections 3-8 with trends noted as relevant. • <u>2018 Annual Review</u>: Monitoring results are described in Sections 3-8 with trends noted as relevant. <p>The Auditor undertook a spot check to confirm monitoring records recorded in site databases were consistent with those reported in the Annual Reviews. This included the storage/dispatch volumes of diesel and biodiesel (see response to condition 2-6 of SSD 6664) and noise monitoring results in the Quarterly noise reports.</p>	Compliant
4-5f	describe what measure will be implemented over the next year to improve the environmental performance of the Development.	<ul style="list-style-type: none"> • Annual Reviews 	<p>Included in sections as follows:</p> <ul style="list-style-type: none"> • <u>2016 Annual Review</u>: Recommendations are in Section 11. • <u>2017 Annual Review</u>: Recommendations are in Section 11. • <u>2018 Annual Review</u>: Recommendations are in Section 11. 	Compliant
	Incident Reporting			
4-6	Within 24 hours of the occurrence of an incident that causes (or may cause) harm to the environment, the Applicant shall	<ul style="list-style-type: none"> • Annual Reviews • EPL Annual Returns 	No reportable incidents occurred during the audit period.	Not Triggered

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
	notify the Secretary, PON and any other relevant agencies of the incident.	<ul style="list-style-type: none"> Incident Register 		
4-7	Within 7 days of the detection of the incident, the Applicant shall provide the Secretary, PON and any relevant agencies with a detailed report on the incident.	<ul style="list-style-type: none"> Annual Reviews EPL Annual Returns Incident Register 	No reportable incidents occurred during the audit period.	Not Triggered
INDEPENDENT ENVIRONMENTAL AUDIT				
4-8	Within 1 year of the date of this consent, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the Development. This audit must:		This IEA.	Compliant
4-8a	be carried out by suitably qualified, experienced and independent audit team whose appointment has been endorsed by the Secretary;		Refer to DPE approval letter dated 18/12/18 in Appendix 2 .	Compliant
4-8b	include consultation with EPA and PON;		Consultation with agencies is discussed in Section 3.4 of the IEA Report.	Compliant
4-8c	assess the environmental performance of the Development, and its impact on the surrounding environment;		See Section 5.4 of the IEA Report and this Table.	Compliant
4-8d	determine whether the Development is complying with the relevant standards, performance measures and statutory requirements;		See Section 5 of the IEA Report and this Table.	Compliant
4-8e	review the adequacy of the Environmental Management Strategy for the Development, compliance with the requirements of this consent, and any other licences and consents; and		See Section 5 of the IEA Report and this Table.	Compliant
4-8f	recommend measures or actions to improve the environmental performance of the Development, and/or any plan or program required under this consent.		See Section 6 of the IEA Report and this Table.	Compliant
4-9	Within 3 months of commissioning the audit, or as otherwise agreed by the Secretary, the Applicant must submit a copy of the audit report to the Secretary, EPA and PON with a response to any recommendations contained in the audit report.	<ul style="list-style-type: none"> Previous IEA Previous IEA response letter dated 5/05/16 	The previous IEA is dated 13/04/16. Stolthaven provided a response to DPE on 5/05/16 which is within the 3 month period.	Compliant
ACCESS TO INFORMATION				

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
4-10	From the commencement of the construction of the Development, the Applicant must make the following information publicly available on its website as it is progressively required by the consent:		Documents on Stolthaven's website are located here: https://www.stolt-nielsen.com/en/our-businesses/stolthaven-terminals/terminal-network/stolthaven-newcastle/stolthaven-newcastle-development-information/	Compliant
4-10a	a copy of all current statutory approvals;	<ul style="list-style-type: none"> Stolthaven's website 	The website contains approvals for MP08_0130, MP08_0130 MOD1, MP08_0130 MOD3, SSD 6664, SSD 6664 MOD1 and SSD 7065.	Compliant
4-10b	a copy of the current plans and programs required under this consent;	<ul style="list-style-type: none"> Stolthaven's website 	The following management plans are available on the website: AQMP, TMP, ONMP, SWMP, WMP, USMP, LMP, EEP and OEMP.	Compliant
4-10c	a summary of the monitoring results of the Development, which have been reported in accordance with the various plans and programs approved under the conditions of this consent;	<ul style="list-style-type: none"> Stolthaven's website 	Monitoring results for air, groundwater and noise are available on the website and were up to date at the time of the audit.	Compliant
4-10d	a complaints register, which is to be updated on a monthly basis;	<ul style="list-style-type: none"> Stolthaven's website 	The Complaints Register is available on Stolthaven's website. No complaints have been received during the audit period.	Compliant
4-10e	a copy of the Annual Reviews (over the last 5 years);	<ul style="list-style-type: none"> Stolthaven's website 	The Auditors viewed Stolthaven's website which contains Annual Reviews from 2014-2018.	Compliant
4-10f	a copy of any Independent Environmental Audit, and the Applicant's response to the recommendations in any audit; and	<ul style="list-style-type: none"> Stolthaven's website 	The Auditors viewed Stolthaven's website which included the previous IEA and Stolthaven's response.	Compliant
4-10g	any other matter required by the Secretary.	<ul style="list-style-type: none"> Site interview 	The Stolthaven representative advised no requests have been made.	Not Triggered
COMMUNITY CONSULTATION STRATEGY				
4-11	The Applicant shall contribute to the Community Communication Strategy required for the Mayfield Concept Plan. The level and timing of this contribution by the Applicant and timing shall be determined in consultation with PON.	<ul style="list-style-type: none"> Annual Reviews Meeting minutes from 15/10/18 at the Travel Lodge Newcastle 	Stolthaven attended meetings with The PON Community Liaison Group on 14/08/17, 16/10/17, 20/08/18 and 15/10/18. Stolthaven also hosted a bus tour of the Newcastle facility and M7 on 10/12/18. The Auditor viewed minutes	Compliant

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
			from 15/10/18 at the Travel Lodge Newcastle which includes a list of attendees.	
Appendix 2 – Applicant's Management and Mitigation Measures				
	ENVIRONMENTAL ASPECTS			
	Management Plan			
1.	As described in Section 24.0 a Construction Environmental Management Plan will be prepared for the construction of the tanks. The CEMP would be prepared in consultation with DP&E		See response to condition 4-3.	Compliant
2.	As described in Section 24.0. Stolthaven will undertake updates to their existing operational environmental management plans in consultation with DP&E as required by the Project.		See response to condition 4-4.	Compliant
	Traffic And Transport			
3.	A Construction TMP was prepared for the construction of the original Project and subsequent expansions. A similar CTMP would also be prepared for the Project to manage construction traffic impacts		No construction activities were undertaken under this consent during the audit period.	Not Triggered
4.	A TMP was prepared for the existing Facility, in accordance with the original project approval. and was prepared in consultation with PON. HOC, NCC and RMS; Measures identified to manage potential traffic impacts include: <ul style="list-style-type: none"> An induction process for drivers; Entry and exit conditions; and Approved operational access and egress routes via Steelworks Road to the Industrial Highway 		See response to condition 3-13.	Compliant
5.	The TMP would be amended to incorporate the increased traffic numbers expected to be generated as a result of the Project.	<ul style="list-style-type: none"> <i>Traffic Management Plan</i> (August, 2018) 	<p>The current TMP does not include expected traffic numbers as a result of the project.</p> <p>Note: This is not required under SSD 7065.</p> <p>Recommendation: Although not required under SSD 7065, it is recommended that the TMP for SSD 7065 is updated to include expected traffic numbers as a result of the Project to inform any</p>	Non-compliant

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
			management and mitigation measures that may be required.	
	Air Quality			
6.	The Development will be operated in accordance with a Site AQMP. It is noted that the Development already operates under an existing AQMP however this would be updated as required to include the proposed Project elements. This update would be undertaken in consultation with DP&E.		See response to condition 3-33.	Compliant
	Hazards and Risks			
7.	<p>The review of the original PHA prepared by AECOM concluded that risk would continue to be appropriately managed provided the following actions are undertaken prior to operational use of the proposed additional tanks:</p> <ul style="list-style-type: none"> • A review of the original FSS to ensure adequate fire water / fire protection • systems are available for the additional storage tanks: • A review of the original FSS to ensure the fire water retention systems (used to contain potentially contaminated fire water) have adequate capacity for the additional supply; • Review and update heat radiation contours in the original FSS to incorporate the new storage tanks and any additional fire protection systems: and • Review the Development's preventative maintenance program to ensure the reliability of equipment is maintained at all times. 		See response to condition 3-15.	Compliant
8.	It is noted that all existing emergency documentation would be updated as necessary with project specific information as well as the outcomes and amendments to the Development resulting from the FSS review.		See response to condition 3-16.	Compliant
	Noise and Vibration			
9.	The existing Noise and Vibration Management Plan currently in place for the operating Facility would be reviewed and updated to ensure all reasonable and feasible noise and vibration		See response to condition 3-26.	Compliant

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
	management measures have been incorporated into the operation of the site.			
	Soil and Water			
10.	The existing Surface WMP (SWMP) and GroundWMP (GWMP) prepared for the Development. would be updated, where relevant and in consultation with DP&E. to incorporate the Project		See response to condition 3-11.	Compliant
11.	Management of soils during construction, including sediment and erosion controls, would be detailed in the CEMP		No construction activities were undertaken under this consent during the audit period.	Not Triggered
12.	Impacts to the capping would occur as a result of tank and bund construction. The proposed design and work methods would be provided to the EPA Site Auditor for review and comment prior to any construction works. Evidence of consultation with the Site Auditor would be provided to DP&E.		No construction activities were undertaken under this consent during the audit period.	Not Triggered
	Waste			
13.	<p>The waste strategies developed for the existing Facility would be updated to incorporate the Project. This can be summarised as the application of the waste hierarchy where the following would be employed, in order of preference:</p> <ul style="list-style-type: none"> • <i>Avoidance</i> - The generation of wastes from the Development would be avoided where possible; • <i>Reduce</i> - Reduce resource consumption, procure materials with less packaging and implement practices to reduce waste; • <i>Reuse</i> - Where feasible. materials would be reused onsite. However, due to the limited waste streams generated onsite, reuse options may be limited; • <i>Recycling</i> - Paper, cardboard, glass and plastics would be available for recycling. A bin would be placed adjacent to the office which would be collected by a waste management contractor on a regular basis; and • <i>Disposal</i>- Disposal of wastes would be minimised where possible. Putrescible wastes from the office would be sent to landfill, with other wastes generally diverted for recycling 		See response to condition 3-40.	Compliant

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
14.	Waste strategies will be met through the extension of the existing site Waste Management Plan for operations and as part of the CEMP for waste generated during construction.		See response to condition 3-40.	Compliant
Greenhouse Gas				
15.	The existing Energy Efficiency Plan would be updated to include all elements of the Project and to describe how included measures to reduce and mitigate energy use and greenhouse gas emissions can be applied across the entire Project.		See response to condition 3-34.	Compliant
ENVIRONMENTAL ISSUES				
Management Plan				
16.	Prior to construction, a Construction Environmental Management Plan will be developed in consultation with Office of Environment and Heritage incorporating the management of soils, surface waters, weed management, air quality and odour, noise and waste management.		See response to condition 4-3.	Compliant
17.	Prior to operation, Stolthaven will prepare an Emergency Plan for the proposed Facility (to be available onsite) and a Wharf Emergency Plan (available at the wharf) in consultation with the NSW Fire Brigade, NPC and NSW Maritime. These plans are to include: <ul style="list-style-type: none"> • Spill response procedures. • Fire response procedures. • Response procedures for other identified environmental impacts. • Procedures for emergency drills/exercises. 		See response to condition 3-16.	Compliant
18.	Prior to operation, a Site Management Plan will be developed in consultation with OEH detailing the ongoing monitoring and environmental management requirements for the Development.	<ul style="list-style-type: none"> • Site interview 	The Site Management Plan is the same as the operation environmental management plans required under the Development Consent.	Compliant
19.	Eight weeks prior to the first vessel entering the port, a Port Operations Management Plan shall be developed in consultation with NPC.		This is outside of the audit period.	Not Triggered
20.	A Tank Farm Bunding Detailed Design and Construction Report shall be provided prior to the commencement of construction as per OEH requirements.		This is outside of the audit period.	Not Triggered

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
	Hazards and Risks			
21.	All ship movements and fuel unloading shall be undertaken in accordance with AS3846 2005 (The handling and transport of dangerous cargoes in port areas) and the safeguards outlined in Table 9 of the EA and coordinated to compounding cumulative risk	<ul style="list-style-type: none"> Ship Discharge Procedures Rev6 (September 2018) 	Stolthaven operates in accordance with Ship Discharge Procedures. It is noted in the document that it has been developed in line with AS 3846:2005.	Compliant
22.	The proponent shall install a 50 kg dry powder extinguisher on wheels.	<ul style="list-style-type: none"> Site inspection 	There are four 50 kg dry powder extinguishers on wheels located on site which were viewed during the site inspection.	Compliant
23.	Portable fire monitors with foam generation shall be installed near to fuel storage and transfer points.	<ul style="list-style-type: none"> Site inspection 	Numerous fire monitors with foam generation were observed on site in key operational areas.	Compliant
24.	Existing fire hydrants at NPC's Mayfield 4 berth will be utilised to connect the portable equipment.	<ul style="list-style-type: none"> Site interview 	M4 is no longer in use.	Not Triggered
25.	The proponent shall implement a fuel transfer procedure in which an inspection of the pipeline route would be conducted. The proponent shall install a fire monitor at a minimum of 29 m from the wharf hose connection point.	<ul style="list-style-type: none"> Procedure SHNC-OPS-003.06 (copy available) Pre-arrival Checklist dated 28/01/18 (copy available) Near Map Image (copy available) 	Stolthaven operates in accordance with procedure SHNC-OPS-003.06 for fuel transfer. Stolthaven completes a 'Pre-arrival Checklist for every vessel to verify the fire equipment is deployed. An example of a completed checklist dated 28/01/18 was viewed during the audit. The Auditors also viewed a near map image demonstrating fire monitors are installed within 29 m of hose connection.	Compliant
26.	Plant maintenance schedules shall include the following: <ul style="list-style-type: none"> Annual testing of fire detectors at the site. Weekly tests of the fire pump systems and foam activation valves. 	<ul style="list-style-type: none"> 2016 Hazard Audit Report by Sherpa Consulting (May 2016) 	<p>The Hazard Audit notes the following:</p> <ul style="list-style-type: none"> Testing and maintenance of the fire detection and suppression systems are up to date Fire pump testing is undertaken on a monthly basis by an accredited third party. Fire water delivery rates are checked on an annual basis. 	Non-compliant

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
			<p>The Auditor noted these practices were “found to be in order” and no recommendations to increase the frequency of these inspections were made.</p> <p>Recommendation: Weekly testing of the fire pumps (opposed to monthly testing) is required in this condition, and therefore this is a non-compliance.</p> <p>It should be noted, however, that: the Hazard Audit assessment states “<i>Testing of the fire system is done monthly by an accredited 3rd party provider... This was found to be in order</i>”: and it is not a requirement under SSD 7065.</p>	
27.	Spill containment booms shall be available to be deployed around the ship and wharf for all delivery/transfer operations.	<ul style="list-style-type: none"> Pre-arrival Checklist dated 28/01/18 (copy available) Photo of bunding (copy available) 	<p>The Pre-arrival Checklist includes verification that spill equipment and bunding is in place. A photo of the yellow bunding around the operational area and yellow spill kit was observed during the audit. Water spills are managed by the Port Authority who have booms available: https://www.portauthoritiesnsw.com.au/news-and-publications/news/protecting-the-ports-of-nsw/</p>	Compliant
28.	Spill kits shall be available and staff trained in use.	<ul style="list-style-type: none"> Site inspection 	Numerous spill kits were observed on site in key operational areas and appeared to be well maintained.	Compliant
	Surface Water Management			
29.	The proponent shall prepare and implement a Construction Environmental Management Plan which will include a detailed Erosion and Sediment Control Plan.		See response to condition 4-3.	Compliant
30.	The proponent shall prepare a stormwater management system that is designed and implemented to capture stormwater from the Site, to prevent leaks and spills from occurring and to facilitate the discharge of clean stormwater to the Hunter River.		See response to condition 3-9.	Compliant

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
31.	Surface water will be managed in accordance with the SWMP developed for the Site.		See response to condition 3-10.	Compliant
32.	The proponent will implement an inspection and testing program of the stormwater system as detailed in the SWMP.		See response to condition 3-10d.	Compliant
33.	Pipeworks, fuel storage and tanker/loading areas will be fully bunded.	<ul style="list-style-type: none"> Site inspection 	All operational areas were observed to be sufficiently bunded during the site inspection.	Compliant
34.	Tanks will be monitored during filling by ship and shore and levelling alarms will be fitted.	<ul style="list-style-type: none"> Pre-shipping Checklist dated 18/03/19 (copy available) 	Tank monitoring is included in the pre-shipping checklist, signed by the Wharf attendant. A completed checklist dated 18/03/19 was viewed during the audit.	Compliant
35.	Tanks regularly inspected for corrosion and leaks. Water build up in tanks will be regularly drained to prevent internal corrosion.	<ul style="list-style-type: none"> Pre-shipping Checklist dated 18/03/19 (copy available) 	Leak testing is included in pre-shipping checklist which is signed by the wharf attendant and terminal. A completed checklist dated 18/03/19 was viewed during the audit.	Compliant
36.	Tank level monitoring will be conducted at all times to identify rapid leaks.	<ul style="list-style-type: none"> Tank inventory Report dated 6/06/18 	Monitoring is continuous via Fuels Manager application. A Tank Inventory Report dated 6/06/18 was viewed during the audit which includes details of tank levels.	Compliant
37.	Pump operation will only be conducted when Facility staffed and operations can be continually monitored	<ul style="list-style-type: none"> Site procedure SHNC-OPS-003.01 (copy available) 	Stolthaven operate in accordance with Site procedure SHNC-OPS-003.01 (viewed during the audit). The procedure details manning requirements in Section 5.2.2.	Compliant
Groundwater				
38.	A claymix liner will be installed over the Site (nonconcrete areas) and overlain with bitumen to create an impervious seal across the Site and up the sides of the bund wall.	<ul style="list-style-type: none"> Site inspection 	All operational areas appeared to be fully sealed with concrete or gravel during the site inspection.	Compliant
39.	The proponent will prepare and implement a Site Management Plan which will include a schedule for groundwater sampling for PH, EC, TPH, BTEX, and metals.		Groundwater sampling is undertaken in accordance with the EPL (see response to condition M2.3 of the EPL).	Compliant
Soil				
40.	Excavation, classification, treatment and disposal of Potential contaminated materials will be undertaken in accordance with	<ul style="list-style-type: none"> Site interviews Annual Reviews 	No construction activities were undertaken under this consent during the audit period.	Not Triggered

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
	requirements detailed in the Construction Environment Management Plan and Contaminated Site Management Plan.			
41.	All works to be undertaken onsite will comply with the existing Contaminated Site Management Plan relevant to the Site.		See response to condition 3-1.	Compliant
42.	There is to be no transportation of material from below the Virgin Excavated Natural Material capping layer without prior approval from OEH.	<ul style="list-style-type: none"> Site interviews Annual Reviews 	No soil excavation was undertaken during the audit period.	Not Triggered
43.	Material imported to the Site will be classified in accordance with NSW EPA (December 1994) prior to receipt.		See response to condition 3-5.	Not Triggered
44.	Ongoing soils management will include any applicable actions as required by the Contaminated Sites Management Plan.	<ul style="list-style-type: none"> <i>Contaminated Site Management Plan</i> (December, 2016) Site interview 	No soil was imported or excavated during the audit period.	Not Triggered
Visual Landscaping and Entry				
45.	The Site shall remain clean and free of rubbish or debris as a result of operations.	<ul style="list-style-type: none"> Waste register Site inspection 	Stolthaven operate in accordance with a Waste Management Plan as described in response to condition 3-40. The site appeared clean during the site inspection.	Compliant
Waste Management				
46.	Purchasing requirements for construction shall be such that products purchased for the Site would align with site demands to avoid wastage of unwanted products.		No construction activities were undertaken under this consent during the audit period.	Not Triggered
47.	The proponent shall implement a system for recycled paper, cardboard, glass and plastics. Bins shall be collected by a waste management contractor on a regular basis.		See response to condition 3-40.	Compliant
48.	Recycling of waste material shall be maximised wherever possible during operation of the Proposed Facility.		See response to condition 3-40.	Compliant
Indigenous and Non-Indigenous Heritage				
49.	Monitoring of the Site shall be undertaken in the event natural soil profiles are to be excavated.	<ul style="list-style-type: none"> Site interviews Annual Reviews 	No soil excavation was undertaken during the audit period.	Not Triggered
Security				
50.	A comprehensive security system shall be installed onsite and shall include monitoring of all fences and entry/exit points to the Site.		See response to condition 3-39.	Compliant

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
51.	Gantry area is under closed circuit television (CCTV) surveillance at all times, with screens in the main site office.	<ul style="list-style-type: none"> Site inspection 	CCTV cameras were observed during the site inspection.	Compliant
Soils and Landform				
52.	The proponent shall minimise the erosion and potential discharge of sediments from the Site as outline above for Surface Water and Groundwater.	<ul style="list-style-type: none"> Site inspection 	All operational areas appeared to be fully sealed with erosion and sediment control measures in place such as bunding and sediment fencing. Active management measures were viewed during the site inspection on a small area which had been concreted to prevent further erosion.	Compliant
Traffic and Transport				
53.	Off street car parking shall be available to staff and visitors during normal operations.		See response to condition 3-14.	Compliant
54.	All trucks will enter and exit the Site via left in and right out configuration.	<ul style="list-style-type: none"> <i>Traffic Management Plan</i> (August, 2018) 	This is consistent with the TMP.	Compliant
Noise and Vibration				
55.	Other than during the unloading of ships, the proponent will not conduct noise sensitive activities exceeding the EPA approved on Sundays and public holidays.		See response to condition 3-24.	Compliant
Air Quality				
56.	Dust mitigation strategies shall be implemented as part of the Construction Environmental Management Plan and will include: <ul style="list-style-type: none"> Disturbed surfaces will be stabilised as soon as practical. All vehicles leaving the Site will not have excessive soil on their tyres which may fall onto the roadways creating dust emissions. Roadways are to be kept clean during construction and operation. Any stockpiled material would be sprayed with water during times of high wind. 		No construction activities were undertaken under this consent during the audit period.	Not Triggered
Transport and Access				
57.	The existing TMP will be reviewed and updated to incorporate additional traffic generated by the modification		See response to SOC 5.	Compliant
58.	The Review and update will be undertaken with the Port of		See response to condition 3-13b.	Compliant

Table A-1: Compliance with Development Consent SSD 6664

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
	Newcastle, Newcastle Council and the roads and Maritime Service			
59.	The review will include consideration of any other traffic generating land uses in the vicinity not considered during its preparation.		See response to condition 3-13c.	Compliant
Air Quality				
60.	The existing site AQMP will be reviewed and updated to incorporate the modification.		See response to condition 3-33.	Compliant
Noise and Vibration				
61.	The existing site Noise and Vibration Management Plan will be reviewed and updated to incorporate the modification		See response to condition 3-26.	Compliant
62.	This will include a review of reasonable and feasible noise mitigation measures currently in place and recommend appropriate changes to minimise potential noise impacts		See response to condition 3-26d.	Compliant

Table A-2: Compliance with Development Consent SSD 7065

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
Schedule B – General Administrative Conditions				
	Obligation to Minimise Harm to the Environment			
B1	In addition to meeting the specific performance criteria established under this consent, the Applicant shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the Development.	<ul style="list-style-type: none"> Site inspection Various evidence as per this table 	This Development Consent has only been triggered for 'Stage 1' activities for the construction and operation of the new M7 and associated fuel pipeline (see discussion in Section 4.2.3 of the IEA Report). Operations on site were observed to be generally compliant with the Development Consent and EPL requirements (this table) and no reportable incidents have occurred during the audit period.	Compliant
	Terms of Consent			
B2	The Applicant shall carry out the Development in accordance with the:			N/A
B2a	State Significant Development Application SSD 7065;		Some non-compliances identified as per this table.	Non-compliant
B2b	EIS and RTS;	<ul style="list-style-type: none"> EIS RTS Site inspection 	Site operations appeared to be generally consistent with these documents.	Compliant
B2c	the plans and drawings at Appendix 1; and	<ul style="list-style-type: none"> Appendix 1 Site inspection 	Site operations appeared to be generally consistent with these documents.	Compliant
B2d	the Management and Mitigation Measures at Appendix 2.	<ul style="list-style-type: none"> Various evidence as listed at the end of this table 	Commitments have been assessed at the end of this table. No non-compliances were identified.	Compliant
B3	If there is any inconsistency between the plans and documentation referred to in Condition B2 above, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this consent shall prevail to the extent of any inconsistency.	<ul style="list-style-type: none"> General review of above documents throughout the auditing process 	No inconsistencies with these documents was noted during the IEA.	Compliant
B4	The Applicant shall comply with any reasonable requirement(s) of the Secretary arising from the Department's assessment of:			N/A

Table A-2: Compliance with Development Consent SSD 7065

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
B4a	any reports, plans or correspondence submitted in accordance with this consent; and		See response to condition 2-4 of SSD 6664.	Compliant
B4b	the implementation of any actions or measures contained in these documents.		See response to condition 2-4 of SSD 6664.	Compliant
Limits of Consent				
B5	This consent lapses five years after the date from which it operates, unless the Development has physically commenced on the land to which the consent applies before the date on which the consent would otherwise lapse under Section 95 of the EP&A Act.	<ul style="list-style-type: none"> Development consent 	The Development Consent for SSD 7065 was issued on 15/12/16 and therefore expires on 15/12/21. This date has not been triggered.	Compliant
B6	The Applicant shall not increase the throughput of combustible liquids above 1,300 million litres (ML) per year until SSD 6664 has been surrendered in accordance with Condition B11, and an amended EPL has been issued for the Development. The Applicant shall provide a copy of the amended EPL to the Secretary prior to increasing throughput above 1,300 ML per year.	<ul style="list-style-type: none"> Annual Reviews EPL dated 14/09/18 Throughput Database (last updated 7/04/19) 	SSD 6664 has not been surrendered. Throughput for the audit period is below 1,300 ML per year (see response to condition 2-6 of SSD 6664).	Compliant
B7	Following the receipt of an amended EPL for the Development and the surrender of SSD 6664 in accordance with Condition B11, the Applicant shall:		SSD 6664 has not been surrendered.	Not Triggered
B7a	not receive, store and dispatch more than 3,500ML of flammable and combustible liquids on the Site per year; and		SSD 6664 has not been surrendered.	Not Triggered
B7b	ensure the storage capacity at the Site does not exceed 355.7 ML of flammable and combustible liquids at any one time.		SSD 6664 has not been surrendered.	Not Triggered
B8	The Applicant shall not receive flammable liquids from the M4 berth at any time.	<ul style="list-style-type: none"> Site interview Site inspection 	The new M7 has been constructed and the M4 is no longer used.	Not Triggered
B9	Following the receipt of an amended EPL for the storage of additives on the Site, the Applicant may receive, store and use additives on Site in Intermediate Bulk Containers (IBCs) as described in the RTS, subject to implementation of the following measures, to the satisfaction of the Secretary:	<ul style="list-style-type: none"> Site interview Site inspection 	The IBC containers referred to in this condition are not part of 'Stage 1' and the bunds have not been constructed. Note: This condition (and the conditions below) are not referring to the existing 50,000 litre Additive Tank (UN 3082) approved under SSD 6664.	Not Triggered

Table A-2: Compliance with Development Consent SSD 7065

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
B9a	storage of additives in IBCs within a bund constructed in accordance with <i>Australian Standard 1940-2004: The storage and handling of flammable and combustible liquids</i> ; and	<ul style="list-style-type: none"> Site interview Site inspection 	The IBC containers are not part of 'Stage 1' and the bunds have not been constructed.	Not Triggered
B9b	implementation of relevant safety procedures for fire safety and protection of personnel as required by Condition C4b).	<ul style="list-style-type: none"> Site interview Site inspection 	The IBC containers are not part of 'Stage 1' and the bunds have not been constructed.	Not Triggered
	Note: If an amended EPL is not required for the storage of additives in IBCs on the Site, the Applicant may store and used additives in IBCs on the Site from the date of this consent, subject to satisfactory implementation of Conditions 89a) and 89b) above.	<ul style="list-style-type: none"> Site interview Site inspection 	The IBC containers are not part of 'Stage 1' and the bunds have not been constructed.	Not Triggered
B10	The Applicant shall not use more than 30,000 litres of additives from IBCs on the Site per year, until the vapour recovery unit is installed and commissioned in accordance with Conditions C15 and C16.	<ul style="list-style-type: none"> Site interview Site inspection 	The IBC containers are not part of 'Stage 1' and the bunds have not been constructed.	Not Triggered
Other Consents and Approvals				
B11	Prior to operation of the Development, or as otherwise agreed with the Secretary, the Applicant shall surrender development consent SSD 6664 for the Site in accordance with the EP&A Regulation.	<ul style="list-style-type: none"> Site interview Site inspection Approval letter from DPE dated 24/10/18 	Operation of the Project has not commenced and SSD 6664 has not been surrendered. DPE approved the staged approach for the operation on 24/10/18.	Not Triggered
B11	Note: This requirement does not extend to the surrender of construction and occupation certificates for existing and proposed building works under Part 4A of the EP&A Act. Surrender of a consent should not be understood as implying that works legally constructed under a valid consent can no longer be legally maintained or used.		Noted.	Not Triggered
B12	Prior to the commencement of operation, the Applicant shall provide written evidence to the satisfaction of the Secretary, demonstrating the M7 berth has all relevant approvals and licenses to receive flammable and combustible liquids by ship.		Operation of the Project has not commenced and flammable liquids are not received on site.	Not Triggered
B13	Nothing in this consent impacts on the following consents/approvals:			N/A
B13a	PA 12/001 issued under Section 111 of the EP&A Act dated		Noted.	Compliant

Table A-2: Compliance with Development Consent SSD 7065

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
	20 February 2012; and			
B13b	DA 293-08-00 as modified issued under Section 80 of the EP&A Act dated 6 April 2001.		Noted.	Compliant
Mayfield Concept Plan				
B14	The Applicant shall carry out the Development generally in accordance with the requirements of the Mayfield Concept Plan approval (09_0096), as modified.	<ul style="list-style-type: none"> Mayfield Concept Plan approval documents available at: http://majorprojects.planning.nsw.gov.au/index.pl?action=search&page_id=&search=09_0096&authority_id=&search_site_type_id=&reference_table=&status_id=&decider=&from_date=&to_date=&x=0&y=0 Site interview 	<p>Stolthaven maintain coordination with PON and the MCP through the following:</p> <ul style="list-style-type: none"> Ongoing consultation (see response to condition 4-11 of SSD 6664) Management plans are reviewed by PON (see response to management plan conditions in SSD 6664) A bi-monthly monitoring report is sent to PON (see response to condition 3-12a of SSD 6664) Annual Reviews are sent to PON for review (see response to condition 4-5a of SSD 6664) 	Compliant
B15	Within six months of the commencement of operation, or as otherwise agreed with the PON, the Applicant shall decommission and remove the existing pipeline connection and associated infrastructure between the Site and the M4 berth, to the satisfaction of the PON. The Applicant shall provide a copy of the approval to undertake the demolition works and provide evidence of completion of the works, to the satisfaction of the Secretary.	<ul style="list-style-type: none"> Complying Development Certificate No. CD2019/00068 (copy available) Site interview 	Operation of the Project has not commenced. However, Stolthaven have obtained Council consent to demolish the pipeline (CDC No. CD2019/00068). Works were commencing on the day of the audit.	Not Triggered
Statutory Requirements				
B16	The Applicant shall ensure that all necessary licences, permits and approvals are obtained and kept up-to-date as required throughout the life of the Development. No condition of this consent removes the obligation for the Applicant to obtain, renew or comply with such licences, permits or approvals.		See response to condition 2-8 of SSD 6664.	Compliant
Structural Adequacy				

Table A-2: Compliance with Development Consent SSD 7065

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
B17	The Applicant shall ensure new buildings and structures, and alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA.	<ul style="list-style-type: none"> Construction certificate letter dated 30/04/19 (copy available) 	The pipeline has been constructed under this approval. The construction certificate letter prepared by Aurecon dated 30/04/19 confirms that periodic inspections were undertaken by Aurecon during construction works for the pipeline and states " <i>These inspections have to the best of our knowledge and belief, confirmed that those elements of the works have been inspected, and which relate to our design services, are in accordance with the intent of the structural engineering design and DA approved documentation, subject to compliance by the contractor with advice provided at and subsequent to those inspections.</i> "	Compliant
B18	Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works. Part 8 of the EP&A Regulation sets out the requirements for the certification of the Development.	<ul style="list-style-type: none"> Construction certificate letter dated 30/04/19 (copy available) 	This is evident by the construction certificate letter prepared by Aurecon dated 30/04/19 as described in condition B17.	Compliant
Protection of Public Infrastructure				
B19	The Applicant shall:			N/A
B19a	repair, or pay the full costs associated with repairing public infrastructure that is damaged by the Development; and		See response to condition 2-11a of SSD 6664.	Not Triggered
B19b	relocate, or pay the full costs associated with relocating public infrastructure that needs to be relocated as a result of the Development.		See response to condition 2-11b of SSD 6664.	Not Triggered
Utilities and Services				
B20	Utilities, services and other infrastructure potentially affected by the construction and operation of the Development shall be identified prior to construction, to determine requirements for access to, diversion, protection, and/or support. Consultation with the relevant owner and/or provider of services that are likely to be affected by the Development shall be undertaken to make suitable arrangements for	<ul style="list-style-type: none"> <i>Utilities and Services Plan</i> (June, 2018) 	The <i>Utilities and Services Plan</i> (USMP) was updated in June 2018 and identifies the potentially affected utilities, services and other infrastructure by the Project (see response to condition 3-18 of SSD 6664). Approval was provided by DPE not to consult with external parties again for the	Compliant

Table A-2: Compliance with Development Consent SSD 7065

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
	access to, diversion, protection, and/or support of the affected infrastructure as required. The cost of any such arrangements shall be borne by the Applicant.		revised USMP (June 2018) as no additional utility connections were required.	
Operation of Plant and Equipment				
B21	The Applicant shall ensure plant and equipment used for the Development is:			N/A
B21a	maintained in a proper and efficient condition; and		See response to condition 2-13a of SSD 6664.	Compliant
B21b	operated in a proper and efficient manner.		See response to condition 2-13b of SSD 6664.	Compliant
Staged Submission of Plans or Programs				
B22	With the approval of the Secretary, the Applicant may:			N/A
B22a	submit any strategy, plan or program required by this consent on a progressive basis; and/or	<ul style="list-style-type: none"> Approval letter from DPE dated 16/10/18 (copy available) Approval letter from DPE dated 24/10/18 (copy available) Management Plans 	<p>DPE approved the staged submission of the CEMP and Pre-Construction Hazard Studies for Stage 1 works only on 16/10/18.</p> <p>DPE approved the staged submission of the EMS and sub-plans for Stage 1 works only on 24/10/18.</p> <p>All staged plans are required to be re-submitted prior to commencement of other works.</p>	Compliant
B22b	combine any strategy, plan or program required by this consent.	<ul style="list-style-type: none"> Approval letter from DPE dated 24/10/18 (copy available) <i>Air Quality Management Plan</i> (May 2018) <i>Traffic Management Plan</i> (August 2018) <i>Operational Noise and Vibration Management Plan</i> (May 2018) <i>Stormwater Management Plan</i> (April 2018) <i>Water Management Plan</i> (June 2018) 	Management plans for operations under SSD 6664 and Stage 1 of SSD 7065 have been combined. DPE approved the management plans on 24/10/18.	Compliant

Table A-2: Compliance with Development Consent SSD 7065

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
		<ul style="list-style-type: none"> <i>Utilities and Services Management Plan</i> (June 2018) <i>Landscape Management Plan</i> (April 2018) 		
	Development Contribution			
B23	Prior to operation of the Development, the Applicant shall pay Council \$228,600 in development contributions.	<ul style="list-style-type: none"> Email letter prepared by AECOM dated 17 October 2018 to DPE (copy available) 	Operation of the Project has not been triggered. Stolthaven have committed to staging its development contributions to Newcastle City Council with the initial payment of \$50,000.	Not Triggered
B23	Note: This contribution is subject to indexation to reflect quarterly variations in the Consumer Price Index All Group Index Number for Sydney, as published by the Australian Bureau of Statistics.		Noted.	Not Triggered
	Dispute Resolution			
B24	In the event that a dispute arises between the Applicant and Council, PON or a public authority, in relation to a requirement under this consent, or relevant matter relating to the Development, either party may refer the matter to the Secretary for resolution. The Secretary's determination of the dispute shall be final and binding on the parties.		See response to condition 2-17 of SSD 6664.	Not Triggered
	Compliance			
B25	The Applicant shall ensure that employees, contractors and sub-contractors are aware of, and comply with, the conditions of this consent relevant to their respective activities.	<ul style="list-style-type: none"> Induction Register (last updated 3/04/19) 	Stolthaven maintain an Induction Register which was viewed during the audit. The register includes induction date, expiry date and induction number. In case of induction expiries, contractors are locked out of the gate.	Compliant
B26	The Applicant shall be responsible for environmental impacts resulting from the actions of all persons that it invites onto the Site, including contractors, sub-contractors and visitors.	<ul style="list-style-type: none"> Incident Register 	In addition to the Induction Register, Stolthaven also maintain an Incident Register which was viewed during the site audit. Incidents were largely minor in nature and no reoccurring problems were identified.	Compliant

Table A-2: Compliance with Development Consent SSD 7065				
CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
Schedule C – Specific Environmental Conditions				
	HAZARDS			
C1	The Applicant shall implement:			N/A
C1a	all control measures proposed in the PHA;	<ul style="list-style-type: none"> Preliminary Hazard Analysis (PHA) (Cockshott Consulting Engineers Pty Ltd, 2016) 	The PHA is not applicable to Stage 1.	Not Triggered
C1b	all relevant actions, as listed in Appendix C of the PHA, in response to the recommendations from the Buncefield incident investigation report; and	<ul style="list-style-type: none"> PHA (Cockshott Consulting Engineers Pty Ltd, 2016) 	The PHA is not applicable to Stage 1.	Not Triggered
C1c	all recommendations of the PHA.	<ul style="list-style-type: none"> PHA (Cockshott Consulting Engineers Pty Ltd, 2016) 	The PHA is not applicable to Stage 1.	Not Triggered
C2	Prior to completion of detailed design of the Development, or within such further period as the Secretary may agree, the Applicant shall prepare a Surge Study for the Development. The Study shall:		Not applicable to Stage 1.	Not Triggered
C2a	be prepared in consultation with SafeWork NSW;		Not applicable to Stage 1.	Not Triggered
C2b	consider scenarios including, but not limited to, pump trips and operation of the dry break coupling on marine loading arms;		Not applicable to Stage 1.	Not Triggered
C2c	take into account the maximum pumping and tank filling rates when evaluating the pressures that can occur in the pipeline in a surge scenario; and		Not applicable to Stage 1.	Not Triggered
C2d	evaluate the controls such as valve closing times and pressure rating of pipes and related equipment.		Not applicable to Stage 1.	Not Triggered
C2	The findings of the Surge Study shall be included in the Final Hazard Analysis required under Condition C4d).		Not applicable to Stage 1.	Not Triggered
C3	Prior to finalising the detailed design of the Development, the Applicant shall consult with SafeWork NSW regarding any requirements under the <i>Work Health and Safety Act 2011</i> and Work Health and Safety Regulation 2011.		Not applicable to Stage 1.	Not Triggered
	Pre-construction			

Table A-2: Compliance with Development Consent SSD 7065

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
C4	At least one month prior to the commencement of construction of the Development (except for construction of those preliminary works that are outside the scope of the hazard studies), or within such further period as the Secretary may agree, the Applicant shall prepare and submit for the approval of the Secretary the studies set out under subsections a) to d) (the pre-construction studies). Construction, other than of preliminary works, shall not commence until approval has been given by the Secretary and, with respect to the Fire Safety Study, approval has also been given by Fire and Rescue NSW (FRNSW).	<ul style="list-style-type: none"> Approval letter from DPE dated 16/10/18 (copy available) 	The Pre-construction Hazard Studies are for Stage 1 works only (see response to condition B22) and have been approved by DPE on 16/10/18. The Pre-construction Hazard Studies are required to be re-submitted prior to any future construction stages.	Compliant
C4a	CONSTRUCTION SAFETY STUDY A Construction Safety Study prepared in accordance with the Department's <i>Hazardous Industry Planning Advisory Paper No. 7, 'Construction Safety Study Guidelines'</i> . For developments in which the construction period exceeds six (6) months, the commissioning portion of the Construction Safety Study may be submitted two months prior to the commencement of commissioning.	<ul style="list-style-type: none"> Approval letter from DPE dated 16/10/18 (copy available) 	See response to condition C4. DPE has approved the ' <i>Construction Safety Study, prepared by Sherpa Consulting, dated 23 April 2018, Revision C</i> '.	Compliant
C4b	FIRE SAFETY STUDY The Applicant's Fire safety Study (FSS) shall be updated to incorporate any changes due to the Development. This Fire Safety Study shall be prepared with consultation with the FRNSW. This study shall cover the relevant aspects of the Department's <i>Hazardous Industry Planning Advisory Paper No. 2, 'Fire Safety Study Guidelines'</i> and the New South Wales Government's ' <i>Best Practice Guidelines for Contaminated Water Retention and Treatment Systems</i> '. Any outstanding issues from FRNSW shall be resolved and reported on in the FSS.	<ul style="list-style-type: none"> Approval letter from DPE dated 16/10/18 (copy available) 	See response to condition C4. DPE has approved the ' <i>Stolthaven Newcastle M7 Berth Fire Safety Study, prepared by Aurecon, dated 27 August 2018, Revision 4</i> '.	Compliant
C4c	HAZARD AND OPERABILITY STUDY A Hazard and Operability Study (HAZOP) for the Development chaired by an independent qualified person approved by the Secretary prior to the commencement of the study. In addition, the following shall be covered in the	<ul style="list-style-type: none"> Approval letter from DPE dated 16/10/18 (copy available) 	See response to condition C4. DPE has approved the ' <i>Hazard and Operability No 3 Report & Risk Assessment, prepared by Cockshott Consulting Engineers Pty Ltd, dated 31 July 2018, Revision 2</i> '.	Compliant

Table A-2: Compliance with Development Consent SSD 7065

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
	<p>HAZOP:</p> <ul style="list-style-type: none"> surge issues for the various operating scenarios; the ullage (in the tanks) above the high high alarm/emergency shutdown level, taking into account the slow closing time assigned to the emergency shutdown valves by the surge study required under Condition C2 above; and the study shall be carried out in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 8, 'HAZOP Guidelines'. The study report must be accompanied by a program for the implementation of all recommendations made in the study. Safety related recommendations must be included in the final design of the Development. If the Applicant intends to defer the implementation of a recommendation, justification must be included. 			
C4d	<p>FINAL HAZARD ANALYSIS</p> <p>A Final Hazard Analysis of the overall Site, consistent with the Department's <i>Hazardous Industry Planning Advisory Paper No. 6, 'Hazard Analysis'</i>. The FHA shall report on the implementation of the recommendations of the PHA. The FHA shall:</p> <ul style="list-style-type: none"> demonstrate that the tank overfill protection system (for all tanks) reduces the risk so far as reasonably practicable, and it achieves as a minimum safety integrity level (SIL) 2 rating. A SIL allocation and verification report for the Development shall be undertaken and enclosed in the FHA; re-evaluate and confirm all relevant data and assumptions from the PHA, in particular, the outcomes of the surge analysis that may result in changes in the risk assessment and impact on the overall risk from the facility; re-evaluate and confirm all control measures proposed for prevention and mitigation of incidents; and 	<ul style="list-style-type: none"> Approval letter from DPE dated 16/10/18 (copy available) 	See response to condition C4. DPE has approved the ' <i>Fire Hazard Analysis, prepared by Cockshott Consulting Engineers Pty Ltd, dated 20 October 2017, Revision 0</i> '.	Compliant

Table A-2: Compliance with Development Consent SSD 7065

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
	<ul style="list-style-type: none"> report on implementation of the recommendations of the PHA. 			
	Pre-commissioning			
C5	The Applicant shall develop and implement the plans and systems set out under subsections a) to c). No later than two months prior to the commencement of commissioning of the Development, or within such further period as the Secretary may agree, the Applicant shall submit, for the approval of the Secretary, documentation describing those plans and systems. Commissioning shall not commence until approval has been given by the Secretary.		Commencement of the operation of the Project has not been triggered.	Not Triggered
C5a	TRANSPORT OF HAZARDOUS MATERIALS Arrangements covering the transport of hazardous materials including details of routes to be used for the movement of vehicles carrying hazardous materials to or from the Site. The routes selected shall be consistent with the Department's <i>Hazardous Industry Planning Advisory Paper No. 11, 'Route Selection'</i> . Suitable routes identified in the study shall be used except where departures are necessary for local deliveries or emergencies.		Commencement of the operation of the Project has not been triggered.	Not Triggered
C5b	EMERGENCY PLAN The Applicant's Emergency Plan and detailed emergency procedures shall be updated to incorporate any changes due to the Development. The plan shall include detailed procedures for the safety of all people outside of the Site who may be at risk from the Site. The plan shall be in accordance with the Department's <i>Hazardous Industry Planning Advisory Paper No. 1, 'Industry Emergency Planning Guidelines'</i> .		Commencement of the operation of the Project has not been triggered.	Not Triggered
C5c	SAFETY MANAGEMENT SYSTEM The Applicant's Safety Management System shall be updated to include any changes due to the Development. The document shall clearly specify all safety related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to the procedures.		Commencement of the operation of the Project has not been triggered.	Not Triggered

Table A-2: Compliance with Development Consent SSD 7065

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
	Records shall be kept on Site and shall be available for inspection by the Secretary upon request. The Safety Management System shall be developed in accordance with the Department's <i>Hazardous Industry Planning Advisory Paper No. 9, 'Safety Management'</i> . An inspection, testing and preventive maintenance program should be developed, implemented and maintained to ensure the reliability and availability of the key safety critical equipment is, at a minimum, consistent with the data estimated in the PHA.			
	Pre-startup Compliance Report			
C6	One month prior to the commencement of operation of the Development, the Applicant shall submit to the Secretary, a report detailing compliance with Conditions C4 and C5, including:		Commencement of the operation of the Project has not been triggered.	Not Triggered
C6a	dates of study/plan/system submission, approval, commencement of construction and commissioning;		Commencement of the operation of the Project has not been triggered.	Not Triggered
C6b	actions taken or proposed, to implement the recommendations and safety-related control measures in the studies/plans/systems;		Commencement of the operation of the Project has not been triggered.	Not Triggered
C6c	a pre-startup safety review/checklist; and		Commencement of the operation of the Project has not been triggered.	Not Triggered
C6d	responses to each requirement imposed by the Secretary under Condition C9 of this Schedule.		Commencement of the operation of the Project has not been triggered.	Not Triggered
	Post-startup Compliance Report			
C7	Three months after the commencement of operation of the Development, the Applicant shall submit to the Secretary, a report verifying that:		Commencement of the operation of the Project has not been triggered.	Not Triggered
C7a	the Emergency Plan required under Condition C5b is effectively in place and that at least one emergency exercise has been conducted; and		Commencement of the operation of the Project has not been triggered.	Not Triggered
C7b	the Safety Management System required under Condition C5c) has been fully implemented and that records required by the system are being kept		Commencement of the operation of the Project has not been triggered.	Not Triggered

Table A-2: Compliance with Development Consent SSD 7065

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
	Ongoing			
C8	<p>HAZARD AUDIT</p> <p>Twelve months after the commencement of operation of the Development and every three years thereafter, or at such intervals as the Secretary may agree, the Applicant shall carry out a comprehensive Hazard Audit of the Site and within one month of each audit submit a report to the Secretary.</p> <p>The audits shall be carried out at the Applicant's expense by a qualified person or team, independent of the Site, approved by the Secretary prior to commencement of each audit. Hazard Audits shall be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 5, 'Hazard Audit Guidelines' (HIPAP No. 5). The audit reports shall, in addition to the requirements provided in HIPAP No 5:</p>		<p>Commencement of the Project has not been triggered.</p> <p>Note: Stolthaven have undertaken a Hazard Audit in May 2016 under SSD 6664 (see response to condition 2-17A of SSD 6664).</p>	Not Triggered
C8a	verify implementation of all actions proposed by the Applicant in response to the recommendations from the Buncefield incident investigation report as contained in Appendix C of the PHA;		Commencement of the operation of the Project has not been triggered.	Not Triggered
C8b	verify that an inspection, testing and preventative maintenance program has been developed, implemented and maintained to ensure the reliability and availability of key safety critical equipment;		Commencement of the operation of the Project has not been triggered.	Not Triggered
C8c	confirm the throughput and storage quantities of potentially hazardous materials are consistent with the PHA; and		Commencement of the operation of the Project has not been triggered.	Not Triggered
C8d	verify implementation of any measures arising from the reports submitted in respect of Conditions C1 to C5 of this Schedule.		Commencement of the operation of the Project has not been triggered.	Not Triggered
	The audit report must be accompanied by a program for the implementation of all recommendations made in the audit report. If the Applicant intends to defer the implementation of a recommendation, reasons must be		Commencement of the operation of the Project has not been triggered.	Not Triggered

Table A-2: Compliance with Development Consent SSD 7065

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
	documented. This audit report must also be submitted to SafeWork NSW.			
	Further Requirements			
C9	The Applicant shall comply with all reasonable requirements of the Secretary in respect of the implementation of any measures arising from the reports submitted in respect of Conditions C1 to C8, within such time as the Secretary may agree.	<ul style="list-style-type: none"> Approval letter from DPE dated 16/10/18 (copy available) Site interview 	The Stolthaven representative advised no requests have been received regarding the implementation of the Pre-construction Hazard Studies. However, the Pre-construction Hazard Studies are required to be re-submitted prior to any future construction stages.	Compliant
C10	The Applicant shall contribute to, in so far as it relates to the Site, preparation of or updates to the following plans and audits for the Mayfield Concept Plan, in consultation with the PON:		See response to condition 3-17 of SSD 6664.	N/A
C10a	the Mayfield Site Precinct Emergency Management Plan, February 2016 consistent with the Department's Hazardous Industry Advisory Paper No. 1 - Emergency Planning;		See response to condition 3-17a of SSD 6664.	Compliant
C10b	a Safety Management System, consistent with the Department's Hazardous Industry Advisory Paper No. 9 - Safety Management; and		See response to condition 3-17b of SSD 6664.	Compliant
C10c	hazard audits, consistent with the Department's Hazardous Industry Advisory Paper No. 5 - Hazard Audit Guidelines.		See response to condition 3-17c of SSD 6664.	Compliant
	Notes: <ul style="list-style-type: none"> The intent of the condition is to ensure any cumulative hazard issues across the Mayfield Concept Plan area are identified and managed; and The relative contribution by the Applicant and timing shall be determined in consultation with the PON, to the satisfaction of the Secretary. 		Noted.	Compliant
	AIR QUALITY			
	Air Quality Limits			
C11	The Applicant shall install and operate equipment to ensure the Site complies with all load limits, air quality criteria and air quality monitoring requirements as specified in an EPL for the Site	<ul style="list-style-type: none"> Annual Returns 	There have been no exceedances of load limits as evident by the Annual Returns (see response to condition L2.1 of the EPL).	Compliant

Table A-2: Compliance with Development Consent SSD 7065

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
	Offensive Odour			
C12	The Applicant shall not cause or permit the emission of offensive odours beyond the boundary of the Site, as defined under Section 129 of the POEO Act.		See response to condition 3-29 of SSD 6664.	Compliant
	Dust Minimisation			
C13	The Applicant shall carry out all reasonable and feasible measures to minimise dust generated by the Site.		See response to condition 3-28 of SSD 6664.	Compliant
C14	During construction and operation of the Development, the Applicant shall ensure:			N/A
C14a	all vehicles on Site do not exceed the designated on Site speed limit;	<ul style="list-style-type: none"> Site inspection 	Construction and operation of the Project has not commenced. However, speed limit signs were observed on site during the site inspection and all vehicles appeared to obey this limit.	Not Triggered
C14b	all loaded vehicles entering or leaving the Site have their loads covered; and		Construction and operation of the Project has not commenced.	Not Triggered
C14c	all vehicles leaving the Site are cleaned of dirt, sand and other materials before they leave the Site, to avoid tracking these materials on to public roads.		Construction and operation of the Project has not commenced.	Not Triggered
	Vapour Recovery Unit			
C15	The Applicant shall install and commission a vapour recovery unit on the six bay truck loading gantry prior to:			N/A
C15a	annual throughput of petroleum products exceeding 1,300 ML; or	<ul style="list-style-type: none"> DPE approval letter dated 24/10/18 (copy available) 	The VRU is not part of Stage 1. Annual throughput has not exceeded 1,300 ML (see response to condition 2-6 of SSD 6664).	Not Triggered
C15b	bulk storage of any Class 3 Flammable Liquid Dangerous Goods, described in the EIS.	<ul style="list-style-type: none"> DPE approval letter dated 24/10/18 (copy available) 	The VRU and storage of flammable liquids are not part of Stage 1.	Not Triggered
C16	The vapour recovery unit shall be designed, constructed and operated in accordance with the requirements of the EPL.		The VRU is not part of Stage 1.	Not Triggered
C17	The Applicant shall monitor emissions from the vapour recovery unit stack in accordance with the requirements of the EPL. The monitoring data shall be reported to the PON on	<ul style="list-style-type: none"> DPE approval letter dated 24/10/18 (copy available) 	The VRU is not part of Stage 1.	Not Triggered

Table A-2: Compliance with Development Consent SSD 7065

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
	a quarterly basis, or in accordance with the monitoring frequency required in the EPL.			
C18	If the results of monitoring show any impact greater than that predicted by the air quality modelling in the EIS, the Applicant shall investigate and implement further air quality mitigation measures as directed by the Secretary or the EPA.	<ul style="list-style-type: none"> DPE approval letter dated 24/10/18 (copy available) 	The VRU is not part of Stage 1.	Not Triggered
	Air Quality Management Plan			
C19	The Applicant shall update the existing Air Quality Management Plan for the Site to include the Development, to the satisfaction of the Secretary. This plan shall:	<ul style="list-style-type: none"> <i>Air Quality Management Plan</i> (May 2018) Approval letter from DPE dated 24/10/18 (copy available) 	Stolthaven have updated the AQMP for Stage 1 (see response to condition 3-33 of SSD 6664).	Compliant
C19a	be approved by the Secretary prior to operation of the Development;		See response to condition 3-33a of SSD 6664.	Compliant
C19b	describe the measures that would be implemented to ensure compliance with the relevant conditions of this consent and the EPL;		See response to condition 3-33b of SSD 6664.	Compliant
C19c	describe the air quality monitoring to measure the performance of the Development against the conditions of this consent and the EPL; and		See response to condition 3-33c of SSD 6664.	Compliant
C19d	demonstrate the air quality measures for the Development are consistent with the PON's <i>Mayfield Air Quality Monitoring Plan, October 2015</i> , or its latest version.		See response to condition 3-33d of SSD 6664.	Compliant
	Greenhouse Gas			
C20	The Applicant shall implement all reasonable and feasible measures to minimise energy use on Site and greenhouse gas emissions produced on Site.		See response to condition 3-30 of SSD 6664.	Compliant
	Meteorological Monitoring			
C21	The Applicant shall install, operate and maintain a meteorological weather station on the Site that complies with the requirements of an EPL for the Site.	<ul style="list-style-type: none"> 2018 Annual Review Site inspection Bi-monthly Report for March 2019 Live data feed (photo available) 	Weather monitoring requirements are met by using data from the nearby M4 monitoring station located within the PON Concept Plan Area and using the Stolthaven Terminal Automatic Weather Station (viewed during site inspection). The 2018	Compliant

Table A-2: Compliance with Development Consent SSD 7065

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
			Annual Review prepared by AECOM states "The station meets NSW EPA monitoring guidelines AM-2 & AM-4" and this data was included in the live data feed viewed during the audit.	
	TRAFFIC AND ACCESS			
	Traffic Movements			
C22	The Applicant shall:			N/A
C22a	keep accurate records of truck movements including: <ul style="list-style-type: none"> total hourly truck movements in peak periods; total truck movements per day; total truck movements per annum; the volume of flammable and combustible liquids received, stored and dispatched; 		See response to condition 3-12a of SSD 6664. Flammable liquids are not stored on site as part of Stage 1.	Compliant
C22b	report these records in the Annual Review; and		See response to condition 3-12b of SSD 6664.	Compliant
C22c	provide these records to PON on a bi-monthly basis.		See response to condition 3-12c of SSD 6664.	Compliant
	Access and Parking			
C23	The Applicant shall ensure:			N/A
C23a	all internal roads and parking (including driveways, grades, lighting, aisle widths, aisle lengths, turning paths, sight distance requirements and parking bay dimensions) associated with the Development are designed and constructed in accordance with the latest versions of the <i>Australian Standards 2890.1:2004 and 2890.2:2002</i> ;		See response to condition 3-14 of SSD 6664.	Compliant
C23b	internal roads accessed by heavy vehicles are designed to ensure the swept paths of the longest vehicle and maneuverability through the site is in accordance with <i>AUSTROADS - Guide to Road Design</i> ; and		See response to condition 3-14 of SSD 6664.	Compliant
C23c	car, motorbike and bicycle parking spaces are provided on site in accordance with the requirements of the <i>Newcastle Development Control Plan, 2012</i> , where relevant.	<ul style="list-style-type: none"> <i>Newcastle Development Control Plan, 2012</i>: http://www.newcastle.nsw.gov.au/getmedia/d116ff4e- 	Construction of parking spaces is not part of Stage 1. However, adequate parking is available onsite and was viewed during the site inspection.	Not Triggered

Table A-2: Compliance with Development Consent SSD 7065

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
		7544-46e6-99fc-4e760ea0c074/3-13-Industrial-Development-amended-241016.aspx		
	Operating Conditions			
C24	The Applicant shall ensure:			N/A
C24a	all heavy vehicle movements to and from the Site are made in a forward direction; and	<ul style="list-style-type: none"> • <i>Traffic Management Plan</i> (August, 2018) • Site inspection 	Heavy vehicle access is via Steel Works Road on to Operational Access Road. Heavy Vehicles then progress to the parking bay and proceed in a forward direction around and back onto Operational Access Road.	Compliant
C24b	vehicles associated with the Site do not park or queue on the public road network outside the Mayfield Concept Plan area.	<ul style="list-style-type: none"> • <i>Traffic Management Plan</i> (August, 2018) • Site inspection 	There is a separate parking bay for heavy vehicles.	Compliant
	Traffic Management Plan			
C25	The Applicant shall update the existing operational Traffic Management Plan for the Site to include the Development. The plan shall:	<ul style="list-style-type: none"> • Approval letter from DPE dated 24/10/18 (copy available) • <i>Traffic Management Plan</i> (August 2018) 	Stolthaven have updated the TMP for Stage 1 (see response to condition 3-13 of SSD 6664).	N/A
C25a	be approved by RMS and the Secretary prior to operation of the Development;		See response to condition 3-13a of SSD 6664.	Compliant
C25b	be prepared in consultation with PON, PNSW, Council, RMS, adjoining land owners and the local community;		See response to condition 3-13b of SSD 6664.	
C25c	detail vehicle routes, access arrangements and coordination with other developments in the Mayfield Concept Plan area;		See response to condition 3-13c of SSD 6664.	Compliant
C25d	include details of driver training awareness to minimise noise, in particular from reversing alarms and compression braking;		See response to condition 3-13d of SSD 6664.	Compliant
C25e	detail procedures for assessing the effectiveness of measures to minimise heavy vehicles accessing residential streets;	<ul style="list-style-type: none"> • <i>Traffic Management Plan</i> (August, 2018) 	Detail procedures for assessing the effectiveness of measures to minimise heavy vehicles accessing the residential streets is included in Section 3.2.	Compliant

Table A-2: Compliance with Development Consent SSD 7065

CONDITION			EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS															
C25f	detail procedures for managing operational traffic, including adherence to the <i>Australian Code for Transport of Dangerous Goods by Road and Rail</i> , January 1998 or its latest version; and			Operational traffic is not relevant to Stage 1. Note: This is also a requirement under SSD 6664 and is not included in the TMP (see non-compliant response and recommendation to condition 3-13e of SSD 6664).	Not Triggered															
C25g	be updated to be consistent with the PON's <i>Traffic Management Plan, Mayfield Concept Plan, November 2015</i> or its latest version.			See response to condition 3-13f of SSD 6664.	Compliant															
NOISE																				
Hours of Work																				
C26	The Applicant shall comply with the hours of work in Table 1. <i>Table 1: Hours of Work</i> <table><tr><th>Activity</th><th>Day</th><th>Hours</th></tr><tr><td rowspan="3">Construction</td><td>Monday – Friday</td><td>7am – 6pm</td></tr><tr><td>Saturday</td><td>8am – 1pm</td></tr><tr><td>Sunday & Public Holidays</td><td>Nil</td></tr><tr><td>Operation</td><td>Monday – Sunday</td><td>24 hours</td></tr></table>		Activity	Day	Hours	Construction	Monday – Friday	7am – 6pm	Saturday	8am – 1pm	Sunday & Public Holidays	Nil	Operation	Monday – Sunday	24 hours	<ul style="list-style-type: none">Site interview	Construction works for the Project have not commenced. Note: Construction for the pipeline was undertaken during the hours specified in Table 1 as the permit allocation only included these construction hours.	Not Triggered		
Activity	Day	Hours																		
Construction	Monday – Friday	7am – 6pm																		
	Saturday	8am – 1pm																		
	Sunday & Public Holidays	Nil																		
Operation	Monday – Sunday	24 hours																		
Construction Noise																				
C27	The Applicant shall implement all reasonable and feasible management and mitigation measures to ensure noise generated during construction of the Development does not exceed the construction noise goals in Table 2. <i>Table 2: Construction Noise Goals dB(A)</i> <table><tr><th colspan="2">Location</th><th>LAeq(15min)</th></tr><tr><td>R1, R2, R3, R4, R5, R6, R7, R8</td><td>Mayfield</td><td>53</td></tr><tr><td>R9</td><td>Carrington</td><td>54</td></tr><tr><td>R10</td><td>Stockton</td><td>57</td></tr><tr><td>R11</td><td>Mayfield East Public School</td><td>55</td></tr></table>		Location		LAeq(15min)	R1, R2, R3, R4, R5, R6, R7, R8	Mayfield	53	R9	Carrington	54	R10	Stockton	57	R11	Mayfield East Public School	55	<ul style="list-style-type: none">Complaints registerSite interview	Construction works for the Project have not commenced. Note: Specific noise monitoring was not undertaken for construction activities associated with the pipeline however, no complaints have been received regarding noise.	Not Triggered
Location		LAeq(15min)																		
R1, R2, R3, R4, R5, R6, R7, R8	Mayfield	53																		
R9	Carrington	54																		
R10	Stockton	57																		
R11	Mayfield East Public School	55																		
	Notes: <ul style="list-style-type: none">To identify the locations referred to in Table 2, see Appendix 5.		<ul style="list-style-type: none">Site interview	Construction works for the Project have not commenced.	Not Triggered															

Table A-2: Compliance with Development Consent SSD 7065																																																																											
CONDITION			EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS																																																																						
	<ul style="list-style-type: none">Construction noise generated by the Development is to be measured in accordance with the EPA's Interim Construction Noise Guideline.																																																																										
C28	Construction outside of the hours identified in Condition C26 may be undertaken in the following circumstances:		<ul style="list-style-type: none">Site interview	Construction works for the Project have not commenced.	N/A																																																																						
C28a	works that are inaudible at the nearest sensitive receivers;		<ul style="list-style-type: none">Site interview	Construction works for the Project have not commenced.	Not Triggered																																																																						
C28b	works agreed to in writing by the Secretary;		<ul style="list-style-type: none">Site interview	Construction works for the Project have not commenced.	Not Triggered																																																																						
C28c	for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or		<ul style="list-style-type: none">Site interview	Construction works for the Project have not commenced.	Not Triggered																																																																						
C28d	where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm.		<ul style="list-style-type: none">Site interview	Construction works for the Project have not commenced.	Not Triggered																																																																						
	Mayfield Concept Plan Site Noise Model																																																																										
C29	Prior to the commencement of construction of the Development, the Applicant shall provide the <i>Noise and Vibration Impact Assessment</i> , prepared by AECOM dated 19 February 2016, including all modelling data, to the PON for the purposes of updating the Site Noise Model.			Construction of the Project has not commenced.	Not Triggered																																																																						
	Operational Noise Limits																																																																										
C30	<p>The Applicant shall ensure noise from the Site does not exceed the noise limits in Table 3.</p> <p>Table 3: Noise Limits dB(A)</p> <table><tr><th>No.</th><th>Location</th><th>Day</th><th>Evening</th><th>Night</th><th>Night</th><th>Night</th></tr><tr><td></td><td></td><td>L_{eq}(15min)</td><td>L_{eq}(15min)</td><td>L_{eq}(15min)</td><td>L_{eq}(hr)</td><td>L₁(1min)</td></tr><tr><td>R1</td><td>1 Arthur Street, Mayfield</td><td>35</td><td>35</td><td>35</td><td>N/A</td><td>45</td></tr><tr><td>R2</td><td>52 Arthur Street, Mayfield</td><td>35</td><td>35</td><td>35</td><td>N/A</td><td>48</td></tr><tr><td>R3</td><td>2 Crebert Street, Mayfield</td><td>41</td><td>41</td><td>41</td><td>35</td><td>49</td></tr><tr><td>R4</td><td>21 Crebert Street, Mayfield</td><td>40</td><td>40</td><td>40</td><td>35</td><td>47</td></tr><tr><td>R5</td><td>24 Crebert Street, Mayfield</td><td>42</td><td>42</td><td>42</td><td>37</td><td>51</td></tr><tr><td>R6</td><td>30 Crebert Street, Mayfield</td><td>41</td><td>41</td><td>41</td><td>35</td><td>50</td></tr><tr><td>R7</td><td>50 Crebert Street, Mayfield</td><td>35</td><td>35</td><td>35</td><td>N/A</td><td>50</td></tr><tr><td>R8</td><td>2 McNeil Close, Mayfield</td><td>35</td><td>35</td><td>35</td><td>N/A</td><td>48</td></tr></table>		No.	Location	Day	Evening	Night	Night	Night			L _{eq} (15min)	L _{eq} (15min)	L _{eq} (15min)	L _{eq} (hr)	L ₁ (1min)	R1	1 Arthur Street, Mayfield	35	35	35	N/A	45	R2	52 Arthur Street, Mayfield	35	35	35	N/A	48	R3	2 Crebert Street, Mayfield	41	41	41	35	49	R4	21 Crebert Street, Mayfield	40	40	40	35	47	R5	24 Crebert Street, Mayfield	42	42	42	37	51	R6	30 Crebert Street, Mayfield	41	41	41	35	50	R7	50 Crebert Street, Mayfield	35	35	35	N/A	50	R8	2 McNeil Close, Mayfield	35	35	35	N/A	48	<ul style="list-style-type: none">Operational Noise Compliance Assessments (AECOM, 2016-2018)	Operations have not commenced under this consent. Note: Assessments are undertaken on an annual basis by AECOM. No exceedances of criteria were identified during the audit period.	Not Triggered
No.	Location	Day	Evening	Night	Night	Night																																																																					
		L _{eq} (15min)	L _{eq} (15min)	L _{eq} (15min)	L _{eq} (hr)	L ₁ (1min)																																																																					
R1	1 Arthur Street, Mayfield	35	35	35	N/A	45																																																																					
R2	52 Arthur Street, Mayfield	35	35	35	N/A	48																																																																					
R3	2 Crebert Street, Mayfield	41	41	41	35	49																																																																					
R4	21 Crebert Street, Mayfield	40	40	40	35	47																																																																					
R5	24 Crebert Street, Mayfield	42	42	42	37	51																																																																					
R6	30 Crebert Street, Mayfield	41	41	41	35	50																																																																					
R7	50 Crebert Street, Mayfield	35	35	35	N/A	50																																																																					
R8	2 McNeil Close, Mayfield	35	35	35	N/A	48																																																																					

Table A-2: Compliance with Development Consent SSD 7065

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
	Note: <ul style="list-style-type: none"> To identify a noise receiver location, refer to the figure in Appendix 5. Noise generated by the Site is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the EPA's NSW Industrial Noise Policy. 		Operations have not commenced under this consent.	Not Triggered
C31	The Applicant shall ensure fire pumps on the Site are designed and operated so that noise from routine testing or maintenance is not more than $Leq(1smin)$ 53 dB(A) at sensitive receivers. Routine testing or maintenance must only occur during the day time.	<ul style="list-style-type: none"> <i>Operational Noise Compliance Assessment</i> (AECOM, 2018) 	Operations have not commenced under this consent. Note: Attended noise measurements from the fire pump was undertaken at 10.36 am during the 29 and 30 November annual assessments by AECOM. Results are presented in Table 16 of the report and confirm all measurements are well below 53 dB(A) at all receivers under neutral and adverse weather conditions.	Not Triggered
Mayfield Concept Plan Noise Quota				
C32	The Applicant shall:			N/A
C32a	ensure noise from the Site does not exceed the noise quotas provided by the PON in accordance with the Site Noise Model; and		See response to condition 3-22b of SSD 6664.	Compliant
C32b	comply with the directions of the PON in relation to the management of noise from the Site.		See response to condition 3-23 of SSD 6664.	Compliant
Operating Conditions				
C33	The Applicant shall:			N/A
C33a	implement all reasonable and feasible noise management and mitigation measures to prevent and minimise noise from the Site;		Operations have not commenced under this consent.	Not Triggered
C33b	implement, where possible, a safe system of work so that tonal movement alarms, such as reversing beepers, are not needed on the Site;		Operations have not commenced under this consent.	Not Triggered
C33c	maintain the effectiveness of any noise suppression equipment or plant at all times and ensure defective plant		Operations have not commenced under this consent.	Not Triggered

Table A-2: Compliance with Development Consent SSD 7065

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
	that may generate offensive noise is not used operationally until fully repaired; and			
C33d	regularly assess noise monitoring data and relocate, modify and/or stop operations to ensure compliance with the relevant conditions of this consent.	<ul style="list-style-type: none"> <i>Operational Noise Compliance Assessments</i> (AECOM, 2016-2018) 	Operations have not commenced under this consent. Note: Operational Noise Compliance Assessments are undertaken annually by AECOM.	Not Triggered
	Noise Management Plan			
C34	The Applicant shall update the existing Noise Management Plan for the Site to include the Development. The plan shall:	<ul style="list-style-type: none"> Approval letter from DPE dated 24/10/18 (copy available) <i>Operational Noise and Vibration Management Plan</i> (May 2018) 	Stolthaven have updated the ONMP for Stage 1 (see response to condition 3-26 of SSD 6664).	Compliant
C34a	be prepared by a suitably qualified expert, in accordance with EPA Guidelines;		See response to condition 3-26a of SSD 6664.	Compliant
C34b	be approved by the Secretary prior to operation of the Development;		See response to condition 3-26b of SSD 6664.	Compliant
C34c	describe the measures that would be implemented to ensure compliance with the: <ul style="list-style-type: none"> noise limits in Condition C30; and noise quotas provided by PON, to maintain compliance with the noise goals in the Mayfield Concept Plan; 		See response to condition 3-26c of SSD 6664.	Compliant
C34d	include a procedure for implementing noise mitigation measures, should the Applicant be directed to by the EPA, PON or the Secretary, or should non-compliances be detected; and		See response to condition 3-26d of SSD 6664.	Compliant
C34e	include procedures to receive, record and respond to complaints.		See response to condition 3-26e of SSD 6664.	Compliant
	Noise Monitoring			
C35	The Applicant shall monitor noise from the Site. The monitoring shall:		See response to condition 3-27 of SSD 6664.	Compliant
C35a	be undertaken annually, or to address genuine noise complaints related to the Site as determined by the		See response to condition 3-27a of SSD 6664.	Compliant

Table A-2: Compliance with Development Consent SSD 7065

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
	Secretary, EPA or the PON;			
C35b	be undertaken in accordance with the <i>NSW Industrial Noise Policy</i> and the <i>Noise Verification Monitoring Plan, October 2015</i> or its latest version;		See response to condition 3-27b of SSD 6664.	Compliant
C35c	demonstrate compliance with the noise limits in this consent and the noise quotas provided by PON in accordance with the Mayfield Concept Plan; and		See response to condition 3-27c of SSD 6664.	Compliant
C35d	be reported annually to the Secretary, EPA and the PON.	<ul style="list-style-type: none"> Annual Returns Bi-monthly Reports Annual Reviews 	Noise monitoring data is included in the bi-monthly Reports sent to PON, the Annual Reviews and with the Annual Returns sent to the EPA.	Compliant
	Note: The monitoring requirements could be satisfied by the monitoring network required for the Mayfield Concept Plan once established.		See response to condition 3-27 of SSD 6664.	Compliant
CONTAMINATION AND REMEDIATION				
Statutory Requirements				
C36	The Applicant shall carry out the Development in accordance with the requirements of the:			N/A
C36a	Remediation Notice;	<ul style="list-style-type: none"> <i>Site Audit Report Berth 7 Construction, Mayfield, NSW</i> (Ramboll, October 2018) 	<p>The timing of activities under the Remediation Notice have not been triggered by Stage 1.</p> <p>Note: The Auditors viewed a Site Audit Report for M7 (dated 7/10/18) conducted to verify if the Project is consistent with the Remediation Notice and CSMP objectives. The report concluded that "<i>the EMP will provide an adequate framework for the management of the remnant contamination at the site</i>" and that "<i>The Maintenance of Remediation Notice between EPA and Port of Newcastle requires an annual review of compliance with the CSMP</i>". The annual review of compliance with the CSMP will be triggered following commencement of the Project.</p>	Not Triggered

Table A-2: Compliance with Development Consent SSD 7065

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
C36b	CSMP.	<ul style="list-style-type: none"> Contaminated Site Management Plan (December, 2016) Site Audit Report Berth 7 Construction, Mayfield, NSW (Ramboll, October 2018) 	The timing of activities under the CSMP have not been triggered by Stage 1. Note: See response to condition C36a.	Not Triggered
C37	Prior to commencement of construction, the Applicant shall provide written evidence to the Secretary from the Site Auditor confirming that all construction works associated with the Development meet the requirements of the documents listed in Condition C36 above.		Construction has not commenced under this consent.	Not Triggered
C38	Prior to commencement of operation, the Applicant shall provide written evidence to the Secretary from the Site Auditor confirming that all works associated with the Development have been constructed in accordance with the requirements of the documents listed in Condition C36 above.		Operations have not commenced under this consent.	Not Triggered
Human Health Risk				
C39	The Applicant shall provide written advice from the Site Auditor confirming that all works associated with the Development would be constructed to address any risk of harm to human health posed by the potential ingress of volatile vapours into buildings and confined spaces.		See response to condition 3-4 of SSD 6664. Further assessments have not been triggered by Stage 1.	Not Triggered
SOIL AND WATER				
Imported Soil				
C40	The Applicant shall:			N/A
C40a	ensure that only VENM or ENM or other material approved in writing by the EPA or the Site Auditor is used as fill on the Site;		See response to condition 3-5a of SSD 6664.	Not Triggered
C40b	keep accurate records of the volume and type of fill to be used on Site; and		See response to condition 3-5b of SSD 6664.	Not Triggered
C40c	make these records available to PON and the Secretary upon request.		See response to condition 3-5c of SSD 6664.	Not Triggered

Table A-2: Compliance with Development Consent SSD 7065

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
	Water Licences			
C41	The Applicant is required to obtain the necessary water licences for the Development under the <i>Water Act 1912</i> and/or the <i>Water Management Act 2000</i> .		See response to condition 3-6 of SSD 6664.	Compliant
	Note: Licences are required for groundwater bores, excavations that may intercept groundwater, dewatering activities and extraction or interception of surface water.		See response to condition 3-6 of SSD 6664.	Compliant
	Discharge Limits			
C42	The Applicant shall ensure all water discharges from the Site comply with the requirements specified in an EPL for the Site.		See response to conditions M2.3 and M8.1 of the EPL.	Compliant
	Stormwater and Drainage System			
C43	The Applicant shall maintain the stormwater and drainage system for the Site to the satisfaction of PON.		See response to condition 3-9 of SSD 6664.	Compliant
	Stormwater and Drainage Management Plan			
C44	The Applicant shall update the existing Stormwater and Drainage Management Plan for the Site to include the Development, to the satisfaction of the Secretary. The plan shall:	<ul style="list-style-type: none"> Approval letter from DPE dated 24/10/18 (copy available) <i>Stormwater Management Plan</i> (April 2018) 	Stolthaven has updated the SWMP for Stage 1 (see response to condition 3-10 of SSD 6664).	Compliant
C44a	be updated prior to operation of the Development;		See response to condition 3-10 of SSD 6664.	Compliant
C44b	be prepared in accordance with OEH's <i>Managing Urban Stormwater</i> and other relevant guidelines;		See response to condition 3-10b of SSD 6664).	Compliant
C44c	detail the stormwater infrastructure to be installed for the Development and detail how it integrates with the existing stormwater system on the Site;		See response to condition 3-10c of SSD 6664.	Compliant
C44d	describe the measures to be implemented to maintain this infrastructure over time;		See response to condition 3-10d of SSD 6664.	Compliant
C44e	include a program to monitor stormwater quality and quantity; and		See response to condition 3-10e of SSD 6664.	Compliant
C44f	detail how the stormwater infrastructure integrates and is consistent with the PON's <i>Concept Stormwater Management Strategy</i> dated 9 July 2015 or its latest version.		See response to condition 3-10f of SSD 6664.	Compliant

Table A-2: Compliance with Development Consent SSD 7065

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
	Water Management Plan			
C45	The Applicant shall update the existing Water Management Plan for the Site to include the Development, to the satisfaction of the Secretary. The plan shall:	<ul style="list-style-type: none"> Approval letter from DPE dated 24/10/18 (copy available) <i>Water Management Plan</i> (June 2018) 	Stolthaven have updated the WMP for Stage 1 (see response to condition 3-11 of SSD 6664).	Compliant
C45a	be updated prior to operation of the Development;		See response to condition 3-11 of SSD 6664.	Compliant
C45b	include procedures for the prevention and management of spills and leaks from the Development, including the terminal, M7 berth and pipeline;		See response to condition 3-11b of SSD 6664.	Compliant
C45c	include a surface water monitoring program to measure the quality and quantity of water discharges from the Site in accordance with an EPL for the Site;		See response to condition 3-11c of SSD 6664.	Compliant
C45d	include a groundwater monitoring program to evaluate the integrity of the surface capping in minimising groundwater contamination and monitor in accordance with the requirements of an EPL for the Site; and		See response to condition 3-11c of SSD 6664.	Compliant
C45e	include a surface and groundwater response plan, including remedial actions and procedures to be followed in the event of an incident.		See response to condition 3-11d of SSD 6664.	Compliant
	Bunding and Storage of Liquids			
C46	The Applicant shall store all chemicals, fuels and oils used on the Site in appropriately bunded areas in accordance with the requirements of all relevant Australian Standards, and/or the EPA's <i>Storing and Handling of Liquids: Environmental Protection - Participants Handbook</i> .		See response to condition 3-8 of SSD 6664.	Compliant
C47	The Applicant shall ensure all bunds:			N/A
C47a	have impervious walls and floors;	<ul style="list-style-type: none"> Site inspection 	Additional bunding is not required for Stage 1 activities. Note: Bunding for activities associated with SSD 6664 were viewed during the site inspection and all operational areas were fully bunded. Repairs of hair line fractures had been undertaken on foam bunding to	Not Triggered

Table A-2: Compliance with Development Consent SSD 7065

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
			the west of the diesel tanks and was viewed during the site inspection.	
C47b	are of sufficient capacity to contain 110% of the volume of the tank (or 110% of the volume of the largest tank where a group of tanks are installed);		Additional bunding is not required for Stage 1 activities.	Not Triggered
C47c	have floors graded to a collection sump; and		Additional bunding is not required for Stage 1 activities.	Not Triggered
C47d	do not have a drain valve incorporated in the bund structure, or are constructed and operated in a manner that achieves the same environmental outcome.		Additional bunding is not required for Stage 1 activities.	Not Triggered
Leak Prevention				
C48	The Applicant shall:			N/A
C48a	conduct annual integrity testing on the petroleum product pipeline extending between the terminal and the M7 berth;	<ul style="list-style-type: none"> Annual Integrity Test Report (dated 19/10/18) 	An Annual Integrity Test was completed before operation of the pipeline (19/10/18) and included a four hour test.	Compliant
C48b	conduct leak testing of the petroleum products pipeline extending between the terminal and the M7 berth prior to each transfer of product;	<ul style="list-style-type: none"> Pre-shipping Checklist dated 18/03/19 (copy available) 	Leak testing is included in the pre-shipping checklist which is signed by the wharf attendant and terminal and was viewed during the audit.	Compliant
C48c	conduct surveillance checks on the pipeline prior to the commencement of and during transfer operations of any petroleum products; and	<ul style="list-style-type: none"> Pre-shipping Checklist dated 18/03/19 (copy available) 	Surveillance checks are included in pre-shipping checklist which is signed by the wharf attendant and terminal and was viewed during the audit.	Compliant
C48d	maintain a register for all integrity and pressure tests conducted on the pipeline extending between the terminal and the M7 berth.	<ul style="list-style-type: none"> Compliance Tracking Program (copy available) 	Stolthaven maintain a Compliance Tracking Program on the site server which includes the annual integrity test undertaken on 19/10/18 and was viewed during the audit.	Compliant
UTILITIES AND SERVICES				
C49	The Applicant shall update the existing Utilities and Services Plan for the Site to include the Development. The plan must:	<ul style="list-style-type: none"> Approval letter from DPE dated 24/10/18 (copy available) <i>Utilities and Services Management Plan</i> (June 2018) 	Operation of the Project has not commenced. Note: Stolthaven have updated the USMP for Stage 1 (see response to condition 3-18 of SSD 6664).	Not Triggered

Table A-2: Compliance with Development Consent SSD 7065

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
C49a	be updated prior to operation of the Development;		Operation of the Project has not commenced.	Not Triggered
C49b	be prepared in consultation with relevant utility and service providers and adjacent landowners, where relevant;		Operation of the Project has not commenced.	Not Triggered
C49c	include an implementation schedule which shows how all essential utilities and services are to be provided to the Site;		Operation of the Project has not commenced.	Not Triggered
C49d	provide a copy of all necessary consents from relevant utility and service providers showing that access to these utilities and services is available and secured; and		Operation of the Project has not commenced.	Not Triggered
C49e	include a strategy to integrate all utilities and services with the broader system to be provided by PON for the Mayfield Concept Plan, and be consistent with the <i>Utilities Infrastructure Plan, July 2015</i> , or its latest version.		Operation of the Project has not commenced.	Not Triggered
VISUAL AMENITY				
Landscaping				
C50	The Applicant shall update the existing Landscape Management Plan for the Site to include the Development, to the satisfaction of the Secretary. The Plan must:	<ul style="list-style-type: none"> Approval letter from DPE dated 24/10/18 (copy available) <i>Landscape Management Plan</i> (April 2018) 	Stolthaven have updated the LMP for Stage 1 (see response to condition 3-35 of SSD 6664).	Compliant
C50a	be prepared in consultation with PON and in accordance with the relevant requirements of the <i>Newcastle Development Control Plan, 2012</i> ;		See response to condition 3-35a of SSD 6664.	Compliant
C50b	be updated and implemented prior to operation of the Development;		See response to condition 3-35b of SSD 6664.	Compliant
C50c	demonstrate the building treatments are of sufficient design quality to minimise the visual impacts of the Site, and include a variety of materials and external finishes;		See response to condition 3-35c of SSD 6664.	Compliant
C50d	illustrate the location, species and mature heights of plants to be established on Site;		See response to condition 3-35d of SSD 6664.	Compliant
C50e	provide for the maintenance of the landscaping on Site; and		See response to condition 3-35e of SSD 6664.	Compliant

Table A-2: Compliance with Development Consent SSD 7065

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
C50f	ensure the administration building and landscaping is consistent with the requirements of the PON acknowledging the Site's location at the entrance to the Mayfield Concept Plan area.		Construction of the new administration building is not part of Stage 1.	Not Triggered
Building Materials				
C51	Where possible the Applicant shall utilise building materials that minimise the potential visibility of the Development, including non-reflective materials.		See response to condition 3-36 of SSD 6664.	Compliant
Lighting				
C52	The Applicant shall ensure any lighting associated with the Site:		See response to condition 3-37 of SSD 6664.	Compliant
C52a	complies with the latest version of Australian Standard AS 4282 (INT)-Control of Obtrusive Effects of Outdoor Lighting, where relevant; and		See response to condition 3-37a of SSD 6664.	Compliant
C52b	is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.		See response to condition 3-37b of SSD 6664.	Compliant
Signage				
C53	The petroleum product pipeline extending between the terminal and the M7 berth must:			N/A
C53a	be identified in accordance with Australian Standard AS1345-2008: <i>Identification of the contents of pipes, conduits and ducts</i> ; and	<ul style="list-style-type: none"> Email dated 23/10/18 from Stolthaven representative Site inspection 	An assessment of compliance with AS1345-2008 was undertaken by Stolthaven and documented in an email (viewed during the audit). Compliance with AS1345-2008 has been achieved by: <i>"Markers to be placed adjacent to junctions, valves, service appliances, bulkheads and wall penetrations at intervals no greater than 8m. For uninterrupted straight runs spacing should not exceed 50 m."</i>	Compliant
C53b	include pipe markers including the name of the Applicant and emergency contact details.	<ul style="list-style-type: none"> Site inspection 	The pipeline was marked at regular intervals with the EPL no. and emergency contact number.	Compliant

Table A-2: Compliance with Development Consent SSD 7065

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
C54	The Applicant shall not install any advertising signs on the Site without consultation with the PON and the written consent of the Secretary.		See response to condition 3-38 of SSD 6664.	Not Triggered
SITE SECURITY				
C55	The Applicant shall:		See response to condition 3-39 of SSD 6664.	N/A
C55a	install and maintain a perimeter fence and security gates on the Site;		See response to condition 3-39a of SSD 6664.	Compliant
C55b	ensure the security gates on Site are locked whenever the Site is unattended; and		See response to condition 3-39b of SSD 6664.	Compliant
C55c	consult with the PON with regards to minimum fencing specifications.		Not required for Stage 1.	Not Triggered
WASTE				
C56	The Applicant shall ensure any waste generated on the Site is classified in accordance with the EPA's <i>Waste Classification Guidelines</i> (DECCW, 2009), or any superseding document and disposed of to a facility that may lawfully accept the waste.		See response to condition 3-40 of SSD 6664.	Compliant
C57	Waste generated outside the Site shall not be received at the Site for storage, treatment, processing, reprocessing, or disposal on the Site, except as expressly permitted by an EPL, if such a licence is required in relation to that waste.	<ul style="list-style-type: none"> EPL Waste Register Site interview 	Receival of waste is not permitted under condition L4.1 the EPL. The Stolthaven representative advised that waste is not received on site and no receival of waste is recorded in the waste register.	Compliant
C58	The Applicant shall:			N/A
C58a	implement all reasonable and feasible measures to minimise waste generated on Site; and		See response to condition 3-40 of SSD 6664.	Compliant
C58b	ensure any waste generated on Site is appropriately stored, handled and disposed of.		See response to condition 3-40 of SSD 6664.	Compliant
AVIATION SAFETY				
C59	Prior to the commencement of construction, the Applicant shall provide the Secretary with a copy of all necessary approvals from the Air Base Command Post of RAAF Base Williamstown and the Directorate of External Land Planning within the Defence Support Group of the Department of		Construction of the Project has not commenced under this consent.	Not Triggered

Table A-2: Compliance with Development Consent SSD 7065				
CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
	Defence for the erection of all structures that constitute transienUtemporary or permanent obstructions in accordance with the <i>Operation of cranes and tall structures in the vicinity of Newcastle Airport</i> (Department of Defence, 2013).			
Schedule D – Environmental Management, Reporting, Auditing and Community Engagement				
	ENVIRONMENTAL MANAGEMENT			
	Construction Environmental Management Plan			
D1	The Applicant shall prepare a Construction Environmental Management Plan (CEMP) for the Development, to the satisfaction of the Secretary. The Plan must:		The CEMP is approved for Stage 1 works only and includes the TMP as a separate document (see response to condition B22). Note: All comments below relate to Stage 1 only. The CEMP will require updating prior to commencement of any other aspects of the Project.	N/A
D1a	be approved by the Secretary prior to construction of the Development	<ul style="list-style-type: none"> Letter from DPE dated 16/10/18 (copy available) <i>Construction Environmental Management Plan</i> (August 2018) 	Construction works for the Project have not commenced. However, DPE approved the CEMP for Stage 1 on 16/10/18. The CEMP was viewed during the audit.	Compliant
D1b	identify the statutory approvals that apply to the Site;	<ul style="list-style-type: none"> <i>Construction Environmental Management Plan</i> (August 2018) 	This is included in Section 8 of the CEMP.	Compliant
D1c	outline all environmental management practices and procedures to be followed during construction;	<ul style="list-style-type: none"> <i>Construction Environmental Management Plan</i> (August 2018) 	This is outlined throughout the entire CEMP document as relevant. Section 12 provides a general overview of the procedures.	Compliant
D1d	describe all activities to be undertaken on the Site during construction, including a clear indication of construction stages;	<ul style="list-style-type: none"> <i>Construction Environmental Management Plan</i> (August 2018) 	This is included in Section 7.1 of the CEMP.	Compliant
D1e	detail how the environmental performance of the construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts;	<ul style="list-style-type: none"> <i>Construction Environmental Management Plan</i> (August 2018) 	This is outlined throughout the entire CEMP document as relevant. Section 13 provides a general overview of reporting requirements.	Compliant
D1f	describe the roles and responsibilities for all relevant employees involved in construction works; and	<ul style="list-style-type: none"> <i>Construction Environmental Management Plan</i> (August 2018) 	This is included in Section 9 of the CEMP.	Compliant

Table A-2: Compliance with Development Consent SSD 7065

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
D1g	include the management plans under Condition D2 of this consent.	<ul style="list-style-type: none"> Letter from DPE dated 16/10/18 (copy available) <i>Construction Environmental Management Plan</i> (August 2018) 	DPE approved the management plans included in the CEMP on 16/10/18 (see responses to condition D2).	Compliant
D2	As part of the CEMP for the Development, required under Condition D1 of this consent, the Applicant shall include the following:		The CEMP is approved for Stage 1 works only and includes the TMP as a separate document (see response to condition B22). Note: All comments below relate to Stage 1 only. The CEMP will require updating prior to commencement of any other aspects of the Project.	N/A
D2a	a soil and water management plan;	<ul style="list-style-type: none"> Letter from DPE dated 16/10/18 (copy available) <i>Construction Environmental Management Plan</i> (August 2018) 	This is referenced in the approval letter from DPE and is included in Section 10.1 of the CEMP.	Compliant
D2b	a contaminated materials management plan, prepared in consultation with the PON;	<ul style="list-style-type: none"> Letter from DPE dated 16/10/18 (copy available) <i>Construction Environmental Management Plan</i> (August 2018) 	This is referenced in the approval letter from DPE and is included in Section 10.2 of the CEMP.	Compliant
D2c	a traffic management plan;	<ul style="list-style-type: none"> Letter from DPE dated 16/10/18 (copy available) <i>Traffic Management Plan</i> (August 2018) 	This is referenced in the approval letter from DPE and is the separate TMP (see response to condition 3-13 of SSD 6664).	Compliant
D2d	a noise and vibration management plan;	<ul style="list-style-type: none"> Letter from DPE dated 16/10/18 (copy available) <i>Construction Environmental Management Plan</i> (August 2018) 	This is referenced in the approval letter from DPE and is included in Section 10.4 of the CEMP.	Compliant
D2e	an air quality (dust) management plan;	<ul style="list-style-type: none"> Letter from DPE dated 16/10/18 (copy available) 	This is referenced in the approval letter from DPE and is included in Section 10.5 of the CEMP.	Compliant

Table A-2: Compliance with Development Consent SSD 7065

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
		<ul style="list-style-type: none"> Construction Environmental Management Plan (August 2018) 		
D2f	a utilities and services provision plan; and	<ul style="list-style-type: none"> Letter from DPE dated 16/10/18 (copy available) Construction Environmental Management Plan (August 2018) 	This is referenced in the approval letter from DPE and is included in Section 10.8 of the CEMP.	Compliant
D2g	a waste management plan.	<ul style="list-style-type: none"> Letter from DPE dated 16/10/18 (copy available) Construction Environmental Management Plan (August 2018) 	This is referenced in the approval letter from DPE and is included in Section 10.6 of the CEMP.	Compliant
D3	The Applicant shall carry out construction of the Development in accordance with the CEMP approved by the Secretary (and as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary.		Construction works for the Project have not commenced.	Not Triggered
Environmental Management Strategy				
D4	The Applicant shall update the existing Environmental Management Strategy (EMS) for the Site to include the Development, to the satisfaction of the Secretary. The EMS shall:		See response to condition 4-1 of SSD 6664.	Compliant
D4a	be submitted to the Secretary for approval prior to operation of the Development;	<ul style="list-style-type: none"> Letter from DPE dated 24/10/18 (copy available) 	The EMS is for Stage 1 works only (See response to condition B22). The Auditors viewed an approval letter from DPE dated 24/10/18. The EMS and sub-plans are required to be re-submitted prior to any future construction stages.	Compliant
D4b	be prepared by a suitably qualified and experienced expert;	<ul style="list-style-type: none"> Management Plans 	Management plans have been prepared by Stolthaven and external contractors (e.g. AECOM) where required.	Compliant
D4c	provide the strategic framework for environmental management of the Site;		See response to condition 4-1a of SSD 6664.	Compliant
D4d	identify the statutory requirements that apply to the Site;		See response to condition 4-1b of SSD 6664.	Compliant

Table A-2: Compliance with Development Consent SSD 7065

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
D4e	describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the Site;		See response to condition 4-1e of SSD 6664.	Compliant
D4f	describe in general how the environmental performance of the Site would be monitored and managed;		See response to condition 4-1c of SSD 6664.	Compliant
D4g	describe the procedures that would be implemented to: <ul style="list-style-type: none"> keep the local community and relevant agencies informed about the operation and environmental performance of the Site; receive, handle, respond to, and record complaints; resolve any disputes that may arise in relation to operations at the Site; respond to any non-compliance; manage cumulative impacts; respond to emergencies; 		See response to condition 4-1d of SSD 6664.	Compliant
D4h	include the management plans under Condition D5 of this consent; and		See response to condition D5a-g.	Compliant
D4i	be provided to the PON once approved by the Secretary, including any approved amendments to the EMS.	<ul style="list-style-type: none"> Email to PON dated 30/10/18 (copy available) Email to DPE dated 23/10/18 (copy available) 	Approval was provided by DPE not to consult with external parties again for the revised TMP, USMP and LMP on 23/10/18. The updated OEMP, AQMP, TMP, ONMP, SWMP, WMP, USMP and LMP were sent to PON on 30/10/18.	Compliant
D5	As part of the EMS for the Site, required under Condition D4 of this consent, the Applicant shall include the following:	<ul style="list-style-type: none"> DPE approval letter dated 24/10/18 (copy available) 	The EMS is for Stage 1 works only (see response to condition B22) and was approved by DPE on 24/10/18. The EMS and sub-plans are required to be re-submitted prior to any future construction stages.	Compliant
D5a	air quality;	<ul style="list-style-type: none"> DPE approval letter dated 24/10/18 (copy available) 	Sub-plan is included in the EMS and approved by DPE.	Compliant
D5b	traffic;	<ul style="list-style-type: none"> DPE approval letter dated 24/10/18 (copy available) 	Sub-plan is included in the EMS and approved by DPE.	Compliant
D5c	noise;	<ul style="list-style-type: none"> DPE approval letter dated 24/10/18 (copy available) 	Sub-plan is included in the EMS and approved by DPE.	Compliant

Table A-2: Compliance with Development Consent SSD 7065

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
D5e	stormwater and drainage;	<ul style="list-style-type: none"> DPE approval letter dated 24/10/18 (copy available) 	Sub-plan is included in the EMS and approved by DPE.	Compliant
D5d	water;	<ul style="list-style-type: none"> DPE approval letter dated 24/10/18 (copy available) 	Sub-plan is included in the EMS and approved by DPE.	Compliant
D5f	utilities and services; and	<ul style="list-style-type: none"> DPE approval letter dated 24/10/18 (copy available) 	Sub-plan is included in the EMS and approved by DPE.	Compliant
D5g	landscape.	<ul style="list-style-type: none"> DPE approval letter dated 24/10/18 (copy available) 	Sub-plan is included in the EMS and approved by DPE.	Compliant
D6	The Applicant shall operate the Site in accordance with the EMS approved by the Secretary (and as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary.		See comments on management plans in Section 5.3 of the IEA report and in schedule 4 of SSD 6664.	Compliant
Management Plan Requirements				
D7	The Applicant shall ensure the management plans required under this consent are prepared in accordance with any relevant guidelines, and include:			N/A
D7a	detailed baseline data;		The TMP, ONMP, SWMP, WMP, USMP and LMP do not include detailed baseline data (see response to condition 4-2a of SSD 6664).	Non-compliant
D7b	a description of: <ul style="list-style-type: none"> the relevant statutory requirements (including any relevant consent, licence or lease conditions); any relevant limits or performance measures/criteria; and the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the Site or any management measures; 		See response to condition 4-2b of SSD 6664.	Compliant
D7c	a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;		See response to condition 4-2c of SSD 6664.	Compliant
D7d	a program to monitor and report on the: <ul style="list-style-type: none"> impacts and environmental performance of the Site; and 		See response to condition 4-2d of SSD 6664.	Compliant

Table A-2: Compliance with Development Consent SSD 7065				
CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
	<ul style="list-style-type: none"> effectiveness of any management measures (see c) above); 			
D7e	a contingency plan to manage any unpredicted impacts and their consequences;		See response to condition 4-2e of SSD 6664.	Compliant
D7f	a program to investigate and implement ways to improve the environmental performance of the Site over time;		See response to condition 4-2f of SSD 6664.	Compliant
D7g	a protocol for managing and reporting any: <ul style="list-style-type: none"> incidents; complaints; non-compliances with statutory requirements; and exceedances of the relevant limits and/or performance measures/ criteria; and 		The TMP, USMP and LMP do not include a procedure to receive, handle and respond to complaints (see response to condition 4-2g of SSD 6664).	Non-compliant
D7h	a protocol for periodic review of the plan.		See response to condition 4-2h of SSD 6664.	Compliant
Revisions to Strategies, Plans and Programs				
D8	Within three months of the submission of an:			N/A
D8a	audit submitted under Condition D12;		This will be the first IEA under this consent.	Not Triggered
D8b	incident report under Conditions D10 and D11;		See response to condition 4-4b of SSD 6664.	Not Triggered
D8c	annual review under Condition D9; and/or		See response to condition 4-4c of SSD 6664.	Compliant
D8d	a modification to this consent,		No modifications during the audit period.	Not Triggered
	the Applicant shall review, and if necessary, revise the strategies, plans, and programs required under this consent to the satisfaction of the Secretary.		See response to condition 4-4 of SSD 6664.	Compliant
	Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the Site.		See response to condition 4-4 of SSD 6664.	Compliant
REPORTING				
Annual Review				
D9	By the end of December each year, and annually thereafter,		See response to condition 4-5 of SSD 6664.	Compliant

Table A-2: Compliance with Development Consent SSD 7065

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
	the Applicant shall review the environmental performance of the Site, to the satisfaction of the Secretary. This review must:			
D9a	be prepared in consultation with PON;		See response to condition 4-5a of SSD 6664.	Compliant
D9b	describe the operations that were carried out in the past year;		See response to condition 4-5b of SSD 6664.	Compliant
D9c	analyse the monitoring results and complaints records of the Site over the past year, including a comparison of these results against the: <ul style="list-style-type: none"> relevant statutory requirements, limits or performance measures/criteria; monitoring results of previous years; and predictions in the EIS; 		See response to condition 4-5c of SSD 6664.	Compliant
D9d	identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance;		See response to condition 4-5d of SSD 6664.	Compliant
D9e	identify any trends in the monitoring data;		See response to condition 4-5e of SSD 6664.	Compliant
D9f	identify any discrepancies between the impacts predicted in the EIS and the actual impacts of the Site and analyse the potential cause of any significant discrepancies; and	<ul style="list-style-type: none"> Annual Reviews 	The 'Conclusions and Recommendations' section of the Annual Reviews includes a summary of any identified discrepancies between EIS predictions and actual impacts.	Compliant
D9g	describe what measure will be implemented over the next year to improve the environmental performance of the Site.		See response to condition 4-5f of SSD 6664.	Compliant
Incident Reporting				
D10	Upon detecting an exceedance of the limits/performance criteria in this consent or the occurrence of an incident that causes (or may cause) material harm to the environment, the Applicant shall immediately (or as soon as practical thereafter) notify the Secretary, PON and any other relevant agencies of the exceedance/incident.		See response to condition 4-6 of SSD 6664.	Not Triggered
D11	Within seven days of the date of the incident, the Applicant shall provide the Secretary, PON and any relevant agencies with a detailed report on the incident, and such further		See response to condition 4-7 of SSD 6664.	Not Triggered

Table A-2: Compliance with Development Consent SSD 7065				
CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
	reports as may be requested.			
	INDEPENDENT ENVIRONMENTAL AUDIT			
D12	Within one year of the date of this consent, and every three years thereafter, unless the Secretary directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the Site. The audit must:		See response to condition 4-8 of SSD 6664.	Compliant
D12a	be carried out by a suitably qualified, experienced and independent audit team whose appointment has been endorsed by the Secretary;		See response to condition 4-8a of SSD 6664.	Compliant
D12b	include consultation with PON;		See response to condition 4-8b of SSD 6664.	Compliant
D12c	assess the environmental performance of the Site, and its effects on the surrounding environment;		See response to condition 4-8c of SSD 6664.	Compliant
D12d	determine whether the Site is complying with the relevant standards, performance measures and statutory requirements, including the Mayfield Concept Plan;		See response to condition 4-8d of SSD 6664.	Compliant
D12e	review the adequacy of the EMS for the Site, compliance with this consent, and any other licences and consents; and, if necessary;		See response to condition 4-8e of SSD 6664.	Compliant
D12f	recommend measures or actions to improve the environmental performance of the Site, and/or any plan/program required under this consent.		See response to condition 4-8f of SSD 6664.	Compliant
D13	Within three months of commissioning the audit, or as otherwise agreed by the Secretary, the Applicant shall submit a copy of the audit report to the Secretary, EPA and PON with a response to all recommendations contained in the audit report.		See response to condition 4-9 of SSD 6664.	Compliant
	Community Consultation			
D14	The Applicant shall contribute to the Community Communication Strategy required for the Mayfield Concept Plan. The level and timing of the contribution by the Applicant shall be determined in consultation with the PON.		See response to condition 4-11 of SSD 6664.	Compliant
	Access to Information			

Table A-2: Compliance with Development Consent SSD 7065

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
D15	The Applicant shall make the following information publicly available on its website and keep the information up to date:			N/A
D15a	the EIS;	<ul style="list-style-type: none"> Stolthaven's website 	The Stolthaven website contains a link to DPE's major project website. Recommendation: It is recommended the EIS documents are uploaded directly to Stolthaven's website.	Compliant
D15b	current statutory consents for the Site;		See response to condition 4-10a of SSD 6664.	Compliant
D15c	approved strategies, plans and programs;		See response to condition 4-10b of SSD 6664.	Compliant
D15d	a summary of all monitoring data for the Site as required under this consent and the Mayfield Concept Plan;		See response to condition 4-10c of SSD 6664.	Compliant
D15e	a complaints register, updated on an annual basis;		See response to condition 4-10d of SSD 6664.	Compliant
D15f	Annual Reviews, Independent Environmental Audits and the Applicant's response to the recommendations; and		See response to condition 4-10e and 4-10f of SSD 6664.	Compliant
D15g	any other matter required by the Secretary.		See response to condition 4-10g of SSD 6664.	Not Triggered
	Note: This condition does not require any confidential information to be made available to the public.		Noted.	Compliant
Appendix 2 – Applicant's Management and Mitigation Measures				
	Management Plan			
1.	A Construction Environmental Management Plan will be prepared for the construction of the tanks. The CEMP will be prepared in consultation with DP&E.		Not applicable to Stage 1.	Not Triggered
2.	Stolthaven will undertake updates to its existing operational environmental management plans in consultation with DP&E.		See response to SOC 2 of SSD 6664.	Compliant
	Hazards and Risks			
3.	The site Fire Safety Study will be updated in consultation with Fire and Rescue NSW and necessary measures implemented		See response to condition 3-15 of SSD 6664.	Compliant

Table A-2: Compliance with Development Consent SSD 7065

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
	prior to the operation of any Stage 3 element.			
4.	The existing site Emergency Plan will be revised and updated in consultation with PON and to the satisfaction of DP&E prior to the operation of any Stage 3 elements.		Not applicable to Stage 1.	Not Triggered
5.	Stolthaven will consult with PON regarding the update of the Port Emergency Response Plan. No operation of any Stage 3 elements will occur prior to the Port emergency Response Plan being updated to the satisfaction of PON.		Not applicable to Stage 1.	Not Triggered
6.	Stolthaven will undertake a Hazard Audit in accordance with the requirements of Schedule 3, Condition 2.28 of the Mayfield Concept Plan approval.		See response to condition 2-17A of SSD 6664.	Compliant
Air Quality				
7.	The CEMP will include measures for the management of dust generation and combustion (vehicle) emissions during the construction phase.		Construction works for the Project have not commenced and the CEMP is not required at this stage under condition D1).	Not Triggered
8.	The Facility will be operated in accordance with the existing Air Quality Management Plan as updated to include the Project. This update will be undertaken in consultation with DP&E.		See response to condition 3-33 of SSD 6664.	Compliant
9.	A vapour recovery system will be designed to recover >98 per cent of the hydrocarbon content from the waste vapour stream generated by loading road tankers.	<ul style="list-style-type: none"> DPE approval letter dated 24/10/18 (copy available) 	The VRU is not part of Stage 1.	Not Triggered
10.	The Project will be undertaken in accordance with the requirements of the air quality model and monitoring program, and meteorological monitoring detailed in Schedule 3, Conditions 2.11, 2.13 and 2.15 of the Mayfield Concept Plan approval.	<ul style="list-style-type: none"> Annual Reviews Site interview <i>Air Quality Management Plan</i> (May, 2018) 	The air quality monitoring program is undertaken in accordance with the MCP as opposed to specific site monitoring.	Compliant
Traffic and Transport				
11.	A Construction Traffic Management Plan will be prepared for the Project to manage construction traffic impacts.		See response to condition 2-17A of SSD 6664.	Compliant
12.	The existing Traffic Management Plan will be updated to incorporate the Project in consultation with PON, Newcastle City Council and RMS.		See response to condition 3-13 of SSD 6664.	Compliant

Table A-2: Compliance with Development Consent SSD 7065

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
13.	Measures identified to manage potential traffic impacts include: <ul style="list-style-type: none"> An induction process for drivers; Entry and exit conditions; and Approved operational access and egress routes via Steelworks Road to the Industrial Highway. 		See response to condition 3-13 of SSD 6664.	Compliant
14.	The Project will comply with the requirements of the Mayfield Concept Plan Traffic Management Plan and Traffic Monitoring Review Plan prepared in accordance with Schedule 3. Conditions 2.5 and 2.10 of the Mayfield Concept Plan Approval.	<ul style="list-style-type: none"> Previous IEA 	The TMP was provided to PON on 26/10/15.	Compliant
Noise and Vibration				
15.	Construction noise and vibration impacts will be managed through the implementation of a CEMP which will be prepared to include reasonable and feasible management and mitigation measures to be put in place during the construction period.		See response to condition 2-17A of SSD 6664.	
16.	The current site Operational Noise Management Plan (ONMP) will be reviewed and updated in accordance with the Project operational approval requirements. including requirements for implementation of management measures, monitoring and auditing of operational noise. The ONMP will also incorporate noise requirements in regards to managing noise as per the Mayfield Concept Plan Approval.		See response to condition 3-26 of SSD 6664).	Compliant
17.	The ONMP will be revised and updated in consultation with PON and DP&E.		See response to condition 3-26 of SSD 6664.	Compliant
18.	The Project will comply with the requirements of the Mayfield Concept Plan Noise Verification Monitoring Program prepared in accordance with Schedule 3, Condition 2.20 of the Mayfield Concept Plan Approval.		See response to condition 3-26c and 3-27c of SSD 6664.	Compliant
Soil and Water				
19.	The existing Surface Water Management Plan and Groundwater Management Plan prepared for the Facility, will be updated, where relevant and in consultation with DP&E, to		See response to condition 3-11 of SSD 6664.	Compliant

Table A-2: Compliance with Development Consent SSD 7065

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
	incorporate the Project.			
20.	Management of soils during construction, including sediment and erosion controls will be detailed in the CEMP.		Construction works have not commenced.	Not Triggered
21.	The proposed design and work methods will be provided to the EPA Site Auditor for review and comment prior to any construction works. Evidence of consultation with the Site Auditor will be provided to DP&E.		Construction works have not commenced.	Not Triggered
22.	The Project will be undertaken in accordance with the requirements of the Mayfield Concept Plan Stormwater Management Strategy prepared in accordance with Schedule 3, Condition 2.21 of the Mayfield Concept Plan Approval.		See response to condition 3-10f of SSD 6664.	Compliant
Visual				
23.	The Facility will be constructed from non-reflective materials and painted white where possible.		See response to condition 3-35c of SSD 6664.	Compliant
24.	Lighting design will be in accordance with the requirements of Australian Standard AS 4282 - Control of Obtrusive Effects and Outdoor Lighting. Lighting will be mounted, screened and directed in such a manner that it does not cause nuisance to surrounding properties or the public road network.		See response to condition 3-37a of SSD 6664.	Compliant
25.	The existing Landscape Management Plan will be updated to incorporate the new tanks, bunding, gantry and building areas and identify appropriate treatment to be incorporated into the Facility.		See response to condition 3-35 of SSD 6664.	Compliant
Greenhouse Gas				
26.	The existing Energy Efficiency Plan will be updated to include all elements of the Project and include measures to reduce and mitigate energy use and greenhouse gas Emissions across the entire Project.		See response to condition 3-34 of SSD 6664.	Compliant
Waste				
27.	The waste strategies developed for the existing Facility will be updated to incorporate the Project. This can be summarised as the application of the waste hierarchy where		See response to condition 3-40 of SSD 6664.	Compliant

Table A-2: Compliance with Development Consent SSD 7065

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
	<p>the following will be employed, in order of preference:</p> <ul style="list-style-type: none"> • <i>Avoidance</i> - The generation of wastes from the Facility will be avoided where possible. • <i>Reduce</i> - Reduce resource consumption. procure materials with less packaging and implement practices to reduce waste. • <i>Reuse</i> - Where feasible, materials will be reused onsite. However, due to the limited waste streams generated onsite, reuse options may be limited. • <i>Recycling</i> - Paper, cardboard, glass and plastics will be available for recycling. A bin will be placed adjacent to the office which will be collected by a waste management contractor on a regular basis. • <i>Disposal</i> - Disposal of wastes will be minimised where possible. Putrescibles wastes from the office will be sent to landfill, with other wastes generally diverted for recycling. 			
28.	Waste strategies will be met through the extension of the Facility's existing Waste Management Plan for operations and as part of the CEMP for waste generated during construction.		See response to condition 3-40 of SSD 6664.	Compliant

Table A-3: Compliance with Environment Protection Licence 20193													
CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS									
1 - Administrative Conditions													
A1	What this licence authorises and regulates												
A1.1	This licence authorises the carrying out of the scheduled development work listed below at the premises listed in A2: Expansion of the facility in accordance with Development Consent SSD_7065 granted on 15 December 2016 under the Environmental Planning and Assessment Act 1979 (Stage 3).			Noted									
A1.2	<div><div>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.</div><table><tr><th>Scheduled Activity</th><th>Fee Based Activity</th><th>Scale</th></tr><tr><td>Chemical storage</td><td>Petroleum products storage</td><td>> 100000 kL storage capacity</td></tr><tr><td>Shipping in bulk</td><td>Shipping in bulk</td><td>> 500000 T of annual capacity to load and unload</td></tr></table></div>	Scheduled Activity	Fee Based Activity	Scale	Chemical storage	Petroleum products storage	> 100000 kL storage capacity	Shipping in bulk	Shipping in bulk	> 500000 T of annual capacity to load and unload	<div><div>Site visit</div><div>Annual Reviews</div></div>	Activities at the Project are consistent with those listed in this condition. Chemical storage on site is limited to a maximum of 8,000 L (see condition 3-8 of SSD 6664). Shipping is limited to 1,300 million L per year (see condition 2-6 of SSD 6664).	Compliant
Scheduled Activity	Fee Based Activity	Scale											
Chemical storage	Petroleum products storage	> 100000 kL storage capacity											
Shipping in bulk	Shipping in bulk	> 500000 T of annual capacity to load and unload											
A1.3	The available storage capacity of tank farm must not exceed 131 ML.		See response to condition 2-6A of SSD 6664.	Compliant									
A1.4	The annual throughput of petroleum products must not exceed 1,300 ML.		See response to condition 2-6 of SSD 6664.	Compliant									
A1.5	<div><div>With the exception of the following tanks, the licensee must not store flammable liquids, as classified under the Australian Code for the Transport of Dangerous Goods by Road and Rail, in bulk at the premises.</div><div><div>The 30,000 litre Slops Tank (UN 1268) identified on site as "SL1"; and</div><div>The 50,000 litre Additive Tank (UN 3082) identified on site as "AT1"</div></div></div>		See response to condition 2-6B of SSD 6664.	Compliant									

Table A-3: Compliance with Environment Protection Licence 20193										
CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS						
	It is the EPA's intention to amend conditions A1.3 to A1.5 once the Stage 3 construction works are completed.									
A2	Premises or plant to which this licence applies									
A2.1	<div>The licence applies to the following premises:<table><tr><td>Premises Details</td></tr><tr><td>MAYFIELD FUEL TERMINAL</td></tr><tr><td>103 SELWYN STREET</td></tr><tr><td>MAYFIELD NORTH</td></tr><tr><td>NSW 2304</td></tr><tr><td>PREMISES MARKED AND SHOWN AS "NEWCASTLE TERMINAL (STAGE 1, 1A, 2)", "NEWCASTLE TERMINAL (STAGE 3)", AND "STAGE 3 PIPELINE ROUTE" (MARKED AND SHOWN BETWEEN POINTS "96" AND "99" INCLUSIVE) ON THE PLAN TITLED "GENERAL LAYOUT STAGES 1, 2 AND 3", PREPARED BY AURECON, REVISION D, DATED 21/8/2018 ("THE PLAN") (EPA REFERENCE DOC18/608963).</td></tr></table></div>	Premises Details	MAYFIELD FUEL TERMINAL	103 SELWYN STREET	MAYFIELD NORTH	NSW 2304	PREMISES MARKED AND SHOWN AS "NEWCASTLE TERMINAL (STAGE 1, 1A, 2)", "NEWCASTLE TERMINAL (STAGE 3)", AND "STAGE 3 PIPELINE ROUTE" (MARKED AND SHOWN BETWEEN POINTS "96" AND "99" INCLUSIVE) ON THE PLAN TITLED "GENERAL LAYOUT STAGES 1, 2 AND 3", PREPARED BY AURECON, REVISION D, DATED 21/8/2018 ("THE PLAN") (EPA REFERENCE DOC18/608963).			Noted
Premises Details										
MAYFIELD FUEL TERMINAL										
103 SELWYN STREET										
MAYFIELD NORTH										
NSW 2304										
PREMISES MARKED AND SHOWN AS "NEWCASTLE TERMINAL (STAGE 1, 1A, 2)", "NEWCASTLE TERMINAL (STAGE 3)", AND "STAGE 3 PIPELINE ROUTE" (MARKED AND SHOWN BETWEEN POINTS "96" AND "99" INCLUSIVE) ON THE PLAN TITLED "GENERAL LAYOUT STAGES 1, 2 AND 3", PREPARED BY AURECON, REVISION D, DATED 21/8/2018 ("THE PLAN") (EPA REFERENCE DOC18/608963).										
A2.2	The premises, to which the licence applies, also includes the following:			N/A						
A2.2a	The pipeline shown as "Stolthaven Pipeline (Under Wharf)" marked on the plan titled "EPA License Area, Mayfield No. 4 within Lot 4 DP. 1177466", prepared by ADW Johnson Pty Ltd., Version B, dated 5/8/2013 (EPA ref. DOC14/204196) ("the Mayfield No. 4 Plan");			Noted						
A2.2b	The flexible pipeline whenever connecting the fixed pipeline at the Mayfield No. 4 Wharf (marked and shown as "Stolthaven Pipeline (Under Wharf)" on the Mayfield No. 4 Plan) and any vessel berthed at the Mayfield No. 4 Berth for the purpose of the import/export of petroleum products; and			Noted						
A2.2c	The flexible pipeline whenever connecting the fixed pipeline at the Mayfield No. 7 Wharf (marked and shown as Points "96" and "97" on the Plan) and any vessel berthed at the Mayfield No. 7 Berth for the purpose of the import/export of petroleum products.			Noted						

Table A-3: Compliance with Environment Protection Licence 20193																
CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS												
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:			N/A												
A3.1a	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			Noted												
A3.1b	the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.			Noted												
2 – Discharges to Air and Water Applications to Land																
P1	Location of monitoring/discharge points and areas															
P1.1	<div>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.</div> <table><tr><th colspan="4">Air</th></tr><tr><th>EPA identification no.</th><th>Type of Monitoring Point</th><th>Type of Discharge Point</th><th>Location Description</th></tr><tr><td>15</td><td>Discharge to air Air emissions monitoring</td><td>Discharge to air Air emissions monitoring</td><td>Vapour recovery unit - location to be advised with an updated plan of the premises prior to commissioning.</td></tr></table>	Air				EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description	15	Discharge to air Air emissions monitoring	Discharge to air Air emissions monitoring	Vapour recovery unit - location to be advised with an updated plan of the premises prior to commissioning.	<div><ul style="list-style-type: none">DPE approval letter dated 24/10/18 (copy available)</div>	The VRU is not part of Stage 1.	Not Triggered
Air																
EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description													
15	Discharge to air Air emissions monitoring	Discharge to air Air emissions monitoring	Vapour recovery unit - location to be advised with an updated plan of the premises prior to commissioning.													
P1.2	The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.		Not applicable to the Project.	Not Triggered												
P1.3	The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point.	<div><ul style="list-style-type: none">Quarterly groundwater monitoring reports prepared by AECOM for the period 2016 Q1 – 2019 Q1Annual Reviews</div>	Monitoring sites ID no. 10-20 were installed in July 2017. All sites listed in the adjacent table are monitored and reported on a quarterly basis and are included in the Quarterly Groundwater Reports prepared by AECOM (viewed	Compliant												

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Table A-3: Compliance with Environment Protection Licence 20193							
CONDITION				EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS	
	Water and land					during the audit). The location of sites is shown on Figure 1 of the reports. The discharge water quality results for monitoring point 5 are reported in the annual reviews.	
	EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description			
	1	Groundwater monitoring		Groundwater Monitoring Well No. 1 shown as Point "49" marked on the Plan.			
	2	Groundwater monitoring		Groundwater Monitoring Well No. 2 shown as Point "50" marked on the Plan.			
	3	Groundwater monitoring		Groundwater Monitoring Well No. 3 shown as Point "51" marked on the Plan.			
	4	Groundwater monitoring		Groundwater Monitoring Well No. 4 shown as Point "52" marked on the Plan.			
	5	Discharge to waters Discharge quality monitoring Volume Monitoring	Discharge to waters Discharge quality monitoring Volume Monitoring	Discharge from the Collection Pit shown as Point "15" marked on the Plan.			
	16	Groundwater monitoring		Groundwater Monitoring Well No. 5 shown as Point "91" marked on the Plan.			
	17	Groundwater monitoring		Groundwater Monitoring Well No. 6 shown as Point "92" marked on the Plan.			
	18	Groundwater monitoring		Groundwater Monitoring Well No. 7 shown as Point "93" marked on the Plan.			
	19	Groundwater monitoring		Groundwater Monitoring Well No. 8 shown as Point "94" marked on the Plan.			
	20	Groundwater monitoring		Groundwater Monitoring Well No. 9 shown as Point "95" marked on the Plan.			
P1.4	The following points referred to in the table below are identified in this licence for the purposes of weather and/or noise monitoring and/or setting limits for the emission of noise from the premises.			• Site inspection	The meteorological station was viewed by the Auditors during site inspection.	Compliant	
Noise/Weather							
EPA identification no.	Type of monitoring point	Location description					
	6	Meteorological Station	Weather Station shown as Point "58" marked on the Plan.				
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			• EPL Annual Returns • Annual Reviews • EPA’s POEO Public Register	The Stolthaven representative advises that no prosecutions under the POEO Act have occurred during the audit period. This is consistent with the EPL	Compliant	

Table A-3: Compliance with Environment Protection Licence 20193										
CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS						
			Annual Returns and the EPA’s POEO Public Register.							
L2	Load Limits									
L2.1	The actual load of an assessable pollutant discharged from the premises during the reporting period must not exceed the load limit specified for the assessable pollutant in the table below.	<ul style="list-style-type: none">Annual Returns	2015/16 Annual Return: 331 kg Benzene, 15,774 kg VOCs 2016/17 Annual Return: 331 kg Benzene, 16,877 VOCs 2017/18 Annual Return: 285 kg Benzene, 14,994 kg VOCs Note: The Air Quality Assessment for SSD 7065 estimated the assessable load limit for Benzene for the Project to be 847 kg per year and includes the commitment to confirm final limits for the Project in consultation with the EPA (p.g. 81 of the EIS). Recommendation: It is recommended Stolthaven undertake the revised assessments required in consultation with the EPA to finalise the Benzene assessable load limits and update the EPL accordingly.	Compliant						
L2.1	Note: An assessable pollutant is a pollutant which affects the licence fee payable for the licence	<ul style="list-style-type: none">Annual Returns	Fee calculations are included in the Annual Returns.	Compliant						
L2.2	The actual load of an assessable pollutant must be calculated in accordance with the relevant load calculation protocol. <div><table><tr><th>Assessable Pollutant</th><th>Load limit (kg)</th></tr><tr><td>Benzene (Air)</td><td>423.00</td></tr><tr><td>Volatile organic compounds (Air)</td><td>21469.00</td></tr></table></div>	Assessable Pollutant	Load limit (kg)	Benzene (Air)	423.00	Volatile organic compounds (Air)	21469.00	<ul style="list-style-type: none">Annual Returns	Fee calculations are included in the Annual Returns in accordance with the EPA annual return template.	Compliant
Assessable Pollutant	Load limit (kg)									
Benzene (Air)	423.00									
Volatile organic compounds (Air)	21469.00									

Table A-3: Compliance with Environment Protection Licence 20193																																			
CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS																															
L3	Concentration Limits																																		
L3.1	For each monitoring/discharge point or utilisation area specified in the table\ below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.		See responses below.	N/A																															
L3.2	Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.	<ul style="list-style-type: none"> Annual Reviews 	Some exceedances of the pH criteria were recorded during the audit period, and in each case nil discharge was released (as reported in the Annual Reviews).	Compliant																															
L3.3	To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table\	<ul style="list-style-type: none"> Annual Reviews 	Noted. No discharges occurred where criteria exceeded (see response to condition L3.2).	Compliant																															
L3.4	Air Concentration Limits POINT 15 <table border="1"> <thead> <tr> <th>Pollutant</th><th>Units of measure</th><th>100 percentile concentration limit</th><th>Reference conditions</th><th>Oxygen correction</th><th>Averaging period</th></tr> </thead> <tbody> <tr> <td>Organic vapours</td><td>Measure 1</td><td>10</td><td></td><td></td><td>4 hours</td></tr> </tbody> </table>	Pollutant	Units of measure	100 percentile concentration limit	Reference conditions	Oxygen correction	Averaging period	Organic vapours	Measure 1	10			4 hours	<ul style="list-style-type: none"> DPE approval letter dated 24/10/18 (copy available) 	The VRU is not part of Stage 1.	Not Triggered																			
Pollutant	Units of measure	100 percentile concentration limit	Reference conditions	Oxygen correction	Averaging period																														
Organic vapours	Measure 1	10			4 hours																														
L3.5	Water and/or Land Concentration Limits POINT 5 <table border="1"> <thead> <tr> <th>Pollutant</th><th>Units of Measure</th><th>50 Percentile concentration limit</th><th>90 Percentile concentration limit</th><th>3DGM concentration limit</th><th>100 percentile concentration limit</th></tr> </thead> <tbody> <tr> <td>Dissolved Oxygen</td><td>milligrams per litre</td><td></td><td></td><td></td><td>>2</td></tr> <tr> <td>Oil and Grease</td><td>milligrams per litre</td><td></td><td></td><td></td><td>10</td></tr> <tr> <td>pH</td><td>pH</td><td></td><td></td><td></td><td>6.5-8.5</td></tr> <tr> <td>TSS</td><td>milligrams per litre</td><td></td><td></td><td></td><td>30</td></tr> </tbody> </table>	Pollutant	Units of Measure	50 Percentile concentration limit	90 Percentile concentration limit	3DGM concentration limit	100 percentile concentration limit	Dissolved Oxygen	milligrams per litre				>2	Oil and Grease	milligrams per litre				10	pH	pH				6.5-8.5	TSS	milligrams per litre				30	<ul style="list-style-type: none"> EPL Annual Returns Quarterly groundwater monitoring reports prepared by AECOM for the period 2016 Q1 – 2019 Q1 Annual Reviews 	Monitoring of criteria is undertaken prior to discharge (see response to condition L3.2). Some exceedances of the TSS and pH criteria were recorded during the audit period, and in each case nil discharge was released (as reported in the annual reviews).	Compliant	
Pollutant	Units of Measure	50 Percentile concentration limit	90 Percentile concentration limit	3DGM concentration limit	100 percentile concentration limit																														
Dissolved Oxygen	milligrams per litre				>2																														
Oil and Grease	milligrams per litre				10																														
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21 June 2019

Table A-3: Compliance with Environment Protection Licence 20193																																																	
CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS																																													
L3.5	Note: For the purpose of the table(s) above Measure 1 means where organic vapours are recovered, the total concentration of unrecovered vapour emitted to the atmosphere during any continuous period of four hours must not exceed 10 milligrams per litre of volatile organic liquid passing out of the plant during that period	<ul style="list-style-type: none">DPE approval letter dated 24/10/18 (copy available)	The VRU is not part of Stage 1.	Not Triggered																																													
L4	Waste																																																
L4.1	The licensee must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by the licence.		See response to condition C57 of SSD 7065.	Compliant																																													
L4.2	This condition only applies to the storage, treatment, processing, reprocessing or disposal of waste at the premises if those activities require an environment protection licence.		Noted.	Not Triggered																																													
L5	Noise Limits																																																
L5.1	Noise generated at the premises must not exceed the noise limits specified in the table below: <table><tr><th>Location</th><th>Day - LAeq (15 minute)</th><th>Evening - LAeq (15 minute)</th><th>Night - LAeq (15 minute)</th><th>Night - LA1(1 minute)</th></tr><tr><td>R1 - 1 Arthur Street, Mayfield</td><td>35</td><td>35</td><td>35</td><td>45</td></tr><tr><td>R2 - 52 Arthur Street, Mayfield</td><td>35</td><td>35</td><td>35</td><td>48</td></tr><tr><td>R3 - 2 Crebert Street, Mayfield</td><td>41</td><td>41</td><td>41</td><td>49</td></tr><tr><td>R4 - 21 Crebert Street, Mayfield</td><td>40</td><td>40</td><td>40</td><td>47</td></tr><tr><td>R5 - 24 Crebert Street, Mayfield</td><td>42</td><td>42</td><td>42</td><td>51</td></tr><tr><td>R6 - 30 Crebert Street, Mayfield</td><td>41</td><td>41</td><td>41</td><td>50</td></tr><tr><td>R7 - 50 Crebert Street, Mayfield</td><td>35</td><td>35</td><td>35</td><td>50</td></tr><tr><td>R8 - 2 McNeil Close, Mayfield</td><td>35</td><td>35</td><td>35</td><td>48</td></tr></table>	Location	Day - LAeq (15 minute)	Evening - LAeq (15 minute)	Night - LAeq (15 minute)	Night - LA1(1 minute)	R1 - 1 Arthur Street, Mayfield	35	35	35	45	R2 - 52 Arthur Street, Mayfield	35	35	35	48	R3 - 2 Crebert Street, Mayfield	41	41	41	49	R4 - 21 Crebert Street, Mayfield	40	40	40	47	R5 - 24 Crebert Street, Mayfield	42	42	42	51	R6 - 30 Crebert Street, Mayfield	41	41	41	50	R7 - 50 Crebert Street, Mayfield	35	35	35	50	R8 - 2 McNeil Close, Mayfield	35	35	35	48		See response to condition C30 of SSD 7065.	Compliant
Location	Day - LAeq (15 minute)	Evening - LAeq (15 minute)	Night - LAeq (15 minute)	Night - LA1(1 minute)																																													
R1 - 1 Arthur Street, Mayfield	35	35	35	45																																													
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Table A-3: Compliance with Environment Protection Licence 20193					
CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS	
L5.1	Note: The locations of the receptors listed in the table above in condition L5.1 are identified in Figure 2 and Table 2 of document titled 'Noise and Vibration Impact Assessment - Stolthaven Mayfield Bulk Terminal - SSD_7056', prepared by AECOM Australia Pty Ltd, dated 19 February 2016 (EPA ref. DOC16/187092-11).	<ul style="list-style-type: none"> <i>Noise and Vibration Impact Assessment - Stolthaven Mayfield Bulk Terminal - SSD_7056</i> (AECOM, 2016) <i>Operational Noise Compliance Assessments</i> (AECOM, 2016-2018) 	The locations in the Operational Noise Compliance Assessments undertaken by AECOM (shown in Figure 1) are generally consistent with Figure 2 and Table 2 of the <i>Noise and Vibration Impact Assessment - Stolthaven Mayfield Bulk Terminal - SSD_7056</i> (AECOM, 2016).	Compliant	
L5.2	Fire pumps at the premises must be designed and operated so that noise from routine testing or maintenance is not more than LAeq (15min) 53dB(A) at the most affected residential or sensitive receiver. Routine testing or maintenance must only occur during the day time.		See response to condition C31 of SSD 7065.	Compliant	
L5.3	For the purpose of conditions L5.1 and L5.2: <ul style="list-style-type: none"> 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; and Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays 	<ul style="list-style-type: none"> <i>Operational Noise Compliance Assessments</i> (AECOM, 2016-2018) 	Consistent with Operational Noise Compliance Assessments undertaken by AECOM.	Compliant	
L5.4	During construction, noise generated at the premises must not exceed:			N/A	
L5.4a	53 dB(A) as LAeq(15min) at receptors R1, R2, R3, R4, R5, R6, R7, and R8;		See response to condition C27 of SSD 7065.	Not Triggered	
L5.4b	54 dB(A) as LAeq(15min) at receptor R9 (32 Elizabeth Street, Carrington);		See response to condition C27 of SSD 7065.	Not Triggered	
L5.4c	57 dB(A) as LAeq(15min) at receptor R10 (186 Fullerton Road, Stockton); and		See response to condition C27 of SSD 7065.	Not Triggered	
L5.4d	55 dB(A) as LAeq(15min) at the R11 (Mayfield East Public School).		See response to condition C27 of SSD 7065.	Not Triggered	
L5.4	Note: Unless otherwise specified, the locations of the receptors are defined in condition L5.1.		Noted.	Not Triggered	

Table A-3: Compliance with Environment Protection Licence 20193					
CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS	
L5.5	The noise limits specified in conditions L5.1, L5.2 and L5.4 apply under all meteorological conditions except for any of the following: <ul style="list-style-type: none"> • Wind speeds greater than 3 metres/second at 10 metres above ground level; or • Stability category F temperature inversion conditions and wind speeds greater than 2 metres/second at 10 metres above ground level; or • Stability category G temperature inversion conditions 	<ul style="list-style-type: none"> • <i>Operational Noise Compliance Assessments</i> (AECOM, 2016-2018) 	The meteorological conditions are included in the Operational Noise Compliance Assessments undertaken by AECOM and are consistent with those listed in this condition.	Compliant	
L5.6	For the purpose of condition L5.5:			N/A	
L5.6a	Data recorded by the weather station on the premises must be used to determine meteorological conditions; and	<ul style="list-style-type: none"> • <i>Operational Noise Compliance Assessment</i> (AECOM, 2018) • Site inspection • Live data feed 	Meteorological results are taken using the Stolthaven Terminal Automatic Weather Station (required under condition M5.1). The meteorological station was viewed during the site inspection along with live data feed outputs. Results are recorded in the Operational Noise Compliance Assessments undertaken by AECOM.	Compliant	
L5.6b	Temperature inversion conditions (stability category) are to be determined by the sigma-theta method referred to in Part E4 of Appendix E of the NSW Industrial Noise Policy.	<ul style="list-style-type: none"> • <i>Operational Noise Compliance Assessments</i> (AECOM, 2016-2018) 	This is noted as the methodology used in the Noise Compliance Assessments undertaken by AECOM.	Compliant	
L5.7	To determine compliance:			N/A	
L5.7a	with the LAeq(15 minute) noise limits in conditions L5.1, L5.2 and L5.4, the noise measurement equipment must be located: <ul style="list-style-type: none"> • approximately on the property boundary, where any dwelling is situated 30 metres or less from the property boundary closest to the premises; or • within 30 metres of a dwelling façade, but not closer than 3 metres, where any dwelling on the property is situated more than 30 metres from the property boundary closest to the premises; or, where applicable • within approximately 50 metres of the boundary of a National Park or a Nature Reserve; 	<ul style="list-style-type: none"> • <i>Operational Noise Management Plan</i> (May 2018) • <i>Operational Noise Compliance Assessments</i> (AECOM, 2016-2018) 	Monitoring locations are shown on Figure 1 of the ONMP and Figure 1 of the annual Operational Noise Compliance Assessments undertaken by AECOM. Although difficult to determine the exact distance from dwellings due to the scale of the figures, the locations are consistent with Figure 2 and Table 2 of the <i>Noise and Vibration Impact Assessment - Stolthaven Mayfield Bulk Terminal -</i>	Compliant	

Table A-3: Compliance with Environment Protection Licence 20193				
CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
			SSD_7056 (AECOM, 2016) as noted in condition L5.1. Recommendation: It is recommended photos and/or detailed notes are taken from the monitoring locations during the annual noise compliance assessments undertaken by AECOM, describing the distance and direction from dwellings.	
L5.7b	with the LA1(1 minute) noise limits in condition L5.1, the noise measurement equipment must be located within 1 metre of a dwelling façade;		See response to condition L5.7a.	Compliant
L5.7c	with the noise limits in conditions L5.1, L5.2 and L5.4, the noise measurement equipment must be located: <ul style="list-style-type: none"> at the most affected point at a location where there is no dwelling at the location; or at the most affected point within an area at a location prescribed by conditions L5.7(a) or L5.7(b). 		See response to condition L5.7a.	Compliant
L5.8	A non-compliance with conditions L5.1, L5.2 and L5.4 will still occur where noise generated from the premises in excess of the appropriate limit is measured: <ul style="list-style-type: none"> at a location other than an area prescribed by conditions L5.7(a) and L5.7(b); and/or at a point other than the most affected point at a location. 	<ul style="list-style-type: none"> <i>Operational Noise Compliance Assessments</i> (AECOM, 2016-2018) 	No non-compliances were recorded during the annual operational noise compliance assessments undertaken by AECOM.	Compliant
L5.9	For the purposes of determining the noise generated at the premises, the modification factors in Section 4 of the NSW Industrial Noise Policy must be applied, as appropriate, to the noise levels measured by the noise monitoring equipment.		The <i>Industrial Noise Policy 2000</i> has been superseded by the <i>Noise Policy for Industry 2017</i> however, <i>Industrial Noise Policy 2000</i> still applies to the operation as described in the EPA document <i>Implementation and transitional arrangements for the Noise Policy for Industry (2017)</i> , point 8 (see response to condition 3-26a of SSD 6664).	Compliant

Table A-3: Compliance with Environment Protection Licence 20193					
CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS	
L5.9	Note: Definition of Terms: <ul style="list-style-type: none"> • NSW Industrial Noise Policy - the document titled "New South Wales Industrial Noise Policy" published by the EPA in January 2000. • Noise - "sound pressure levels" for the purposes of conditions L5.1 to L5.9. 		Noted.	N/A	
L6	Hours of Operation				
L6.1	Construction work associated with the expansion project may be undertaken:			N/A	
L6.1a	between 7:00am and 6:00pm, Mondays to Fridays; and		See response to condition 3-24 of SSD 6664.	Compliant	
L6.1b	between 8:00am and 1:00pm on Saturdays; however must not be undertaken on Sundays or Public Holidays.		See response to condition 3-24 of SSD 6664.	Compliant	
L6.2	Construction work associated with the expansion project may be undertaken outside the hours specified in condition L6.1 if it is:			N/A	
L6.2a	Construction that causes LAeq (15min) noise levels that are: <ul style="list-style-type: none"> • No more than 5dB above the Rating Background Level at any residence in accordance with the Interim Construction Noise Guideline (DECC, 2009); and • No more than the Noise Management Levels specified in Table 3 of the Interim Construction Noise Guideline (DECC, 2009) at other sensitive land uses; or 	<ul style="list-style-type: none"> • Site interview 	All construction associated with Stage 1 was undertaken during the construction hours specified in condition L6.1.	Not Triggered	
L6.2b	for the delivery of materials required by the Police or other authorities for safety reasons;	<ul style="list-style-type: none"> • Site interview 	All construction associated with Stage 1 was undertaken during the construction hours specified in condition L6.1.	Not Triggered	
L6.2c	required for an emergency to avoid the loss of lives, property and/or to prevent environmental harm; or		See response to condition C28d of SSD 7065.	Not Triggered	
L6.2d	approved through processes under the relevant Development Consent.		See response to condition 3-24 of SSD 6664.	Not Triggered	
L7	Potentially Offensive Odour				
L7.1	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.		See response to condition 3-29 of SSD 6444.	Compliant	

Table A-3: Compliance with Environment Protection Licence 20193					
CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS	
L7.2	The licensee must not cause or permit the emission of offensive odour beyond the boundary of the premises.		See response to condition 3-29 of SSD 6444.	Compliant	
L7	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		Noted.	N/A	
L8	Other Limit Conditions				
L8.1	The stack used to vent emissions from truck filling activities must be a minimum of 15 metres in height.	<ul style="list-style-type: none"> Previous IEA 	The previous IEA notes evidence that the stack is approximately 20 metres in height. This was confirmed by review of the "Vapour Diversion Layout and Tank Design" detailed design drawing. This shows the stack's vent is about the height of the tank, which is 19.073 metres above ground level.	Compliant	
L8.2	The exit velocity of emissions from the stack used to vent emissions from truck filling activities must exceed 15 metres per second at all times.	<ul style="list-style-type: none"> Plan 218894 – SKO49-Revb (copy available) 	The exit velocity of the vapour diversion system is engineered to meet this requirement. The engineer design plans were viewed by the Auditors.	Compliant	
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:			N/A	
O1.1a	the processing, handling, movement and storage of materials and substances used to carry out the activity; and		See responses to condition 3-8 and SOC 21 of SSD 6664.	Compliant	
O1.1b	the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.		See response to condition 3-40 of SSD 6664.	Compliant	

Table A-3: Compliance with Environment Protection Licence 20193					
CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS	
O2	Maintenance of plant and equipment				
O2.1	All plant and equipment installed at the premises or used in connection with the licensed activity:			N/A	
O2.1a	must be maintained in a proper and efficient condition; and		See response to condition 2-13a of SSD 6664.	Compliant	
O2.1b	must be operated in a proper and efficient manner.		See response to condition 2-13b of SSD 6664.	Compliant	
O3	Dust				
O3.1	The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.		See response to condition 3-28 of SSD 6664.	Compliant	
O3.2	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.		See response to condition 3-28 of SSD 6664.	Compliant	
O3.3	Trucks entering and leaving the premises that are carrying loads of dust generating materials must have their loads covered at all times, except during loading and unloading.		See response to condition C11b of SSD 7065.	Compliant	
O4	Emergency Response				
O4.1	The licensee must maintain, and implement as necessary, a current emergency response plan for the premises. The licensee must keep the emergency response plan on the premises at all times. The emergency response plan must document systems and procedures to deal with all types of incidents (e.g. spills, explosions or fire) that may occur at the premises or that may be associated with activities that occur at the premises and which are likely to cause harm to the environment. If a current emergency response plan does not exist at the date on which this condition is attached to the licence, the licensee must develop an emergency response plan within three months of that date.	<ul style="list-style-type: none"> Emergency Response Plan (June 2018) 	The Emergency Response Plan was last updated June 2018 and a hard copy was viewed during the site audit.	Compliant	
O5	Process and Management				
O5.1	All above ground tanks containing material that is likely to cause environmental harm must be bunded or have an alternative spill containment system in place.		See response to condition 3-8 of SSD 6664.	Compliant	

Table A-3: Compliance with Environment Protection Licence 20193				
CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
O5.2	Bunds must:			N/A
O5.2a	have walls and floors constructed of impervious materials;		See response to condition C47a of SSD 7065.	Compliant
O5.2b	be of sufficient capacity to contain 110% of the volume of the tank (or 110% volume of the largest tank where a group of tanks are installed);		See response to condition C47b of SSD 7065.	Compliant
O5.2c	have floors graded to a collection sump; and		See response to condition C47c of SSD 7065.	Compliant
O5.2d	not have a drain valve incorporated in the bund structure, or be constructed and operated in a manner that achieves the same environmental outcome.		See response to condition C47d of SSD 7065.	Compliant
O6	Waste Management			
O6.1	The licensee must ensure that any liquid and/or non liquid waste generated and/or stored at the premises is assessed and classified in accordance with the EPA's Waste Classification Guidelines as in force from time to time.		See response to condition 3-40 of SSD 6664.	Compliant
O6.2	The licensee must ensure that waste identified for recycling is stored separately from other waste.		See response to condition 3-40 of SSD 6664.	Compliant
O6.3	The licensee must not land apply or dispose sewage at the the premises.	<ul style="list-style-type: none"> • Site interview • Site inspection 	Sewage is not applied to land or disposed of at the premises.	Compliant
O6.4	All wastewater generated on the premies must be collected and removed from the premises by a licensed waste transporter and taken to a facility that is able to lawfully receive it and reuse or dispose of it. The collected sewage must be pumped out at least weekly, or more frequently as required, to prevent discharges from the collection.	<ul style="list-style-type: none"> • Waste Register 	Stolthaven maintains a record of the wastewater collection dates, quantities and the contractor's details (usually Toxfree). The register was viewed by the Auditor with records from 7/01/16 to 5/04/19.	Compliant
O7	Other Operating Conditions			
	Petroleum Product Pipeline Integrity and Pressure Testing			
O7.1	The licensee must conduct annual integrity testing on the petroleum product pipeline extending between the tank farm and Mayfield No. 4 Berth, and the Mayfield No. 7 Berth, according to the documents titled: 'Wharflne Integrity Checks - SHNC-OPS-004.04' dated October 2017; and 'Work Instruction Wharflne		See response to condition C48a of SSD 7065.	Compliant

Table A-3: Compliance with Environment Protection Licence 20193					
CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS	
	Integrity Checks - SHNC-OPS-004.04' dated October 2017 (as amended).				
07.1	Note: The licensee must conduct surveillance checks on the pipeline prior to the commencement of and during transfer operations of any petroleum products.		See response to condition C48c of SSD 7065.	Compliant	
07.2	The licensee must conduct leak testing of the petroleum products pipeline extending from the main tank farm to Mayfield No. 4 Berth, and the Mayfield No. 7 Berth, prior to each transfer of product operation.		See response to condition C48b of SSD 7065.	Compliant	
07.3	The licensee must maintain a register for all integrity and pressure tests conducted on the pipeline extending from the tank farm to Mayfield No. 4 Berth, and the Mayfield No. 7 Berth.		See response to condition C48d of SSD 7065.	Compliant	
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	<ul style="list-style-type: none"> Annual Returns 	See responses below.	Compliant	
M1.2	All records required to be kept by this licence must be:			N/A	
M1.2a	in a legible form, or in a form that can readily be reduced to a legible form;	<ul style="list-style-type: none"> Quarterly groundwater monitoring reports prepared by AECOM for the period 2016 Q1 – 2019 Q1 	The completed field sheets are appended to the quarterly groundwater monitoring reports (viewed during the audit).	Compliant	
M1.2b	kept for at least 4 years after the monitoring or event to which they relate took place; and	<ul style="list-style-type: none"> Quarterly groundwater monitoring report prepared by AECOM for Q1 2014 	Groundwater monitoring reports are available on Stolthaven's website dating back to Q1 2014 (viewed during the audit).	Compliant	
M1.2c	produced in a legible form to any authorised officer of the EPA who asks to see them.	<ul style="list-style-type: none"> Site interview 	The Stolthaven representative advise this was not requested during the audit period.	Not Triggered	

Table A-3: Compliance with Environment Protection Licence 20193												
CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS								
M1.3	The following records must be kept in respect of any samples required to be collected for the purposes of this licence:	<ul style="list-style-type: none">Groundwater monitoring field sheets dated 12/08/16, 10/02/17, 26/11/18 and 19/02/19		N/A								
M1.3a	the date(s) on which the sample was taken		The date is included in field data sheets for groundwater monitoring appended to quarterly monitoring reports.	Compliant								
M1.3b	the time(s) at which the sample was collected		The time is included in field data sheets for groundwater monitoring appended to quarterly monitoring reports.	Compliant								
M1.3c	the point at which the sample was taken; and		The monitoring location is included in field data sheets for groundwater monitoring appended to quarterly monitoring reports.	Compliant								
M1.3d	the name of the person who collected the sample.		The name of the sampler is included in field data sheets for groundwater monitoring appended to quarterly monitoring reports.	Compliant								
M2	Requirement to monitor concentration of pollutants discharged											
M2.1	For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:		As below.	Compliant								
M2.2	Air Monitoring Requirements POINT 15 <table><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling Method</th></tr><tr><td>Organic vapours</td><td>milliequivalents per litre</td><td>Special Frequency 1</td><td>TM-20</td></tr></table>	Pollutant	Units of measure	Frequency	Sampling Method	Organic vapours	milliequivalents per litre	Special Frequency 1	TM-20	<ul style="list-style-type: none">DPE approval letter dated 24/10/18 (copy available)	The VRU is not part of Stage 1.	Not Triggered
Pollutant	Units of measure	Frequency	Sampling Method									
Organic vapours	milliequivalents per litre	Special Frequency 1	TM-20									

Table A-3: Compliance with Environment Protection Licence 20193

CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS																																								
M2.3	<p>Water and/ or Land Monitoring Requirements</p> <p>POINT 1,2,3,4,16,17,18,19,20</p> <table><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling Method</th></tr><tr><td>BTEX</td><td>milligrams per litre</td><td>Quarterly</td><td>Representative sample</td></tr><tr><td>pH</td><td>pH</td><td>Quarterly</td><td>Representative sample</td></tr><tr><td>Standing Water Level</td><td>metres</td><td>Quarterly</td><td>In situ</td></tr><tr><td>Total petroleum hydrocarbons</td><td>milligrams per litre</td><td>Quarterly</td><td>Representative sample</td></tr></table> <p>POINT 5</p> <table><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling Method</th></tr><tr><td>Dissolved Oxygen</td><td>milligrams per litre</td><td>Weekly during any discharge</td><td>Grab sample</td></tr><tr><td>Oil and Grease</td><td>milligrams per litre</td><td>Weekly during any discharge</td><td>Grab sample</td></tr><tr><td>pH</td><td>milligrams per litre</td><td>Weekly during any discharge</td><td>Grab sample</td></tr><tr><td>Total suspended solids</td><td>milligrams per litre</td><td>Weekly during any discharge</td><td>Grab sample</td></tr></table>	Pollutant	Units of measure	Frequency	Sampling Method	BTEX	milligrams per litre	Quarterly	Representative sample	pH	pH	Quarterly	Representative sample	Standing Water Level	metres	Quarterly	In situ	Total petroleum hydrocarbons	milligrams per litre	Quarterly	Representative sample	Pollutant	Units of measure	Frequency	Sampling Method	Dissolved Oxygen	milligrams per litre	Weekly during any discharge	Grab sample	Oil and Grease	milligrams per litre	Weekly during any discharge	Grab sample	pH	milligrams per litre	Weekly during any discharge	Grab sample	Total suspended solids	milligrams per litre	Weekly during any discharge	Grab sample	<ul style="list-style-type: none">Quarterly groundwater monitoring reports prepared by AECOM for the period 2016 Q1 – 2019 Q1Annual Reviews	<p>The quarterly groundwater reports prepared by AECOM include assessment for all the parameters listed.</p> <p>The water quality results from licensed discharge events are reported in the Annual Reviews and includes all the parameters listed (refer to Table 9, Table 15, Table 16 of the 2016, 2017 and 2018 Annual Reviews respectively).</p>	Compliant
Pollutant	Units of measure	Frequency	Sampling Method																																									
BTEX	milligrams per litre	Quarterly	Representative sample																																									
pH	pH	Quarterly	Representative sample																																									
Standing Water Level	metres	Quarterly	In situ																																									
Total petroleum hydrocarbons	milligrams per litre	Quarterly	Representative sample																																									
Pollutant	Units of measure	Frequency	Sampling Method																																									
Dissolved Oxygen	milligrams per litre	Weekly during any discharge	Grab sample																																									
Oil and Grease	milligrams per litre	Weekly during any discharge	Grab sample																																									
pH	milligrams per litre	Weekly during any discharge	Grab sample																																									
Total suspended solids	milligrams per litre	Weekly during any discharge	Grab sample																																									
M2.3	<p>Note: For the purpose of the table(s) above Special Frequency 1 means the collection of a single four hour (continuous) sample on a quarterly basis - once the vapour recovery unit is first commissioned. The sample must be representative of the predicted maximum concentrations of organic vapours released from the Point during the quarterly period. Frequency of monitoring may be subject to review following the initial 12 months of operation.</p>		Noted.	N/A																																								
M3	Testing methods – concentration limits																																											
M3.1	<p>Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with:</p> <ul style="list-style-type: none">any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant;if no such requirement is imposed by or under the Act, any methodology which a condition of this licence requires to be used for that testing; orif no such requirement is imposed by or under the Act or by a condition of this licence, any methodology approved in	<ul style="list-style-type: none">DPE approval letter dated 24/10/18 (copy available)	<p>The air quality monitoring program is undertaken in accordance with the MCP as opposed to specific site monitoring. The VRU is not part of Stage 1.</p>	Not Triggered																																								

Table A-3: Compliance with Environment Protection Licence 20193					
CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS	
	writing by the EPA for the purposes of that testing prior to the testing taking place.				
M3.1	Note: The Protection of the Environment Operations (Clean Air) Regulation 2010 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".	<ul style="list-style-type: none"> DPE approval letter dated 24/10/18 (copy available) 	The air quality monitoring program is undertaken in accordance with the MCP as opposed to specific site monitoring. The VRU is not part of Stage 1.	Not Triggered	
M3.2	Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.	<ul style="list-style-type: none"> Quarterly groundwater monitoring reports prepared by AECOM for the period 2016 Q1 – 2019 Q1 	The Quarterly Groundwater Monitoring Reports include sample analysis undertaken by a NATA accredited laboratory (ALS). The ALS report states <i>"The analytical procedures used by the Environmental Division have been developed from established internationally recognized procedures such as those published by the USEPA, APHA, AS and NEPM."</i>	Compliant	
M4	Testing methods – load limits				
M4	Note: Division 3 of the Protection of the Environment Operations (General) Regulation 2009 requires that monitoring of actual loads of assessable pollutants listed in L2.2 must be carried out in accordance with the relevant load calculation protocol set out for the fee-based activity classification listed in the Administrative Conditions of this licence.		See response to condition L2.2.	Compliant	

Table A-3: Compliance with Environment Protection Licence 20193																																																	
CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS																																													
M5	Weather Monitoring																																																
M5.1	<p>At the point(s) identified below, the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1 of the table below, using the corresponding sampling method, units of measure, averaging period and sampling frequency, specified opposite in the Columns 2, 3, 4 and 5 respectively.</p> <p>POINT 6</p> <table><tr><th>Parameter</th><th>Sampling method</th><th>Units of measure</th><th>Averaging period</th><th>Frequency</th></tr><tr><td>Temperature at 2 metres</td><td>AM-4</td><td>degrees Celsius</td><td>1 hour</td><td>Continuous</td></tr><tr><td>Temperature at 10 metres</td><td>AM-4</td><td>degrees Celsius</td><td>1 hour</td><td>Continuous</td></tr><tr><td>Wind Direction at 10 metres</td><td>AM-2 & AM-4</td><td>Degrees</td><td>15 minutes</td><td>Continuous</td></tr><tr><td>Wind Speed at 10 metres</td><td>AM-2 & AM-4</td><td>metres per second</td><td>15 minutes</td><td>Continuous</td></tr><tr><td>Sigma Theta</td><td>AM-2 & AM-4</td><td>Degrees</td><td>15 minutes</td><td>Continuous</td></tr><tr><td>Total Solar Radiation</td><td>AM-4</td><td>Watts per square metre</td><td>15 minutes</td><td>Continuous</td></tr><tr><td>Rainfall</td><td>AM-4</td><td>millimetres</td><td>24 hours</td><td>Continuous</td></tr><tr><td>Siting</td><td>AM-2 & AM-4</td><td>-</td><td>-</td><td>-</td></tr></table>	Parameter	Sampling method	Units of measure	Averaging period	Frequency	Temperature at 2 metres	AM-4	degrees Celsius	1 hour	Continuous	Temperature at 10 metres	AM-4	degrees Celsius	1 hour	Continuous	Wind Direction at 10 metres	AM-2 & AM-4	Degrees	15 minutes	Continuous	Wind Speed at 10 metres	AM-2 & AM-4	metres per second	15 minutes	Continuous	Sigma Theta	AM-2 & AM-4	Degrees	15 minutes	Continuous	Total Solar Radiation	AM-4	Watts per square metre	15 minutes	Continuous	Rainfall	AM-4	millimetres	24 hours	Continuous	Siting	AM-2 & AM-4	-	-	-		See response to condition C21 of SSD 7065.	Compliant
Parameter	Sampling method	Units of measure	Averaging period	Frequency																																													
Temperature at 2 metres	AM-4	degrees Celsius	1 hour	Continuous																																													
Temperature at 10 metres	AM-4	degrees Celsius	1 hour	Continuous																																													
Wind Direction at 10 metres	AM-2 & AM-4	Degrees	15 minutes	Continuous																																													
Wind Speed at 10 metres	AM-2 & AM-4	metres per second	15 minutes	Continuous																																													
Sigma Theta	AM-2 & AM-4	Degrees	15 minutes	Continuous																																													
Total Solar Radiation	AM-4	Watts per square metre	15 minutes	Continuous																																													
Rainfall	AM-4	millimetres	24 hours	Continuous																																													
Siting	AM-2 & AM-4	-	-	-																																													
M6	Recording of pollution complaints																																																
M6.1	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.		See response to condition 4-10d of SSD 6664.	Compliant																																													
M6.2	The record must include details of the following:			N/A																																													
M6.2a	the date and time of the complaint	<ul style="list-style-type: none">Complaints register	No complaints have been received during the audit period.	Not Triggered																																													
M6.2b	the method by which the complaint was made;	<ul style="list-style-type: none">Complaints register	No complaints have been received during the audit period.	Not Triggered																																													
M6.2c	any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;	<ul style="list-style-type: none">Complaints register	No complaints have been received during the audit period.	Not Triggered																																													
M6.2d	the nature of the complaint;	<ul style="list-style-type: none">Complaints register	No complaints have been received during the audit period.	Not Triggered																																													

Table A-3: Compliance with Environment Protection Licence 20193					
CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS	
M6.2e	the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and	<ul style="list-style-type: none"> Complaints register 	No complaints have been received during the audit period.	Not Triggered	
M6.2f	if no action was taken by the licensee, the reasons why no action was taken.	<ul style="list-style-type: none"> Complaints register 	No complaints have been received during the audit period.	Not Triggered	
M6.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	<ul style="list-style-type: none"> Complaints register 	No complaints have been received during the audit period.	Not Triggered	
M6.4	The record must be produced to any authorised officer of the EPA who asks to see them.	<ul style="list-style-type: none"> Complaints register 	No complaints have been received during the audit period.	Not Triggered	
M7	Telephone complaints line				
M7.1	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.	<ul style="list-style-type: none"> Stolthaven's website 	<p>The complaints line is advertised on Stolthaven's website as follows:</p> <p>For site complaints, please contact Ryan Duckmanton: Email: R.Duckmanton@stolt.com Telephone: +61 498 762 177</p>	Compliant	
M7.2	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.	<ul style="list-style-type: none"> Stolthaven's website 	Complaints line is clearly advertised as shown in response to condition M7.1.	Compliant	
M7.3	The preceding two conditions do not apply until 3 months the date of the issue of this licence.	<ul style="list-style-type: none"> EPL 	The EPL licence was issued on 11/10/13 and the complaints line is operational (called by the Auditor).	Not Triggered	
M7.4	The licensee must nominate a representative of the company who is available all all times and is capable of providing immediate assistance or response during emergencies or any other incidents at the premises. The name of the nominated representative and their contact details, including a telephone number, must be current at all times.	<ul style="list-style-type: none"> Stolthaven's website 	Ryan Duckmanton is the nominated representative as shown in response to condition M7.1.	Compliant	
M7.4	Note: This condition does not apply until two (2) weeks after the date of issue of this licence.		Noted. Condition is effective.	Compliant	

Table A-3: Compliance with Environment Protection Licence 20193										
CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS						
M8	Requirement to monitor volume or mass									
M8.1	For each discharge point or utilisation area specified below, the licensee must monitor: POINT 5 <table><tr><td>Frequency</td><td>Unit of Measure</td><td>Sampling Method</td></tr><tr><td>Continuous during discharge</td><td>megalitres per day</td><td>Special Method 1</td></tr></table>	Frequency	Unit of Measure	Sampling Method	Continuous during discharge	megalitres per day	Special Method 1		See below.	N/A
Frequency	Unit of Measure	Sampling Method								
Continuous during discharge	megalitres per day	Special Method 1								
M8.1a	the volume of liquids discharged to water or applied to the area	<ul style="list-style-type: none">Annual Reviews	The volume of water discharged is reported in the Annual Reviews including nil discharge events (refer to Table 9, Table 15, Table 16 of the 2016, 2017 and 2018 Annual Reviews respectively).	Compliant						
M8.1b	the mass of solids applied to the area;		Point 5 is a water discharge point.	Not Triggered						
M8.1c	the mass of pollutants emitted to the air; at the frequency and using the method and units of measure, specified below.		Point 5 is a water discharge point.	Not Triggered						
M8.1	Note: Special Method 1 refers to EPA 2004 'Approved methods for the sampling and analysis of water pollutants in New South Wales' dependant upon whether insitu channel or insitu pipe sampling is required.	<ul style="list-style-type: none">Annual Reviews	Noted as the sample methodology in Table 8, Table 14 and Table 15 of the 2016, 2017 and 2018 Annual Reviews respectively.	Compliant						
M9	Other monitoring and recording conditions									
	Noise monitoring									
M9.1	To assess compliance with Condition L5.1, attended noise monitoring must be undertaken in accordance with Condition L5.7 and:	<ul style="list-style-type: none">Operational Noise Compliance Assessments (AECOM, 2016-2018)	See below.							
M9.1a	at each one of the locations listed in Condition	<ul style="list-style-type: none">As above	Attended monitoring has been undertaken at each location identified in condition L5.1 and is reported in the annual Operational Noise Compliance Assessment Reports by AECOM.	Compliant						

Table A-3: Compliance with Environment Protection Licence 20193					
CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS	
M9.1b	occur annually during the licensed reporting period;	<ul style="list-style-type: none"> As above 	Operational Noise Compliance Assessment Reports were prepared by AECOM for 2016, 2017 and 2018.	Compliant	
M9.1c	occur during each day, evening and night period as defined in the NSW Industrial Noise Policy for a minimum of: <ul style="list-style-type: none"> i) 1.5 hours during the day; ii) 30 minutes during the evening; and iii) 1 hour during the night; 	<ul style="list-style-type: none"> <i>Operational Noise Compliance Assessments</i> (AECOM, 2016-2018) Email correspondence provided by AECOM on 29/04/19 (copy available) 	<p>It was noted by the Auditors that the attended noise monitoring assessment periods described in the Operational Noise Compliance Assessment Reports undertaken by AECOM did not include the times listed under this condition on the following occasions:</p> <ul style="list-style-type: none"> During 2016 attended noise monitoring measurements did not include the day period; and During 2016-2018 attended noise monitoring measurements did not include the evening period; and During 2016-2018 attended noise monitoring measurements did not occur over a period of three consecutive days (see condition M9.1d). <p>The Auditor's raised the observation with the Stolthaven representative during the audit and a response was provided by AECOM on 29/04/19 as follows:</p> <p><i>"The preferred method for determining compliance with EPL's noise limit is to implement operator-attended direct measurement of noise at the location identified for compliance in the EPL document.</i></p> <p><i>Condition M9.1 outlines the monitoring requirements to determine compliance with the noise limits within the EPL</i></p>	Compliant	

Table A-3: Compliance with Environment Protection Licence 20193				
CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS
			<p>when utilising operator-attended direct measurement at a receiver location. However, direct attended noise measurements that have been undertaken by AECOM at the closest nearby residential receiver locations on multiple occasions, between 2012 until 2018, has found that it was not possible to directly measure the noise arising from operations at the Stolthaven Facility due to the influence from extraneous noise sources, i.e. existing industrial noise from other industrial areas unrelated to the Stolthaven Facility and traffic noise on Industrial Drive.</p> <p>As such, the extended time periods outlined in part c) and d) of M9.1 does not provide any benefit in determining compliance noise levels from the Facility's operations. Even if audible, it is difficult to quantify the Facility's site noise emissions, and so an alternate method has been used in the past. Previous compliance assessments for this site have required an alternative method to be used in order to demonstrate compliance, due to the existing high noise levels. The compliance assessments were carried out using SoundPLAN noise modelling software. The computer noise model was calibrated based upon site attended and unattended noise measurements, a review of site</p>	

Table A-3: Compliance with Environment Protection Licence 20193					
CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS	
			operations, and detailed analysis of the Facility traffic movements. This method of noise compliance assessment and demonstrating compliance with EPL noise limit requirements is in accordance of Chapter 11 of the EPA NSW Industrial Noise Policy (INP, 2000) and Section 7.1 of the EPA Noise Policy for Industry (NPfI, 2017).” The Auditor’s consider the response from AECOM sufficient in determining compliance with this condition.		
M9.1d	occur for three consecutive operating days.		See response to condition M9.2c.	Compliant	
	Recording changes in wharf occupation				
M9.2	The licensee must record details of when (i.e. time and date) the occupation of the Mayfield No. 7 Wharf is temporarily transferred to another person, and also when the occupation is transferred back to the licensee. These records must be made immediately prior to the transfer to the person, and immediately after the transfer back to the licensee. The licensee must record the name and telephone contact of the person that the wharf is transferred to.	<ul style="list-style-type: none"> Mayfield 7 Handover Sheet dated 30/03/19 and 1/04/19 (copy available) 	M7 was transferred to Koppers on 30/03/19 and handed back to Stolthaven on 1/04/19. A handover sheet was completed with name, contact number, date, time and signatures recorded (viewed during audit).	Compliant	
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: <ol style="list-style-type: none"> 1. a Statement of Compliance, 2. a Monitoring and Complaints Summary, 3. a Statement of Compliance - Licence Conditions, 4. a Statement of Compliance - Load based Fee, 5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan, 	<ul style="list-style-type: none"> EPL Annual Returns EPA’s POEO Public Register: https://apps.epa.nsw.gov.au/prpoeoapp/Detail.aspx?instid=20193&id=20193&option=licence&searchrange=licence&range=POE 	The EPA’s POEO Public Register confirms annual returns were submitted on 11/11/16, 4/12/17 and 20/11/18 with no non-compliances. Annual Returns include all information as required by this condition.	Compliant	

Table A-3: Compliance with Environment Protection Licence 20193					
CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS	
	6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and 7. a Statement of Compliance - Environmental Management Systems and Practices. 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.	O%20licence&prp=no&status=Issued			
R1.2	An Annual Return must be prepared in respect of each reporting period, except as provided below.	<ul style="list-style-type: none"> EPL Annual Returns EPA's POEO Public Register 	Annual returns prepared in accordance with reporting periods published on EPA's POEO Public Register	Compliant	
R1.2	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.	<ul style="list-style-type: none"> EPL Annual Returns EPA's POEO Public Register 	Annual returns submitted after the reporting period as published on EPA's POEO Public Register	Compliant	
R1.3	Where this licence is transferred from the licensee to a new licensee:	<ul style="list-style-type: none"> EPL licence 	EPL Licence was not transferred during the audit period and remains under Stolthaven's ownership.	Not Triggered	
R1.3a	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			Not Triggered	
R1.3b	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.			Not Triggered	
R1.3	Note: An application to transfer a licence must be made in the approved form for this purpose.			Not Triggered	
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:		EPL Licence was not surrendered during the audit period and remains under Stolthaven's ownership.	Not Triggered	
R1.4a	in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or			Not Triggered	
R1.4b	in relation to the revocation of the licence - the date from which notice revoking the licence operates.			Not Triggered	

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CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS	
R1.5	The Annual Return for the reporting period must be supplied to the EPA via eConnect EPA or 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').	<ul style="list-style-type: none"> EPA's POEO Public Register 	The Anniversary date of the EPL licence is 11 October. Therefore, Annual Returns are due by 10 December. The EPA's POEO Public Register confirms the annual returns were submitted on 11/11/16, 4/12/17 and 20/11/18.	Compliant	
R1.6	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:	<ul style="list-style-type: none"> EPA's POEO Public Register 	Annual Returns were submitted by the relevant due dates as noted above and include load calculations.	Not Triggered	
R1.6a	the assessable pollutants for which the actual load could not be calculated; and			Not Triggered	
R1.6b	the relevant circumstances that were beyond the control of the licensee.			Not Triggered	
R1.7	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.	<ul style="list-style-type: none"> Annual Return dated 6/01/14 	The Auditors viewed an Annual Return dated 6/01/14 during site audit.	Compliant	
R1.8	Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:			N/A	
R1.8a	the licence holder;	<ul style="list-style-type: none"> Annual Returns 	The 2015/16 Annual Return and 2016/17 Annual Return are signed by Michael Frost (Director) and Gordon Lasker (Director). The 2017/18 Annual Return is signed by Michael Frost (Director).	Compliant	
R1.8b	by a person approved in writing by the EPA to sign on behalf of the licence holder		As above	Compliant	
R2	Notification of environmental harm				
R2.1	Notifications must be made by telephoning the Environment Line service on 131 555.	<ul style="list-style-type: none"> Annual Reviews Site interview Incident Register 	No reportable incidents occurred during the audit period.	Not Triggered	

Table A-3: Compliance with Environment Protection Licence 20193					
CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS	
R2.1	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.	<ul style="list-style-type: none"> Annual Reviews Site interview Incident Register 	No reportable incidents occurred during the audit period.	Not Triggered	
R2.2	The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.	<ul style="list-style-type: none"> Annual Reviews Site interview Incident Register 	No reportable incidents occurred during the audit period.	Not Triggered	
R3	Written Report				
R3.1	Where an authorised officer of the EPA suspects on reasonable grounds that:			N/A	
R3.1a	where this licence applies to premises, an event has occurred at the premises; or	<ul style="list-style-type: none"> Site interview 	The Stolthaven representative advised this has not been requested during the audit period.	Not Triggered	
R3.1b	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.	<ul style="list-style-type: none"> Site interview 	The Stolthaven representative advised this has not been requested during the audit period.	Not Triggered	
R3.2	The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.	<ul style="list-style-type: none"> Site interview 	The Stolthaven representative advised this has not been requested during the audit period.	Not Triggered	
R3.3	The request may require a report which includes any or all of the following information:		The Stolthaven representative advised this has not been requested during the audit period.	N/A	
R3.3a	the cause, time and duration of the event;	<ul style="list-style-type: none"> Site interview 	The Stolthaven representative advised this has not been requested during the audit period.	Not Triggered	
R3.3b	the type, volume and concentration of every pollutant discharged as a result of the event;	<ul style="list-style-type: none"> Site interview 	The Stolthaven representative advised this has not been requested during the audit period.	Not Triggered	

Table A-3: Compliance with Environment Protection Licence 20193					
CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS	
R3.3c	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;	<ul style="list-style-type: none"> Site interview 	The Stolthaven representative advised this has not been requested during the audit period.	Not Triggered	
R3.3d	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	<ul style="list-style-type: none"> Site interview 	The Stolthaven representative advised this has not been requested during the audit period.	Not Triggered	
R3.3e	action taken by the licensee in relation to the event, including any follow-up contact with any complainants;	<ul style="list-style-type: none"> Site interview 	The Stolthaven representative advised this has not been requested during the audit period.	Not Triggered	
R3.3f	details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and	<ul style="list-style-type: none"> Site interview 	The Stolthaven representative advised this has not been requested during the audit period.	Not Triggered	
R3.3g	any other relevant matters.	<ul style="list-style-type: none"> Site interview 	The Stolthaven representative advised this has not been requested during the audit period.	Not Triggered	
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.	<ul style="list-style-type: none"> Site interview 	The Stolthaven representative advised this has not been requested during the audit period.	Not Triggered	
R4	Other reporting conditions				
	Noise compliance assessment report				
R4.1	A noise compliance assessment report detailing the attended noise monitoring undertaken under Condition M5.1 must be submitted to the EPA with the Annual Return each year. The assessment must be prepared by a suitably qualified and experienced acoustical consultant and include:	<ul style="list-style-type: none"> Registered post lodgement receipt dated 16/11/18 (copy available) 	The noise compliance assessment reports are sent via registered post with the Annual Returns. An example of a registered post lodgement receipt dated 16/11/18 and addressed to the EPA in Sydney was viewed by the Auditors.	Compliant	
R4.1a	an assessment of compliance with the noise limits detailed in Condition L5.1;		No exceedances of noise criteria during the audit period (see response to condition L5.1).	Compliant	

Table A-3: Compliance with Environment Protection Licence 20193					
CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS	
R4.1b	an outline of any management actions proposed to be undertaken at address any exceedances of the noise limits detailed in Condition L5.1.		No exceedances of noise criteria during the audit period (see response to condition L5.1).	Not Triggered	
7 – General Conditions					
G1	Copy of the 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.	<ul style="list-style-type: none"> Site inspection 	A copy of the licence was viewed by the Auditors during site audit and is displayed in the main administration building.	Compliant	
G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it.	<ul style="list-style-type: none"> Site interview 	The Stolthaven representative advised this has not been requested during the audit period.	Not Triggered	
G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.	<ul style="list-style-type: none"> Site inspection 	The EPL is displayed in the main administration building and in hard copy on site.	Compliant	
G2	Signage				
G2.1	The petroleum product pipelines extending between the main tank farm and Mayfield No. 4 Berth, and the Mayfield No. 7 Berth (when constructed) must:			N/A	
G2.1a	Be identified in accordance with Australian Standard AS1345-2008: 'Identification of the contents of pipes, conduits and ducts'; and		See response to condition C53a of SSD 7065.	Compliant	
G2.1b	Have pipe markers that include the name of the licensee and emergency contact details of the licensee		See response to condition C53b of SSD 7065.	Compliant	
8	Special Conditions				
E1	Vapour Recovery Unit				
E1.1	A Vapour Recovery Unit (VRU) must be installed and commissioned at the premises:		See response to condition C15 of SSD 7065.	Not Triggered	
E1.1a	Prior to the annual throughput of petroleum products exceeded 1,300 ML; or		See response to condition C15a of SSD 7065.	Not Triggered	
E1.1b	Prior to the bulk storage of any Class 3, Flammable Liquid Dangerous Goods (excluding from the generation of Slops).		See response to condition C15b of SSD 7065.	Not Triggered	

Table A-3: Compliance with Environment Protection Licence 20193					
CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS	
E1.2	The Vapour Recovery Unit (VRU) must be designed, constructed, commissioned, operated and maintained at the premises to reduce the emission of volatile organic compounds (VOCs), including benzene, to the atmosphere from vehicle loading operations in respect of the Vehicle Fill Gantries (VFG). The VRU must include the following control equipment:	<ul style="list-style-type: none"> DPE approval letter dated 24/10/18 (copy available) 	The VRU is not part of Stage 1.	Not Triggered	
E1.2a	A vapour collection system by which all vapour displaced from tanks during bulk road vehicle loading operations is collected and conveyed to a vapour recovery system through vapour lines having an internal diameter of not less than 65 percent of the largest fill-line used for connection to the delivery tank.	<ul style="list-style-type: none"> DPE approval letter dated 24/10/18 (copy available) 	The VRU is not part of Stage 1.	Not Triggered	
E1.2b	An interlock system that prevents the loading of a delivery tank unless:			N/A	
E1.2bi	the vapour collection system is first connected to that tank; or	<ul style="list-style-type: none"> DPE approval letter dated 24/10/18 (copy available) 	The VRU is not part of Stage 1.	Not Triggered	
E1.2bi i	the interlock system forms part of industrial plant used only for loading delivery tanks that are themselves fitted with such an interlock system.	<ul style="list-style-type: none"> DPE approval letter dated 24/10/18 (copy available) 	The VRU is not part of Stage 1.	Not Triggered	
E1.2c	Fittings on all liquid and vapour lines that make vapour-tight connections with the respective mating fittings on the delivery tank and that close automatically when disconnected.	<ul style="list-style-type: none"> DPE approval letter dated 24/10/18 (copy available) 	The VRU is not part of Stage 1.	Not Triggered	
E1.2d	The vapour recovery system is constructed so that the vapour resulting from loading operations is recovered, so that the concentration of unrecovered vapour emitted to the atmosphere during any period of four hours does not exceed 10 milligrams per litre of volatile organic liquid passing out of the plant during that period.	<ul style="list-style-type: none"> DPE approval letter dated 24/10/18 (copy available) 	The VRU is not part of Stage 1.	Not Triggered	
E1.3	The licensee must provide written notification to the EPA within seven days of commissioning the VRU. Notification must be provided to the EPA's Director - Hunter at PO Box 488G, Newcastle NSW 2300, or by email to hunter.region@epa.nsw.gov.au .	<ul style="list-style-type: none"> DPE approval letter dated 24/10/18 (copy available) 	The VRU is not part of Stage 1.	Not Triggered	
E1.4	The licensee must provide written notification to the EPA at least one month prior to receiving and storing any Class 3, Flammable	<ul style="list-style-type: none"> DPE approval letter dated 24/10/18 (copy available) 	Storage of flammable liquids is not part of Stage 1.	Not Triggered	

Table A-3: Compliance with Environment Protection Licence 20193					
CONDITION		EVIDENCE	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS	
	Liquid Dangerous Goods (excluding in respect of additives and slops in tanks "SL1" and AT1"). Notification must be provided to the EPA's Director - Hunter at PO Box 488G, Newcastle NSW 2300, or by email to hunter.region@epa.nsw.gov.au .				
E1.5	The licensee must provide written notification to the EPA within seven days if, and when, the annual throughput of petroleum products at the premises in the reporting period exceeds 1,300ML. Notification must be provided to the EPA's Director - Hunter at PO Box 488G, Newcastle NSW 2300, or by email to hunter.region@epa.nsw.gov.au .		Annual throughput has not exceeded 1,300 ML during the audit period (see response to condition 2-6 of SSD 6664).	Not Triggered	

APPENDIX 2

AUDIT TEAM ENDORSEMENT

Ryan Duckmanton
Newcastle Site Manager
Stolthaven Australasia Pty Ltd
PO Box 304
WICKHAM NSW 2293

Contact: Heidi Watters
Phone: 02 6575 3401
Email: compliance@planning.nsw.gov.au
Our Ref: SSD 7065

Email: R.Duckmanton@stolt.com

Dear Mr Duckmanton

**Stolthaven Bulk Fuel Storage Facility
Independent Environmental Audit (SSD 6664 and SSD 7065)**

Reference is made to correspondence from Stolthaven Australasia Pty Ltd (Stolthaven) to the Department of Planning and Environment (the Department) dated 17 December 2018 requesting the endorsement of Mr Shaun Taylor and Ms Victoria Sedwick of Ramboll Australia as lead auditors for the upcoming Independent Environmental Audit (IEA) of the Stolthaven Bulk Fuel Storage Facility, as required by Schedule 4 condition 8 of SSD 6664 (as modified) and Schedule D condition D12 of SSD 7065.

Having considered the qualifications and experience of the nominated auditors, the Secretary endorses the engagement of Mr Taylor and Ms Sedwick to undertake the IEA.

As per Schedule 4 condition 8 of SSD 6664, the IEA is required to be commissioned by 16 April 2019. The IEA must be undertaken in accordance with the requirements of Schedule 4 condition 8 of SSD 6664 and Schedule D condition D12 of SSD 7065 and with consideration of the Department's *Independent Audit Post Approval Requirements* (June 2018).

Further, the Secretary requests that the IEA report:

- Includes a summary of consultation with the Department and other agencies and stakeholders including the Port of Newcastle;
- Only uses the compliance status descriptors "compliant", "non-compliant" or "not triggered". The terms "partial compliance", "partial non-compliance", "not verified" or "administrative non-compliance" or other similar terms shall not be used; and
- Recommends actions to address each non-compliance identified and any additional opportunities for improvement.

As per Schedule 4 condition 9 of SSD 6664 and Schedule D condition D13 of SSD 7065, the IEA report and Stolthaven's response to auditor recommendations (RAR) must be submitted to the Department within three months of commissioning the IEA (i.e. by **19 July 2019**), unless otherwise agreed by the Secretary. The RAR must include a target date (DD/MM/YYYY) for implementation for each action.

Please submit the IEA report and RAR to compliance@planning.nsw.gov.au

Should you need to discuss the above, please contact Heidi Watters, Senior Compliance Officer on the details provided above.

Yours sincerely



Leah Cook

Team Leader Compliance
As nominee of the Secretary

APPENDIX 3

INDEPENDENT AUDIT DECLARATION FORM

INDEPENDENT AUDIT DECLARATION FORM

Project Name:	Stolthaven Bulk Fuel Storage Facility
Consent Number:	SSD 6664 and SSD 7065
Description of Project:	Bulk Fuel Storage Facility
Project Address:	103 Selwyn Street Mayfield North NSW 2304
Proponent:	Stolthaven Australia Pty Ltd
Title of Audit:	2019 Independent Environmental Audit of Stolthaven Bulk Fuel Storage Facility
Date:	21 June 2019

I declare that I have undertaken the Independent Audit and prepared the contents of the attached Independent Audit Report and to the best of my knowledge:

- the Audit has been undertaken in accordance with relevant condition(s) of consent and generally in accordance with the *Independent Audit Post Approval Requirements (Department 2018)*;
- the findings of the Audit are reported truthfully, accurately and completely;
- I have exercised due diligence and professional judgement in conducting the Audit;
- I have acted professionally, objectively and in an unbiased manner;
- I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the Audit, or by relationship as spouse, partner, sibling, parent, or child;
- I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
- neither I nor my employer have provided consultancy services for the audited project that were subject to this Audit except as otherwise declared to the Department prior to the Audit; and
- I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.

Notes:

- a) Under section 10.6 of the *Environmental Planning and Assessment Act 1979* a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and
- b) The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both).

Name of Lead Auditor: Victoria Sedwick

Signature:



Qualification: Exemplar Global Lead Auditor Accreditation No.13180

Company: Ramboll Australia Pty Ltd

Company Address: PO Box 560, North Sydney NSW 2060

APPENDIX 4

AGENCY CONSULTATION

From: Hamish Rutherford <Hamish.Rutherford@epa.nsw.gov.au>
Sent: 30 May, 2019 7:09 AM
To: Shaun Taylor <staylor@ramboll.com>
Cc: EPA RSD Hunter Region Mailbox <hunter.region@epa.nsw.gov.au>
Subject: RE: Stolthaven Mayfield Bulk Fuel Facility Independent Environmental Audit: Request for EPA Comment - EPL 20193

Dear Shaun,

As previously communicated with Ramboll the EPA does not comment on Independent Environmental Audits required Project Approvals/Development Consents.

Matters of non compliance with an EPL are summarised under the Annual Return section of individual licences that are provided on the POEO Public Register at: <https://apps.epa.nsw.gov.au/prpoeoapp/>.

Any concerns the EPA has regarding the environmental performance and/or compliance with an EPL is raised directly with licensees.

Regards,

Hamish Rutherford

Senior Operations Officer – Hunter Region

North Branch, NSW Environment Protection Authority

Ph: +61 2 4908 6824 Mob: 0459 073 635 Fax: +61 2 4908 6810

hamish.rutherford@epa.nsw.gov.au www.epa.nsw.gov.au  @EPA_NSW

Report pollution and environmental incidents 131 555 (NSW only) or +61 2 9995 5555



From: Shaun Taylor <staylor@ramboll.com>
Sent: Friday, 24 May 2019 3:40 PM
To: Hamish Rutherford <Hamish.Rutherford@epa.nsw.gov.au>
Cc: Taylor Jackson <TLJACKSON@ramboll.com>
Subject: Stolthaven Mayfield Bulk Fuel Facility Independent Environmental Audit: Request for EPA Comment

Good afternoon Hamish,

Ramboll has been commissioned to complete the Independent Environmental Audit (IEA) of the Stolthaven Bulk Fuel Facility located in Mayfield, NSW. In particular, we are auditing Stolthaven's performance against Development Consent SSD 6664, Development Consent SSD 7065 (as relevant) and their Environment Protection Licence (EPL 20193) for the period of February 2016 to May 2019. The Audit Report is prepared for submission to the Department of Planning and Environment (DPE).

As you may be aware, the scope of the IEA (under Schedule 4, Condition 8b of SSD 6664 and Schedule D, Condition 12b of SSD 7065) requires us to consult with key stakeholders, with the Environment Protection Authority (EPA) being one of these. We are hoping that you can provide us

some feedback on the overall environmental performance of Stolthaven at the Bulk Fuel Facility from 2016 – 2019. We also invite EPA to raise any particular concerns (if any) regarding areas that would require particular focus in the scope of the IEA.

It would be greatly appreciated if you could either send me an email or call me on one of the numbers below by COB 3 June 2019.

I hope to speak to or hear from you soon.

Kind regards
Shaun Taylor

Senior Managing Consultant

D +61249625444
M +61408386663
staylor@ramboll.com

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Any views expressed in this email are those of the individual sender except where the sender expressly and with authority states them to be the views of the Environment Protection Authority.

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL

From: [Shaun Taylor](#)
To: [Jackie Spiteri](#)
Cc: [Taylor Jackson](#)
Subject: RE: Stolthaven Mayfield Bulk Fuel Facility Independent Environmental Audit: Request for Port of Newcastle Comment
Date: Tuesday, June 18, 2019 10:15:52 AM

Hi Jackie,

Sorry to be a pest, but we are compiling the final report and was hoping to have it ready today.

Would you be able to get something to us some time today?

Kind regards

Shaun Taylor

Senior Managing Consultant

D +61249625444

M +61408386663

staylor@ramboll.com

Ramboll Australia Pty Ltd.

ACN 095 437 442

ABN 49 095 437 442

From: Jackie Spiteri <Jackie.Spiteri@portofnewcastle.com.au>

Sent: 11 June, 2019 5:16 PM

To: Shaun Taylor <staylor@ramboll.com>

Cc: Taylor Jackson <TLJACKSON@ramboll.com>

Subject: Re: Stolthaven Mayfield Bulk Fuel Facility Independent Environmental Audit: Request for Port of Newcastle Comment

Shaun

Apologies I have a huge workload at the moment holding up the Planning fort as well as Env and sustainability!! I will review and provide a response this week.

Kind Regards

Jackie

Sent from my iPhone

On 11 Jun 2019, at 4:57 pm, Shaun Taylor <staylor@ramboll.com> wrote:

Hello Jackie,

We are just in the process of finalising the Independent Environmental Audit for submission to the Department of Planning and Environment and just wanted to confirm if Port of Newcastle wanted to make any comments (refer to my earlier email below).

Please feel free to give me a call.

Kind regards

Shaun Taylor
Senior Managing Consultant

D +61249625444
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staylor@ramboll.com
Ramboll Australia Pty Ltd.
ACN 095 437 442
ABN 49 095 437 442

From: Shaun Taylor
Sent: 24 May, 2019 3:44 PM
To: Jackie Spiteri (Jackie.Spiteri@portofnewcastle.com.au)
<Jackie.Spiteri@portofnewcastle.com.au>
Cc: Taylor Jackson <TJACKSON@ramboll.com>
Subject: Stolthaven Mayfield Bulk Fuel Facility Independent Environmental Audit:
Request for Port of Newcastle Comment

Good afternoon Jackie,

Ramboll has been commissioned to complete the Independent Environmental Audit (IEA) of the Stolthaven Bulk Fuel Facility located in Mayfield, NSW. In particular, we are auditing Stolthaven's performance against Development Consent SSD 6664, Development Consent SSD 7065 (as relevant) and their Environment Protection Licence (EPL 20193) for the period of February 2016 to May 2019. The Audit Report is prepared for submission to the Department of Planning and Environment (DPE).

As you may be aware, the scope of the IEA (under Schedule 4, Condition 8b of SSD 6664 and Schedule D, Condition 12b of SSD 7065) requires us to consult with key stakeholders, with the Port of Newcastle (PoN) being one of these. We are hoping that you can provide us with some brief feedback on the overall environmental performance of Stolthaven at the Bulk Fuel Facility from 2016 – 2019. We also invite PoN to raise any particular concerns (if any) regarding areas that would require particular focus in the scope of the IEA.

In particular, could you please provide comment on Schedule 3, Condition 22(a) which states: "*The Applicant shall, in consultation with the PON ensure that noise from operation of the Development: fits within the Site Noise Model developed for the Mayfield Concept Plan*". We have found in our document review that the *Operational Noise Compliance Assessment 2018* undertaken by AECOM states that a methodology to deal with cumulative noise from the entire MCP is currently in development and is yet to be finalised. Has there been any updates on the finalisation of this?

It would be greatly appreciated if you could either send me an email with your response, give me a call for a chat, or I would be happy to come in to chat in person by COB 3 June 2019.

I hope to hear from you soon. Thanks in advance.

Kind regards
Shaun Taylor

Senior Managing Consultant

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staylor@ramboll.com

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