

Intended for
Stolthaven Australia Pty Ltd

Document type
Independent Environmental Audit

Date
April, 2025

Stolthaven Bulk Fuel Storage Facility

Independent Environmental Audit 2025



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Project name **Stolthaven Bulk Fuel Storage: Independent Environmental Audit 2025**
Project no. **318002208**
Recipient **Stolthaven Australia Pty Ltd**
Document type **Independent Environmental Audit**
Version **V2.0**
Date **01/04/2025**
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Description **Ramboll Australia Pty Ltd was engaged on behalf of Stolthaven Australia Pty Ltd to complete an Independent Environmental Audit of the Stolthaven Bulk Fuel Storage Facility located at 103 Selwyn Street, Mayfield North, New South Wales and approved under State Significant Development Consent 7065.**

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Revision	Date	Prepared by	Checked by	Approved by	Description
V1.0	20/03/2025	CL	ST/VS	VS	Draft 1 issued for factual review.
V2.0	01/04/2025	CL	ST/VS	VS	Final issued.

This document is issued to Stolthaven Australia Pty Ltd for the purposes of an Independent Environmental Audit of the construction and/or operation of the Stolthaven Bulk Fuel Storage Facility. It should not be used for any other purpose.

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Executive Summary

Ramboll Australia Pty Ltd was engaged by Stolthaven Australia Pty Ltd to conduct an Independent Environmental Audit of the Stolthaven facility located on industrial land managed by the Port of Newcastle at 103 Selwyn Street, Mayfield North, New South Wales. The audit covered the period from 16 March 2022 to 24 February 2025, and included a detailed review of the facility's development consent requirements, environmental management plans, subplans, and related post-approval documents.

The facility operates under the State Significant Development, SSD-7065 Development Consent and an Environmental Protection Licence (EPL 20193). The facility operates as a bulk fuel storage terminal and includes various infrastructure components such as ship unloading facilities at the Mayfield Berth 7 wharf facility, a delivery pipeline from Mayfield 7 Berth to the terminal, nine bulk fuel storage tanks, including seven diesel storage tanks and two biodiesel storage tanks. There are other smaller storage tanks such as a slops tank within the main bund area and an additive tank within the load gantry area featuring secondary containment. The site also houses a four-bay automated truck loading and unloading facility, pumping capacity for bulk tanker (truck) loading, appropriate drainage and spill containment systems, and fire protection systems.

The facility has previously operated under several historical development consents which have since been surrendered by the Applicant (outside of the Audit Period), with the current and most recent development consent (SSD 7065) representing 'Stage 3' of the project.

The Auditors assessed the development to be generally compliant with the conditions of approval in SSD 7065. Stolthaven demonstrated a proactive approach regarding their regulatory requirements, and general environmental management requirements during the audit period. Stolthaven regularly consulted with relevant stakeholders and maintained comprehensive communication to keep key stakeholders informed about their operations and developments. Prompt provision of documentation by Stolthaven for the audit indicated strong record-keeping practices and a well-organized approach to data management. The facility was observed by the Auditors to be clean and well-maintained, reflecting effective housekeeping practices.

Four non-compliance findings have been made in relation to SSD 7065 during this audit. Stolthaven was found non-compliant with EPL 20193 (condition M5.1) due to a weather station failure from 27 September 2022 to 6 February 2023, which affected the recording of wind speed, direction, and sigma theta readings. Additionally, there was one reportable incident during the audit period involving the inadvertent activation of the gantry foam deluge system during routine fire system testing, which was not reported to the Planning Secretary, although reported to the EPA. Stolthaven submitted the previous Independent Environmental Audit (dated 2022) report and their response to recommendations to the Department on 28 April 2022, and to the Port of Newcastle on 2 May 2022; however, Stolthaven failed to provide evidence of submission to the NSW EPA.

One opportunity for improvement was identified during this Audit where the storage and collection of liquids could be improved.

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Glossary and Acronyms

Term	Definition
DPHI	Department of Planning, Housing and Infrastructure
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EPA	Environment Protection Authority
IAPAR 2020	Independent Audit Post Approval Requirements (Department of Planning, Industry and Environment (now Department of Planning, Housing and Infrastructure), 2020)
NC	Non-compliance
NCC	Newcastle City Council
NSW	New South Wales
Ramboll	Ramboll Australia Pty Ltd
RFI	Request for Information
SSD	State Significant Development
SSD 7065	the State Significant Development consent 7065 issued under Part 4 of the <i>Environmental Planning and Assessment Act 1979</i> on 15 December 2016
Stolthaven	Stolthaven Australia Pty Ltd
the Department	Department of Planning, Housing and Infrastructure
the Facility	The Stolthaven Bulk Fuel Storage Facility
the Project	The construction and operation of the Stolthaven Bulk Fuel Storage Facility as approved under State Significant Development consent 7065 issued under Part 4 of the <i>Environmental Planning and Assessment Act 1979</i> on 15 December 2016
the Site	103 Selwyn Street, Mayfield North, New South Wales

1. Introduction

Ramboll Australia Pty Ltd (Ramboll) was engaged by Stolthaven Australia Pty Ltd (Stolthaven or the 'Applicant') to conduct an Independent Environmental Audit (IEA) of the Stolthaven Bulk Fuel Storage Facility (the 'Facility') which is located on industrial land managed by the Port of Newcastle (PON) at 103 Selwyn Street, Mayfield North, New South Wales (NSW) (the 'Site').

1.1 Background

The Facility operates as a bulk fuel storage terminal under the State Significant Development (SSD) consent 7065 (SSD 7065) issued under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) on 15 December 2016 (the 'Project').

The Facility has previously operated under several historical development consents which have since been surrendered by the Applicant, with the current and most recent development consent (SSD 7065) representing 'Stage 3' of the Project. The Project's historical development consents and development stages are summarised in the following **Table 1-1**.

Table 1-1: Summary of the Project's previous development consents and development stages

Stage	Consent	Date of approval	Consent Status	Description
Stage 1	MP 08_0130	8 June 2012	Surrendered	<p>Stage 1 of the Project included:</p> <ul style="list-style-type: none"> • use of an existing ship berthing facility for delivery of fuels from bulk tankers with fuel transfers pumped along a steel pipeline from Mayfield M4 to the Facility • the storage of bulk fuels in above ground tanks • distribution of fuels by road tankers <p>Construction of the Facility was completed in late 2013, with the first shipment of fuels commencing on 19 November 2013.</p> <p>MP 08_0130 was modified on three occasions.</p>
Stage 2	SSD 6664	16 April 2015	Surrendered	<p>SSD 6664 was submitted by the Applicant to enable transfer of the MP 08_0130 approval to the SSD consent. In addition, SSD 6664 sought to modify the Project as follows:</p> <ul style="list-style-type: none"> • Addition of two 18 ML diesel storage tanks • An increase in throughput volume to a total of 1,010 ML per annum. <p>SSD 6664 was modified on one occasion to increase the total throughput volume from 1,010 ML per annum to 1,300 ML per annum.</p>

Stage	Consent	Date of approval	Consent Status	Description
Stage 3	SSD 7065	15 December 2016	Active	<p>SSD 7065 sought approval for the following changes to the Project:</p> <ul style="list-style-type: none"> • An increase in the total throughput volume from 1,300 ML per annum to 3,500 ML per annum. • An additional seventeen fuel storage tanks, bringing the total operation to a total of 26 fuel storage tanks • A new tank bund for a new biodiesel tank, two additive tanks and two slops tanks <p>SSD 7065 included the relinquishment of SSD 6664. Following SSD 7065 approval in 2016, SSD 6664 was surrendered on the 23 April 2020.</p> <p>No modifications currently exist to SSD 7065.</p>

1.2 Project overview

The Facility operates as a bulk fuel storage terminal owned and operated by Stolthaven Terminals at the Port of Newcastle, NSW. The Facility includes the following infrastructure:

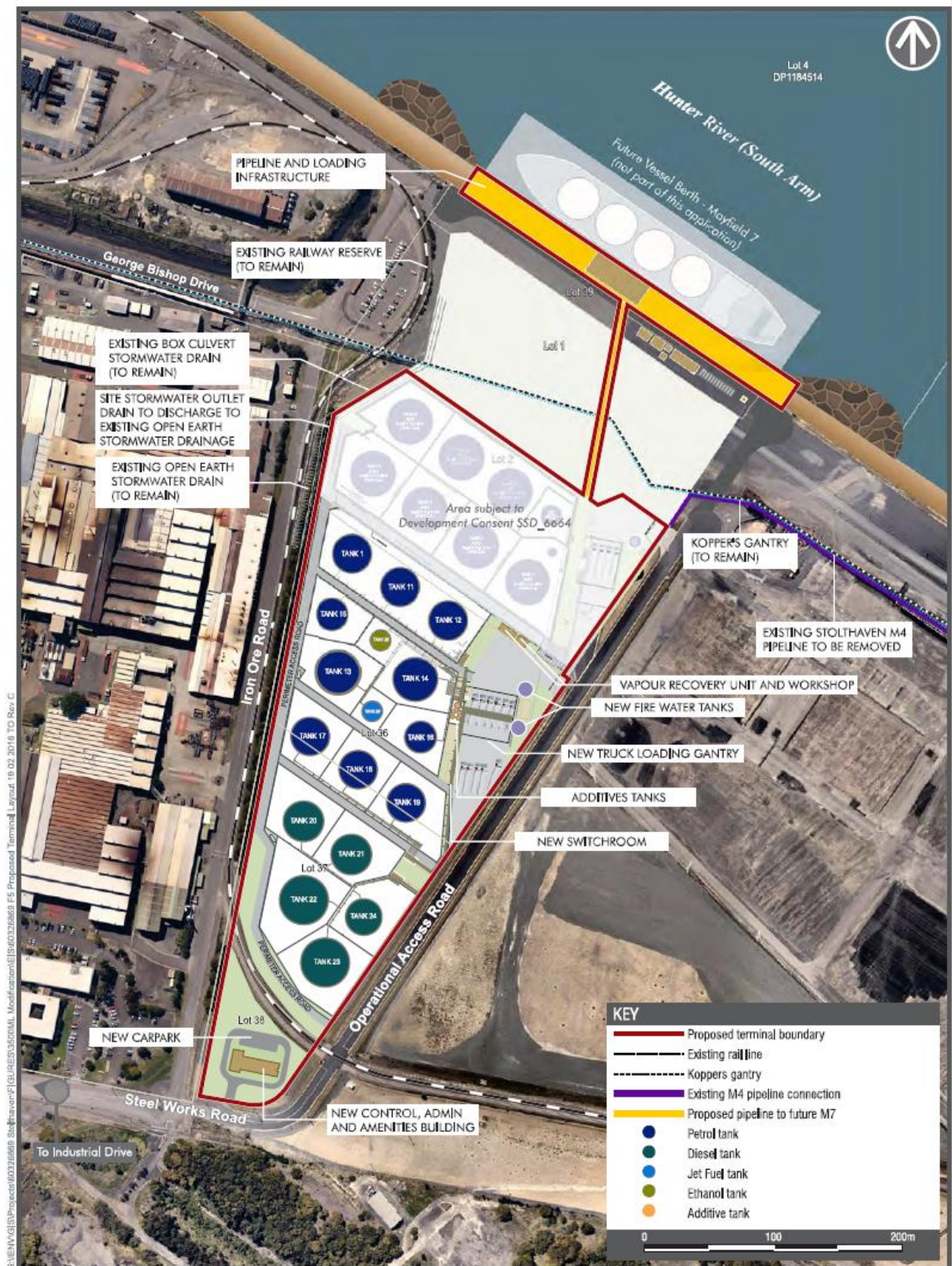
- Ship unloading facilities at the Mayfield Berth 7 wharf facility
- A delivery pipeline from the Mayfield 7 Berth to the terminal
- Nine bulk fuel storage tanks (capacities ranging from 5m³ to 18,000m³) including:
 - Seven bulk fuel (diesel) storage tanks (18,000m³ capacity)
 - Two biodiesel storage tanks (one 500m³ capacity and one 4,500m³ capacity)
- Additional storage tanks including a slops tank (30m³ capacity) within main bund area and an additive tank (50m³) within the load gantry area with secondary containment.
- Four-bay automated truck loading and unloading facility
- Pumping capacity for bulk tanker (truck) loading
- Appropriate drainage and spill containment systems
- Fire protection systems.

Current operations utilise the land area of Lot 1, 2 and 39 DP1177466. Stolthaven also holds a lease on Lots 36, 37, 38 and 40 for future construction/expansion activities approved under SSD 7065. Under SSD 7065, the facility has an approval for future construction and expansion activities as follows:

- Increased throughput of the facility from 1,300 ML to 3,500 ML
- Importing of flammable fuels (petroleum, ethanol and jet fuel) in addition to combustible fuels (diesel and biodiesel) already imported
- Construction of 17 new fuel storage tanks and associated bunds
- Construction of a marine loading arm, pumps and dual pipeline to transfer fuels to the terminal from ships docking at the Mayfield 7 Berth
- Construction of a new six bay truck loading gantry, vapour control system, office and firefighting systems.

Stolthaven did not commence any expansion activities approved under SSD 7065 in the Audit Period. Stolthaven applied to increase the allowable annual throughput from 1,300ML to 1,800ML per annum in the Audit Period. This increase in annual throughput was for combustible liquids only and not for flammable liquids. The increase relied on existing infrastructure at the Site and no major components of SSD 7065 have been constructed to date. Stolthaven engaged with the DPHI (in May 2023) and the NSW EPA (in July 2023) during the Audit Period on this proposal for an increase to the annual allowable throughput and to enquire if modifications and/or variations would be required under the Development Consent and/or EPL. It was concluded that no modification to SSD 7065 was required for the increase; however, a variation to the Site's EPL No. 20193 was required to support the increase and EPL No. 20193 was amended in January 2024.

The Site layout approved under SSD 7065 is shown as **Figure 1-1**. However, most components under SSD 7065 have yet to be constructed at the Site. The previously approved Site layout is shown as **Figure 1-2**.



AECOM

PROPOSED TERMINAL LAYOUT

Bulk Fuel Storage Facility
State Significant Development – Stolthaven Stage 3

Figure 1-1: Site layout approved under SSD 7065 (AECOM, 2016)



Figure 1-2: Site layout approved previously (AECOM, 2016)

1.3 Audit team

The Audit Team comprised Victoria Sedwick (Lead Auditor), Shaun Taylor (Auditor) and Charyssa Lawrence (Auditor Assistant) of Ramboll. The Audit Report was prepared by the Auditor Assistant, checked by the Auditor and Lead Auditor and authorised by the Lead Auditor.

1.4 Audit objectives

The objective of the audit was to independently assess the environmental performance and compliance status of the project under SSD 7065 during the audit period. The Audit Table provides an assessment of compliance under SSD 7065 and is included as **Appendix 1**.

1.5 Audit scope

To assess the environmental performance of the Site for the period since the last Independent Environmental Audit, as required under Schedule D, Condition 12 of SSD 7065, the Independent Environmental Audit 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."

1.6 Audit period

The previous Independent Environmental Audit period was from 12 June 2019 to 15 March 2022. The audit period covered by this Independent Environmental Audit is from 16 March 2022 until 24 February 2025 (the day of the Audit site visit).

2. Audit Methodology

The Audit was conducted in accordance with Australian Standard *AS/NZS ISO 19011:2014: Guidelines for quality and/or environmental management systems auditing* and the *Independent Audit Post Approval Requirements* (Department of Planning, Industry and Environment (now Department of Planning, Housing and Infrastructure), 2020) (the IAPAR 2020).

2.1 Audit team endorsement

The Ramboll Auditors referred to in **Section 1.3** have extensive experience in conducting environmental compliance audits and are independent from Stolthaven. Victoria Sedwick (Lead Auditor) is a certified Lead Auditor with Exemplar Global (Certificate No. 13180). As required under Condition D12a) of SSD 7065, endorsement of the Audit Team by the Department of Planning, Housing and Infrastructure (DPHI) was provided in a letter dated 10 January 2025. Refer to **Appendix 2** and **Appendix 3** for a copy of the Auditor endorsement letter and the Audit team's declarations of independence, respectively.

It is acknowledged that the Facility's contaminated land EPA-accredited independent Site Auditor (under the *Contaminated Land Management Act 1997*) is Fiona Robinson, who is a Ramboll employee. The Site Auditor is independent to the IEA, and the IEA is not required to evaluate the adequacy of any documents prepared by the Site Auditor. We maintain our independence to the project as the independent environmental auditors as well.

2.2 Independent audit scope development

The scope for this Audit was developed to assess the development's environmental performance in relation to SSD 7065 during the audit period, which included all post approval documents prepared to satisfy the conditions relevant to the audit period.

In addition to the above considerations, the scope of the Audit was further developed based on review or undertaking of the following:

- The recommendations made in previous IEAs
- The requirements made in IAPAR 2020
- Audit table development (refer to **Section 2.2.1**)
- Request for information (refer to **Section 2.2.2**)
- Document review (refer to **Section 2.2.3**)
- Agency consultation (refer to **Section 2.2.4**)

2.2.1 Audit table development

A comprehensive protocol (Audit Table) was developed for the development consent to facilitate onsite interviews, observations and inspections for the assessment of compliance in accordance with the IAPAR 2020. The Audit Table includes:

- a unique identification number for each condition of consent (ID)
- the exact wording of the compliance requirement
- evidence used to assess and determine whether each requirement has been complied with
- commentary on findings and recommendations
- recording the status of compliance
- a unique identification number for each non-compliance (NC)

The completed Audit Table is provided in **Appendix 1**.

2.2.2 Request for information

A formal request for information (RFI) was developed by the Auditors and issued to Stolthaven personnel on 6 February 2025. The RFI represented the preliminary information request for items to facilitate the document review task such as: management plans; environmental reports; environmental monitoring data; incident and complaint forms; evidence of report or plan submission; stakeholder consultation relevant to the audit period; and, any other documents or correspondence deemed relevant to the requirements of SSD 7065.

2.2.3 Document review

The document review task is an evidence-gathering process that involves careful examination of Stolthaven's organisation documents and supporting records to confirm accuracy and agreement with SSD 7065. The evaluation of any documents reviewed was undertaken in accordance with the IAPAR 2020 requirements which states that:

"the adequacy of documents must be determined on the basis of whether:
1. there are any non-compliances resulting from the implementation of the document; and
2. whether there are any opportunities for improvement."

Consideration of the adequacy of available documentation is provided in **Section 3.8**.

2.2.4 Agency consultation

The Auditors consulted with DPHI in accordance with the requirements of IAPAR 2020. Further, in accordance with the requirements of Condition D12 of SSD 7065, consultation was also undertaken with the NSW Environment Protection Authority (EPA) and PON. Consultation was also undertaken with Newcastle City Council (NCC). Outcomes of consultation undertaken during the audit are included in **Section 3.5** and complete consultation records are provided as **Appendix 4**.

2.2.5 Site inspection, observations and interviews

A one-day site visit was undertaken by the Audit Team comprising Victoria Sedwick (Lead Auditor) and Charyssa Lawrence (Auditor Assistant) on 24 February 2025. The Lead Auditor and Auditor Assistant were accompanied by Ryan Duckmanton, the Stolthaven Operations Manager. Interviews were also held with Andy McCormack, the Stolthaven Site Supervisor.

Photographs taken during the site visit have been provided as **Appendix 5**.

2.3 Compliance status descriptors

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

This Audit Report has been prepared in accordance with IAPAR 2020 including adoption of compliance status descriptors outlined in the IAPAR 2020 and reproduced in the following **Table 2-1**. These compliance status descriptors have been used to assess compliance requirements in the Audit table presented as **Appendix 1**.

Table 2-1: Compliance status descriptors

Status	Description
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.

2.4 Closing meeting

A closing meeting was held online on 18 March 2025 to allow for clarification of some issues, discussion of preliminary audit findings and recommendations for post-audit actions in relation to factual accuracy. The closing meeting was held online after the site inspection to allow for review of the most recent Annual Review (2024)¹ by the Auditors for completeness. The closing meeting was attended by every member of the Audit team (refer to **Section 1.3**) and Stolthaven representative Ryan Duckmanton, the Operations Manager.

¹ The 2024 Annual Review refers to Stolthaven's annual environmental report prepared by a consultant.

3. Audit Findings

3.1 Document list

The following approvals and documents provided by Stolthaven or as publicly available on the Stolthaven website or major projects portal, were reviewed by the Auditors:

- Development Consent for SSD 706
- EPL No. 20193
- Cockshott Consulting Engineers (2015) HAZOP Report and Risk Assessment
- Cockshott Consulting Engineers (2016) Terminal Preliminary Hazard Analysis
- Cockshott Consulting Engineers (2016) Transport Preliminary Hazard Analysis
- AECOM (2016) Stolthaven Bulk Fuel Terminal – Stage 3: Environmental Impact Statement – SSD 7065
- AECOM (2016) Stolthaven Bulk Fuel Terminal – Stage 3 Response to Submissions Report
- Stolthaven (2018) Construction Environmental Management Plan: Newcastle Stage 3 Development
- Letter correspondence from the Planning Secretary, Subject: Surrender of Development Consent, dated 08/05/2020
- Daracon (2021) Stolthaven Stockpile Removal Access Track Option 2 (Drawing no.S003)
- Annual Return, EPL 20193, 11/10/2021 to 10/10/2022
- Ramboll (2019) Independent Environmental Audit Stolthaven Bulk Fuel Storage Facility
- Qualtest Laboratory Pty Ltd (2022) Material Tracking and Validation Report, Access Road Construction and Minor Works, Former BHP Mayfield, NSW
- Stolthaven Monthly Data for 2022 (April - December) (Excel)
- Stolthaven (2022) Operational Environmental Management Plan
- Stolthaven (2022) Landscape Management Plan
- Ramboll (2022) Stolthaven Bulk Fuel Facility Storage Facility Independent Environmental Audit 2022
- AECOM (2022) Operational Noise Compliance Assessment
- GHD (2022) Stolthaven Mayfield Fuel Terminal Air Quality Impact Assessment
- Stolthaven Monthly Data for 2023 (January – December) (Excel)
- Annual Return, EPL 20193, 11/10/2022 to 10/10/2023
- Stolthaven Newcastle Community Group Meeting Minutes dated 15/11/2022
- Letter correspondence from a nominee of the Planning Secretary Subject: Stolthaven Mayfield Terminal (SSD-7065) 2022 Independent Environmental Audit dated 20/07/2022
- Stolthaven (2023) Traffic Management Plan
- AECOM (2023) Air Quality Management Plan
- AECOM (2023) Operational Noise Compliance Assessment
- AECOM (2023) Operational Noise and Vibration Management Plan
- Stolthaven (2023) Stormwater Management Plan
- Stolthaven (2023) Water Management Plan
- Stolthaven (2023) Utilities and Services Management Plan
- GHD (2023) Stolthaven Annual Review 2022
- Pipeline Pressure Test Certificate dated 20/10/2023
- Annual Return, EPL 20193, 11/10/2023 to 10/10/2024
- Stolthaven Newcastle Community Group Meeting Minutes dated 09/05/2023
- Stolthaven Newcastle Community Group Meeting Minutes dated 24/05/2023
- Letter correspondence from GHD, Subject: Stolthaven throughput increase – Development Consent (SSD_7065), dated 05/05/2023
- Email correspondence from DPHI, Subject: RE: Stolthaven Terminal SSD_7065 – advice re throughput increase, dated 18/05/2023
- Stolthaven Newcastle Community Group Meeting Minutes dated 11/12/2023

- GHD (2024) Stolthaven Annual Review 2023
- AECOM (2024) Operational Noise Compliance Assessment
- Notice of Licence Variation No. 20193 from the NSW EPA, dated 09/01/2024
- STOLTHAVEN TERMINALS BV (GROUP) Ecovadis Sustainability Performance Review, dated 07/011/2024
- Pipeline Pressure Test Certificate dated 14/10/2024
- Groundwater monitoring summary report Q1 2014 – Q4 2024
- Stolthaven Terminals Newcastle Maintenance Schedule for 2024
- Stolthaven Newcastle Community Group October 2024 Terminal Report
- Stolthaven (2024) Pollution Incident Response Management Plan – Publicly Available information
- GHD (2025) DRAFT Stolthaven Annual Review 2024
- Pipeline Pressure Test Certificate dated 10/01/2025
- Letter correspondence from a nominee of the Planning secretary Subject: Stolthaven Mayfield Terminal - Proposed Audit Team IEA 2024 dated 10/01/2025
- Stolthaven Monthly Data for 2025 (January) (Excel)
- Traffic Movement Register for 2022, 2023, 2024 and 2025 (Excel)
- Stolthaven Monthly Data for 2024 (January – December) (Excel)
- Email correspondence from Stolthaven to PoN Subject: Bi-monthly reports
- PoN website for Community Liaison Group: <https://www.portofnewcastle.com.au/community-and-news/community-liaison-group/>
- Stolthaven Newcastle Community Group Meeting Minutes dated 24/05/2023
- SCHN-OPS-003-006 Patrol Person Log example records
- SCHN-OPS-003-004 Wharf Attendant Before Tanker Checklist example records
- Waste register
- Example maintenance records and example permit to work records
- EPA's POEO Public Register (search for EPL 20193)
- Induction Register (EcoPortal)

The Auditors note that review of Stolthaven's 2024 Annual Review was done on the draft version only as the most up to date document at the time of writing.

3.2 Compliance performance

Compliance performance with the Development Consent SSD 7065 was assessed from a review of project documentation, audit observations and interviews with site representatives. **Table 3-1** provides a summary of the compliance performance for the Audit Period. Full details of the Auditor's findings are documented within **Appendix 1** of this report and non-compliances are identified in the following **Section 3.2.1**.

Whilst there is a total of number of five non-compliance conditions identified, the total number of non-compliances remains at four as two non-compliance conditions concern the same non-compliance issue. It should also be noted that one of these four non-compliances is triggered due to the other three non-compliances.

Table 3-1: Summary of compliance performance

Total number of conditions	100
Total number of 'compliant' conditions	60
Total number of 'non-compliant' conditions	5
Total number of 'not triggered' conditions	35

3.2.1 Non-compliances

The Auditors assessed the development to be compliant with Development Consent SSD 7065 except for the non-compliances shown in **Table 3-1**.

Table 3-2: Summary of non-compliances

NC#	Condition(s)	Non-compliance summary
NC1	B2	Non-compliances with SSD-13895306 were identified as reported in the Audit Table provided as Appendix 1 .
NC2	C21	A non-compliance with the EPL 20193 (condition M5.1) was identified for Stolthaven in the 2023 Annual Return due to a weather station failure from 27/09/2022 to 06/02/2023, impacting the recording of wind speed, direction, and sigma theta readings.
NC3	D10, D11	One reportable incident occurred during the Audit Period regarding an inadvertent activation of the gantry foam deluge system during routine fire system testing. The incident was not reported to the Planning Secretary, although reported to the EPA.
NC4	D13	Stolthaven submitted the 2022 IEA report and response to recommendations to the Department on 28 April 2022 and to PON on 2 May 2022 but failed to provide evidence of submission to the NSW EPA.

3.3 Summary of agency notices, orders, penalty notices or prosecutions

The Auditors are not aware of any agency notices, orders, penalty notices or prosecutions made against the facility during the Audit Period.

3.4 Previous audit recommendations

An assessment of the progress on the recommendations made in the previous IEA (dated 2022) is presented in **Table 3-3**.

Table 3-3: Status of Previous Audit Recommendations

Consent Requirement	Previous audit status	Previous audit recommendations	Status
<p>SSD 7065, Condition B2</p> <p>The Applicant shall carry out the Development in accordance with the:</p> <ol style="list-style-type: none"> State Significant Development Application SSD 7065; EIS and RTS; the plans and drawings at Appendix 1; and the Management and Mitigation Measures at Appendix 2. 	Non-compliant	Include a description of the complaints management in the LMP at the next update or reference to the procedure in the Environmental Management Plan.	Complete. The Stolthaven Landscape Management Plan was amended to include complaints management and was submitted to DPHI 06 July 2022.
<p>SSD 7065, Condition D7</p> <p>The Applicant shall ensure the management plans required under this consent are prepared in accordance with any relevant guidelines, and include:</p> <ol style="list-style-type: none"> detailed baseline data; 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; a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria; a program to monitor and report on the: <ul style="list-style-type: none"> impacts and environmental performance of the Site; and effectiveness of any management measures (see c) above); a contingency plan to manage any unpredicted impacts and their consequences; 			

Consent Requirement	Previous audit status	Previous audit recommendations	Status
<p>f) a program to investigate and implement ways to improve the environmental performance of the Site over time;</p> <p>g) a protocol for managing and reporting any:</p> <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 <p>h) a protocol for periodic review of the plan</p>			
<p>SSD 6664 (now surrendered), Condition 2-2</p> <p>The Applicant must carry out the Development generally in accordance with the:</p> <p>a) EIS and RTS;</p> <p>b) Development layout plans and drawings in the EIS (see Appendix 1);</p> <p>c) Applicant's Management and Mitigation Measures (see Appendix 2);</p> <p>d) MOD1; and</p> <p>e) Conditions of this consent</p>	Non-compliant	As above.	Complete.
<p>SSD 6664 (now surrendered), Condition 4-2</p> <p>The Applicant must ensure that the management plans required under this consent are prepared in accordance with any relevant guidelines, and include:</p> <p>a) detailed baseline data;</p> <p>b) a description of:</p> <ul style="list-style-type: none"> 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; 			

Consent Requirement	Previous audit status	Previous audit recommendations	Status
<p>c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;</p> <p>d) a program to monitor and report on the:</p> <ul style="list-style-type: none"> impacts and environmental performance of the Development; and effectiveness of any management measures (see c) above); <p>e) a contingency plan to manage any unpredicted impacts and their consequences;</p> <p>f) a program to investigate and implement ways to improve the environmental performance of the Development over time;</p> <p>g) a protocol for managing and reporting any:</p> <ul style="list-style-type: none"> incidents; complaints; non-compliances with statutory requirements; and exceedances of the relevant limits and/or performance measures / criteria; and <p>h) a protocol for periodic review of the plan.</p>			
<p>SSD 7065, Condition C44</p> <p>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:</p> <p>a) be updated prior to operation of the Development;</p> <p>b) be prepared in accordance with OEH's <i>Managing Urban Stormwater</i> and other relevant guidelines;</p> <p>c) detail the stormwater infrastructure to be installed for the Development and detail how it integrates with the existing stormwater system on the Site;</p> <p>d) describe the measures to be implemented to maintain this infrastructure over time;</p>	Opportunity for improvement	Undertake a review of the SWMP prior to commencement of further works under SSD 7065 to ensure it is consistent with the Managing Urban Stormwater Guidelines, including the addition of figures where relevant.	Open. Stolthaven reported that no further action will take place until commencement of further works.

Consent Requirement	Previous audit status	Previous audit recommendations	Status
<p>e) include a program to monitor stormwater quality and quantity; and</p> <p>f) 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.</p>			
<p>SSD 7065, Condition C45</p> <p>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:</p> <p>a) be updated prior to operation of the Development;</p> <p>b) include procedures for the prevention and management of spills and leaks from the Development, including the terminal, M7 berth and pipeline;</p> <p>c) 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;</p> <p>d) 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</p> <p>e) include a surface and groundwater response plan, including remedial actions and procedures to be followed in the event of an incident.</p>	<p>Opportunity for improvement</p>	<p>Given the results of the groundwater monitoring, it is recommended that the WMP is updated in consultation with the Site Auditor and the PON to include specific triggers for pH (time and/or value based) that clearly define when further investigations or actions are required.</p>	<p>Completed.</p> <p>Stolthaven discussed this with the EPA during a site visit (23 February 2023), to review if the EPL condition to monitor pH Groundwater could be relaxed from EPL 20193. It was discussed that whilst the Stolthaven operation may not have an impact of groundwater pH, the EPA would want pH levels monitoring to continue to provide a wider picture of results across the Mayfield Concept Area and previous ground contamination movements. As a result, the recommendation to create specific pH trigger limits specifically for the Stolthaven operation is without value. Stolthaven will continue to sample, monitor and record pH in accordance with EPL 20193. Stolthaven closed this item on 1 March 2023.</p>

3.5 Consultation outcomes

A summary of consultation undertaken between government agencies and the Auditor(s) during the audit period is provided in **Table 3-4** with complete consultation records provided as **Appendix 4**. There are no specific consultation requirements specified in the Development Consent.

Table 3-4: Consultation outcomes

Agency	Comments	Where addressed
DPHI	There is no particular focus, above and beyond, that the Department requests of the Auditors for this IEA.	N/A
NSW EPA	There are no outstanding or significant environmental matters or concerns the EPA would like to raise in regard to the Stolthaven Bulk Fuel Facility audit. EPA regulates this site through Environment Protection Licence 20193 and there is no significant environmental or compliance matters for the period March 2022 – February 2025 to be addressed.	N/A
Newcastle City Council	Council has no issues to raise regarding the overall environmental performance of the facility.	N/A
PoN	PON has no issues with Stolthaven operations, from an environmental performance perspective.	N/A

3.6 Complaints

No complaints were received by Stolthaven throughout the Audit Period.

3.7 Incidents

Stolthaven record incidents within a register (EcoPortal). Following an incident Stolthaven prepares an Incident Report in accordance with their internal Incident Investigation procedure. One reportable incident occurred during the Audit Period on the 28 September 2023.

During routine fire system testing, Stolthaven's gantry foam deluge system was inadvertently activated resulting in foam deployment. Approximately 3,325 litres of foam mixture (100 litres foam concentrate - 3%) was distributed before the system was shut down. No personnel were in the gantry area during the incident. Foam deployment was contained in the Facility's retention pit and disposed of using an accredited waste removalist as the foam contains Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS).

An investigation found the foam deluge system was activated due to the activation of two motor control panels (MCP) in the gantry area during testing (rather than activating one MCP at a time and waiting to finish testing before activating the next MCP), and there was no awareness by a new employee of an existing contractor that the two MCPs would activate the foam system.

Stolthaven personnel confirmed that following investigations into the incident, the gantry has been designed so that any spill and/or fire protection activation is captured in the concrete bunded area of the gantry. This bunded area drains to a large blind concrete pit, called the Remote Impound Basin (RIB). The RIB cannot gravity drain and requires pumping out. RIB pump out and cleaning is managed by an approved waste management company with waste tracking.

Investigations are underway with the Site's Site Auditor regarding long term management of the concrete areas and PFAS contamination levels.

Incident actions completed include the following:

- The fire panel was re-programmed and MCP foam control was removed. Foam is now only activated by Facility's blue foam Call Points and/or the gantry Flame Detectors
- Procedures updated within FORM1 so that the foam system is isolated before any fire system testing is undertaken
- New signage installed at the foam tank advising the above requirement to isolate before testing.

The Facility now holds an exemption from the EPA to hold this foam for firefighting purposes until 30th June 2025. Stolthaven is looking to transition away from PFAS firefighting foams at the Facility and is currently targeting May 2025 for replacement to PFAS free firefighting foam.

Stolthaven notified the NSW EPA on 29 September 2023 of the incident via a self-report, and Stolthaven also notified PON of the incident on the 3 October 2023. However, no notification of the incident was reported to the Planning Secretary, therefore one non-compliance recommendation has been made where Stolthaven could improve on incident management and notification requirements (refer to **Section 4.1**).

3.8 Environmental management and post-approval plans

Based on the documents reviewed, the Auditors found that the operation of the facility was occurring generally in accordance with the environmental management plans, subplans and post approval documents. The auditors reviewed these plans and considered them suitable for ongoing environmental management of the facility and that they have been implemented.

As detailed in **Appendix 1** (refer to Condition D7 of the Audit Table), each post-approval management plan reviewed included:

- a) detailed baseline data;
- b) a description of:
 - 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;
- c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;
- d) a program to monitor and report on the:
 - impacts and environmental performance of the Site; and
 - effectiveness of any management measures;
- e) a contingency plan to manage any unpredicted impacts and their consequences;
- f) a program to investigate and implement ways to improve the environmental performance of the Site over time;
- g) a protocol for managing and reporting any:
 - incidents;
 - complaints;
 - non-compliances with statutory requirements; and
 - exceedances of the relevant limits and/or performance measures/ criteria; and
- a protocol for periodic review of the plan.

The Auditors consider the above criteria to generally satisfy the requirements of the *Post Approval Guidance: Environmental Management Plan Guideline* by the NSW Department of Planning, Industry and Environment (now the DPHI) and dated April 2020.

3.9 Environmental performance

Overall, site operations and activities at the Facility have been generally undertaken in accordance with the development consents.

3.9.1 Surface water and stormwater management

Stormwater runoff at the Facility is managed through a system including sumps, underground drainage culverts, and dedicated bunds that capture and direct stormwater flow to the licensed discharge point.

The Facility employs various monitoring stations in accordance with the EPL No. 20193 requirements where water quality is regularly sampled and tested. Sampling is conducted at licensed discharge points onsite, with results detailed in the annual reviews for the Audit Period. These sampling points include locations within sedimentation basins and detention ponds, which effectively capture stormwater runoff.

The sedimentation basin captures initial runoff for the first flush volume and facilitates primary sedimentation, while its connected detention pond handles larger volumes, particularly during significant rain events. This configuration allows for the 'first flush' of stormwater to be captured, diluted, and then discharged under controlled conditions.

Water quality results from 2022 and 2023 demonstrate compliance with environmental requirements, showcasing effective management of contaminants. Sampling results, particularly from bund water, are presented in the Annual Reviews and demonstrate adherence to the Site's EPL. Specific parameters such as pH levels, chemical oxygen demand (COD), and concentrations of contaminants like PFAS are monitored to ensure compliance.

Based on the review of environmental monitoring data, the Site's stormwater runoff and collection systems were adequately managed during the reporting periods.

3.9.2 Groundwater management

Groundwater monitoring is conducted at designated wells, including both the Current Site Area and the Approved Expansion Area (refer to **Figure 1-1** and **Figure 1-2**). Nine groundwater wells are regularly sampled in accordance with the EPL No. 20193, with detailed monitoring events presented in the Annual Reviews.

The Site's groundwater monitoring program includes visual inspection, sampling following rainfall events, and analysis of various water quality parameters. These parameters include evidence of erosion and scouring around stormwater discharge outlets, changes in clarity, colour, and odour of receiving waters, presence of debris and rubbish, evidence of stress on flora or fauna, and presence of oily films on water surfaces.

Groundwater is assessed against the Site's Groundwater Assessment Criteria (GAC), which was established based on background concentrations recorded in 2013. Annual reviews present detailed groundwater quality results, demonstrating compliance with established standards. The documents reviewed indicate that sampled groundwater levels met compliance standards, showing no significant exceedances.

3.9.3 Waste management

Waste generated at the Facility includes solid and liquid waste arising from fuel storage and handling activities. Key waste streams include waste oil, oily water from sump areas, wash-bay solids, and sediment collected from stormwater systems. The Facility's Waste Management Plan outlines specific procedures for handling and storing various types of waste. Dedicated waste bins are utilized onsite, and periodic collection by authorized waste contractors is conducted to ensure timely removal and proper disposal.

For handling oily water and wash-bay solids, the facility uses containment and treatment whereby waste oil is collected in separate containers and sent for recycling or disposal via licensed contractors.

3.9.4 Wastewater management

Wastewater at the Facility is managed in an onsite septic system which is regularly pumped out by a licensed trade waste contractor who are responsible for wastewater collection and disposal.

3.9.5 Air quality and dust management

Air quality at the Facility is influenced by emissions from fuel storage and handling activities. The Facility monitors a range of atmospheric emissions, including volatile organic compounds and particulate matter, to ensure compliance with environmental standards. This monitoring is conducted in accordance with the EPL No. 20193.

Review of air quality monitoring data for the Audit Period as reported in the Annual Reviews shows that the Site's air emissions were within acceptable limits, demonstrating effective management of the Facility's emissions.

3.9.6 Noise management

Noise monitoring was conducted regularly at various receiver locations around the Site to assess compliance with noise limits stated in EPL 20193 and SSD 7065. The results of these assessments showed that the operation of the Facility adheres to project-specific noise goals outlined in the Facility's Noise Management Plan. Truck movements, which could potentially impact noise levels, were below the limits specified in the Mayfield Concept Plan and have generally decreased since 2015.

Because no noise complaints were received during the Audit Period and the compliance with all site approval documents at all receiver locations, the Auditor is of the opinion that the Facility's noise emissions were managed adequately during the Audit Period.

3.9.7 Environmental issues

The Auditors note no obvious environmental issues associated with the operation of the bulk fuel storage facilities were identified or observed during this audit.

3.10 Actual versus predicted impacts

The Auditors have not identified significant inconsistencies between actual environmental impacts and the predicted environmental impacts. Review of environmental monitoring data and site visit observations did not identify:

- any potential off-site impacts from the Facility
- discrepancies with the physical extent of the Facility in comparison with the approved boundary
- discrepancies between actual and predicted impacts documented in the planning approval documents.

3.11 Site visit and interviews

Photos from the site visit are provided in **Appendix 5**. In general, the Facility was observed to be well maintained.

Information regarding the history of the Site and a general overview of Facility operations was provided by Stolthaven personnel. Documents and records were reviewed and further information was later provided on request via email and incorporated into this Audit Report where relevant.

3.12 Key strengths

Stolthaven demonstrated a proactive approach concerning their statutory, Development Consent, and general environmental management requirements. During the Audit Period, Stolthaven consulted with relevant stakeholders and maintained comprehensive communication, keeping key stakeholders informed of their operations and developments.

Documentation was provided promptly to inform this IEA, indicating strong record-keeping practices and a well-organized approach to data management. Stolthaven's safety processes and procedures were found to be robust, and the Site was observed to be clean and well maintained, reflecting effective housekeeping practices.

4. Recommendations and Conclusion

4.1 Non-compliance recommendations

A summary of non-compliance recommendations identified as part of this Audit is provided in **Table 4-1** with further details presented as **Appendix 1**.

Table 4-1: Non-compliance recommendations

NC#	Condition(s)	Recommendation
NC1	B2	No recommendation is made under these conditions as the Applicant will be addressing the individual recommendations made under the non-compliances NC2, NC3 and NC4 identified in this IEA.
NC2	C21	No recommendations made as all corrective actions had been implemented.
NC3	D10, D11	Stolthaven's Emergency Plan should be updated with regards to Section 9.0 and 10.0 on incident management. The decision-making process to determine whether an incident meets the criteria to be "an incident that causes (or may cause) material harm to the environment" should be described in the Emergency Plan to address the notification/ incident reporting requirements of both EPL 20193 and SSD 7065.
NC4	D13	The 2025 IEA and Response to Recommendations be provided to the Secretary and PON, in addition to the NSW EPA, within three months of the 2025 IEA commissioning.

4.2 Opportunities for improvement

A summary of additional continuous improvement recommendations identified as part of this Audit is provided in **Table 4-2** with further details provided in the Independent Audit Table presented as **Appendix 1**.

Table 4-2: Continual improvement recommendations

Condition(s)	Recommendation
C46	Consider if the collection of air compressor receiver oily-water bleed collection could be improved.

5. Conclusion

Based on the Independent Environmental Audit conducted on the Audit Period between 16 March 2022 to 24 February 2025, it was determined that the Facility has generally adhered to the conditions of SSD-7065 development consent, demonstrating proactive environmental management and stakeholder communication.

The audit identified four non-compliances related to EPL 20193 condition M5.1; incident reporting for an incident during fire system testing; and submission of documentation. Despite these non-compliances, the Auditors consider that Stolthaven maintains robust safety processes, well-organized data management, and effective housekeeping practices. One opportunity for improvement was identified where the storage and collection of liquids could be improved.

Appendix 1

Audit Table for SSD-7065

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
	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 This Audit Table Incident Register (EcoPortal) 	Environmental management on site appeared to be effective in minimising harm to the environment through implementation of the management plans. Operations on site were observed to be generally compliant with the Development Consent (this table). No environmental harm to the environment has reportedly occurred during the audit period.	Compliant	
	Terms of Consent				
B2	<p>The Applicant shall carry out the Development in accordance with the:</p> <ul style="list-style-type: none"> a) State Significant Development Application SSD 7065; b) EIS and RTS; c) the plans and drawings at Appendix 1; and d) the Management and Mitigation Measures at Appendix 2. 	<ul style="list-style-type: none"> Development Consent for SSD 7065 AECOM (2016) Stolthaven Bulk Fuel Terminal – Stage 3: Environmental Impact Statement – SSD 7065 (the '2016 EIS') AECOM (2016) Stolthaven Bulk Fuel Terminal – Stage 3 Response to Submissions Report (the '2016 RTS') Site inspection 	<p>The requirements under this condition are considered to be met with one exception as follows:</p> <ul style="list-style-type: none"> a) The Auditors consider the development to have been carried out generally in accordance with the conditions of consent. However, as non-compliances with SSD-7065 were identified as noted in this table (refer to NC2, NC3 and NC4), this condition is therefore considered non-compliant. b) Site operations appeared to be generally consistent with these documents listed and with the predictions made regarding environmental impacts of the project (see discussion in Section 3.10 of the Audit Report). 	Non-compliant	NC1

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
		<ul style="list-style-type: none"> Evidence as listed in this table 	<p>c) Site operations appeared to be generally consistent with the plans and drawings in Appendix 1 as it relates to the current stage of the development (based on observations from the site inspection).</p> <p>d) Commitments have been assessed at the end of this table. No non-compliances were identified.</p> <p>No recommendation is made under these conditions as the Applicant will be addressing the individual recommendations made under the non-compliances NC2, NC3 and NC4 identified in this IEA.</p>		
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"> This Audit Table 	No inconsistencies with these documents were noted during the audit.	Compliant	
B4	<p>The Applicant shall comply with any reasonable requirement(s) of the Secretary arising from the Department's assessment of:</p> <p>a) any reports, plans or correspondence submitted in accordance with this consent; and</p> <p>b) the implementation of any actions or measures contained in these documents.</p>	<ul style="list-style-type: none"> Site personnel correspondence 	The Auditors are not aware of any requests made from the Secretary in this regard during the Audit Period.	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 SSD 7065 Ramboll (2019) <i>Independent</i> 	The Development Consent for SSD 7065 was issued on 15 December 2016. This condition was assessed in two previous audits, the 2019 IEA and 2022 IEA, which state that a letter was provided	Not triggered	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
		<p><i>Environmental Audit Stolthaven Bulk Fuel Storage Facility (the '2019 IEA')</i></p> <ul style="list-style-type: none"> Ramboll (2022) <i>Stolthaven Bulk Fuel Facility Storage Facility Independent Environmental Audit 2022 (the '2022 IEA')</i> 	<p>by the Planning Secretary (dated 24 October 2018) which documents the activation of the Development Consent.</p> <p>As such this Condition was previously assessed and, therefore, not triggered in this Audit Period.</p>		
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"> 2022 IEA Letter correspondence from the Planning Secretary, Subject: <i>Surrender of Development Consent</i>, dated 08/05/2020 Email correspondence from DPHI, Subject: <i>RE: Stolthaven Terminal SSD_7065 – advice re throughput increase</i>, dated 18/05/2023 Notice of Licence Variation No. 20193 from the NSW EPA, dated 09/01/2024 Letter correspondence from GHD, Subject: 	<p>The 2022 IEA and letter correspondence from the Planning Secretary (dated 08/05/2020) confirms that SSD 6664 was surrendered prior to the Audit Period (on 23 April 2020).</p> <p>Stolthaven applied to increase the allowable annual throughput from 1,300ML to 1,800ML per annum in the Audit Period. This increase relied on existing infrastructure at the site and no major components of SSD 7065 have been constructed during the Audit Period to comprise Stage 3 of the project.</p> <p>Stolthaven engaged with the DPHI (in May 2023) and the NSW EPA (in July 2023) during the Audit Period on this proposal for an increase to the annual allowable throughput and to enquire if modifications and/or variations would be required under the Development Consent and/or EPL.</p> <p>Email correspondence from DPHI indicated that DPHI advice concluded there would be no requirement for a modification to the existing</p>	Compliant	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
		<p><i>Stolthaven throughput increase – Development Consent (SSD_7065), dated 05/05/2023</i></p> <ul style="list-style-type: none"> Letter correspondence from Stolthaven, Subject: <i>Notice of Review of Environmental Protection Licence No 20193</i>, dated 27/07/2023 GHD (2022) <i>Stolthaven Mayfield Fuel Terminal Air Quality Impact Assessment</i> 	<p>consent on the basis that the increase is using existing infrastructure.</p> <p>Stolthaven commissioned GHD to prepare an Air Quality Impact Assessment to assess the impact of the proposal to air quality which supported the EPL Variation Application. The assessment modelled air dispersion conditions under 'normal' and 'maximum' operational scenarios and predicted compliance with all the relevant air quality criteria for all modelled pollutants under both scenarios.</p> <p>The Notice of Licence Variation dated 9 January 2024 provides evidence that NSW EPA accepted the throughput increase with minor variation to the EPL.</p> <p>Therefore, the surrender of SSD 6664 and amendments to the EPL were sought by Stolthaven prior to the allowable annual throughput increase to 1,800ML was undertaken at the site. The Auditors understand that DPHI was made aware of the minor variations to the EPL for the increase from 1,300ML to 1,800ML.</p> <p>Note: The 'Development' is defined in the Definition section of SSD 7065 Development Consent as "<i>The development described in the EIS and RTS involving expansion of the existing bulk fuel storage terminal to receive, store and dispatch flammable and combustible fuels via pipeline from the M7 berth and increase throughput to 3,500 million litres per year</i>".</p>		

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
			Hence, the 'amended EPL' issued for the Development' referred to in this Condition is understood by the Auditors to refers to the EPL amendment which would sought as part of the construction of Stage 3.		
B7	<p>Following the receipt of an amended EPL for the Development and the surrender of SSD 6664 in accordance with Condition B11, the Applicant shall:</p> <p>a) not receive, store and dispatch more than 3,500ML of flammable and combustible liquids on the Site per year; and</p> <p>b) ensure the storage capacity at the Site does not exceed 355.7 ML of flammable and combustible liquids at any one time.</p>	<ul style="list-style-type: none"> GHD (2025) DRAFT Stolthaven Annual Review 2024 (the '2024 Draft Annual Review') GHD (2024) Stolthaven Annual Review 2023 (the '2023 Annual Review') GHD (2023) Stolthaven Annual Review 2022 (the '2022 Annual Review') 	<p>Volumes of fuel stored, received and dispatched are recorded in the Annual Reviews and the Fuels Manager database. The requirements of this consent were met during the Audit Period as follow:</p> <p>a) Volumes recorded did not exceed 3,500 ML per year for the Audit Period as reported in the Annual Reviews for the Audit Period.</p> <p>b) The total storage capacity of the nine storage tanks is 129 ML as reported in the Annual Reviews for the Audit Period.</p>	Compliant	
B8	The Applicant shall not receive flammable liquids from the M4 berth at any time.	<ul style="list-style-type: none"> Site personnel correspondence 	Site personnel correspondence confirmed that the M4 berth has not been used by Stolthaven during the Audit Period.	Compliant	
B9	<p>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:</p> <p>a) storage of additives in IBCs within a bund constructed in accordance with Australian Standard 1940-2004: The storage and handling of flammable and combustible liquids; and</p>	<ul style="list-style-type: none"> Site personnel correspondence 	<p>The IBC containers referred to in this condition are not part of the current 'Stage 2' of the development and the bunds have not been constructed. Therefore, this requirement was not triggered for the Audit Period.</p> <p>Note: This condition (and the condition B10 below) are not referring to the existing 50,000</p>	Not triggered	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
	<p>b) implementation of relevant safety procedures for fire safety and protection of personnel as required by Condition C4b).</p> <p>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 B9a) and B9b) above.</p>		litres Additive Tank (UN 3082) approved under SSD 6664.		
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 personal correspondence Site inspection 	Refer to response to Condition B9. The IBC containers referred to in this condition are not part of the current 'Stage 2' of the development and the bunds have not been constructed. Therefore, this requirement was not triggered for the Audit Period.	Not triggered	
Other Consents and Approvals					
B11	<p>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.</p> <p>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.</p>	<ul style="list-style-type: none"> 2022 IEA Letter correspondence from the Planning Secretary, Subject: <i>Surrender of Development Consent</i>, dated 08/05/2020 	<p>The 2022 IEA and letter correspondence from the Planning Secretary (dated 08/05/2020) confirms that SSD 6664 was surrendered prior to the Audit Period (on 23 April 2020).</p> <p>As such, this condition is considered not triggered during the Audit Period.</p>	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.	<ul style="list-style-type: none"> Site personnel correspondence Site inspection 	SSD 7065 was activated in 2018 for the construction and operation of the new M7 berth and associated fuel pipeline, referred to as 'Stage 1' of the development (currently the development sits in 'Stage 2'). No other elements of the project as approved under SSD 7065 as the 'Stage 3' project have been initiated. Flammable liquids are	Not triggered	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
			not received by ship. Therefore, this requirement was not triggered for the Audit Period.		
B13	Nothing in this consent impacts on the following consents/approvals: <ul style="list-style-type: none"> PA 12/001 issued under Section 111 of the EP&A Act dated 20 February 2012; and DA 293-08-00 as modified issued under Section 80 of the EP&A Act dated 6 April 2001. 	<ul style="list-style-type: none"> Site interview 	PA 12/001 relates to an activity approval for infrastructure that links a Hunter Development Corporation (now the Hunter and Central Coast Development Corporation) owned substation to the site. DA 293-08-00 applies to remediation of the Closure Area which is now managed by PON. The Auditors have no reason to believe that the project has impacted on these consents during the Audit Period.	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 on the NSW Planning Portal 	<p>The Mayfield Concept Plan Approval (09_0096) and associated Contaminated Site Management Plan are administered and managed by PON. Stolthaven maintains coordination with PON and the Mayfield Concept Plan through the following:</p> <ul style="list-style-type: none"> Ongoing consultation in the PON Community Liaison Group (refer to Condition D14) Management plans are reviewed by PON (see response to management plan conditions in this table) A bi-monthly monitoring report is sent to PON (see response to Condition 22) Annual Reviews are sent to PON for review (see response to Condition D9) Groundwater monitoring in accordance with Stolthaven's EPL (EPL 20193). 	Compliant	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
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"> 2022 IEA 	<p>The 2022 IEA confirms Stolthaven removed the pipeline in July 2019 in consultation with PON and to the satisfaction of the Secretary.</p> <p>Therefore, this Condition was previously assessed and is not triggered in this Audit Period.</p>	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.	<ul style="list-style-type: none"> Email correspondence, from DPHI personnel, Subject: <i>RE: Stolthaven Terminal SSD_7065 - advice re throughput increase</i>, dated 18/05/2023 EPA's POEO Public Register (search for EPL 20193) 	<p>As part of Stolthaven's application to increase the annual allowable throughput volume up to 1,800ML per annum (refer to condition B6), DPHI advised Stolthaven via email correspondence to review the existing management plans to make sure they align with the new operating threshold.</p> <p>Stolthaven completed this review of existing management plans as per DPHI advice during the Audit Period and the Applicant updated several management plans during the audit Period in response to the increase in throughput in accordance with DPHI advice on the throughput increase.</p> <p>Refer to Condition B22 discussing management plan updates. All management plan reviews are recorded in the document control table of each respective plan.</p> <p>Stolthaven also did undertake an EPL variation to keep their regulatory licences up to date in response to operational change in throughput.</p>	Compliant	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
	Structural Adequacy				
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"> Site personnel correspondence Site inspection 2022 Annual Review 2023 Annual Review 2024 Draft Annual Review 	<p>Site interview correspondence confirmed that no construction works required to meet the relevant requirements of the BCA occurred during the Audit Period.</p> <p>Minor construction did occur during the Audit Period limited to new shelters over operational areas and access improvements within tank bund areas.</p> <p>Therefore, this condition was not triggered during the Audit Period.</p>	Not triggered	
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"> Site personnel correspondence Site inspection 2022 Annual Review 2023 Annual Review 2024 Draft Annual Review 	<p>Consistent with the response to Condition B17, no major construction works including new buildings or structures were constructed during the Audit Period.</p> <p>Therefore, this condition was not triggered during the Audit Period.</p>	Not triggered	
	Protection of Public Infrastructure				
B19	<p>The Applicant shall:</p> <ol style="list-style-type: none"> repair, or pay the full costs associated with repairing public infrastructure that is damaged by the Development; and relocate, or pay the full costs associated with relocating public infrastructure that needs to be relocated as a result of the Development. 	<ul style="list-style-type: none"> Site personnel correspondence 	<p>Site personnel correspondence advised that no damage to public infrastructure has been detected by Stolthaven and no requests have been received to repair any public infrastructure during the Audit Period. Further, no public infrastructure is required to be relocated for the project for the Audit Period.</p>	Not triggered	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
	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 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.	<ul style="list-style-type: none"> Stolthaven (2023) Utilities and Services Management Plan (the '2023 USMP') 	<p>Stolthaven's 2023 USMP outlines the plan for providing the site with utilities and services for ongoing operations and considered electricity, water, sewerage, telecommunications and gas utilities.</p> <p>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.</p>	Compliant	
	Operation of Plant and Equipment				
B21	<p>The Applicant shall ensure plant and equipment used for the Development is:</p> <p>a) maintained in a proper and efficient condition; and</p> <p>b) operated in a proper and efficient manner.</p>	<ul style="list-style-type: none"> Site personnel correspondence Site inspection Stolthaven Terminals Newcastle Maintenance Schedule for 2024 Example maintenance records Induction Register (EcoPortal) Example permit to work records 	<p>The requirements under this condition are met as follows:</p> <p>a) Stolthaven manages the maintenance of plant and equipment under a Site Asset Management Program.</p> <p>The Auditors viewed Stolthaven's 2024 completed Maintenance Schedule which was organised by frequency of maintenance and the equipment and/or site zone requiring maintenance. The schedule is also divided into operator tasks and contractor tasks appropriately. Site personnel correspondence confirmed that the maintenance schedule is also tracked in an online software system. The Auditors then viewed Stolthaven's individual maintenance records for plant, equipment and general site inspection which</p>	Compliant	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
			<p>were able to be cross-referenced back to the 2024 Maintenance Schedule.</p> <p>b) Stolthaven manage the operation of plant and equipment through their training and induction system 'Eco Portal'. The Auditors viewed Stolthaven's training records within Eco Portal which demonstrated records of individual contractor, worker and visitor inductions. Site work is also managed under a Permit to Work system which covers Start Work, Temporary Ignition Source, Confined Space and Working at Heights. The Auditors sighted Stolthaven's Permit to Work system records at the site inspection.</p>		
	Staged Submission of Plans or Programs				
B22	<p>With the approval of the Secretary, the Applicant may:</p> <p>a) submit any strategy, plan or program required by this consent on a progressive basis; and/or</p> <p>b) combine any strategy, plan or program required by this consent.</p>	<ul style="list-style-type: none"> AECOM (2023) Air Quality Management Plan (the '2023 AQMP') Stolthaven (2023) Traffic Management Plan (the '2023 TMP') AECOM (2023) Operational Noise and Vibration Management Plan (the '2023 ONVMP') Stolthaven (2023) Stormwater Management Plan (the '2023 SMP') 	<p>Several management plans were updated in the Audit Period following the DPHI advice in response to Stolthaven's application to increase the allowable annual throughput at the Site (refer to Condition B6). Letter correspondence from the DPHI demonstrates that the 2023 AQMP, the 2023 TMP, the 2023 ONVMP, and the 2023 SMP were approved by a delegate of the Planning Secretary following Stolthaven's update of management plans.</p> <p>The 2022 OEMP and 2022 LMP were updated by Stolthaven outside of this Audit Period.</p>	Compliant	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
		<ul style="list-style-type: none"> Stolthaven (2023) Water Management Plan (the '2023 WMP') Stolthaven (2023) Utilities and Services Management Plan (the '2023 USMP') Stolthaven (2022) Landscape Management Plan (the '2022 LMP') Stolthaven (2022) Operational Environmental Management Plan (the '2022 OEMP') Letter correspondence from the Department of Planning and Environment (now the DPHI) <i>Subject: Approval of the Revised Management Plans for Stolthaven Mayfield Terminal</i>, dated 25/07/2023 			
	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"> 2022 IEA 	This condition was assessed in the 2022 IEA which deemed Stolthaven's partial development contribution of \$50,000 paid to City of Newcastle	Not triggered	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
	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.		<p>in February 2019 as the agreed sum for the operation of the M7 pipeline where it falls within the consent area and that the remaining balance is to be paid by Stolthaven when the remainder of the consent (additional tankage and truck loading gantry) is constructed.</p> <p>As the additional tankage and truck loading gantry remains unconstructed, this condition was not triggered for the Audit Period.</p>		
	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.	<ul style="list-style-type: none"> Site personnel correspondence 	Site personnel confirmed that no disputes have occurred between Stolthaven and a public authority during the Audit Period. Therefore, this condition was not triggered for the Audit Period.	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"> Site personnel correspondence Site inspection Induction Register (EcoPortal) Example permit to work records 	<p>Stolthaven ensures compliance with the conditions of this consent via the induction and training system, management plans and health and safety procedures such as the Permit to Work system.</p> <p>The Induction register as recorded by Eco Portal, was viewed during the site inspection. The system records the individual name; whether the individual is a contractor, visitor, worker; competency level; induction date; induction expiry date; and the date of last update. In case of</p>	Compliant	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
			<p>induction expiries, contractors are locked out of the site by the gate entry system.</p> <p>Daily pre-starts are completed at the beginning of each shift so that employees and contractors are aware of the requirements related to that day's activities. Hard copy examples of completed daily pre-start sheets were viewed by the Auditors during the site inspection.</p>		
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 (EcoPortal) 	<p>Stolthaven manages potential environmental impacts through training and inductions, incidents and also CCTV live feed.</p> <p>In addition to the Induction Register, Stolthaven also maintains an Incident Register within the EcoPortal system.</p> <p>The Incident Register was viewed for the Audit Period and included several non-reportable incidents relating to contractor (driver) conduct as observed and monitored by Stolthaven operators.</p>	Compliant	
Schedule C – Specific Environmental Conditions					
HAZARDS					
C1	<p>The Applicant shall implement:</p> <ol style="list-style-type: none"> all control measures proposed in the PHA; all relevant actions, as listed in Appendix C of the PHA, in response to the recommendations from the Buncefield incident investigation report; and all recommendations of the PHA. 	<ul style="list-style-type: none"> Cockshott Consulting Engineers (2016) <i>Terminal Preliminary Hazard Analysis</i> 	<p>The Terminal Preliminary Hazard Analysis (PHA) was prepared as part of the EIS for SSD 7065 and considered the full extent of Stage 3 activities approved under SSD 7065.</p> <p>The PHA is not applicable to the current stage of development and therefore, the implementation of the PHA has not been triggered in the Audit Period.</p>	Not triggered	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
C2	<p>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:</p> <ul style="list-style-type: none"> a) be prepared in consultation with SafeWork NSW; b) consider scenarios including, but not limited to, pump trips and operation of the dry break coupling on marine loading arms; c) 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 d) evaluate the controls such as valve closing times and pressure rating of pipes and related equipment. <p>The findings of the Surge Study shall be included in the Final Hazard Analysis required under Condition C4(d).</p>	<ul style="list-style-type: none"> Site personnel correspondence Cockshott Consulting (2015) <i>HAZOP Report and Risk Assessment</i> 	The Surge Study is not applicable to the current stage of development (Stage 2). Therefore, this requirement was not triggered during the Audit Period.	Not triggered	
C3	<p>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 <i>Work Health and Safety Regulation 2011</i>.</p>	<ul style="list-style-type: none"> 2019 IEA Site interview 	The 2019 IEA indicates that Stolthaven engaged with SafeWork NSW in June 2018. Another notification to SafeWork NSW would be required prior to the detailed design of the Stage 3 project as prescribed in this condition, which has not yet commenced. Therefore, this condition was not triggered for the Audit Period.	Not triggered	
	Pre-construction				
C4	<p>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).</p>	<ul style="list-style-type: none"> Site personnel correspondence Site inspection 2019 IEA 	Construction of the relevant elements of the Stage 3 project has not commenced and approval of the pre-construction plans listed in the condition has not been triggered within the Audit Period.	Not triggered	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
	<p>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).</p> <p>a) CONSTRUCTION SAFETY STUDY A Construction Safety Study prepared in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 7, 'Construction Safety Study Guidelines'. 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.</p> <p>b) 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 Hazardous Industry Planning Advisory Paper No. 2, 'Fire Safety Study Guidelines' and the New South Wales Government's 'Best Practice Guidelines for Contaminated Water Retention and Treatment Systems'. Any outstanding issues from FRNSW shall be resolved and reported on in the FSS.</p> <p>c) 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 HAZOP:</p> <ul style="list-style-type: none"> surge issues for the various operating scenarios; the ullage (in the tanks) above the high alarm/emergency shutdown level, taking into account the slow closing time 	<ul style="list-style-type: none"> Cockshott Consulting (2015) <i>HAZOP Report and Risk Assessment</i> 	<p>Observations are noted below on the current status of the plans.</p> <p>Observation: An update on the requirements under this condition follows:</p> <p>a) <u>CONSTRUCTION SAFETY STUDY</u> The Construction Safety Study has not been progressed.</p> <p>b) <u>FIRE SAFETY STUDY</u> The 2019 IEA notes evidence that the Fire Safety Study was updated on 27 August 2018 for Stage 2 activities under SSD 7065. It is noted that the updated Fire Safety Study was approved by the Department on 16 October 2018. The Fire Safety Study is required to be re-submitted prior to any future construction stages including Stage 3.</p> <p>c) <u>HAZARD AND OPERABILITY STUDY</u> The Hazard and Operability Study was completed by Cockshott Consulting Engineers in 2016 as part of the EIS for SSD 7065 and then amended for the Response to Submissions for SSD 7065.</p> <p>d) <u>FINAL HAZARD ANALYSIS</u> The Final Hazard Analysis cannot be progressed until the Stage 3 project has been constructed.</p>		

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
	<p>assigned to the emergency shutdown valves by the surge study required under Condition C2 above; and</p> <ul style="list-style-type: none"> 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. <p>d) 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 report on implementation of the recommendations of the PHA. 				

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
	Pre-commissioning				
C5	<p>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.</p> <p>a) TRANSPORT OF HAZARDOUS MATERIALS</p> <p>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 Hazardous Industry Planning Advisory Paper No. 11, 'Route Selection'. Suitable routes identified in the study shall be used except where departures are necessary for local deliveries or emergencies.</p> <p>b) EMERGENCY PLAN</p> <p>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 Hazardous Industry Planning Advisory Paper No. 1, 'Industry Emergency Planning Guidelines'.</p> <p>c) SAFETY MANAGEMENT SYSTEM</p> <p>The Applicant's Safety Management System shall be updated to include any changes due to the Development. The</p>	<ul style="list-style-type: none"> 2019 IEA 2022 IEA <i>Cockshott Consulting Engineers (2016) Transport Preliminary Hazard Analysis</i> Stolthaven (2024) Pollution Incident Response Management Plan – Publicly Available information 	<p>Construction of the relevant elements of the project has not commenced and approval of the pre-commissioning plans listed in the adjacent column has not been triggered within the Audit Period.</p> <p>Observations are noted below on the current status of the plans.</p> <p>Observation: An update on the requirements under this condition follows:</p> <p>a) <u>TRANSPORT OF HAZARDOUS MATERIALS</u></p> <p>A Transport Preliminary Hazard Analysis was prepared for the EIS which assessed the complete Stage 3 development and the risks associated with transportation of flammable products from the Terminal when operating at the full capacity of 3,500 ML per annum.</p> <p>Currently, the transport of materials under the existing site layout is currently managed in accordance with the Traffic Management Plan.</p> <p>b) <u>EMERGENCY PLAN</u></p> <p>The Emergency Plan is updated on an annual basis or following any incidents with the most recent version dated 2024. Updates to the plan are recorded in the version history table.</p> <p>c) <u>SAFETY MANAGEMENT SYSTEM</u></p> <p>The Safety Management System is contained within the operational environmental management</p>	Not triggered	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
	<p>document shall clearly specify all safety related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to the procedures. 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 Hazardous Industry Planning Advisory Paper No. 9, 'Safety Management'.</p> <p>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.</p>		<p>plans which are developed in consultation with PON (refer to the response to condition C10(b)). Compliance with the operational management plans has been noted in this table.</p>		
	Pre-startup Compliance Report				
C6	<p>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:</p> <ol style="list-style-type: none"> dates of study/plan/system submission, approval, commencement of construction and commissioning; actions taken or proposed, to implement the recommendations and safety-related control measures in the studies/plans/systems; a pre-startup safety review/checklist; and responses to each requirement imposed by the Secretary under Condition C9 of this Schedule. 	<ul style="list-style-type: none"> Site personnel correspondence 	<p>Operation of the Stage 3 project has not commenced. Therefore, the requirement under this Condition to submit a Pre-startup Compliance Report has not been triggered for the Audit Period.</p>	Not triggered	
	Post-startup Compliance Report				
C7	<p>Three months after the commencement of operation of the Development, the Applicant shall submit to the Secretary, a report verifying that:</p>	<ul style="list-style-type: none"> Site personnel correspondence 	<p>Operation of the Stage 3 project has not commenced. Therefore, the requirement under this Condition to submit a Post-startup</p>	Not triggered	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
	<p>a) the Emergency Plan required under Condition C5b is effectively in place and that at least one emergency exercise has been conducted; and</p> <p>b) the Safety Management System required under Condition C5c) has been fully implemented and that records required by the system are being kept</p>		Compliance Report has not been triggered for the Audit Period.		
	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>a) 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;</p> <p>b) 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;</p> <p>c) confirm the throughput and storage quantities of potentially hazardous materials are consistent with the PHA; and</p>	<ul style="list-style-type: none"> Site personnel correspondence 2022 IEA Sherpa Consulting (2016) Hazard Audit Report for Newcastle Bulk Fuel Terminal Letter correspondence, from DPHI, Subject: <i>Stolthaven Bulk Fuel Storage Facility – Stage 3 (SSD 7065)</i>, no date. Email correspondence from DPHI Compliance Team personnel, Subject: <i>Re: Stolthaven Bulk Fuel Storage Facility (SSD 7065) compliance</i>, dated 06/12/2024. Letter correspondence from GHD, Subject: <i>SSD 7065 Stolthaven Bulk Fuel Storage</i> 	<p>Operation of the Stage 3 project has not commenced. Therefore, the requirement under this condition to submit a Hazard Audit under SSD 7065 has not been triggered for the Audit Period.</p> <p>The last hazard audit for the facility was completed in 2016. Letter correspondence from the DPHI states the following in regard to the facility's surrender of SSD 6664 and commencement of SSD 7065:</p> <p><u>"Hazard Audit</u></p> <p><i>Schedule C condition C8 of SSD 7065 requires Stolthaven to carry out a comprehensive Hazard Audit within 12 months of commencement of operation of the Development, or at such intervals as the Secretary may agree.</i></p> <p><i>As noted above, the Department understands that the M7 pipeline as proposed under SSD 7065 has been constructed and is now in operation. However, other activities approved under SSD 7065 have not yet commenced.</i></p> <p><i>As such, the Department directs Stolthaven to carry out the Hazard Audit within 12 months of</i></p>	Not triggered	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
	<p>d) verify implementation of any measures arising from the reports submitted in respect of Conditions C1 to C5 of this Schedule.</p> <p>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 documented. This audit report must also be submitted to SafeWork NSW.</p>	<p><i>Facility – Conditions of consent HAZID Audit requirements, dated 19/11/2024</i></p>	<p><i>any of the following aspects of the development being met:</i></p> <ul style="list-style-type: none"> <i>the Facility accepts fuel not approved under SSD 6664; or</i> <i>the operation of additional fuel storage tanks; or</i> <i>the annual throughput is expected to exceed 1,300 ML per year; or</i> <i>the operation of ancillary infrastructure, such as the additional 6 bay truck loading facility or new administrative building."</i> <p>Following the increase to the site's combustible throughput in 2023, Stolthaven sought confirmation from the Department and confirmed that the increase to 1,800 ML pa throughput (within the sites current operational scope) did not trigger the need for another Hazard Audit. The Auditors reviewed email correspondence between Stolthaven and the DPHI Compliance Team representatives which confirmed that that "an additional Hazard Audit is not required until storage of flammable / Dangerous Goods classified fuels is undertaken."</p> <p>Therefore, the requirement under this condition to submit a Hazard Audit under SSD 7065 has not been triggered for the Audit Period</p>		
	Further Requirements				
C9	The Applicant shall comply with all reasonable requirements of the Secretary in respect of the implementation of any measures	<ul style="list-style-type: none"> This audit table 	The Auditors are not aware of any requests from the Secretary regarding the implementation of the Pre-construction Hazard Studies. However, the	Not triggered	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
	arising from the reports submitted in respect of Conditions C1 to C8, within such time as the Secretary may agree.		Pre-construction Hazard Studies are required to be re-submitted prior to any future construction stages including commencement of Stage 3.		
C10	<p>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:</p> <ul style="list-style-type: none"> a) the Mayfield Site Precinct Emergency Management Plan, February 2016 consistent with the Department's Hazardous Industry Advisory Paper No. 1 - Emergency Planning; b) a Safety Management System, consistent with the Department's Hazardous Industry Advisory Paper No. 9 - Safety Management; and c) hazard audits, consistent with the Department's Hazardous Industry Advisory Paper No. 5 - Hazard Audit Guidelines. <p>Notes:</p> <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. 	<ul style="list-style-type: none"> • 2019 IEA • Site personnel correspondence 	<p>The 2019 Independent Audit notes evidence that the Emergency Response Plan (a) and the Safety Management System (b) were provided to PON.</p> <p>No Hazard Audits (c) have been completed during the Audit Period.</p>	Not triggered	
	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 Return, EPL 20193, 11/10/2021 to 10/10/2022 (the '2022 EPL 20193 Annual Return')) 	The Annual Returns for EPL 20193 as applicable to the Audit Period confirm there have reportedly been no exceedances of load limits, air quality criteria or air quality monitoring.	Compliant	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
		<ul style="list-style-type: none"> Annual Return, EPL 20193, 11/10/2022 to 10/10/2023 (the '2023 EPL 20193 Annual Return') Annual Return, EPL 20193, 11/10/2023 to 10/10/2024 (the '2024 EPL 20193 Annual Return') 			
	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.	<ul style="list-style-type: none"> 2022 EPL 20193 Annual Return 2023 EPL 20193 Annual Return 2024 EPL 20193 Annual Return EPA's POEO Public Register Complaints register Site inspection 	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-related complaints were made during the Audit Period and no odour issues were noted by the Auditors during the site inspection.	Compliant	
	Dust Minimisation				
C13	The Applicant shall carry out all reasonable and feasible measures to minimise dust generated by the Site.	<ul style="list-style-type: none"> Site inspection AECOM (2023) Air Quality Management Plan (the '2023 AQMP') 	Stolthaven operates in accordance with the AQMP. Mitigation measures are described in Section 6.1 of the AQMP and include 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.	Compliant	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
		<ul style="list-style-type: none"> 	The implementation of these practices was observed during the site inspection. Site surfaces were observed to be hardstand, gravelled or vegetated at the site inspection and no unsealed areas were observed by the Auditors within the site.		
C14	<p>During construction and operation of the Development, the Applicant shall ensure:</p> <p>a) all vehicles on Site do not exceed the designated on Site speed limit;</p> <p>b) all loaded vehicles entering or leaving the Site have their loads covered; and</p> <p>c) 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.</p>	<ul style="list-style-type: none"> Site inspection EPA's POEO Public Register 2022 EPL 20193 Annual Return 2023 EPL 20193 Annual Return 2024 EPL 20193 Annual Return 	<p>Construction of the relevant elements of the Stage 3 project has not commenced. Compliance with this condition has been considered for operation of the facility under the existing site layout. The requirements under this condition are met as follows during the Audit Period:</p> <p>a) Speed limit signs were observed on site during the site inspection and all vehicles appeared to obey this limit.</p> <p>b) Condition O3.3 of the EPL requires that 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. Stolthaven have not reported any non-compliances against this condition in the EPL Returns or on EPA's Public Register. Compliance with this practice was observed during the site inspection.</p> <p>c) There was no evidence of dirt, sand or other materials being tracked onto public roads during the site inspection. Roads at the site are sealed.</p>	Compliant	
	Vapour Recovery Unit				

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
C15	<p>The Applicant shall install and commission a vapour recovery unit on the six bay truck loading gantry prior to:</p> <p>a) annual throughput of petroleum products exceeding 1,300 ML; or</p> <p>b) bulk storage of any Class 3 Flammable Liquid Dangerous Goods, described in the EIS.</p>	<ul style="list-style-type: none"> Site personnel correspondence Site inspection EPL 20193 2022 EPL 20193 Annual Return 2023 EPL 20193 Annual Return 2024 EPL 20193 Annual Return 	<p>Throughput of combustible petroleum products has increased from 1,300 ML per year to 1,800 ML per year during the Audit period (refer to Condition D6 discussing this).</p> <p>This increase in throughput occurred with no changes to existing site infrastructure. Site personnel correspondence confirmed that the bulk storage of any Class 3 flammable Liquid Dangerous Goods at the site has not commenced and the six bay truck loading gantry has not been constructed and therefore the associated additional vapour recovery unit has not been constructed.</p> <p>The site has a vapour diversion in place for the site's 4 bay gantry, which is managed in accordance with condition L8 of EPL 20193. No non-compliances were identified with In the Annual Returns for the Audit Period relating to condition L8.</p> <p>Therefore, the need for the Vapour Recovery Unit as specified in this condition has not yet been triggered.</p>	Not triggered	
C16	The vapour recovery unit shall be designed, constructed and operated in accordance with the requirements of the EPL.		Refer to response to condition C15.	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 a quarterly basis, or in accordance with the monitoring frequency required in the EPL.		Refer to response to condition C15.	Not triggered	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
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.		Refer to response to condition C15.	Not triggered	
	Air Quality Management Plan				
C19	<p>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:</p> <ol style="list-style-type: none"> be approved by the Secretary prior to operation of the Development; describe the measures that would be implemented to ensure compliance with the relevant conditions of this consent and the EPL; describe the air quality monitoring to measure the performance of the Development against the conditions of this consent and the EPL; and demonstrate the air quality measures for the Development are consistent with the PON's Mayfield Air Quality Monitoring Plan, October 2015, or its latest version. 	<ul style="list-style-type: none"> AECOM (2023) Air Quality Management Plan (the '2023 AQMP') <ul style="list-style-type: none"> Letter correspondence from the Department of Planning and Environment (now the DPHI) <i>Subject: Approval of the Revised Management Plans for Stolthaven Mayfield Terminal</i>, dated 25/07/2023 2019 IEA 	<p>The requirements under this condition are met during the Audit Period as follows:</p> <ol style="list-style-type: none"> The 2023 AQMP is dated June 2023 and was updated in the Audit Period to address the increase in throughput in addition to undertaking a general review and including input from the Port of Newcastle. Letter correspondence from the DPHI indicates the updated 2023 AQMP received approval by a delegate of the Planning Secretary on 25/07/2023. Mitigation measures are described in Section 6.1 of the 2023 AQMP and include 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. The air quality monitoring program is described in Section 6.3 of the 2023 AQMP and includes monitoring in accordance with the Mayfield Concept Plan as opposed to specific site monitoring. This approach was approved by the Department on 16 October 2018 as noted in the 2019 IEA. 	Compliant	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
			d) The document control table documents the inclusion of input from PON in the most recent update of the AQMP. Further, integration with the Mayfield Concept Plan is described in Section 3.3 of the AQMP.		
	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.	<ul style="list-style-type: none"> 2023 AQMP Site personnel correspondence STOLTHAVEN TERMINALS BV (GROUP) Ecovadis Sustainability Performance Review, dated 07/011/2024 	Greenhouse gas emissions are managed in accordance with the 2023 AQMP. 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. Site personnel correspondence detailed that the site utilises Green Energy Supply for site electrical use.	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"> 2023 AQMP 2022 EPL 20193 Annual Return 2023 EPL 20193 Annual Return 2024 EPL 20193 Annual Return Stolthaven Monthly Data for 2022 (April - December) (Excel™) 	<p>Stolthaven's weather monitoring requirements in EPL 20193 are met by utilising data from the nearby Mayfield berth 4 monitoring station located within the PON Concept Plan area as documented in the 2023 AQMP.</p> <p>Condition M5 of the EPL outlines the requirements for weather monitoring. One non-compliance was identified for the licence condition M5.1 in the 2023 Annual Return. The non-compliance occurred between 27/09/2022-06/02/2023 whereby the weather station failed and there was a significant delay experienced with sourcing</p>	Non-compliant	NC2

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
		<ul style="list-style-type: none"> Stolthaven Monthly Data for 2023 (January – December) (Excel™) Stolthaven Monthly Data for 2024 (January – December) (Excel™) Stolthaven Monthly Data for 2025 (January) (Excel™) 	<p>part/service to bring it back into the operation. As a result, the sensor failure impacted the recording of wind speed, direction & sigma theta readings. The corrective action undertaken included complete weather station replacement with new equipment and improved service support and a full range of spares now held onsite for immediate replacement if required.</p> <p>The Auditors reviewed the monthly data for the Audit Period and confirmed the above non-compliance in the monitoring of wind speed, direction and sigma between September 2022 and February 2023.</p> <p>Therefore, this condition is considered non-compliant for the Audit Period. However, no recommendations are made for this non-compliance as appropriate corrective actions have already been undertaken.</p>		
	TRAFFIC AND ACCESS				
	Traffic Movements				
C22	<p>The Applicant shall:</p> <p>a) keep accurate records of truck movements including:</p> <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; <p>b) report these records in the Annual Review; and</p> <p>c) provide these records to PON on a bi-monthly basis.</p>	<ul style="list-style-type: none"> 2023 TMP Traffic Movement Register for 2022, 2023, 2024 and 2025 (Excel™) 2022 Annual Review 2023 Annual Review 	<p>Stolthaven maintains monthly and annual traffic movement registers in Excel™ to track truck movements at the facility. Other indicators used to measure traffic movements include the Fuel Manager loading system (records loads taken from the terminal) and the swipe card security journal (records traffic passing through terminal gates).</p>	Compliant	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
		<ul style="list-style-type: none"> Email correspondence from Stolthaven representatives Email correspondence from Stolthaven to PON Subject: <i>Bi-monthly reports</i>, for the dates: <ul style="list-style-type: none"> 1/03/2023 1/05/2023 3/07/2023 1/09/2023 3/09/2023 3/11/2023 1/03/2024 2/05/2024 5/11/2024 7/01/2025 	<p>The requirements under this condition are met during the Audit Period as follows:</p> <p>a) The Traffic Movement Register tracks the time in, the load rack, the date of vehicles entering the terminal. This data is then used to calculate truck movements on an hourly, daily, monthly and annual basis. the volume of flammable and combustible liquids received, stored and dispatched;</p> <p>b) Truck movements are reported in Section 9.2 and Appendix D of the Annual Reviews for the Audit Period. Fuel storage is reported in Section 9.1.</p> <p>c) The Auditors viewed the email correspondence between Stolthaven and PON representatives every second month between 2023 and 2024 demonstrating that these records are sent to PON on a bi-monthly basis.</p>		
	Access and Parking				
C23	<p>The Applicant shall ensure:</p> <p>a) 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>;</p> <p>b) internal roads accessed by heavy vehicles are designed to ensure the swept paths of the longest vehicle and</p>	<ul style="list-style-type: none"> Site inspection 2022 Annual Review 2023 Annual Review 2024 Draft Annual Review Qualtest Laboratory Pty Ltd (2022) <i>Material Tracking and Validation</i> 	<p>Material stockpiled from the Mayfield 7 berth project was re-used to form an access track at the northwest end of Lot 1. The 2022 Annual Review states that the work was undertaken in consultation with the Mayfield Concept Area Site Auditor and Port of Newcastle with third party verification. Site personnel correspondence confirmed that the access track is not intended to</p>	Compliant	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
	<p>manoeuvrability through the site is in accordance with <i>AUSTROADS - Guide to Road Design</i>; and</p> <p>c) 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.</p>	<p><i>Report, Access Road Construction and Minor Works, Former BHP Mayfield, NSW</i></p> <ul style="list-style-type: none"> Daracon (2021) Stolthaven Stockpile Removal Access Track Option 2 (Drawing no.S003) 	<p>be a roadway for heavy vehicle use and it will form part of a future berm in the Stage 3 project.</p> <p>Note: C23(a) refers to “<i>all internal roads and parking ... associated with the Development</i>”.</p> <p>The ‘Development’ is defined in the Definition section of SSD 7065 Development Consent as “<i>The development described in the EIS and RTS involving expansion of the existing bulk fuel storage terminal to receive, store and dispatch flammable and combustible fuels via pipeline from the M7 berth and increase throughput to 3,500 million litres per year</i>”.</p> <p>Therefore, the Auditors consider that the requirements of C23(a) do not apply to the roadway section at the north end of Lot 1 as completed during the Audit Period as it is not associated with the Stage 3 project.</p> <p>As such the requirements under this condition are met during the Audit Period as follows:</p> <p>a) No roads or parking associated with the Stage 3 project have been constructed during the Audit Period.</p> <p>b) No roads or parking associated with the Stage 3 project for heavy vehicle use have been constructed during the Audit Period.</p> <p>c) Adequate parking is available onsite and was viewed during the site inspection.</p>		
	Operating Conditions				

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
C24	<p>The Applicant shall ensure:</p> <ol style="list-style-type: none"> all heavy vehicle movements to and from the Site are made in a forward direction; and 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"> 2023 Traffic Management Plan (TMP) 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. The heavy vehicle route for the terminal provided in Appendix B: Terminal Access Route and Parking of the 2023 TMP.	Compliant	
Traffic Management Plan					
C25	<p>The Applicant shall update the existing operational Traffic Management Plan for the Site to include the Development. The plan shall:</p> <ol style="list-style-type: none"> be approved by RMS and the Secretary prior to operation of the Development; be prepared in consultation with PON, PNSW, Council, RMS, adjoining land owners and the local community; detail vehicle routes, access arrangements and coordination with other developments in the Mayfield Concept Plan area; include details of driver training awareness to minimise noise, in particular from reversing alarms and compression braking; detail procedures for assessing the effectiveness of measures to minimise heavy vehicles accessing residential streets; 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 be updated to be consistent with the PON's <i>Traffic Management Plan, Mayfield Concept Plan, November 2015</i> or its latest version. 	<ul style="list-style-type: none"> 2023 TMP Letter correspondence from the Department of Planning and Environment (now the DPHI) <i>Subject: Approval of the Revised Management Plans for Stolthaven Mayfield Terminal</i>, dated 25/07/2023 2019 IEA Site inspection 	<p>The requirements under this condition are met during the Audit Period as follows:</p> <ol style="list-style-type: none"> The current TMP is dated June 2023 and was updated in the Audit Period to account for the annual throughput increase (refer to Condition D6 discussing this). Letter correspondence from the DPHI demonstrates that the 2023 TMP was approved by a delegate of the Planning Secretary on 25 July 2023. Approval of the TMP by RMS (now 'Transport for NSW') would be expected prior to the Stage 3 project commencing and therefore, this sub-requirement is not triggered for the Audit Period. The 2019 IEA documents previous consultation with PON on the development of the TMP. Additional consultation with PoN, PNSW, Council, RMS, adjoining land owners and the local community on the TMP would be expected prior to the Stage 3 project 	Compliant	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
			<p>commencing. Therefore, this sub-requirement is not triggered for the Audit Period.</p> <p>c) Vehicle routes are described in Section 7.1 of the TMP. Appendix B includes figures of the access routes. The vehicle routes shown in the TMP appeared consistent with those viewed on site.</p> <p>d) Driver awareness training included in Section 5 of the TMP and is part of the induction process.</p> <p>e) Procedures for assessing the effectiveness of measures to minimise heavy vehicles accessing the residential streets is included in Section 3.3.</p> <p>f) Operational traffic compliance is managed through the induction process. Section 5.1 of the TMP describes the road tanker induction process including the requirement to comply with the Australian Dangerous Goods Code. Stolthaven also follows the Safe Load Pass industry guidance</p> <p>g) The Mayfield Concept Plan objectives are described in Section 3.1 of the TMP.</p> <p>Note: The 'Development' is defined in the Definition section of SSD 7065 Development Consent as "The <i>development described in the EIS and RTS involving expansion of the existing bulk fuel storage terminal to receive, store and dispatch flammable and combustible fuels via pipeline from the M7 berth and increase throughput to 3,500 million litres per year</i>".</p>		

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#															
	NOISE																			
	Hours of Work																			
C26	<p>Table 1: Hours of Work</p> <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> <p>The Applicant shall comply with the hours of work in Table 1.</p>	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">2022 Annual Review2023 Annual ReviewDraft 2024 Annual Review2022 EPL 20193 Annual Return2023 EPL 20193 Annual Return2024 EPL 20193 Annual ReturnEPA’s POEO Public Register	<p>Operational hours are Monday to Sunday, 24 hours per day as evident in the Annual Reviews. Additionally, the hours of operation are specified in condition L6 of the EPL. Stolthaven have not reported any non-compliances against this condition in the EPL Returns or on EPA’s Public Register.</p> <p>No major construction has been undertaken during the audit period.</p>	Compliant			
Activity	Day	Hours																		
Construction	Monday – Friday	7am – 6pm																		
	Saturday	8am – 1pm																		
	Sunday & Public Holidays	Nil																		
Operation	Monday – Sunday	24 hours																		
	Construction Noise																			
C27	<p>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</p> <p>Table 2: Construction Noise Goals dB(A)</p> <table><tr><th>Location</th><th></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> <p>construction noise goals in Table 2.</p> <p>Notes:</p>	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">Site personnel correspondence2022 Annual Review2023 Annual ReviewDraft 2024 Annual Review	<p>Construction works for the Stage 3 project were not undertaken in the Audit Period. Therefore, this requirement was not triggered.</p>	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																		

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
	<ul style="list-style-type: none"> To identify the locations referred to in Table 2, see Appendix 5. Construction noise generated by the Development is to be measured in accordance with the EPA's Interim Construction Noise Guideline. 				
C28	<p>Construction outside of the hours identified in Condition C26 may be undertaken in the following circumstances:</p> <ul style="list-style-type: none"> a) works that are inaudible at the nearest sensitive receivers; b) works agreed to in writing by the Secretary; c) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or d) 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 personnel correspondence 2022 Annual Review 2023 Annual Review Draft 2024 Annual Review 	Construction works for the Stage 3 project were not undertaken in the Audit Period. Therefore, this requirement was not triggered.	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.	<ul style="list-style-type: none"> 2022 Annual Review 2023 Annual Review Draft 2024 Annual Review 2023 NVMP 	Construction works for the Stage 3 project were not undertaken in the Audit Period. Therefore, this requirement was not triggered.	Not triggered	
	Operational Noise Limits				
C30	The Applicant shall ensure noise from the Site does not exceed the noise limits in Table 3.	<ul style="list-style-type: none"> 2023 NVMP AECOM (2022) Operational Noise Compliance Assessment 	Operational noise assessments are undertaken on an annual basis by AECOM. No exceedances of criteria were identified during the Audit Period based on review of the 2022 – 2024 Operational Noise Compliance Assessments.	Compliant	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#																																																																						
	<p>Note:</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}(9hr)</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> <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.	No.	Location	Day	Evening	Night	Night	Night			L _{eq} (15min)	L _{eq} (15min)	L _{eq} (15min)	L _{eq} (9hr)	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">AECOM (2023) Operational Noise Compliance AssessmentAECOM (2024) Operational Noise Compliance AssessmentComplaints register	Further, no noise complaints were received by the facility during the Audit Period.		
No.	Location	Day	Evening	Night	Night	Night																																																																					
		L _{eq} (15min)	L _{eq} (15min)	L _{eq} (15min)	L _{eq} (9hr)	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																																																																					
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 L _{eq} (15min) 53 dB(A) at sensitive receivers. Routine testing or maintenance must only occur during the day time.	<ul style="list-style-type: none">AECOM (2022) Operational Noise Compliance AssessmentAECOM (2023) Operational Noise Compliance AssessmentAECOM (2024) Operational Noise Compliance Assessment	Routine noise testing of the fire pumps is undertaken on a yearly basis by AECOM. Results of the testing during the audit period confirm all measurements are below 53 dB(A) at all receivers under both neutral and adverse weather conditions. The Auditors also viewed Stolthaven’s monthly maintenance records at the site inspection to confirm regular maintenance of the fire pumps.	Compliant																																																																							

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
		<ul style="list-style-type: none"> Example monthly fire pump testing records 			
	Mayfield Concept Plan Noise Quota				
C32	<p>The Applicant shall:</p> <p>a) ensure noise from the Site does not exceed the noise quotas provided by the PON in accordance with the Site Noise Model; and</p> <p>b) comply with the directions of the PON in relation to the management of noise from the Site.</p>	<ul style="list-style-type: none"> 2023 NVMP Site personnel correspondence AECOM (2022) Operational Noise Compliance Assessment AECOM (2023) Operational Noise Compliance Assessment AECOM (2024) Operational Noise Compliance Assessment Email correspondence from Stolthaven to PON Subject: <i>Bi-monthly reports</i>, for the dates: <ul style="list-style-type: none"> 1/03/2023 1/05/2023 3/07/2023 1/09/2023 3/09/2023 	<p>The requirements under this condition are met as follows:</p> <p>a) PON uses CENMT developed for the Mayfield Concept Plan to manage individual site noise requirements . The facility's The Facility's site-specific cumulative amenity noise quotas derived using the Mayfield Concept Plan CENMT are presented in Table 8 of the 2023 NVMP. The Operational Noise Compliance Assessments completed annually by AECOM include assessment against the allocated noise quotas for 2022, 2023 and 2024. No exceedances of criteria were identified during the Audit Period.</p> <p>b) Site personnel correspondence advised no directions have been received from PON. The bi-monthly report is sent to PON and includes a summary of noise monitoring data.</p>	Compliant	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
		<ul style="list-style-type: none"> 3/11/2023 1/03/2024 2/05/2024 5/11/2024 7/01/2025 			
	Operating Conditions				
C33	<p>The Applicant shall:</p> <ul style="list-style-type: none"> a) implement all reasonable and feasible noise management and mitigation measures to prevent and minimise noise from the Site; b) implement, where possible, a safe system of work so that tonal movement alarms, such as reversing beepers, are not needed on the Site; c) maintain the effectiveness of any noise suppression equipment or plant at all times and ensure defective plant that may generate offensive noise is not used operationally until fully repaired; and d) regularly assess noise monitoring data and relocate, modify and/or stop operations to ensure compliance with the relevant conditions of this consent. 	<ul style="list-style-type: none"> 2023 NVMP 2022 ONMP AECOM (2022) Operational Noise Compliance Assessment AECOM (2023) Operational Noise Compliance Assessment AECOM (2024) Operational Noise Compliance Assessment Complaints register 	<p>The requirements under this condition are met as follows:</p> <ul style="list-style-type: none"> a) Stolthaven operate in accordance with the facility's ONMP (refer to condition C34) and 2023 NVMP. The Auditor is of the opinion that all reasonable and feasible noise management and mitigation measures to prevent and minimise noise have been implemented by Stolthaven as no exceedances of noise criteria were identified during the audit period and no complaints relating to noise have been received by the facility. b) The Operational Noise Compliance Assessments confirm that reversing beepers are not used on site. c) The Stolthaven representative advised the nature of the equipment used on site does not require noise suppression equipment. This is consistent with observations from the site inspection. 	Compliant	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
			d) Operational noise is assessed on an annual basis by AECOM. No exceedances of criteria were identified during the audit period.		
	Noise Management Plan				
C34	<p>The Applicant shall update the existing Noise Management Plan for the Site to include the Development. The plan shall:</p> <ul style="list-style-type: none"> a) be prepared by a suitably qualified expert, in accordance with EPA Guidelines; b) be approved by the Secretary prior to operation of the Development; c) 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; d) 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 e) include procedures to receive, record and respond to complaints. 	<ul style="list-style-type: none"> • 2023 NVMP • Letter correspondence from the Department of Planning and Environment (now the DPHI) <i>Subject: Approval of the Revised Management Plans for Stolthaven Mayfield Terminal</i>, dated 25/07/2023 	<p>The current NVMP is dated 2023. The requirements under this condition are met as follows:</p> <ul style="list-style-type: none"> a) The 2023 NVMP was prepared by AECOM. Section 2.2 of the ONMP declares that the plan was prepared in accordance with the EPA's Industrial Noise Policy (2000) and the <i>Australian Standard AS 1055 -1997 Acoustics - Description and measurement of environmental noise</i>. It is noted that the Industrial Noise Policy 2000 was replaced by the Noise Policy for Industry 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, which will be transitioned to the Noise Policy for Industry (2017)...". b) Letter correspondence from the DPHI indicates the most recent update to the NVMP 	Compliant	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
			<p>was approved by a delegate of the Planning Secretary.</p> <p>c) Section 3 of the 2023 NVMP includes a section on 'Noise Management and Mitigation Measures'. Section 4 related to Noise Monitoring and Reporting requirements, including undertaking noise monitoring in accordance with the Mayfield Concept Plan.</p> <p>d) Procedures are described in Section 4.3 to Section 4.5 of the 2023 NVMP and includes investigation procedures in the case of exceedances or complaints and corrective actions.</p> <p>e) Complaint procedures are described in Section 6 of the 2023 NVMP. No complaints were received by the facility in relation to noise during the audit period.</p>		
	Noise Monitoring				
C35	<p>The Applicant shall monitor noise from the Site. The monitoring shall:</p> <p>a) be undertaken annually, or to address genuine noise complaints related to the Site as determined by the Secretary, EPA or the PON;</p> <p>b) 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;</p> <p>c) demonstrate compliance with the noise limits in this consent and the noise quotas provided by PON in accordance with the Mayfield Concept Plan; and</p> <p>d) be reported annually to the Secretary, EPA and the PON.</p>	<ul style="list-style-type: none"> 2023 NVMP 2022 ONMP AECOM (2022) Operational Noise Compliance Assessment AECOM (2023) Operational Noise Compliance Assessment 	<p>The requirements under this condition are met as follows:</p> <p>a) Annual noise monitoring was undertaken by AECOM during the Audit Period as indicated in the Compliance Assessments for 2022, 2023 and 2024. No complaints have been received for noise during the audit period.</p> <p>b) Operational noise is calculated in accordance with <i>the Industrial Noise Policy 2000</i> and <i>Noise Policy for Industry 2017</i> (as applicable) and is referenced in the Operational Noise</p>	Compliant	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
	Note: The monitoring requirements could be satisfied by the monitoring network required for the Mayfield Concept Plan once established.	<ul style="list-style-type: none"> AECOM (2024) Operational Noise Compliance Assessment Complaints register Email correspondence from Stolthaven to PON Subject: <i>Bi-monthly reports</i>, for the dates: <ul style="list-style-type: none"> 1/03/2023 1/05/2023 3/07/2023 1/09/2023 3/09/2023 3/11/2023 1/03/2024 2/05/2024 5/11/2024 7/01/2025 	<p>Compliance Assessments undertaken by AECOM.</p> <p>c) Compliance with noise limits under condition C30 and noise quotas under the Mayfield Concept Plan is assessed in the annual noise monitoring reports by AECOM. No exceedances of criteria were identified during the Audit Period.</p> <p>d) 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.</p>		
	CONTAMINATION AND REMEDIATION				
	Statutory Requirements				
C36	<p>The Applicant shall carry out the Development in accordance with the requirements of the:</p> <ul style="list-style-type: none"> Remediation Notice; CSMP. 	<ul style="list-style-type: none"> Site personnel correspondence 	The timing of activities under the Remediation Notice have not been triggered by project.	Not triggered	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
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.	<ul style="list-style-type: none"> 2016 IEA 	<p>The 2016 Independent Audit notes <i>"The report 'Soil Vapour Investigation for the proposed Bulk Fuel Storage Facility, located within the Mayfield Terminal, Newcastle, NSW' (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.</i></p> <p><i>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></p>	Not triggered	
	SOIL AND WATER				
	Imported Soil				

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
C40	<p>The Applicant shall:</p> <ul style="list-style-type: none"> a) 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; b) keep accurate records of the volume and type of fill to be used on Site; and c) make these records available to PON and the Secretary upon request. 	<ul style="list-style-type: none"> Site personnel correspondence 	Site personnel correspondence confirmed that no soil has been imported to the site during the Audit Period. Therefore, this requirement was not triggered for the Audit Period.	Not triggered	
	Water Licences				
C41	<p>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>.</p> <p>Note: Licences are required for groundwater bores, excavations that may intercept groundwater, dewatering activities and extraction or interception of surface water.</p>	<ul style="list-style-type: none"> 2016 EIS Water NSW's NSW Water Register 	<p>A search of Water NSW's NSW Water Register (by Lot/DP) confirms Stolthaven holds Bore Licence Certificates issued under the Water Act 1912 for the groundwater monitoring wells (licence numbers 20BL173607, 20BL173828, 20BL173829, 20BL173830).</p> <p>Extraction licences are not held by Stolthaven and are not required for the operation consistent with the EIS assessment (p.g. 37).</p>	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.	<ul style="list-style-type: none"> 2022 EPL 20193 Annual Return 2023 EPL 20193 Annual Return 2024 EPL 20193 Annual Return EPA's POEO Public Register 	Stolthaven has not reported any non-compliances against this condition in the EPL Returns or on EPA's Public Register.	Compliant	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
	Stormwater and Drainage System				
C43	The Applicant shall maintain the stormwater and drainage system for the Site to the satisfaction of PON.	<ul style="list-style-type: none"> Site inspection Site interview 2023 SMP 	<p>The project design (including stormwater) was developed in consultation with PON as evidenced in the 2016 Independent Audit. Site personnel correspondence confirmed that the stormwater drainage system is regularly inspected on a daily and monthly basis.</p> <p>The Auditors observed spill kits at each refuelling bay in the truck gantry and other key operational areas throughout the site.</p>	Compliant	
	Stormwater and Drainage Management Plan				
C44	<p>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:</p> <ol style="list-style-type: none"> be updated prior to operation of the Development; be prepared in accordance with OEH's <i>Managing Urban Stormwater</i> and other relevant guidelines; detail the stormwater infrastructure to be installed for the Development and detail how it integrates with the existing stormwater system on the Site; describe the measures to be implemented to maintain this infrastructure over time; include a program to monitor stormwater quality and quantity; and 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. 	<ul style="list-style-type: none"> 2023 SMP 2022 EPL 20193 Annual Return 2023 EPL 20193 Annual Return 2024 EPL 20193 Annual Return Letter correspondence from the Department of Planning and Environment (now the DPHI) <i>Subject: Approval of the Revised Management Plans for Stolthaven Mayfield Terminal</i>, dated 25/07/2023 	<p>The current SMP is dated 2023 and was approved by a delegate of the Secretary in July 2023 as evidenced by letter correspondence.</p> <p>Note: The SMP should be updated to include the Development, to the satisfaction of the Secretary prior to the Stage 3 project commencing.</p> <p>The requirements under this condition are met as follows:</p> <ol style="list-style-type: none"> Operation of the development has not commenced; however, the current SMP was updated in the Audit Period. The 2023 SMP has been prepared in accordance with the Mayfield Concept Plan <i>Concept Stormwater Management Strategy</i> (AECOM, 2015). The <i>Managing Urban Stormwater: Soils and Construction Guidelines</i> are largely associated with 	Compliant	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
			<p>construction activities. However, it is noted that the general objectives outlined in Section 2 of the 2023 SMP are consistent with the guideline objectives.</p> <p>c) Section 4 of the 2023 SMP 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 described in the 2023 SMP appeared to be generally consistent with those observed during the site inspection.</p> <p>d) A maintenance program is included in Section 4.3 of the 2023 SMP and includes daily and monthly inspections.</p> <p>e) The monitoring program is included in Section 8 of the 2023 SMP and visual inspection of the site and areas receiving runoff from the site and monitoring water quality following rainfall events. Following a rainfall event, a water sample is collected from all bunds and is tested prior to its release through the Puraceptor™ on site All stormwater discharged from the site was compliant with the requirements of EPL 20193.</p> <p>f) Section 4.1.2 of the 2023 SMP describes how the facility's stormwater infrastructure integrates with the Mayfield Concept Plan and the PON Stormwater Management Strategy.</p>		

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
	Water Management Plan				
C45	<p>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:</p> <ul style="list-style-type: none"> a) be updated prior to operation of the Development; b) include procedures for the prevention and management of spills and leaks from the Development, including the terminal, M7 berth and pipeline; c) 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; d) 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 e) include a surface and groundwater response plan, including remedial actions and procedures to be followed in the event of an incident. 	<ul style="list-style-type: none"> • 2023 WMP • 2022 EPL 20193 Annual Return • 2023 EPL 20193 Annual Return • 2024 EPL 20193 Annual Return • EPA's POEO Public Register • Groundwater monitoring summary report Q1 2014 – Q4 2024 • 2022 Annual Review • 2023 Annual Review • 2024 Draft Annual Review 	<p>The current WMP is dated 2023 and was updated in the Audit Period with minor updates to the historical data table only (Table 7.2). As these changes were very minor in nature (update of data only) and considered as maintenance of the plan, approval was not sought by Stolthaven from the Planning Secretary for this update.</p> <p>Note: The WMP should be updated to include the Development, to the satisfaction of the Secretary prior to the Stage 3 project commencing.</p> <p>The requirements under this condition are met as follows:</p> <ul style="list-style-type: none"> a) Operation of the development has not commenced b) Section 12 of the 2023 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. c) A surface water monitoring program is included in Section 9.5 of the 2023 WMP and includes visual inspections and testing of any discharge in accordance with the EPL. d) The groundwater monitoring program is included in Section 10.5 of the 2023 WMP and includes monitoring on a quarterly basis and in accordance with the EPL. A Groundwater monitoring summary report is available on 	Compliant	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
			<p>Stolthaven's website dating back to Q1 2014 (last updated Q4 2024).</p> <p>e) A surface water response program is included in Section 9.7 of the 2023 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>		
	Bunding and Storage of Liquids				
C46	<p>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>.</p>	<ul style="list-style-type: none"> Site inspection Example maintenance records 	<p>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 bunded appropriately and empty fuel storage containers were raised on pallets.</p> <p>The Auditors viewed the bulk storage area which was bunded by eight concrete bund walls. No issues were identified.</p> <p>An example of a completed inspection for the operational area zones was viewed during the audit (includes inspection of bunding).</p> <p>Opportunity for improvement: Consider if the collection of air compressor receiver oily-water bleed collection could be improved.</p>	Compliant	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
C47	<p>The Applicant shall ensure all bunds:</p> <ul style="list-style-type: none"> a) have impervious walls and floors; b) 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); c) have floors graded to a collection sump; and d) 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. 	<ul style="list-style-type: none"> • Site inspection • Site personnel correspondence • Example maintenance records • 2022 Annual Review • 2023 Annual Review • 2024 Draft Annual Review 	<p>Additional bunding is not required for the current Stage 2 activities. Bunding for activities associated with SSD 6664 were viewed during the site inspection and all operational areas were fully bundled and well maintained.</p> <p>Site personnel correspondence confirmed that bund walls have been designed to hold 110% if the storage capacity. All bund floors were gravelled with a bentonite base layer.</p> <p>An example of a completed inspection for the operational area zones was viewed during the audit (includes inspection of bunding).</p>	Compliant	
	Leak Prevention				
C48	<p>The Applicant shall:</p> <ul style="list-style-type: none"> a) conduct annual integrity testing on the petroleum product pipeline extending between the terminal and the M7 berth; b) conduct leak testing of the petroleum products pipeline extending between the terminal and the M7 berth prior to each transfer of product; c) conduct surveillance checks on the pipeline prior to the commencement of and during transfer operations of any petroleum products; and d) 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"> • Pipeline Pressure Test Certificate dated 14/10/2024 • Pipeline Pressure Test Certificate dated 20/10/2023 • Pipeline Pressure Test Certificate dated 26/10/2022 • SCHN-OPS-003-004 Wharf Attendant Before Tanker Checklist example records 	<p>The requirements under this condition are met as follows:</p> <ul style="list-style-type: none"> a) Annual Integrity Tests were completed in October for 2022, 2023 and 2024. The pipeline pressure test Certificates of the testing were provided to the Auditors. b) Leak testing is included in the pre-shipping checklist which is signed by the wharf attendant and terminal. An example of a completed checklist dated 8 February 2025 was viewed during the audit. c) Surveillance checks are included in pre-shipping checklist which is signed by the wharf attendant and terminal. An example was viewed during the audit as noted in the response to condition (b). 	Compliant	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
		<ul style="list-style-type: none"> SCHN-OPS-003-006 Patrol Person Log example records 2022 Annual Review 2023 Annual Review 2024 Draft Annual Review 	d) Stolthaven maintain a register including the annual integrity tests undertaken in October for 2022, 2023 and 2024 and was viewed during the audit. The annual tests are also included in the Annual Reviews.		
	UTILITIES AND SERVICES				
C49	<p>The Applicant shall update the existing Utilities and Services Plan for the Site to include the Development. The plan must:</p> <ol style="list-style-type: none"> be updated prior to operation of the Development; be prepared in consultation with relevant utility and service providers and adjacent landowners, where relevant; include an implementation schedule which shows how all essential utilities and services are to be provided to the Site; 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 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. 	<ul style="list-style-type: none"> 2023 USMP 2019 IEA 	<p>The requirements under this condition are met as follows:</p> <ol style="list-style-type: none"> Operation of the development has not commenced; however the USMP was updated in June 2023. Note: The 2023 WMP should be updated to include the Development prior to the Stage 3 project commencing. Section 1.2 of the 2023 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. The 2019 Independent Audit notes evidence that approval was provided by the Department not to consult with external parties again for the revised USMP (June 2018 version) as no additional utility connections were required. This is consistent with the updates for the 2023 version. 	Compliant	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
			<p>c) The implementation schedule is included in Section 2 of the 2023 USMP.</p> <p>d) Copies of all approvals from utilities and services providers are included as Appendix A of the 2023 USMP.</p> <p>e) A strategy to integrate all utilities is included in Section 5 of the 2023 USMP.</p>		
	VISUAL AMENITY				
	Landscaping				
C50	<p>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:</p> <ul style="list-style-type: none"> a) be prepared in consultation with PON and in accordance with the relevant requirements of the <i>Newcastle Development Control Plan, 2012</i>; b) be updated and implemented prior to operation of the Development; c) 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; d) illustrate the location, species and mature heights of plants to be established on Site; e) provide for the maintenance of the landscaping on Site; and f) 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. 	<ul style="list-style-type: none"> • 2022 LMP • 2022 IEA 	<p>The current LMP is dated 2022 and was prepared to the satisfaction of the Secretary as documented in the 2022 IEA. No updates to this plan were made during the Audit Period.</p> <p>The requirements under this condition are met as follows:</p> <p>Operation of the development has not commenced; however the LMP was updated in 2022.</p> <p>Note: The 2022 LMP should be updated to include the Development, to the satisfaction of the Secretary prior to the Stage 3 project commencing.</p> <ul style="list-style-type: none"> a) Building design is described in Section 7.1.2 of the 2022 LMP and includes photos and descriptions of landscaped areas. The visual impact is discussed in Section 7.1 of the 2022 LMP. b) Plants are described in Section 8 of the 2022 LMP and includes a list of species and mature 	Compliant	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
			<p>heights for potted plants, ornamental grasses and traditional grasses.</p> <p>c) Maintenance is described in Section 7.3 of the 2022 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.</p> <p>d) Construction of the new administration building is not part of the current Stage 2 and therefore this condition has not been triggered.</p>		
	Building Materials				
C51	Where possible the Applicant shall utilise building materials that minimise the potential visibility of the Development, including non-reflective materials.	<ul style="list-style-type: none"> Site inspection 2022 LMP 	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				
C52	<p>The Applicant shall ensure any lighting associated with the Site:</p> <p>a) complies with the latest version of Australian Standard AS 4282 (INT)-Control of Obtrusive Effects of Outdoor Lighting, where relevant; and</p> <p>b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.</p>	<ul style="list-style-type: none"> Site personnel correspondence Site inspection 2022 IEA Complaints Register 	<p>Site personnel correspondence confirmed that no new lighting fixtures were installed during the Audit Period. Review of the 2022 IEA confirms the existing lighting installed satisfied the criteria set out in AS 4828.</p> <p>No lighting complaints were received during the audit period.</p>	Compliant	
	Signage				

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
C53	<p>The petroleum product pipeline extending between the terminal and the M7 berth must:</p> <p>a) be identified in accordance with Australian Standard AS1345-2008: <i>Identification of the contents of pipes, conduits and ducts</i>; and</p> <p>b) include pipe markers including the name of the Applicant and emergency contact details.</p>	<ul style="list-style-type: none"> Site inspection 2019 IEA 	<p>The requirements under this condition are met as follows:</p> <p>a) The 2019 IEA noted evidence that an assessment of compliance with AS1345-2008 for the M7 pipeline was undertaken by Stolthaven and had been achieved. Identification was observed at the site inspection.</p> <p>b) The pipeline was observed at time of site inspection to be marked at regular intervals with the EPL No. and emergency contact details.</p>	Compliant	
C54	<p>The Applicant shall not install any advertising signs on the Site without consultation with the PON and the written consent of the Secretary.</p>	<ul style="list-style-type: none"> Site personnel correspondence Site inspection 	<p>The Stolthaven representative advised during the site interview that no advertising signs have been installed on the site. This was confirmed by the Auditors in the site inspection.</p>	Compliant	
	SITE SECURITY				
C55	<p>The Applicant shall:</p> <p>a) install and maintain a perimeter fence and security gates on the Site;</p> <p>b) ensure the security gates on Site are locked whenever the Site is unattended; and</p> <p>c) consult with the PON with regards to minimum fencing specifications.</p>	<ul style="list-style-type: none"> Site interview Site inspection Incident Register 	<p>The requirements under this condition are met as follows:</p> <p>c) The perimeter fence and security gates were observed during the site visit and appeared to be well maintained and secure.</p> <p>d) The Stolthaven representative advised all security gates are locked when the site is unattended.</p> <p>e) Requirements to consult with PON in regard to minimum fencing specifications are not required for the current Stage 2.</p>	Compliant	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
			Observation: In addition to fencing, the site has Closed Circuit Television (CCTV) available on site with 22 cameras within the Terminal and berth area. Cameras and live feeds were observed during the site inspection.		
	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.	<ul style="list-style-type: none"> 2023 OEMP Waste Register 2022 Annual Review 2023 Annual Review 2024 Draft Annual Review 	<p>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.</p> <p>Waste removed from the facility is recorded in a Waste Register and reported in the Annual Reviews (Section 10 and Appendix H) including classifications.</p>	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 20193 2022 EPL 20193 Annual Return 2023 EPL 20193 Annual Return 2024 EPL 20193 Annual Return EPA's POEO Public Register 	Receival of waste is not permitted under condition L4.1 the EPL. 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.	Compliant	
C58	The Applicant shall:	<ul style="list-style-type: none"> Site inspection 	The requirements under this condition are met as follows:	Compliant	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
	<ul style="list-style-type: none"> implement all reasonable and feasible measures to minimise waste generated on Site; and ensure any waste generated on Site is appropriately stored, handled and disposed of. 	<ul style="list-style-type: none"> Waste Register 2022 Annual Review 2023 Annual Review 2024 Draft Annual Review 	<p>a) Waste management measures include inspections, weekly monitoring and recording of waste quantities, and sign-posting of waste receptacles.</p> <p>According to the Waste Register, the amount of general waste was 67.5m³, 76.5m³ and 75.0m³ for 2022, 2023, and 2024, respectively. In addition, the amount of recycled waste was 25.3m³, 25.3m³, and 28.6m³ for 2022, 2023, and 2024, respectively.</p> <p>These amounts are generally consistent with the target set for the project.</p> <p>b) General waste is collected on a weekly basis by and external contractor (Cleanaway). Quantities of slops and effluent are disposed at Veolia and are recorded in a Waste Register (included in the Annual Reviews). Numerous bins were observed around the site during the site inspection to dispose of wastes. The site was considered to be very tidy at the time of site inspection.</p>		
	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 Defence for the erection of all structures that constitute transient/temporary or permanent obstructions in accordance with the <i>Operation of cranes and tall</i>	<ul style="list-style-type: none"> Site personnel correspondence 	Construction works for the Stage 3 project have not commenced. Therefore, this requirement was not triggered for the Audit Period.	Not triggered	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
	<i>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	<p>The Applicant shall prepare a Construction Environmental Management Plan (CEMP) for the Development, to the satisfaction of the Secretary. The Plan must:</p> <ol style="list-style-type: none"> be approved by the Secretary prior to construction of the Development identify the statutory approvals that apply to the Site; outline all environmental management practices and procedures to be followed during construction; describe all activities to be undertaken on the Site during construction, including a clear indication of construction stages; detail how the environmental performance of the construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts; describe the roles and responsibilities for all relevant employees involved in construction works; and include the management plans under Condition D2 of this consent. 	<ul style="list-style-type: none"> Stolthaven (2018) Construction Environmental Management Plan: Newcastle Stage 3 Development (the '2018 CEMP') <ul style="list-style-type: none"> 2019 IEA 2022 IEA 	<p>The requirements under this condition are met as follows:</p> <ol style="list-style-type: none"> The 2018 CEMP was not updated in the Audit Period. The 2019 Independent Audit notes evidence that the Department approved the CEMP for Stage 1 on 16 October 2018. Statutory approvals that apply to the facility are included in Section 8 of the 2018 CEMP. Environmental management practices are outlined throughout the entire CEMP document as relevant. Section 12 provides a general overview of the procedures. A description of construction activities to be undertaken is included in Section 7.1 of the CEMP. Monitoring of environmental performance is outlined throughout the entire CEMP document as relevant. Section 13 provides a general overview of reporting requirements. Roles and responsibilities are included in Section 9 of the CEMP. 	Compliant	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
			g) The management plans listed in Condition D2 are included in the CEMP as detailed in the response to Condition D2 below.		
D2	As part of the CEMP for the Development, required under Condition D1 of this consent, the Applicant shall include the following: a) a soil and water management plan; b) a contaminated materials management plan, prepared in consultation with the PON; c) a traffic management plan; d) a noise and vibration management plan; e) an air quality (dust) management plan; f) a utilities and services provision plan; and g) a waste management plan.	<ul style="list-style-type: none"> 2018 CEMP 	The management plans listed in the adjacent column are included in the CEMP as follows: a) Section 10.1 Soil and Water b) Section 10.2 Contaminated Materials c) Section 10.3 Traffic and Management d) Section 10.4 Noise and Vibration e) Section 10.5 Air Quality f) Section 10.8 Utilities and Services g) Section 10.6 Waste	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 Stage 3 project have not commenced. Therefore, this requirement was not triggered for the Audit Period.	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: a) be submitted to the Secretary for approval prior to operation of the Development; b) be prepared by a suitably qualified and experienced expert; c) provide the strategic framework for environmental management of the Site; d) identify the statutory requirements that apply to the Site;	<ul style="list-style-type: none"> 2022 IEA 2019 IEA 2022 OEMP 2018 CEMP 2023 AQMP 2022 LMP 2023 NVMP 2023 SMP 	The requirements under this condition are met as follows: a) The EMS includes the OEMP and all management plans required under SSD 7065. Operation of the 'development' has not commenced during the Audit Period and therefore this sub-requirement was not triggered for the Audit Period. Several plans were updated in the Audit Period in response to throughput increase and were all approved by the Planning secretary (refer to Condition	Compliant	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
	<p>e) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the Site;</p> <p>f) describe in general how the environmental performance of the Site would be monitored and managed;</p> <p>g) describe the procedures that would be implemented to:</p> <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; <p>h) include the management plans under Condition D5 of this consent; and</p> <p>i) be provided to the PON once approved by the Secretary, including any approved amendments to the EMS.</p>	<ul style="list-style-type: none"> 2023 TMP 2023 USMP 2023 WMP 	<p>B6). The EMS and sub-plans are required to be re-submitted prior to the commencement of any Stage 3 project activities.</p> <p>b) Management plans have been prepared by Stolthaven and external contractors (e.g. AECOM) where required.</p> <p>c) The strategic context is described in Section 1.1 of the OEMP.</p> <p>d) The statutory requirements are described in Section 1.3 of the OEMP.</p> <p>e) Roles and responsibilities are included in Section 4 of the OEMP.</p> <p>f) Monitoring and management of environmental performance is described in Sections 5, 7.3.2, 8, 9 and 11 of the OEMP.</p> <p>g) Procedures are included in sections of the OEMP as follows:</p> <ul style="list-style-type: none"> Keep the community and relevant agencies informed: Section 5.1 (Annual Review) Complaints procedure: Section 5.5 Dispute response: Section 5.5 Response to non-compliances: Referenced in Sections 6-11 throughout Management of cumulative impacts: Referenced in Sections 6-11 throughout Emergency response: Section 5.5 and referenced in Sections 6-11 throughout <p>h) Management plans are included as separate documents (refer to response to Condition D5).</p>		

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
			i) The 2019 IEA notes evidence that the updated management plans were sent to PON in 2018. It would be expected that the timing of the next time that Stolthaven issues management plans to PON would be prior to the commencement of Stage 3 the project whereby the EMS is updated to incorporate the 'Development' as defined in SSD 7065 development consent.		
D5	As part of the EMS for the Site, required under Condition D4 of this consent, the Applicant shall include the following: a) air quality; b) traffic; c) noise; d) stormwater and drainage; e) water; f) utilities and services; and g) landscape.	<ul style="list-style-type: none"> 2022 OEMP 2023 AQMP 2022 LMP 2023 NVMP 2023 SMP 2023 TMP 2023 USMP 2023 WMP 	The sub-plans listed are included in the EMS and approved by the Department. The contents of each plan has been assessed as relevant to the conditions of the Development Consent in this table. The EMS and sub-plans are required to be re-submitted prior to any future construction stages.	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.		Compliance with the management plans has been assessed as relevant to the conditions of the Development Consent in this table. Generally, site operations were considered to be in accordance with the EMS.	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: a) detailed baseline data;	<ul style="list-style-type: none"> 2022 OEMP 2023 AQMP 2022 LMP 	The requirements under this condition are met as follows: a) Included in sections as follows: <ul style="list-style-type: none"> 2023 AQMP: Section 4 	Compliant	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
	<p>b) a description of:</p> <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; <p>c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;</p> <p>d) a program to monitor and report on the:</p> <ul style="list-style-type: none"> impacts and environmental performance of the Site; and effectiveness of any management measures (see c) above); <p>e) a contingency plan to manage any unpredicted impacts and their consequences;</p> <p>f) a program to investigate and implement ways to improve the environmental performance of the Site over time;</p> <p>g) a protocol for managing and reporting any:</p> <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 <p>h) a protocol for periodic review of the plan.</p>	<ul style="list-style-type: none"> 2023 NVMP 2023 SMP 2023 TMP 2023 USMP 2023 WMP 	<ul style="list-style-type: none"> 2023 TMP: Section 3 2022 ONMP: Section 1.3 2023 SMP: Section 4.1.1 2023 WMP: Section 4.2.1 2023 USMP: Section 6 2022 LMP: Section 7 <p>b) Included in sections as follows:</p> <ul style="list-style-type: none"> 2023 AQMP: Section 3 2023 TMP: Section 2 and 3 2022 ONMP: Section 2 2023 SMP: Section 1.1 2023 WMP: Section 1.1 and Section 4.3 2023 USMP: Section 1.1 2022 LMP: Section 2.1 <p>c) Included in sections as follows:</p> <ul style="list-style-type: none"> 2023 AQMP: Section 6 2023 TMP: Section 7 2022 ONMP: Section 3 2023 SMP: Section 4 2023 WMP: Section 7-12 2023 USMP: Section 3 2022 LMP: Section 7 and Section 8 <p>d) Included in sections as follows:</p> <ul style="list-style-type: none"> 2023 AQMP: Section 6.3 2023 TMP: Section 8 2022 ONMP: Section 4 2023 SMP: Section 8 2023 WMP: Section 13 2023 USMP: Not applicable 2022 LMP: Section 9 <p>e) Included in sections as follows:</p> <ul style="list-style-type: none"> 2023 AQMP: Section 8.1 		

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
			<ul style="list-style-type: none"> 2023 TMP: Section 8 2022 ONMP: Section 4.4 2023 SMP: Section 10 2023 WMP: Section 14 2023 USMP: Section 4 2022 LMP: Section 10 <p>f) Included in sections as follows:</p> <ul style="list-style-type: none"> 2023 AQMP: Section 9 2023 TMP: Not applicable 2022 ONMP: Section 4.3 2023 SMP: Section 8 2023 WMP: Section 14 2023 USMP: Not applicable 2022 LMP: Section 10 <p>g) Included in sections as follows:</p> <ul style="list-style-type: none"> 2023 AQMP: Section 7.1 2023 TMP: Section 8 and Section 9 2022 ONMP: Section 6 2023 SMP: Section 9 2023 WMP: Section 14 2023 USMP: Section 7 2022 LMP: Section 9, 10 and 11 <p>h) Included in sections as follows:</p> <ul style="list-style-type: none"> 2023 AQMP: Section 9 2023 TMP: version control on title page states when next revision due 2022 ONMP: Section 7 20203 SMP: version control on title page states when next revision due 2023 WMP: version control on title page states when next revision due 		

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
			<ul style="list-style-type: none"> 2023 USMP: version control on title page states when next revision due 2022 LMP: version control on title page states when next revision due 		
	Revisions to Strategies, Plans and Programs				
D8	<p>Within three months of the submission of an:</p> <ul style="list-style-type: none"> a) audit submitted under Condition D12; b) incident report under Conditions D10 and D11; c) annual review under Condition D9; and/or d) a modification to this consent, <p>the Applicant shall review, and if necessary, revise the strategies, plans, and programs required under this consent to the satisfaction of the Secretary.</p> <p>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.</p>	<ul style="list-style-type: none"> Incident Register 2023 AQMP 2022 LMP 2023 NVMP 2023 SMP 2023 TMP 2023 USMP 2023 WMP 2022 Annual Review 2023 Annual Review Draft 2024 Annual Review Letter correspondence from the Department of Planning and Environment (now the DPHI) <i>Subject: Approval of the Revised Management Plans for Stolthaven Mayfield Terminal</i>, dated 25/07/2023 	<p>The requirements under this condition are met as follows:</p> <ul style="list-style-type: none"> a) Refer to response to Condition B22, noting letter correspondence from DPHI confirms Southaven b) No incident reports were issued to DPHI under Conditions D10 and D11 in the Audit Period c) Section 14 of the Annual Reviews includes consideration of any improvements to the management plans. d) No modifications to the Development Consent were granted in the Audit Period. 	Compliant	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
	REPORTING				
	Annual Review				
D9	<p>By the end of December each year, and annually thereafter, the Applicant shall review the environmental performance of the Site, to the satisfaction of the Secretary. This review must:</p> <ol style="list-style-type: none"> be prepared in consultation with PON; describe the operations that were carried out in the past year; 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; identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance; identify any trends in the monitoring data; 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 describe what measure will be implemented over the next year to improve the environmental performance of the Site. 	<ul style="list-style-type: none"> Site personnel correspondence 2022 Annual Review 2023 Annual Review Draft 2024 Annual Review 	<p>The Auditors viewed Annual Reviews for 2022 and 2023 prepared by GHD. Due to the timing of the Audit, the Auditors were only able to review the 2024 Annual Review prepared by GHD in its draft form.</p> <p>The requirements under this condition are met as follows:</p> <ol style="list-style-type: none"> Consultation records with PON are recorded in Section 1.3 of the Annual Reviews. For 2022 and 2023 Annual Reviews, draft reports were provided to PON to review prior to finalisation on the 14 March 2023 and 12 March 2024, respectively. At the timing of writing, Stolthaven were in the process of issuing the 2024 Annual Review to PON for finalisation. Operations are described in Section 3 of the Annual Reviews. A discussion on monitoring results for the review period is included in Sections 4 to 11. Comparisons are made to predictions in the EIS as relevant. A statement of compliance is included in Section 13.1 of the Annual Reviews. No non-compliances were identified. Trends in the monitoring data are discussed in Sections 4 to 11. A comparison to predictions in the EIS is included in Sections 4 to 11 as relevant. 	Compliant	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
			g) Section 14 of the Annual Reviews describe actions to be implemented in the following reporting period.		
	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.	<ul style="list-style-type: none"> Incident Register Site personnel correspondence 2022 Annual Review 2023 Annual Review 2024 Draft Annual Review Email correspondence from NSW EPA officer, Subject: PFAS Foam Release, dated 29/09/2024 Tax Invoice from Veolia Environmental Services Pty Ltd for the Decontamination Clean, dated 26/11/2023 Discharge Docket from Cleanaway, dated 3/11/2023 Waste Data Form from Cleanaway, dated 3/11/2024 	<p>Stolthaven record incidents within a register (EcoPortal). Following an incident Stolthaven prepares an Incident Report in accordance with their internal Incident Investigation procedure.</p> <p>One reportable incident occurred during the Audit Period on the 28 September 2023.</p> <p>During routine fire system testing, Stolthaven's gantry foam deluge system was inadvertently activated resulting in foam deployment. Approximately 3,325 litres of foam mixture (100 litres foam concentrate - 3%) was distributed before the system was shut down. No personnel were on the gantry during the incident. Foam deployment was contained in the site's retention pit and disposed of using an accredited waste removal contractor as the foam does contain Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS).</p> <p>Investigation found the foam deluge system was activated due to the activation of two motor control panels (MCP) in the gantry area during testing (rather than the activating one MCP at a time and waiting to finish testing before activating the next MCP) and a new employee of an existing</p>	Non-compliant	NC3

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
		<ul style="list-style-type: none"> Email correspondence from Stolthaven personnel to PON Subject: <i>FW: Stolthaven update on Environment/Compliance matters</i>, dated 3/10/2023. Letter correspondence from NSW EPA personnel Subject: <i>Exemption allowing the discharge of prescribed long-chain PFAS firefighting foams in the event of a catastrophic or potentially catastrophic fire</i>, dated 01/10/2024 Stolthaven (2024) Emergency Response Plan (Version 12.1) 	<p>contractor was not aware that the two MCPs would activate the foam system.</p> <p>Incident actions completed:</p> <ul style="list-style-type: none"> The fire panel was re-programmed and MCP foam control was removed. Foam is now only activated by site's blue foam Call Points and/or the gantry Flame Detectors. Procedures updated within FORM1 to ensure foam system is always isolated before any fire system testing is undertaken. New signage installed at foam tank advising the above requirement to isolate before testing. <p>The site now holds an exemption from the EPA to hold this foam for firefighting purposes until 30th June 2025. Stolthaven is looking to transition away from PFAS firefighting foams at the site. The site is planning replacement to PFAS free firefighting foam which is currently targeting May 2025.</p> <p>The Auditors also viewed the Decontamination Cleaning tax invoice from Veolia as well as the Waste Data Form and Discharge Docket from Cleanaway evidencing appropriate collection and disposal of the volume of spilled foam material resulting from the incident.</p> <p>Stolthaven notified the NSW EPA on the 29 September 2023 of the incident via a self-report, evidenced by email correspondence (reference REF-NO-24407). Stolthaven also notified PON of the incident on the 3 October 2023 via email.</p>		

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
			<p>However, no notification was provided to the Planning Secretary regarding the incident. Therefore, this condition is considered non-compliant.</p> <p>Recommendation: Stolthaven's Emergency Plan should be updated with regards to Section 9.0 and 10.0 on incident management. The decision-making process to determine whether an incident meets the criteria to be "an incident that causes (or may cause) material harm to the environment" should be described in the Emergency Plan to address the notification/ incident reporting requirements of both EPL 20193 and SSD 7065.</p>		
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 reports as may be requested.	<ul style="list-style-type: none"> Incident Register Site personnel correspondence Email correspondence from NSW EPA officer, Subject: PFAS Foam Release, dated 29/09/2024 Email correspondence from Stolthaven personnel to PON Subject: FW: <i>Stolthaven update on Environment/Compliance</i> 	<p>One reportable incident occurred during the Audit Period on the 28 September 2023 (refer to Response to Condition D11 for details of this incident). PON was notified of the on the 3 October 2023 via email.</p> <p>As the incident was not notified to the Planning Secretary in accordance with the requirements of Condition D10, no follow-up report within seven days of the incident was submitted to the Planning Secretary in line with the requirements of this Condition D11. Therefore, this condition is considered non-compliant.</p> <p>Recommendation: Refer to recommendation provided in NC3.</p>	Non-compliant	Refer to NC3

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
		<p>ce matters, dated 3/10/2023.</p> <ul style="list-style-type: none"> Letter correspondence from NSW EPA personnel Subject: <i>Exemption allowing the discharge of prescribed long-chain PFAS firefighting foams in the event of a catastrophic or potentially catastrophic fire</i>, dated 01/10/2024 			
INDEPENDENT ENVIRONMENTAL AUDIT					
D12	<p>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:</p> <ol style="list-style-type: none"> be carried out by a suitably qualified, experienced and independent audit team whose appointment has been endorsed by the Secretary; include consultation with PON; assess the environmental performance of the Site, and its effects on the surrounding environment; determine whether the Site is complying with the relevant standards, performance measures and statutory requirements, including the Mayfield Concept Plan; review the adequacy of the EMS for the Site, compliance with this consent, and any other licences and consents; and, if necessary; 	<ul style="list-style-type: none"> This IEA 2022 IEA Letter correspondence from a nominee of the Planning secretary Subject: <i>Stolthaven Mayfield Terminal - Proposed Audit Team IEA 2024</i> dated 10/01/2025 	<p>The requirements under this condition are met as follows:</p> <ol style="list-style-type: none"> Endorsement of the audit team for this 2025 IEA was provided 10 January 2025 and is included in Appendix 2 to the IEA report. Consultation with PON was undertaken for the audit. Correspondence records are described in Section 3.6 to the IEA report. No issues with the facility were raised by PON. An assessment of the environmental performance is included in this Audit Table and in the audit report. An assessment of compliance is included in this Audit Table, and in Section 3.0 of the IEA report. 	Compliant	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
	f) recommend measures or actions to improve the environmental performance of the Site, and/or any plan/program required under this consent.		e) A review of the EMS is included in Section 3.7 of the IEA report. f) Recommendations of the audit are included in this Table and in Section 4.0 of the IEA report.		
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.	<ul style="list-style-type: none"> 2022 IEA Letter correspondence from a nominee of the Planning Secretary Subject: <i>Stolthaven Mayfield Terminal (SSD-7065) 2022 Independent Environmental Audit</i> dated 20/07/2022 	<p>A response to the recommendations made in the 2022 IEA report was provided to the Department on 28 April 2022 (audit completed April 2022). Email correspondence indicates Stolthaven sent the 2022 IEA and Response to Recommendation to PON on 2 May 2022.</p> <p>No evidence was able to be provided for the submission of the 2022 IEA with Response to Recommendations to the NSW EPA in accordance with the requirements of this condition. Therefore, this condition is considered non-compliant.</p> <p>Recommendation: The 2025 IEA and Response to Recommendations be provided to the Secretary and PON, in addition to the NSW EPA, within three months of the 2025 IEA commissioning.</p>	Non-compliant	NC4
	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.	<ul style="list-style-type: none"> PoN website for Community Liaison Group: https://www.portofnewcastle.com.au/community-and- 	<p>Stolthaven personnel are a Company Community Liaison Group (CLG) representative in the PON CLG structure. In addition, Stolthaven maintains a CLG and met on the following dates throughout the Audit Period:</p> <ul style="list-style-type: none"> 24 May 2022 	Compliant	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
		<p>news/community-liaison-group/</p> <ul style="list-style-type: none"> Stolthaven Newcastle Community Group Meeting Minutes dated 24/05/2023 Stolthaven Newcastle Community Group Meeting Minutes dated 15/11/2022 Stolthaven Newcastle Community Group Meeting Minutes dated 09/05/2023 Stolthaven Newcastle Community Group Meeting Minutes dated 11/12/2023 Stolthaven Newcastle Community Group October 2024 Terminal Report 	<ul style="list-style-type: none"> 15 November 2022 9 May 2023 11 December 2023 <p>The Auditors understand that no CLG meeting was held in 2024 but a report was issued to all CLG members in October 2024 in its place.</p>		
	Access to Information				
D15	<p>The Applicant shall make the following information publicly available on its website and keep the information up to date:</p> <ul style="list-style-type: none"> a) the EIS; b) current statutory consents for the Site; c) approved strategies, plans and programs; 	<ul style="list-style-type: none"> Stolthaven's website for the Newcastle terminal: https://www.stoltnielsen.com/our-businesses/stolthaven- 	<p>The Auditors viewed Stolthaven's website and confirmed it included the information listed in the consent. All information reviewed was up to date.</p>	Compliant	

Con.	Compliance Requirement (SSD 7065)	Evidence Collected	Audit Findings and Recommendations	Compliance Status	NC#
	<p>d) a summary of all monitoring data for the Site as required under this consent and the Mayfield Concept Plan;</p> <p>e) a complaints register, updated on an annual basis;</p> <p>f) Annual Reviews, Independent Environmental Audits and the Applicant's response to the recommendations; and</p> <p>g) any other matter required by the Secretary.</p> <p>Note: This condition does not require any confidential information to be made available to the public.</p>	<p>terminals/terminal-network/stolthaven-newcastle/</p>			

Appendix 2

Auditor Endorsement

NSW Planning ref: SSD-7065-PA-19

Ryan Duckmanton
Site Operations Manager
STOLTHAVEN AUSTRALIA PTY LTD
Lot 2 Steelworks Road
Mayfield New South Wales 2304
10/01/2025

Sent via the Major Projects Portal only

Subject: Stolthaven Mayfield Terminal - Proposed Audit Team IEA 2025

Dear Mr Duckmanton

Reference is made to your post approval matter, SSD-7065-PA-19, request for the NSW Planning Secretary's approval of suitably qualified, experienced, and independent person/s to conduct an Independent Environmental Audit (IEA) of the Stolthaven Mayfield Terminal – Stage 3, submitted as required by Condition D12 of SSD-7065 as modified (the consent) to NSW Department of Planning, Housing and Infrastructure (NSW Planning) on 19 December 2024.

NSW Planning has reviewed the independent auditor nominations and based on the information you have provided is satisfied that the proposed person/s are suitably qualified, experienced, and independent.

Consequently, as nominee of the Planning Secretary, I approve the appointment of the following audit team to prepare the 2025 IEA:

- Ms Victoria Sedwick – Lead Auditor
- Mr Shaun Taylor – Auditor
- Ms Charissa Lawrence – Audit support

Please ensure this correspondence is appended to the Independent Audit Report.

The Independent Audit must be prepared, undertaken, and finalised in accordance with the conditions of consent and the *Independent Audit Post Approval Requirements* (2020). Failure to meet these requirements will require revision and resubmission.

The IEA period shall be from 16 March 2022 to the IEA inspection date, which shall coincide with the end of the audit period, and be completed on or around 1 March 2025, unless otherwise agreed by the Secretary.

Please ensure that at a minimum the Lead Auditor attends the site inspection.

NSW Planning notes that Ms Sedwick was Lead Auditor on the last two IEAs (2022 and 2019) and Mr Taylor was Auditor on the last two IEAs and Lead Auditor on the 2016 IEA. As such, NSW Planning requests a different auditor(s) to undertake the next IEA (2028).

Should you wish to discuss the matter further, please contact Ann Hagerthy, (Senior Compliance Officer) on 02 6575 3407 or email compliance@planning.nsw.gov.au

Yours sincerely

A handwritten signature in black ink that reads "H Watters".

Heidi Watters
Team Leader
Compliance

As nominee of the Planning Secretary

Appendix 3

Auditor Declaration of Independence

Independent Audit Report Declaration Form

Project Name	Stolthaven Bulk Fuel Storage Facility
Consent Number	SSD 7065
Description of Project	Construction and operation of Mayfield Berth 7 and associated fuel pipeline
Project Address	103 Selwyn Street, Mayfield North, New South Wales
Proponent	Stolthaven Australia Pty Ltd
Title of Audit	Stolthaven Bulk Fuel Storage Facility Independent Environmental Audit 2025
Date	16 December 2024

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:

- i. the audit has been undertaken in accordance with relevant condition(s) of consent and the *Independent Audit Compliance Requirements (Department 2019)*;
- ii. the findings of the audit are reported truthfully, accurately and completely;
- iii. I have exercised due diligence and professional judgement in conducting the audit;
- iv. I have acted professionally, objectively and in an unbiased manner;
- v. 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;
- vi. 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;
- vii. 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
- viii. 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 Auditor	Victoria Sedwick
Signature	
Qualification	Exemplar Global Lead Auditor Accreditation No. 13180
Company	Ramboll Australia Pty Ltd
Company Address	The Arc, 45a Watt Street, Newcastle NSW 2300 Level 3/100 Pacific Hwy, North Sydney NSW 2060 41 St Georges Terrace, Perth Western Australia 6000

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- vi. 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;
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- 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 Auditor	Shaun Taylor
Signature	
Qualification	B App Sc (Env Ass & Mgt) (Hons)
Company	Ramboll Australia Pty Ltd
Company Address	The Arc, 45a Watt Street, Newcastle NSW 2300 Level 3/100 Pacific Hwy, North Sydney NSW 2060 41 St Georges Terrace, Perth Western Australia 6000

Independent Audit Report Declaration Form

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- v. 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;
- vi. 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;
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- viii. 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.

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- 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 Auditor	Charyssa Lawrence
Signature	<i>C. Lawrence</i>
Qualification	B Sc (Earth Science) (Hons)
Company	Ramboll Australia Pty Ltd
Company Address	The Arc, 45a Watt Street, Newcastle NSW 2300 Level 3/100 Pacific Hwy, North Sydney NSW 2060 41 St Georges Terrace, Perth Western Australia 6000

Appendix 4 Consultation

From: [Ann Hagerthy](#)
To: [Charyssa Lawrence](#)
Subject: RE: IEA Request for Consult: Stolthaven Bulk Fuel Facility SSD-7065
Date: Tuesday, 18 February 2025 12:50:56 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)

Hi Charyssa,

Thanks for your email. There is no particular focus, above and beyond, that the Department requests of Ramboll for this IEA.

Thanks,

Ann Hagerthy

A/Team Leader

Compliance | Development Assessment and Infrastructure

Department of Planning, Housing and Infrastructure

T (02) 6575 3407 E ann.hagerthy@planning.nsw.gov.au

dpie.nsw.gov.au



From: [Michael Howat](#)
To: [Charyssa Lawrence](#)
Subject: RE: IEA Request for Consult: Stolthaven Bulk Fuel Facility
Date: Thursday, 27 February 2025 4:23:03 PM
Attachments: [image001.png](#)

You don't often get email from michael.howat@epa.nsw.gov.au. [Learn why this is important](#)

Charyssa,

Firstly apologies for this delayed response. There were some staff movements and staff leave in our team taken throughout February which resulted in this matter getting missed so I apologise for that.

I understand that you were seeking comments prior to 24 February, but despite that just for your records I can confirm there are no outstanding or significant environmental matters or concerns the EPA would like to raise in regards to the Stolthaven Bulk Fuel Facility audit. As I'm sure you're aware we regulate this site through Environment Protection Licence 20193 and there is no significant environmental or compliance matters for the period March 2022 – February 2025 to be addressed.

Sorry again for the late reply. If there is any follow up or outcomes from the audit that the EPA should be aware of please notify us and the best point of contact is info@epa.nsw.gov.au but I also suggest you cc either myself or Steve Clair (steve.clair@epa.nsw.gov.au).

Kind regards

Michael Howat

A/Unit Head – Operations

NSW Environment Protection Authority

Ph: (02) 4908 6819 Mob: 0407 262 553

michael.howat@epa.nsw.gov.au www.epa.nsw.gov.au



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

From: [Robert Manev](#)
To: [Charyssa Lawrence](#)
Subject: Independent Environmental Audit - Stolthaven Bulk Fuel Facility [Filed 25 Feb 2025 11:20]
Date: Tuesday, 25 February 2025 11:17:58 AM
Attachments: [image001.jpg](#)
[image002.png](#)

You don't often get email from rmanev@ncc.nsw.gov.au. [Learn why this is important](#)

Good Morning Charyssa,

I apologise in the being late getting back to you.

I can confirm that Council has no issues to raise regarding the overall environmental performance of the facility.

I have also checked with our Assets and Traffic teams, and they have no issues to raise either.

Please let me know if you need anything further.

Cheers,

Rob

Robert Manev | Senior Environment Protection Officer

City of Newcastle | Planning & Environment

Transport & Regulation | Environmental Health

E: rmanev@ncc.nsw.gov.au | T: [+61249742538](tel:+61249742538) | M: [+61409448339](tel:+61409448339)

City of Newcastle



City of Newcastle acknowledges the Traditional Custodians of the land of the Newcastle LGA, the Awabakal and Worimi peoples.

From: [Alicia Marix-Evans](#)
To: [Charyssa Lawrence](#); [Alicia Marix-Evans](#)
Cc: [Victoria Sedwick](#); [Megan Carroll](#); [Sarah Fitzpatrick](#)
Subject: RE: IEA Request for Consult: Stolthaven Bulk Fuel Facility SSD-7065 [Filed 25 Feb 2025 10:08]
Date: Tuesday, 25 February 2025 10:03:54 AM
Attachments: [image001.png](#)

You don't often get email from alicia.marix-evans@pon.com.au. [Learn why this is important](#)

Hi Charyssa,

Apologies for the delay in response – PON has no issues with Stolthaven operations, from an environmental performance perspective.

Thank you,

Alicia Marix-Evans

Senior Manager Property, Environment & Planning

Port of Newcastle

Mob: +61 487 405 508

Email: Alicia.Marix-Evans@pon.com.au

Appendix 5

Site Inspection Photographs



1. Truck Loading Gantry (Looking South) with First Flush Stormwater Pit in foreground



2. Truck Loading Gantry showing control panel and spill kit



3. Truck Loading Gantry (Looking Northeast)



4. Truck Loading Gantry Refuelling Area



5. Truck Loading Gantry Additive Tank (1)



6. Truck Loading Gantry Additive Tank (2)



7. First Flush Stormwater Pit



8. Stormwater Drainage Channel Adjacent to Western Site Boundary (looking North)



9. Diesel Tank 'NN1' Looking North



10. Diesel Tank 'NN5' Looking East



11. Diesel Tank NN6 (left) and Diesel Tank NN5 (right) looking East



12. Diesel Tank Farm looking South



13. Pipeline to Mayfield 7 (M7) Berth Looking North at the M7 Berth



14. Example signage on the pipeline to Mayfield 7 (M7) Berth including emergency contact details



15. Entrance to M7 Berth Looking North showing Security Signs



16. M7 Berth (looking Northeast)



17. M7 Berth (Looking Northwest)



18. M7 Berth Showing Lighting and CCTV Security Camera



19. Fire Pumps



20. Fire Fighting Foam Tank



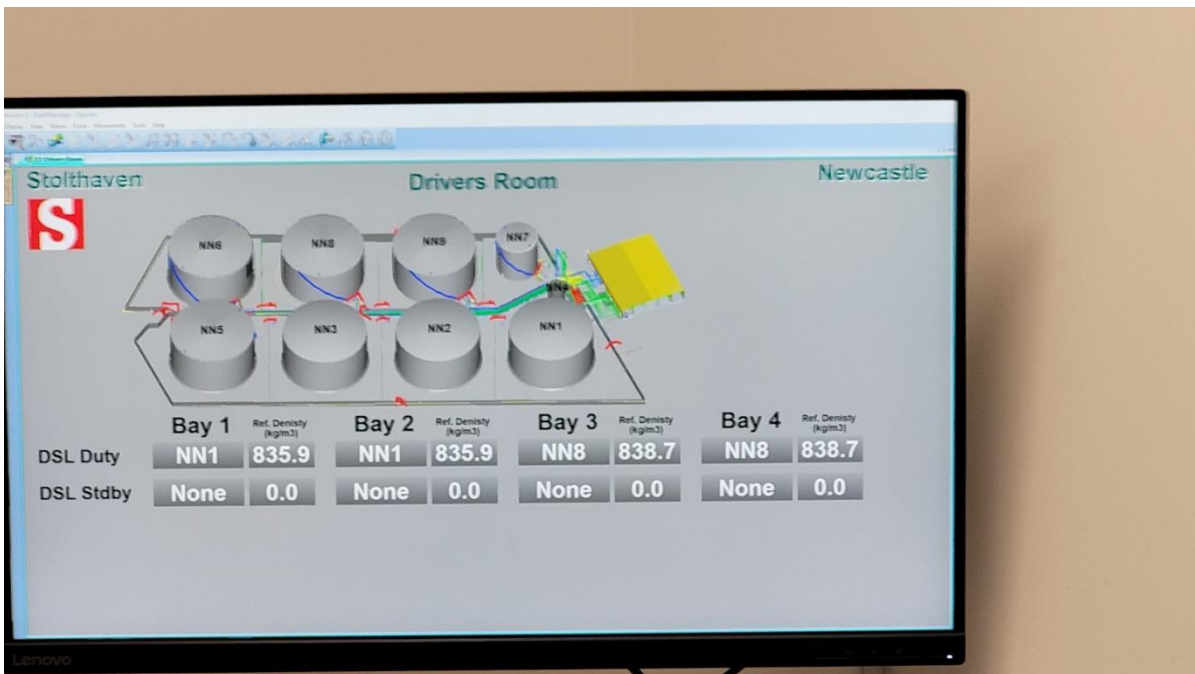
21. Waste Management outside Workshop



22. Septic System



23. Stolthaven Operational Room showing Live CCTV Feed



24. Stolthaven Driver Room showing Truck Gantry Bay Volumes