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2019 Annual Review Report for DPIE
Condition C11 of SSD5300
Kembla Grange Recycling Pty Ltd

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This 2019 Annual Review report has been prepared by the following staff of Jackson Environment and Planning Pty Ltd, Suite 102, Level 1, 25-29 Berry St, North Sydney NSW 2060.

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We declare that:
The report contains all available information that is relevant to the compliance assessment of the development, activity or infrastructure to which the report relates, and the information contained in the report is neither false nor misleading.

Report version	Authors	Date	Reviewer	Approved for issue	Date
Draft 1	Dr M. Jackson	26/03/20	Dr M.Jackson	Dr M.Jackson	26/03/20
Draft 2 (client comments)	Dr M. Jackson	02/04/20	Dr M.Jackson	Dr M.Jackson	02/04/20
Final	Dr M. Jackson	14/04/20	Dr M.Jackson	Dr M.Jackson	14/04/20

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Executive Summary

This Annual Review report has been prepared for Kembla Grange Recycling Pty Ltd, owner and operator of a construction and demolition waste recycling facility located at 50 Wyllie Rd, Kembla Grange. Under Condition C11 of development consent SSD5300 operating at the site, the proponent is required to report to the Secretary of the Department of Planning, Industry and Environment on the environmental performance of the development. An Annual Review is required by the end of March each year.

As per the requirements of Condition C11, the report provides an overview of the environmental performance of the development by describing the development that was carried out in the previous calendar year, and the development that is proposed to be carried out over the current calendar year. The report includes a review of the monitoring results and complaints records of the development over the last calendar year, including a comparison of the results against the:

- Relevant statutory requirements, limits or performance measures / criteria;
- Requirements of any plan or program required under the consent;
- Monitoring results of previous years; and
- The relevant predictions in the EIS.

The Annual Review also identifies any non-compliance over the last calendar year, and describes what actions were (or are being) taken to ensure compliance; identifies trends in the monitoring data over the life of the development; identifies and discrepancies between the predicted and actual impacts of the development and analyses the potential cause of any significant discrepancies. Furthermore, under the C11 consent condition, the proponent must describe what measures have or will be implemented in the current calendar year to improve the environmental performance of the development.

To inform the Annual Review, an assessment of compliance with the planning consent and environmental management requirements as specified in the following documents has been performed:

- State Significant Development (5300) Conditions of Consent;
- State Significant Development (5300) Statement of Commitments;
- State Significant Development (5300) Mod 1 Conditions of Consent;
- Environment Protection Licence 20601;
- Department of Primary Industries Controlled Activity Approval;
- Pollution Incident Response Management Plan;
- Operational Environmental Management Strategy as approved by Department of Planning and Environment on 26/02/18 (including sub-environmental strategies);
- Corrective actions from the 2018 Annual Environmental Review; and
- Corrective actions from the first Independent Environmental Audit, completed in November 2019.

A compliance audit was conducted on 13 February 2020. This involved a detailed desktop assessment of all management documentation, and a site inspection across the entire facility. The audit found that all non-compliances in 2018 had been resolved, and the majority of non-compliances found during the Independent Environmental Audit completed in late 2019 had been resolved or are in the process of being resolved.

Our compliance audit found that the main area of non-compliance was soil and water management.

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A Development Control Order is still in place in relation to the use of the outdoor picking station. Once the planning modification is approved by the Department of Planning, Industry and Environment, this issue will be resolved.

Environmental monitoring data reviewed as part of the Annual Review found that the facility is being managed within the predictions in the Environmental Impact Statement. It is noted that no complaints were received in the past 12 months in relation to the operations at the site.

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1. Introduction

1.1. Background

This Annual Review report has been prepared for Kembla Grange Recycling Pty Ltd, owner and operator of a construction and demolition waste recycling facility located at 50 Wyllie Rd, Kembla Grange. The site is licensed by the NSW Environment Protection Authority (EPL 20601) and has been successfully operating since 2013. It was originally owned and operated by Wollongong Recycling and Building Supplies Pty Ltd. In May 2017, Wollongong Recycling (NSW) Pty Ltd took ownership of the facility. Kembla Grange Recycling Pty Ltd took over operation of the Facility on 21 May 2018. The facility was originally approved under Development Consent DA2009/1153 by Wollongong City Council, which was subsequently surrendered as a requirement of SSD5300.

On 7 March 2016, approval to expand the capacity of the facility was provided under State Significant Development SSD5300 by the Minister for Planning to receive up to 230,000 tonnes per annum of construction and demolition and commercial and industrial wastes. A further modification to the consent under SSD5300 Mod 1 was approved by the Minister for Planning on 8 June 2017 to relocate the second weighbridge and enable installation of a larger weighbridge office.

The facility receives building and demolition and other wastes for recycling. Materials are delivered by a customer base which includes waste collection services, building and construction, small and medium sized businesses and trades.

The facility aims to achieve an 85% recovery rate from processing incoming materials that include concrete, asphalt, tiles, timber, masonry, clay, soils and garden organics. Mobile plant, including excavators and front-end loaders, are used to remove contaminants and separate incoming building and construction wastes for containment in storage bunkers prior to processing.

On 19 August 2016, the Secretary of the Department of Planning and Environment approved the management plans for the development under SSD5300, including approval of construction plans and the Construction Environment Management Plan. A licence variation was obtained from the EPA on 20 September 2016 to undertake construction works. The construction works for Stage 1 were completed in December 2017, with the final Occupation Certificate issued on 23 January 2018. Approval of the amended management plans was provided in February 2018. A varied EPA licence for the completion of the development (Stage 1) and scale up in waste tonnages up to 230,000 tonnes per annum was approved on 6 April 2018.

Under Condition C11 of development consent SSD5300, by the end of March each year, Kembla Grange Recycling Pty Ltd is required to report to the Secretary of the Department of Planning, Industry and Environment on the environmental performance of the development. This Annual Review provides an overview of the environmental performance of the development, including an assessment of compliance with all consents, licenses and approvals. The review also provides a summary of proposed activities for the next 12 months and makes recommendations to improve the environmental performance of the development.

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1.2. Annual Review requirements

Under Condition C11 of development consent SSD5300 operating on the site, an Annual Review is required by the end of March to assess the environmental performance of the development. The review must:

- **Condition C11(a):** Describe the development that was carried out in the previous calendar year, and the development that is proposed to be carried out over the current calendar year;
- **Condition C11(b):** Include a comprehensive review of the monitoring results and complaints records of the development over the last calendar year which includes a comparison of the results against the:
  i. The relevant statutory requirements, limits or performance measures / criteria;
  ii. Requirements of any plan or program required under the consent;
  iii. The monitoring results of previous years; and
  iv. The relevant predictions in the EIS.
- **Condition C11(c):** Identify any non-compliance over the last calendar year, and describe what actions were (or are being) taken to ensure compliance;
- **Condition C11(d):** Identify any trends in the monitoring data over the life of the development;
- **Condition C11(e):** Identify and discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and
- **Condition C11(f):** Describe what measures have or will be implemented in the current calendar year to improve the environmental performance of the development.

1.3. Overview of the approved State Significant Development

On 7 March 2016, State Significant Development SSD5300 was approved by the Minister of Planning to enable an expansion to the Kembla Grange Resource Recovery Facility. The site currently supplies important recycling services for householders, builders and developers in the Wollongong Region, and is making an important contribution to helping the NSW Government meets its recycling target of 80% for construction and demolition waste by 2021[1]. Due to increasing demand for recycling services for building waste and commercial and industrial waste from businesses, an expansion to the existing Resource Recovery Facility has been approved.

The SSD5300 consent (and SSD5300 Mod 1) is being implemented in two stages. Construction and operation of Stage 1 of the development is complete. Separate approvals under Condition A10 of development consent SSD5300 is required from the Department of Planning, Industry and Environment prior to commencement of construction of stage 2 of the development.

Stage 2 of the approved development involves developing the eastern part of the facility including the following. This stage is yet to commence:

- Construction of a workshop facility;
- Construction of truck parking areas;
- Construction of retaining wall;
- Installation of water tank;
- Construction of a minor surface water sediment retention dam with hydrocarbon capture; and
- Construction of a new site building and site office/staff OH&S training building.

[1] NSW EPA (2014). NSW Waste Avoidance and Resource Recovery Strategy: 2014 – 2021. Published by the NSW EPA. Internet publication: http://www.epa.nsw.gov.au/wastestrategy/warr.htm

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1.4. Summary of consents, licences and approvals

To help inform the Annual Review and the compliance audit undertaken by Jackson Environment and Planning Pty Ltd, a list of consents, licences and approvals are provided in Table 1.1 below. These statutory requirements have informed the audit framework for the compliance audit and has assisted in the assessment of the environmental performance of the development from January 2019 to December 2019.

Table 1.1. Summary of consents, licences and approvals operating at 50 Wyllie Rd, Kembla Grange.

Approval type	Reference / details	Date issued	Regulatory authority
On-site Sewage System Approval to Operate	OS-2015/15 – Approval to operate an on-site sewage system	31 August 2015	Wollongong City Council
Planning consent (and Statement of Commitments)	SSD5300 development approval	16 March 2016	Minister for Planning
Management Plan approval (enabling construction of Stage 1 of development)	Stage 1 works including Water Management Plan, Air Quality Management Plan, Landscape Management Plan and Construction Environment Management Plan	19 August 2016	Department of Planning, Industry and Environment
Construction Certificate (Stage 1)	Construction Certificate Cert. No. 2306	8 September 2016	Illawarra Building Certifiers Pty Ltd
Environment Protection Licence	EPL20601 varied for the completion of the Stage 1 development and scale up in waste tonnages up to 230,000 tonnes per annum	20 September 2016 (varied 6 April 2018)	NSW Environment Protection Authority
Planning consent	SSD5300 Mod 1 development approval for relocating the second weighbridge and enable installation of a larger weighbridge office)	8 June 2017	Minister for Planning
Occupation Certificate	Occupation Certificate Cert. No. 2306	23 January 2018	Illawarra Building Certifiers Pty Ltd
Operational Environmental Management Strategy (including Pollution Incident Response Management Plan)	Operational Environmental Management Strategy as required under Conditions C3 and C5 of SSD5300	26 February 2018	Department of Planning, Industry and Environment

1.5. Scope of the review

The Annual Review has considered the overall performance of the development for the period of January 2019 to December 2019 (inclusive) and has involved a detailed review of compliance against all consents, approvals and licenses as given in Table 1.1.

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The purpose of the review is to evaluate the environmental performance of the development, and to recommend changes to management of the development to ensure:

- The environment and human health is protected;
- The statutory obligations of the site owner and operator are met in full;
- The development and operations of the facility for the previous 12 months are captured as a record of activities undertaken to inform regulators, neighbours and the community;
- The environmental performance of the facility is in line with predictions in the EIS for the development;
- Review non-compliances for the past calendar year, and what actions were or are being undertaken to ensure compliance;
- Review and assess trends in monitoring data for the development, and to identify discrepancies; and
- Identify measure that have or will be undertaken to improve the environmental performance of the development; and
- Demonstrate compliance with Condition C11 of SSD5300.

To complement the Annual Review, we have undertaken a desktop and site-based compliance audit of the development. The on-site audit was undertaken on 12 March 2019 by Dr Mark Jackson, Director, Jackson Environment and Planning Pty Ltd, in accordance with the following consents, licenses and approvals as per Table 1.1 above.

- State Significant Development (5300) Conditions of Consent;
- State Significant Development (5300) Statement of Commitments;
- State Significant Development (5300) Mod 1 Conditions of Consent;
- Environment Protection Licence 20601;
- Department of Primary Industries Controlled Activity Approval;
- Pollution Incident Response Management Plan;
- Operational Environmental Management Strategy as approved by the Department of Planning and Environment on 26 February 2018 (including sub-environmental strategies);
- Corrective actions from the 2018 Annual Environmental Review; and
- Corrective actions from the first Independent Environmental Audit, completed in November 2019.

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2. Annual Review findings

This section provides an overview of the main findings of the Annual review of Kembla Grange Recycling's Resource Recovery Facility located at 50 Wyllie Rd, Kembla Grange. The findings address all the requirements of Conditions 11(a) to 11(f) under SSD5300.

2.1. Development over the past calendar year and proposed for next calendar year (Condition C11(a))

For the 2019 calendar year, the focus of the development has been to carry on waste receival, sorting and recycling operations in accordance with SSD5300 and SSD5300 Mod 1 consents.

A development modification is being considered by the Department of Planning, Industry and Environment under Section 4.55(1a) of the *Environmental Planning and Assessment Act* 1979 for the following works (retrospective approval of works):

- Installation of rainwater storage tanks on the premises in a location which differs from the approved plans under SSD 5300 Mod 1;
- Installation of firewater storage tanks and a pump room on the premises; and
- An outdoor picking station and associated processing equipment (including de-stoning screen and generator) in the central processing area of the site, installed above a push wall structure built on the premises.

It is noted that the Response to Submissions (RTS) package was submitted to the Department of Planning, Industry and Environment on 21 February 2020 for assessment. At the request of NSW Fire and Rescue, a review of the installed fire services at the site was conducted to assess how the fire service could be upgraded to meet the requirements for the new guideline *Fire Safety Guidelines – Fire Safety in Waste Facilities (2019)*. The following recommendations were made to upgrade the fire services at the site to better protect the facility and its occupants from fire risks:

- Additional 150kL fire tank to upgrade the site from warehouse only protection to yard hydrant protection;
- Replacement of the fire pumps to provide 30L/s @ 900kPa to the system;
- Provision of 4 new external fire hydrants;
- Provision of one new booster facility and block plan;
- Provision of a flame detection system in the warehouse to assist in early detection or when the space is unoccupied;
- Provision on an occupant warning system coupled with the flame detection system. Manual call points will be provided adjacent exit doors to notify other occupants; and
- A flame detector be provided to address the plastics storage bay under the Outdoor Picking Station sorting area with associated alarms.

These upgrades are being considered by the Department as part of the development assessment process.

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2.2. Review of monitoring results, complaints and predictions in EIS (Condition C11(b))

A summary of key statutory requirements, limits or performance measures / criteria and requirements of any plan or program required under the consent is shown in Table 2.1. Monitoring performed is also documented.

Table 2.1. Summary of key statutory requirements, limits or performance measures / criteria and requirements of any plan or program required under the consent.

Requirement or limit under consent	Description	Monitoring performed
Waste receival (during 2019) under Condition A6 following scale up under Condition A7 of SSD5300	Limit of 230,000 tonnes per year of waste received at the site	Daily Site Supervisor checks and Monthly Waste and Resource Reporting Portal data submitted to NSW EPA
Authorised amount under NSW EPA Licence 20601	Limit of 45,000 tonnes of waste stored on site at any one point in time; including not more than 2,500 m^3 of garden waste and wood waste	Daily Site Supervisor checks and Monthly Waste and Resource Reporting Portal data submitted to NSW EPA
Operating hours	Operations (delivery and operation of machinery): 7am to 6pm Mon to Fri; 8am to 4pm Sat; Nil Sun & Public Hols Operations (all other operational activities): 6am to 6pm Mon to Fri; 8am to 4pm Sat; Nil Sun & Public Hols	Daily Site Supervisor checks
Noise	Noise during operation of the development	Operational Environmental Management Strategy; Complaints Register
	Table 3: Noise criteria (dB(A))	

Location	Noise criteria (dB(A))		
	Day	Morning Shoulder	
	$L_{Aeq\ (15\ minute)}$	$L_{Aeq\ (15\ minute)}$	$L_{Aeq\ (1\ minute)}$
The dwelling on Lot 11 DP 878167	35	35	45
Any dwelling in Farmborough Heights	37	37	47
Any dwelling in the vicinity of Kingston Town Drive	41	41	51

Surface water quality (discharged) and grab sampled from pond every 6 months	Quality of surface water discharged to a watercourse following treatment	pH: 6.5 – 8.5 Total suspended solids: 30 mg/L
Groundwater quality	Quarterly reporting of groundwater from wells pre- and post-development for submission to Office of Water	6 wells established in February 2018 and monitoring of groundwater quality commenced in March 2018

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Requirement or limit under consent	Description	Monitoring performed
Odour	Occupant shall not allow any odour to leave the boundary of the development	Daily Site Supervisor checks; Operational Environmental Management Strategy; Complaints Register.
Dust	Occupant shall not allow any material, sediment or oil to be tracked from the development. No dust is to leave the boundary of the development	Daily Site Supervisor checks; Operational Environmental Management Strategy; Complaints Register.
Incidents	Reporting of incidents to NSW Environment Protection Authority and in accordance with Pollution Incident Response Management Plan	Incidents response register.
Complaints	Recording and response to complaints made in relation to the development	Online complaints register; Incidents response register.

An assessment of how the development has performed in relation to these criteria during the 2019 calendar year, including monitoring results during 2019 is given in the following sections. A comparison of these results has been made to the relevant predictions in the EIS.

2.2.1. 2019 waste receival

During 2019, waste receival and recycling operations were carried out in accordance with Condition A6 and A8 of SSD5300 and authorised amount under NSW EPA Licence 20601 which includes the following limits:

- 230,000 tonnes per year of waste received at the site;
- 45,000 tonnes of waste stored on site at any one point in time, including:
  - No more than 2,500 m^3 of organic waste on the site at any one point in time;
  - No more than 500 m^3 of the above limit on organic waste is to comprise compost product.

An analysis of waste received at the site for recycling by month in 2019 is given in Table 2.2, including data on the total amount of waste processed and sent off-site for recycling. Data is provided on the total amount of waste (stock) held at site at the end of the month.

The analysis suggests that the site received a total of 70,775.25 tonnes of waste in 2019, which was well below the maximum of 230,000 tonnes per annum. At all times, the total amount of stock held on site was less than the consent limit of 45,000 tonnes, and daily checks are performed to ensure that less than 2,500m^3 of organic waste is held on site at any one point in time. It is noted that no composting was performed on site, and no compost was therefore held as stock on the site.

Table 2.2. Total quantity of waste received by the site in tonnes during the 2019 calendar year and closing stock at the end of the month. Data from monthly WARRP reports submitted by the site to the NSW EPA.

Month in 2019	Opening Stock	Total waste received (tonnes)	Total amount sent off-site for recycling (tonnes)	Total waste held on site at end of month (tonnes)
January	35,407.85	9,116.37	11,010.15	33,514.07
February	33,514.07	5,652.38	5,134.70	34,031.75
March	34,031.75	4,822.11	15,709.50	23,144.36

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Month in 2019	Opening Stock	Total waste received (tonnes)	Total amount sent off-site for recycling (tonnes)	Total waste held on site at end of month (tonnes)
April	23,144.36	3,212.51	11,802.17	14,554.70
May	14,554.70	4,200.89	6,990.23	11,765.36
June	11,765.36	4,759.93	4,431.86	12,093.43
July	12,093.43	4,439.36	7,179.82	9,352.97
August	9,352.97	6,733.92	6,481.02	9,605.87
September	9,605.87	5,361.27	4,981.58	9,985.56
October	9,985.56	6,099.09	6,476.58	9,608.07
November	9,608.07	9,843.88	6,962.74	12,489.21
December	12,489.21	6,533.54	6,030.61	12,992.14
TOTAL		**70,775.25**	**93,190.96**	-

[1] Note that the amount of organic waste received on site is limited to garden waste and wood waste. The amount of organic waste held on site is included in the 'Total waste held on site at end of month' column.

2.2.2. Authorised amount under NSW EPA Licence 20601

During 2019, the site was operated to ensure that the amount of waste stored on site did not exceed the authorised amount of 45,000 tonnes (at any one point in time) as per Condition A8 of SSD5300 and Condition L3.2 of EPA Licence 20601 (refer to the final column of Table 2.2).

During the 2019 calendar year, the site complied with this requirement, with evidence provided to the EPA as part of the site's monthly waste reporting. This was cited as part of the audit. Daily checks are also performed by the Site Supervisor as part of the Daily Site Supervisor Checklist.

2.2.3. Operating hours

The Site Supervisor manages access to the facility and ensures compliance with the site's operating hours consent restrictions. A single locked main access gate ensures that staff, visitors and contractors fully complied with this requirement for the 2019 calendar year.

2.2.4. Noise

Approved noise mitigation measures for the site are documented in the Operational Environmental Management Plan as approved by the Secretary of the Department of Planning, Industry and Environment. A series of noise minimisation and mitigation measures are used to ensure that noise does not impact on nearby sensitive receptors.

During this time, no complaints were received, given the site fully implemented all noise mitigation measures.

2.2.5. Surface water quality (discharged)

In the 2019 calendar year, the site did not discharge any water into the unnamed creek on the south side of the development. However, under the Environment Protection Licence for the site (Condition M2.2), surface water quality testing is required once every 6 months and during overflow events.

During the year, as no overflow events occurred, sampling of water discharged from the pond in wet weather was not possible. Sampling of pond water was scheduled for February, May and November 2019, though the ponds were dry given the extended period of drought affecting the site. No testing of water was therefore performed.

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Soil and erosion control measures during the compliance audit on 13th February 2020 generally showed that measures were effective in minimising erosion and transfer of sediment into the OSD ponds. However, with heavy rain occurring in the week prior to the inspection, there was evidence of:

- Surface ponding of water on the operational pad, resulting in mud to form due to vehicles operating within the area. Pad maintenance is clearly needed more regularly to avoid low spots forming to improve surface drainage and reduce sediment generation; and
- Silt build-up on crushed concrete pavement from recent wet weather and transfer into stormwater pits. More frequent cleaning of the pad is needed to avoid sediment build up, including more frequent changing of the geotextile filter covers.

An update to the Soil and Water Management Plan (last updated March 2018) is required to set out additional soil and erosion control measures that need to be considered during wet weather, to avoid excessive sediment load, in accordance with Landcom (2004) *Managing Urban Stormwater – Soils and Construction Vol. 1.* Additional measures could include:

- Using temporary geotextile filter fences, socks or sausages around stormwater pits to trap any transported sediment off the crushed concrete pavement;
- More frequent inspection and maintenance of erosion and sediment control measures during and after periods of wet weather. This includes checking and changing of geotextile covers over stormwater pits in wet weather; and
- Putting in a more rigorous pad monitoring and maintenance program to ensure surface ponding of water does not occur, to ensure the operational pad freely drains in wet weather.

No evidence of mud or sediment tracking onto the public road was evident. Street sweepers were observed in operation, which regularly sweep the hardstand areas to keep them free of soil and sediment.

2.2.6. Groundwater quality

Six (6) groundwater wells were established in February 2018 to enable the collection of groundwater samples pre- and post-development for reporting to the Office of Water on a quarterly basis. Consulting Earth Scientists Pty Ltd conducted quarterly groundwater monitoring in February, May, August and November 2019.

Baseline groundwater quality data prior to the approval of SSD5300 is shown in Figure 2.1, together with the results from the 2018 and 2019 monitoring program. Results from a groundwater well upstream of the development was chosen to best represent pre-development groundwater conditions. This sample was taken on 9th July 2013 by Benviron Group. Baseline data is compared to groundwater data sampled post-development in 2019.

For this analysis, groundwater data reported for Groundwater well 5 is shown, as this well is upstream of the development. Groundwater data for well 2 is also shown, representing groundwater downstream of the development.

Seven quarterly monitoring rounds of groundwater analysis have now been completed at the site between May 2018 and November 2019. In the *Monitoring Report (2018/18) for Kembla Grange Recycling Centre* prepared by Consulting Earth Sciences (dated 17 December 2019), the following finding is made:

> *"…that the changes in water quality appear to be seasonal. The detected concentrations and overall trends for the seven monitoring rounds remained generally consistent or showed signs of general improvement in water quality (in particular for common leachate indicators, such as ammonia, electrical*

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conductivity and pH). Any changes in the parameter concentrations were likely to be related to natural changes in the groundwater. Overall, the potential for groundwater impact is considered to be low."

Our analysis of groundwater characteristics upstream of the development (Groundwater well 5) and downstream of the development (Groundwater well 2) in Figure 2.1 similarly showed that water quality varied with season for all groundwater quality parameters including pH, nitrate, metals (arsenic, chromium, copper, zinc, lead and nickel), soluble salts (sodium and calcium) and hydrocarbons with little differences between upstream and downstream sampling points.

However, we note that ammonium concentrations and electrical conductivity levels were higher in downstream groundwater than upstream groundwater and may indicate that there is some interaction between surface water and groundwater on the lower part of the site. However, this finding is not supported by the trends in other data, particularly for soluble salts such as sodium and calcium. The concentrations of these soluble salts should be higher in groundwater with a high electrical conductivity, however, this is not the case based on test results presented in Figure 2.1. This was not detected in the report by Consulting Earth Sciences, and further assessment is required.

Continued groundwater monitoring in 2020 will help to validate the ongoing effectiveness of the pavement and water management systems on the site.

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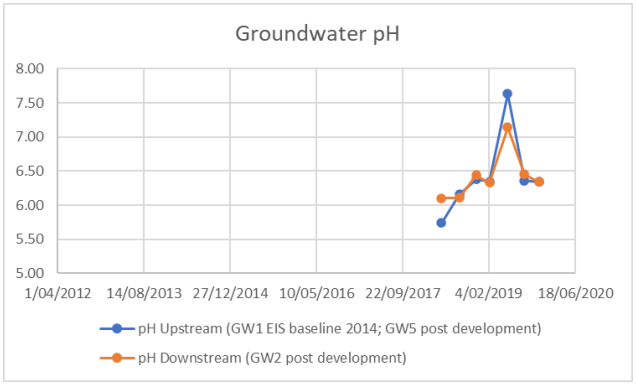
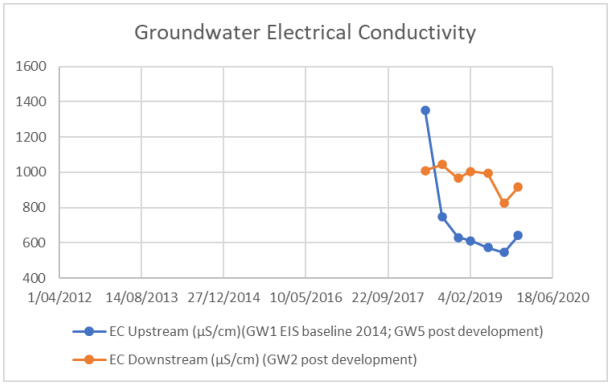
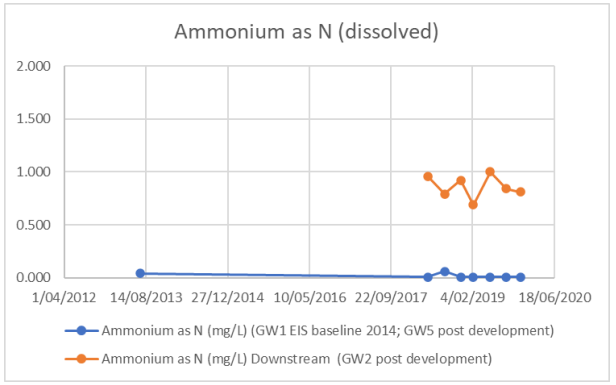
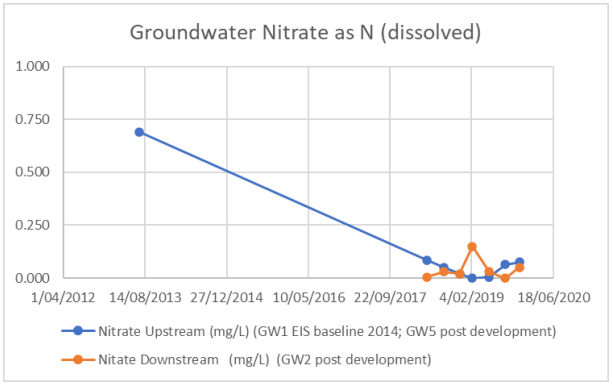
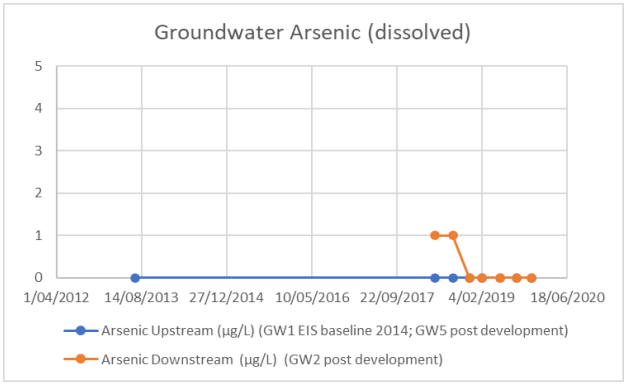
Figure 2.1. Groundwater quality testing results upstream and downstream of the development. Results have been compared to baseline groundwater monitoring undertaken in the EIS (where available) for the development and monitoring data obtained in 2018 and 2019.











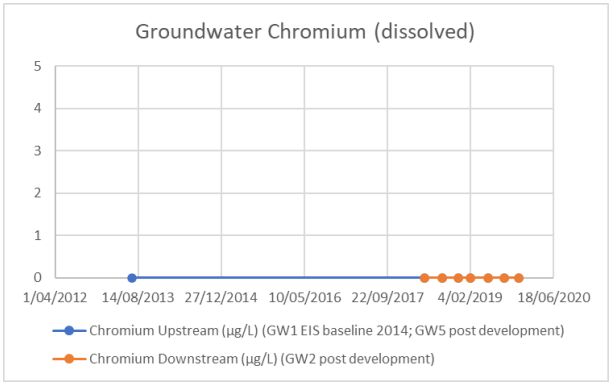


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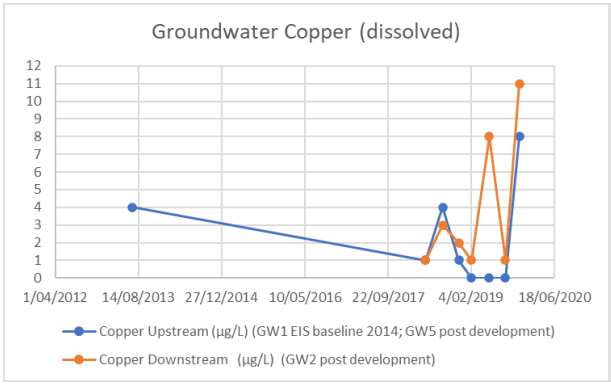
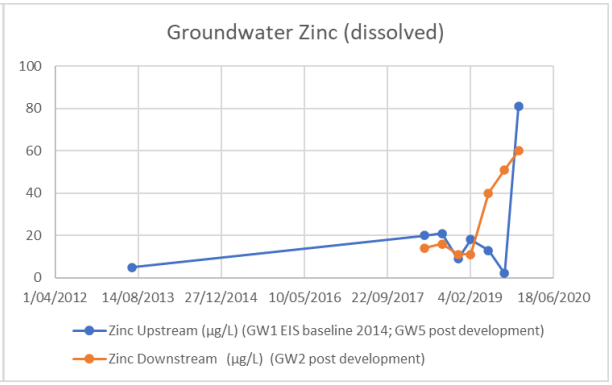
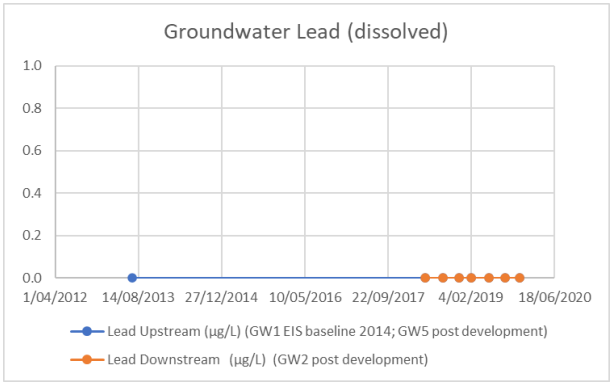
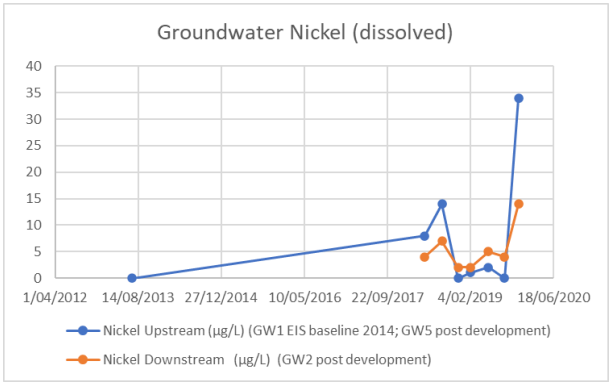
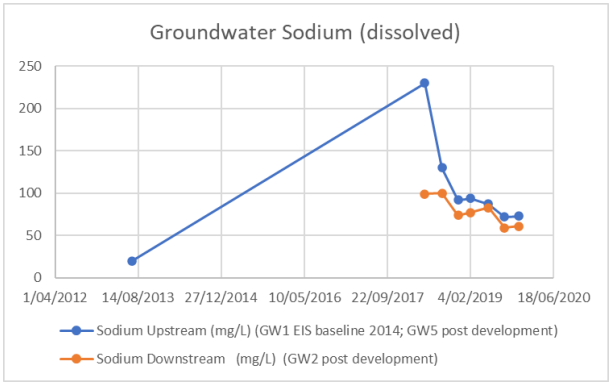
Figure 2.1 (continued). Groundwater quality testing results upstream and downstream of the development. Results have been compared to baseline groundwater monitoring undertaken in the EIS (where available) for the development and monitoring data obtained in 2018 and 2019.











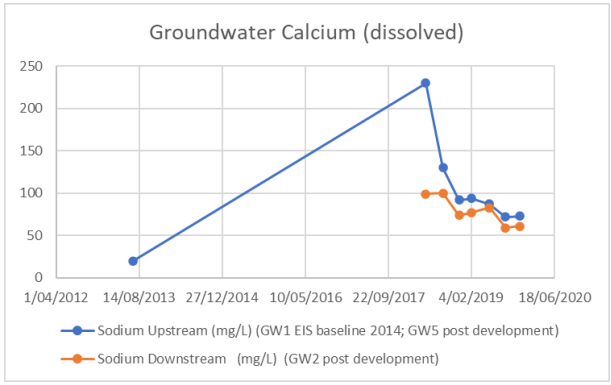


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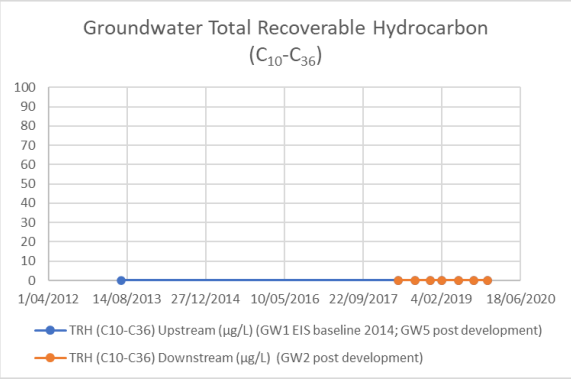
Figure 2.1 (continued). Groundwater quality testing results upstream and downstream of the development. Results have been compared to baseline groundwater monitoring undertaken in the EIS (where available) for the development and monitoring data obtained in 2018 and 2019.



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2.2.7. Odour

During the 2019 calendar year, no odour complaints were made in relation to the development.

2.2.8. Dust

An Air Quality Management Plan was approved on 19 August 2016 for the construction phase of the development, and a further updated Air Quality Management Plan was prepared and approved by the Secretary of the Department of Planning and Environment on 26 February 2018 (Table 1.1). A series of dust minimisation and mitigation measures are used on the site to ensure that dust does not leave the premises.

During the site inspection on 13th February 2020, it was observed that dust suppression sprinklers had been installed over concrete storage bays for incoming waste materials received. Advice from the operations manager suggested these sprinklers are operated manually and have helped in dust suppression during hot and dry weather.

2.2.9. Incidents

During the 2019 calendar year, no incidents occurred in relation to the development.

2.2.10. Complaints

During the 2019 calendar year, no complaints were received in relation to the development. All complaints are logged, published online[2] and are investigated.

2.3. Non-compliance over the year and actions to ensure compliance (Condition C11(c))

The Annual Review provides a summary of non-compliances recorded during 2019 in Table 2.5. This table provides an overview of action that have been taken to address the non-compliance, and whether the non-compliance has been resolved.

Other non-compliances observed during the audit of operations on 13th February 2020 are given in Table 2.6. Action taken to resolve these non-compliances are given in the table.

The results suggest that actions taken have addressed most non-compliances during the year, and operations are being undertaken in accordance with the approved Operational Environmental Management Plans. It is noted that the site will be fully compliant with Condition A2(a)(c) and A9 of SSD5300 once the development modification is determined.

[2] Bingo Industries Complaint Register for Kembla Grange is published at: https://www.bingoindustries.com.au/getattachment/recycling-centres/recycling-centres-sydney-and-surrounds/KEMBLA-GRANGE/COMPLAINTS-REGISTER-EPL20601-31-01-2020.pdf?lang=en-AU

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Table 2.5. Summary of existing and new non-compliances during 2019 and actions taken to ensure compliance.

Date of Notice	Regulatory Authority	Type of notice	Summary	Action taken to ensure compliance	Has this non-compliance been resolved?
22 November 2018	NSW Department of Planning and Environment	Penalty Notice	The sorting/picking station was constructed and operated not in accordance with Conditions of Consent. It is an offence under section 4.2 and 9.52 of the Act for a person to carry out development otherwise than in accordance with the conditions of development consent. The Department determined that this is a breach of consent conditions Schedule 2, Part A, Condition A2(a)(c) and A9.	A development application has been prepared for the use of the picking station and this was submitted for assessment on 31 August 2018. This application was amended and re-submitted in response to submissions on 14th June 2019 and again on 21 February 2020.	No (in process). DA Modification is under assessment by DPIE. The picking station will not be used until development approval is provided. Matter to be considered resolved once DA is approved.
20 December 2018	NSW Department of Planning and Environment	Development Control Order	The Development Control Order is given to Bingo, in accordance with Item 14 Part 1 of Schedule 5 of the EP&A Act to remedy a breach of a consent for State significant development. The terms of the Development Control Order are that Bingo must cease use of the sorting/picking station, identified in the aerial images in Attachment 1 of the Order, including infrastructure attached to the building.	A development application has been prepared for the use of the picking station and this was submitted for assessment on 31 August 2018. This application was amended and re-submitted in response to submissions on 14th June 2019 and again on 21 February 2020.	No (in process). DA Modification is under assessment by DPIE. The picking station will not be used until development approval is provided. Matter to be considered resolved once DA is approved.
11 March 2019	NSW Department of Planning and Environment	Letter	The Department wrote to Bingo Property Pty Ltd on findings from two site inspections (7th and 26th February 2019) in relation to several compliance issues, including: sediment and erosion; suspected asbestos contamination; storage of chemicals, fuels and oils; waste volume and heights; carpark; site layout; wood waste stockpile; and the use of the restricted stockpile area.	Matters were address post the site inspections and actions taken were summarised in a letter from Bingo Industries Ltd dated 2nd April 2019	Yes
4 July 2019	NSW Department of Planning, Industry and Environment	Warning letter	A warning letter was issued for failing to implement erosion and sediment control measures on-site in accordance with *Managing Urban Stormwater: Soils and Construction* (Landcom, 2004).	Advice from the operations manager suggests that drains are being inspected daily and maintained at least on a weekly basis after rain. Geofabric filters are being used to cover stormwater pits to prevent migration of sediment into stormwater, and these	Yes

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Date of Notice	Regulatory Authority	Type of notice	Summary	Action taken to ensure compliance	Has this non-compliance been resolved?
				covers are being changed frequently. Furthermore, during dry weather, rubber mats were used to cover pits to prevent sediment deposition. Rubber mats are no longer in use. Concrete blocks are being used around pits to prevent to prevent sediment deposition by moving vehicles and damage to pits and covers by mobile plant and heavy vehicles.	

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Table 2.6. Non-compliances and recommendations to ensure compliance.

Non-compliance	Recommended actions / evidence required to ensure compliance
Consent Condition B7 – Water Management	Runoff from northern part of site not fully diverted around the NE corner of the facility. Vegetation of former access road around NE corner of site is required, and vegetated earth mound as per SSD 5300 Mod 1 plans is required to divert runoff from northern hillslope around the site and into the unnamed creek. Straw bales and a filter sausage was installed on 14/2/20 to reduce sediment transfer. Some surface ponding of water observed in operational areas, resulting mud to form due to vehicles operating within the area. Pad maintenance needed more regularly to avoid low spots forming to improve surface drainage and reduce sediment generation. Pad maintenance was undertaken on 14/2/20 to avoid surface ponding of water and this will be attended to on a regular basis. The inspection showed evidence of silt build-up on the crushed concrete pavement from recent wet weather and transfer into stormwater pits. More frequent cleaning of pad needed to avoid sediment build up, including changing the geotextile filter covers on pits is needed. A filter sausage and new geotextile fabric was installed on 14/2/20 by the applicant.
Consent Condition B8 – Erosion and Sediment Control	Vegetation of former access road around NE corner of site is required to reduce sediment transfer into unnamed creek. Straw bales and a filter sausage was installed on 14/2/20 to reduce sediment transfer. Inspection on 13/02/20 showed evidence of silt build-up on crushed concrete pavement from recent wet weather and transfer into stormwater pits. More frequent cleaning of the pad is needed to avoid sediment build up, including changing the geotextile filter covers on pits is needed. Pad maintenance was undertaken on 14/2/20, a filter sausage and new geotextile fabric was installed to pits to address this matter by the applicant. Some surface ponding of water observed in operational areas, resulting mud to form due to vehicles operating within the area. Pad maintenance is needed more regularly to avoid low spots forming to improve surface drainage and reduce sediment generation. Pad maintenance was undertaken on 14/2/20 to avoid surface ponding of water.
Consent Condition C9. Independent Environmental Audit	Independent Environmental Audit completed by Seventh Sense Sustainability Consultants Pty Ltd on 27/11/19. The audit was commissioned more than one year after the OEMS was approved by DPE on 26/02/18. Delay in appointment of auditor was due to difficulty in appointing an auditor due to lack of qualified personnel in sector. It is noted that the next audit is required in three years' time. It is recommended this process commence early to avoid the report being submitted late to the Department.

2.4. Non-compliances from prior Annual Reviews and Independent Annual Audits

Table 2.7 provides a summary of non-compliances reported in the 2018 Annual Review and Independent Environmental Audits[3] as provided to the Department of Planning, Industry and Environment. The table also summarises actions to ensure the non-compliances have been satisfactorily resolved.

Of the total number of non-compliances (25), two are in a non-compliant state, though action is being taken by the applicant to ensure these non-compliances are rectified as soon as possible.

[3] It is noted that the first Independent Environmental Audit was completed 27/11/19.

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Table 2.7. Non-compliances from the 2018 Annual Review and the 2019 Independent Environmental Audit, and actions taken to ensure compliance.

Non-compliance	Action taken to ensure compliance[4]	Has this non-compliance been resolved?
2018 Annual Review by Jackson Environment and Planning Pty Ltd		
The 2017 Annual Review was not loaded to the website	This document has since been uploaded to the website and is now in a compliant state.	Yes
Litter and storage near the riparian area	Building materials and litter were observed adjacent to the riparian area. This was cleaned up on the same day.	Yes
2019 Independent Environmental Audit by Seventh Sense Sustainability Consultants Pty Ltd		
NOC 01 – Asbestos management **s7.4 & 7.4 - Asbestos Management Plan requires ACM or asbestos stockpiles to be stored in dedicated on-site storage areas and sign posted with content and hazard level.**	KGRPL does not intend to store ACM at the facility. KGRPL is liaising with NSW EPA in relation to the stockpile. The extent and nature of contamination is currently the subject of an in-situ assessment to determine if asbestos is present in the stockpile. The fate of the material in the stockpile will be determined by the assessment and management including removal of the material will be according to the results of the assessment and will commence in December 2019 subject to EPA approval. The stockpile subject to the in-situ assessment has a sprinkler system located along the length of the stockpile. Sections of the stockpile previously inspected and where suspected asbestos has been found have been relocated to separate storage area which is covered. A stockpile plan is maintained by the Site Supervisor and is available on the staff notice board. Staff are aware of the locations of all materials stockpiled on site. Unexpected finds of asbestos are stored in asbestos bags and placed in a dedicated bin. The bin is lined and located within a dedicated area within the shed which is signposted.	Yes
NOC 02 - Site establishment - Asbestos management **s7.1(d) Asbestos Management Plan requires the control of dust and runoff associated with ACM / asbestos.**	Refer to above response to NOC 01. The material in the storage bay has been inspected. The material in the bay has not been processed. The bay floor is sloped away from the front of the bay and the material in the bay remains covered minimising the risk of surface water runoff entering or leaving the bay. The asbestos sign for this bay has been in the bay and has been placed in a location in the bay that is visible from outside the bay.	Yes

[4] Actions taken to address the non-compliance matters provided in Table 2.7 are taken from a letter by Kembla Grange Recycling Pty Ltd dated 29/11/19 to DPIE. This letter provides an overview of the applicant's response to the Independent Environmental Audit.

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Non-compliance	Action taken to ensure compliance[4]	Has this non-compliance been resolved?
	Sediment controls are being obtained to place across the front of the bay. There are no unprotected drainage outlets located near the stockpile or storage bay. Temporary sediment controls are being obtained for the stockpile. All drainage grates / inlet pits are protected by gross pollutants screens and geofabric to prevent infiltration of sediment and other materials. An occupational hygienist has been appointed to provide advice concerning the management of the stockpile.	
NO 3 – Control of surface waters **sB7(b) SSD5300 requires control of surface water so as not to mix with waste.**	Refer to responses to NOC1 and NOC 2 above. The risk of surface water leaving site as a result of the gaps in the perimeter mounds is understood to be low ground levels and contours in the vicinity. The mounds around the perimeter have been restored.	Yes
NOC 04 - Surface water and leachate detention **B7(c) WMS (SSD5300) requires surface water and leachate detention.** **Section 4.2(iv) 'Groundwater' of the Revised Statement of Commitments (May 2015) requires engineering of the development working platform to minimise infiltration of any contaminants into underlying soils.**	It is understood that the construction of development working platform is as per approved plans and we rely on the Occupation Certificate. The Groundwater Assessment Ref E49/6 dated June 2014 prepared by Benviron Group for Bicorp Pty Ltd concluded that "the risks to human health and the environment associated with soil and groundwater contamination at the site are low in the context of the proposed use of the site." It further notes that the site geology is mostly heavy clay and any infiltration of contaminants is expected to be low. There is no evidence to indicate leaching into subsurface soils has been a concern to date. Further, provision is made for leachate collection associated with composting etc. operations in the shed. Composting has not been undertaken on site to date and mulching has ceased however the leachate collection tanks for the shed remain on site as per the plans. These tanks are not connected to site drainage and are to be pumped out by tanker for removal from site when required. Green waste and wood waste are stored on the green waste shredding area pad which is drained to the shredding area pond as indicated on the approved drawings	Yes

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Non-compliance	Action taken to ensure compliance[4]	Has this non-compliance been resolved?
NOC 05 – Diversion of clean surface water **B7(e) WMS (SSD5300) and Pollution Incident Response Plan (e) requires that clean surface water is diverted around operational areas of site.**	Refer to response to NOC 3 above. This was completed prior to site visit and immediately after IEA site visit.	Yes
NOC 06 - Water re-use **B7(g) WMS (SSD5300) requires that water re-use is based on environmental/human health risk assessment.** **The facility Aspects and Impacts Register (Sep 19) identifies water reuse for dust suppression as 'high-risk' requiring regular testing to ensure it is suitable for re-use.**	Sprinklers in use on site have until recently been restricted to use of tank water topped up by town water delivered to site by water cart. Recently a new sprinkler system has been constructed around the tip floor which currently relies on use of detention dam water. A consultant has been engaged to assess environmental / human health risks associated with water reuse on site. KGRPL will incorporate this assessment into the 6 monthly sampling programs adopted for water quality assessment while water in the dam is proposed for reuse for the purpose of dust suppression.	Yes
NOC 07 – Erosion and sediment control **B8 (SSD5300) and SWMP require implementation of erosion and sediment control measures on-site in accordance with Landcom guidelines.** **EPL(c) 'Air quality' requires that no sediment is tracked off-site.**	Sediment fences have been replaced / upgraded in the area north of the driveway prior to entering the facility and along the southern area of the site bordering the dams. Further controls are being considered as referred to in NOC 01, NOC 02 and NOC 03. The rumble grid has been removed and replaced with a new rumble grid. Some minor works have been scheduled to seal the area around the rumble grid.	Yes
NOC 08 – Bunding **B9 (SSD5300) requires that all chemicals, fuels and oils used on- site are stored in appropriately bunded areas in accordance with EPA standards.** **SWMP and SOPs (OPL-SEQ013 Storing Dangerous Goods, OPL- SEQ016 Labelling Hazardous Chemicals, OPL-YA029 Storage of Hazardous Chemicals – Waste) also have similar requirements.**	Additional temporary bunding was provided to chemical storage areas prior to completion of the audit. Corrective actions for the workshop have been identified and are in progress. Actions have been completed for the following: + Waste oil storage cleaned and cleared + Temporary storage area expanded pending procurement of additional bunded storage. + The generator and associated shed were decommissioned and removed from site prior to completion of the audit. + There is one blind sump in the workshop which was cleared and cleaned prior to completion of the audit. + Temporary fuel storage remains undercover and on a crated bund pending review of fuel storage requirements. + The self-bunded double walled diesel tank is located adjacent to the workshop and requirements associated with covering this area are being reviewed. + It is noted that it is not possible to conduct all work associated with chemicals fuels and oils in designated	Yes

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Non-compliance	Action taken to ensure compliance[4]	Has this non-compliance been resolved?
	covered and bunded areas particularly in relation to mobile and fixed equipment breakdown. Procedures in relation to this type of servicing and maintenance will be reviewed.	
NOC 09 – Access tracks **s5 of the SWMP requires that access tracks are delineated, and sign posted.**	A site plan in the form of a safety sign has been installed and posted adjacent to the rumble grid.	Yes
NOC 10 – Refueling **s4(m) SWMP - no refueling within 30m of the riparian corridor.**	Refer to response at NOC 08 The generator and associated shed were decommissioned and removed from site prior to completion of the audit.	Yes
NOC 11 – Groundwater monitoring **s14(b) SWMP requires copies of results of groundwater monitoring to be provided to Office of Water.**	The KGRPL will seek a report concerning groundwater monitoring and incorporating groundwater monitoring results from the consultant and provide the report to the Office of Water.	Yes
NOC 12 – Operation & Maintenance of OSD **s4.3(e) and (g) SWMP require inspection of the OSD outlet screens, trimming of vegetation and removal, cleaning and refit of mesh screens.**	The dam outlet has been cleared, cleaned and screened using hay bales. This area is under contracted maintenance in relation to vegetation management and weed control. This contract is subject to review currently for appointment of new contractor.	Yes
NOC 13 – Discharge / monitoring **sP1.2(c) of the EPL requires that concentration limits for pH (6.5-8.5 with 100 percentile).**	Sampling records provided for the audit and referred to by the auditor are for samples taken from the water recycling pond not the detention basin or discharge point. The samples were not taken in respect of a sampling event required by the EPL or from the monitoring locations specified in the EPL and cannot be considered a noncompliance in respect of the EPL and sP1.2(c). The samples are additional to requirements for the purpose of providing an indicator of water quality for water reuse and ongoing efforts to understand and effectively manage runoff water. No discharge has occurred from the premises and water levels have remained low for an extended period. Adequate freeboard can be maintained currently due to the dry conditions and water reuse on site, enabling detention of surface water runoff and low risk of discharge occurring. Evaporation due to drought conditions causing concentration of assessable parameters, is a possible and the most likely cause of the pH results.	Yes

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Non-compliance	Action taken to ensure compliance[4]	Has this non-compliance been resolved?
	KGRPL will continue to monitor the water in the dams and continue to seek the advice of the consultant in relation to results and any areas of potential concern.	
NOC 14 – Air quality monitoring / meteorological station **B13 (SSD5300) requires implementation of the approved AQMP.** **s6.2 'Meteorological monitoring' AQMP requires operation of a meteorological station to collect and analyse real time data and determine adverse weather conditions.**	The site has implemented the AQMP. The site effectively utilises the information available via Bureau of Meteorology website daily to proactively manage operational controls and can react when required to changing circumstances. Visual assessment of conditions is the most appropriate and effective means of implementing and activating controls for activities that pose a dust risk of which not all are related to weather conditions. The meteorological station on site has been operational and will be replaced as soon as possible to ensure that KGRPL has access to monitoring data.	No (underway)
NOC 15 – Air Quality – Fugitive dust emissions **Table 2 AQMP 'Stockpiles' (b) requires automated spray systems to control dust from stockpiles and wind, loaders, excavators and bulldozers.**	KGRPL do not consider this a non-compliance. Automatic spray systems connected to weather stations are not effective given not all conditions identified for control relate to weather. KGRPL stages shut down of affected operations in adverse weather conditions. As operations cease during windy conditions the need to activate controls automatically is not necessary, particularly as staff freed of operational duties are available to activate controls such as continued operation of the water cart, activation and targeted location of sprinklers as required, covering of stockpiles and other dust control activities. Similarly, staff are reallocated to surface water management activities during rain events.	Yes
NOC 16 – Air Quality – fugitive dust emissions **Table 2 AQMP 'Vehicle Movement' (b) and Traffic Management Plan (e) require the operation of a 30,000L water cart along portal access road.**	Total available water on site for firefighting and dust control was assessed and the 30,000 litre water cart commitment was made prior to the requirement to install fire water tanks to meet the requirement of the certifier for issue of the Occupation Certificate (OC). To achieve OC an additional 300kL of water has been made available on site in two 150kL tanks to meet OC requirements. These fire water tanks are the subject of an application to modify the consent (MOD 2) along with rainwater tanks that provide an additional 20kL of water to accommodate a smaller volume water cart which is able to be refilled and return to dust control duties more quickly than a larger water cart. All tanks and the detention dam can be used for dust control enabling use of sprinklers in addition to the water cart.	Yes

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Non-compliance	Action taken to ensure compliance[4]	Has this non-compliance been resolved?
	KGRPL understands that total water volume availability for dust suppression purposes is above requirements of the consent.	
NOC 17 – Noise & Vibration **B20 'Noise criteria', B21 'Noise compliance measurement', B22 'Vibration criteria' and B23(b & d) 'Noise mitigation' of SSD5300 require regular monitoring of noise and vibration.**	Noise monitoring is to be conducted where a complaint has been received by the facility. To date no complaints have been received by the facility. A noise assessment was conducted to support an application to modify the development (MOD2) which indicates that no noise or vibration emissions exceeding relevant thresholds are likely and that emissions are likely to remain below thresholds if MOD 2 is approved. The facility is compliant with Conditions B20, B21 and B23 (b & d) to the extent that monitoring is not a specific requirement of those conditions. Condition B24 sets out noise monitoring requirements and the requirement is that monitoring is to be conducted "in accordance with the EPL". The EPL (20601) does not require noise monitoring. KGRPL will conduct noise monitoring as per the conditions of consent.	Yes
NOC 18 – Traffic & Access **B25(b) SSD5300 'Traffic & Access' requires that site access, driveways and parking constructed and maintained in accordance with standards.**	Untarping area signs have been reinstalled on fencing adjacent to the inbound weighbridge untarping area and on the site rules signage at the truck holding area at the bridge.	Yes
NOC 19 – Hazard & Risk **B26(a) SSD5300 'Fire management' requires implementation of measures to minimise risk of fire.**	Refer to response to NOC 08 and NOC 10. The generator has been decommissioned and both the generator and the shed have been removed from site.	Yes
NOC 20 – Fire protection **B27 (a-c) and B28 (SSD5300) -'Bushfire protection' requires existing buildings to be upgraded to be fire-proofed, and new buildings constructed to fire proofing standards; and building and landscaped areas close to riparian zone be managed to reduce risk of bushfires.**	Vegetation around buildings 1 & 2 consists mostly of grass. KGRPL notes that the approved plans specify grass for this area which is maintained by a contractor. Future maintenance is subject to awarding of a new maintenance contract. An assessment of building upgrade requirements will be reviewed and any works required will be completed.	No (underway)
NOC 21 – Signage **B33 (SSD5300) requires consultation with Council on new signage.**	The sign remaining near to driveway entrance is directional in nature. Signage further along the driveway and at the weighbridge is related to safety and regulatory requirements with content outlining site entry and associated rules.	Yes

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Non-compliance	Action taken to ensure compliance[4]	Has this non-compliance been resolved?
	KGRPL have advised that the signs were a replacement of existing signage installed in consultation with council and therefore exempt under SEPP *(Exempt and Complying Development Codes)* 2008.	
NOC 22 – Environmental & Amenity Impacts **s4.8(i) Revised Statement of Commitments (RSOC) requires up to 3 x 100,000L rainwater tanks.**	The approved plans provide for 2 x 100,000 litre rainwater tanks. The plans associated with MOD 2 propose 4 x 45,000 litre tanks and 1 x 40,000 litre tank. The site has two additional 150kL tanks for firefighting purposes which are also able to be used for dust suppression and are also a subject of MOD 2.	Yes
NOC 23 – Energy efficiency **s4.10 (iv-vi) of RSOC requires energy metering, monitoring and efficient lighting / appliances.**	Energy efficient lighting was installed in the weighbridge, lunchroom and externally to buildings. The workshop lighting is LED. Refrigerators are 3.5 star. The site is not connected to mains power and therefore not metered to the grid however it does monitor energy use in relation the generator on site.	Yes

2.5. Actions and reporting requirements arising from the 2019 Independent Environmental Audit

DPIE has recommended that as part of the 2019 Independent Environmental Audit, items be included in the Annual Review for Kembla Grange Recycling Pty Ltd as follows:

- Details of the key IEA outcomes including progress made in implementing the plan;
- Details of the water re-use monitoring results from the ponds and commentary around the suitability in relation to its re-use for dust suppression and environmental / human health risk assessment;
- Details of the monitoring data for the generator runtimes and diesel consumption including commentary as to whether any actions were taken to improve and/or reduce energy consumption during the period; and
- A section detailing the status of the review and/or any revisions of management plans required under the Consent. For any revisions required of the management plans, provide a schedule for their completion and submission to the Department for approval.

A progress summary in relation to the implementation of these requirements is provided in Table 2.8 below.

Table 2.8. Additional information requested by the Department of Planning, Industry and Environment in relation to actions recommended in the 2019 Independent Environmental Audit.

DPIE requirement No.	Description	Progress update
1	Details of the key IEA outcomes including progress made in implementing the plan	Please refer to a detailed progress update in relation to addressing the non-compliances found in the Independent Environmental Audit in Table 2.7.

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DPIE requirement No.	Description	Progress update
2	Details of the water re-use monitoring results from the OSDs and commentary around the suitability in relation to its re-use for dust suppression and environmental / human health risk assessment	Sprinklers in use on site have until recently been restricted to use of tank water topped up by town water delivered to site by water cart. Recently a new sprinkler system has been constructed around the tip floor which currently relies on use of detention dam water. A consultant has been engaged to assess environmental / human health risks associated with water reuse on site. KGRPL will incorporate this assessment into the 6 monthly sampling programs adopted for water quality assessment while water in the dam is proposed for reuse for the purpose of dust suppression.
3	Details of the monitoring data for the generator runtimes and diesel consumption including commentary as to whether any actions were taken to improve and/or reduce energy consumption during the period	KGRPL incorporates checks of the generator runtimes in the Supervisor Checklist completed daily on operational days. Old generators have been replaced with new more efficient generators. Bingo has completed an energy and emissions inventory for the Premises. The results of the inventory will determine future energy and greenhouse gas emission reductions programs for the site which are currently being considered by a Bingo working group led by the recently appointed Sustainability Manager
4	A section detailing the status of the review and/or any revisions of management plans required under the Consent. For any revisions required of the management plans, provide a schedule for their completion and submission to the Department for approval.	A third-party consultant has been appointed to undertake a review of the management plans and update them as required. KGRPL is currently reviewing a draft OEMP. KGRPL is seeking to revise the structure of these plans at the same time as the review and will discuss the proposed changes with the Department and seek the Department's approval prior to finalising any changes. We would expect to complete the revised plans post the Departments approval of MOD 2, submission of the AER and considering Departments comments of the IEA and the restructured OEMP and sub plans.

2.6. Trends in the monitoring data over the life of the development (Condition C11(d))

This report is the second Annual Review for the development following the increase of waste receival at the site as approved under Condition A6 of SSD5300.

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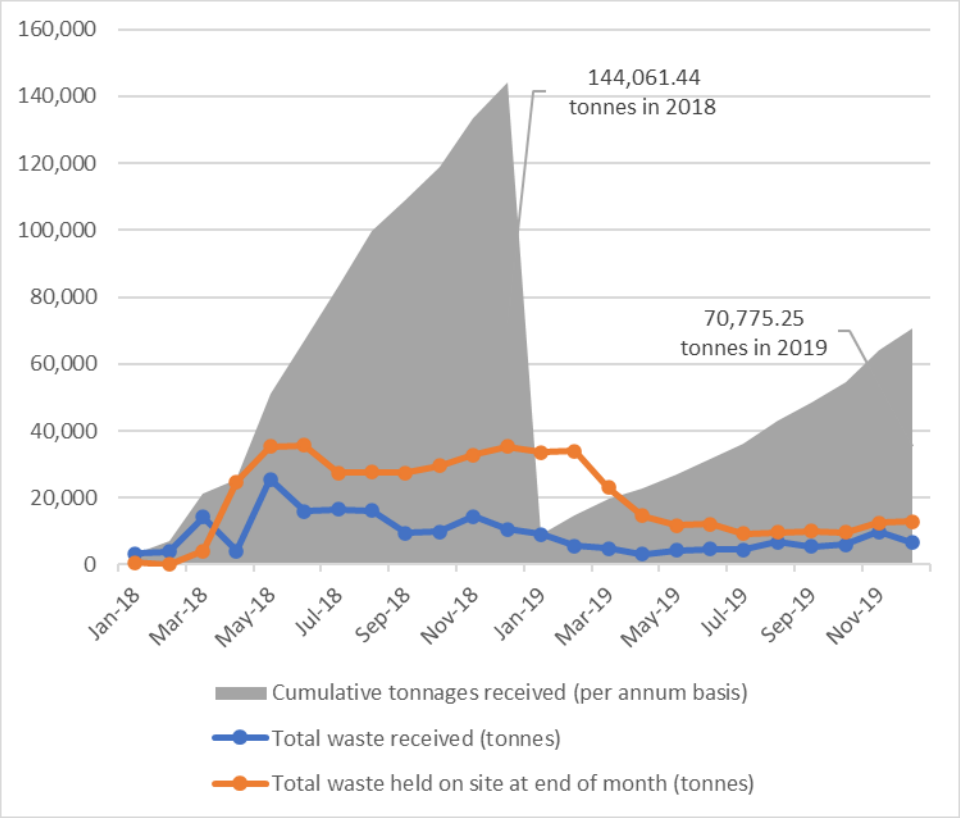
2.6.1 Waste receival and authorised amounts

Trend data is available for the quantity of waste received on a monthly basis, as well as the quantity of waste held on site at the end of the month. Monitoring data is presented in Figure 2.2. Evidence suggests that waste receival at the site decreased by more than half, dropping from a total of 144,061 tonnes in 2018 to 70,775 tonnes in 2019. At no time across the two-year period did the site exceed its authorised amount of 45,00 tonnes per annum (see orange line in Figure 2.2).

Figure 2.2. Trends in the receival and storage of waste by Kembla Grange Recycling Pty Ltd between 2018 and 2019.



2.6.2 Noise

No noise complaints were received by the development in 2018 and 2019, and as a result, additional noise monitoring has not been required. Should any complaints be received, noise monitoring will be commissioned.

2.6.3 Surface water quality (discharged)

Due to extended drought conditions, the availability of water within the on-site detention pond system at the site has been low or not available. As a result, little monitoring data is available on the quality of discharge water quality of the quality of pond currently stored in ponds.

With the wet weather in early February 2020, we expect that in the next annual review, substantially more data will be available on surface water quality that has been discharged from the site.

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2.6.4 Groundwater quality

In section 2.2.6, we report on trends in the quality of groundwater upstream and downstream of the development. Trends in water quality are presented for a range of analytes in Figure 2.1.

Our analysis of groundwater characteristics upstream of the development (Groundwater well 5) and downstream of the development (Groundwater well 2) in Figure 2.1 similarly showed that water quality varied with season for all groundwater quality parameters for most parameters, and there was little difference between upstream and downstream water quality.

However, we note that ammonium concentrations and electrical conductivity levels were higher in downstream groundwater than upstream groundwater and may indicate that there is some interaction between surface water and groundwater on the lower part of the site. However, this finding is not supported by the trends in other data, particularly for soluble salts such as sodium and calcium. The concentrations of these soluble salts should be higher in groundwater with a high electrical conductivity, however, this is not the case based on test results presented in Figure 2.1.

This was not detected in the report by Consulting Earth Sciences, and further assessment is required.

2.6.5 Odour

No odorous materials are permitted for receival at the premises, and no odour issues or complaints have occurred in the past two years.

2.6.6 Dust

No ongoing dust monitoring is performed by the development, consistent with the Air Quality Management Plan. We note that no dust complaints have occurred over the past two years.

2.6.6 Incidents

No incidents have occurred at the premises over the past two years.

2.6.6 Complaints

No complaints have been received by the premises over the past two years.

2.7. Discrepancies between the predicted and actual impacts of the development and causes (Condition C11(e))

Monitoring in accordance with the approved OEMP has continued throughout the reporting period and there are no identified discrepancies between the predicted and actual impacts of the development.

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2.8. Measures have or will be implemented in the current calendar year to improve the environmental performance of the development (Condition C11(f))

Measures will be implemented to address the non-compliances found as part of this audit, or as part of the Independent Environmental Audit completed in November 2019. A summary of these measures are presented in Table 2.9.

Table 2.9. Summary of additional measures that have or will be undertaken during 2020 to improve the environmental performance of the development. These are derived from non-compliances given in Table 2.8 and (Independent Environmental Audit findings) and Appendix 1 (Annual Review 2019 findings).

Non-compliance	Source	Additional measure / action that has or will be implemented
Development Control Order	Table 2.5 of this Annual Review	A development application has been prepared for the use of the picking station and this was submitted for assessment on 31 August 2018. This application was amended and re-submitted in response to submissions on 14th June 2019 and again on 21 February 2020. This matter will be resolved once the DA is approved.
NOC 09 – Access tracks **s5 of the SWMP requires that access tracks are delineated, and sign posted.**	Table 2.8 / Independent Environmental Audit	A site plan in the form of a safety sign will be developed like the site traffic plan and posted adjacent to the rumble grid.
NOC 20 – Fire protection **B27 (a-c) and B28 (SSD5300) - 'Bushfire protection' requires existing buildings to be upgraded to be fire-proofed, and new buildings constructed to fire proofing standards; and building and landscaped areas close to riparian zone be managed to reduce risk of bushfires.**	Table 2.8 / Independent Environmental Audit	An assessment of building upgrade requirements will be reviewed and any works required will be completed.
B7 Water Management System	Appendix 1 of this Annual Review	Vegetation of former access road around NE corner of site is required, and vegetated earth mound as per SSD 5300 Mod 1 plans is required to divert runoff from northern hillslope around the site and into the unnamed creek.

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Non-compliance	Source	Additional measure / action that has or will be implemented
		Pad maintenance needed more regularly to avoid low spots forming to improve surface drainage and reduce sediment generation. More frequent cleaning of pad needed to avoid sediment build up, including changing the geotextile filter covers on pits. An update to the Soil and Water Management Plan (last updated March 2018) is required to set out additional soil and erosion control measures that need to be considered during wet weather, to avoid excessive sediment load on the ponds, in accordance with Landcom (2004) *Managing Urban Stormwater – Soils and Construction Vol. 1.* The plan update should include current practices such as pits and pipes cleaning by external contractor once a quarter including Humeceptor.
B8. Erosion and Sediment Control	Appendix 1 of this Annual Review	Vegetation of former access road around NE corner of site is required, and vegetated earth mound as per SSD 5300 Mod 1 plans is required to divert runoff from northern hillslope around the site and into the unnamed creek. Whilst pad maintenance is done regularly to reduce low spots on the pad, and to avoid pooling in wet weather, more frequent monitoring of pad condition will help to improve surface drainage and reduce sediment generation. More frequent cleaning of the pad is needed to avoid sediment build up, including more frequent changing of the geotextile filter covers on pits.
C9. Independent Environmental Audit	Appendix 1 of this Annual Review	Consultation with an independent auditor is required early prior to the next scheduled audit (3 years after the approval of the OEMS, being 26/02/2021), in order to ensure delays do not occur.

2.9. Summary of Audit Recommendations

The audit found that Kembla Grange Recycling Pty Ltd has complied with all management plans and procedures as required by SSD5300 except for the non-compliances as identified in Table 2.9. It is understood that action is underway to address these matters.

Generally, the audit found that the site is being operated in a manner consistent with the planning consent.

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3. Conclusion

An Annual Review report has been prepared for Kembla Grange Recycling Pty Ltd, owner and operator of a construction and demolition waste recycling facility located at 50 Wyllie Rd, Kembla Grange. Under Condition C11 of development consent SSD5300 operating at the site, the proponent is required to report to the Secretary of the Department of Planning and Environment on the environmental performance of the development. An Annual Review is required by the end of March each year.

As per the requirements of Condition C11, the report provides an overview of the environmental performance of the development by describing the development that was carried out in the previous calendar year, and the development that is proposed to be carried out over the current calendar year. The report includes a review of the monitoring results and complaints records of the development over the last calendar year, including a comparison of the results against the:

- Relevant statutory requirements, limits or performance measures / criteria;
- Requirements of any plan or program required under the consent;
- Monitoring results of previous years; and
- The relevant predictions in the EIS.

The Annual Review also identifies any non-compliance over the last calendar year, and describe what actions were (or are being) taken to ensure compliance; identifies trends in the monitoring data over the life of the development; identifies and discrepancies between the predicted and actual impacts of the development and analyses the potential cause of any significant discrepancies. Furthermore, under the C11 consent condition, the proponent must describe what measures have or will be implemented in the current calendar year to improve the environmental performance of the development.

A compliance audit was conducted on 13 February 2020. This involved a detailed desktop assessment of all management documentation, and a site inspection across the entire facility. The audit found that all non-compliances in 2018 had been resolved, and the majority of non-compliances found during the Independent Environmental Audit completed in late 2019 had been resolved or are in the process of being resolved.

Our compliance audit found that the main area of non-compliance was soil and water management. We also recommend further analysis of groundwater monitoring data to understand the spatial differences in groundwater quality in the area, and to confirm if there is any interaction between surface and groundwater on the lower part of the site.

A Development Control Order is still in place in relation to the use of the outdoor picking station. Once this is resolved, and the planning modification approved by the Department of Planning, Industry and Environment, this part of the operation will return to a complaint state.

Environmental monitoring data reviewed as part of the Annual Review found that the facility is being managed within the predictions in the Environmental Impact Statement. It is noted that no complaints were received in the past 12 months in relation to the operations at the site.

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4. References

Documents reviewed as part of the audit:

- State Significant Development (5300) Conditions of Consent
- State Significant Development (5300) Statement of Commitments
- State Significant Development (5300) Mod 1 Conditions of Consent
- Department of Primary Industries Controlled Activity Approval
- Operational Environmental Management Strategy as approved by Department of Planning and Environment on 26/02/18 (including sub-environmental strategies:
    - Wollongong Recycling (NSW) Pty Ltd – Air Quality Management Plan (February 2018)
    - Wollongong Recycling (NSW) Pty Ltd – Asbestos Management Plan (February 2018)
    - Wollongong Recycling (NSW) Pty Ltd – Soil and Water Management Plan (February 2018)
    - Wollongong Recycling (NSW) Pty Ltd – Waste Monitoring Program (February 2018)
    - Wollongong Recycling (NSW) Pty Ltd – Pollution Incident Response Management Plan (February 2018)
    - Wollongong Recycling (NSW) Pty Ltd – Traffic Management Plan (February 2018)
    - Wollongong Recycling (NSW) Pty Ltd – Bushfire Management Plan (February 2018)
- Seventh Sense Sustainability Consultants Pty Ltd (2019). Independent Environmental Audit completed on 27/11/19.

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Appendix 1: Audit findings

A1.1 State Significant Development (5300) Conditions of Consent

SSD5300 Condition	Consent Condition	Evidence of compliance	Evidence assessed and validated by auditor	Compliant? (Y/N)
A5.	**Statutory Requirements** The Applicant shall ensure that all licences, permits, and approvals/consents are obtained as required by law and maintained as required through 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/consents.	+ All approvals are in place for the development	+ Planning consent SSD5300 + EPA Licence 20601 + Department of Primary Industries Controlled Activity Approval	**Yes**
A6.	**Limits of Consent** The Applicant shall not receive or process on the site more than 230,00 tonnes per calendar year of waste, subject to Condition A8	+ Facility currently complying with EPA Licence 20601 limit condition of 230,000 tpa + Audit of WARRP data, total waste received in 2019 was 70,775.25 tonnes	+ EPA Licence 20601 + EPA WARRP data for 2019	**Yes**
A7.	Despite Condition A7, the Applicant shall not receive or process on the site more than 30,000 tonnes per calendar year of waste until: a) a Final Occupation Certificate has been issued for Stage 1 of the Development; and b) the Secretary has approved the Operational Environmental Management Strategy for the Development (see Condition C3).	+ Facility has received final Occupation Certificate on 23/01/18 (Cert. No. 2306) + Secretary DPE approved OEMS on 26/02/18	+ Completed previously	**Yes**
A8.	The Applicant shall store no more than 45,000 tonnes of waste on the site at any one time, including: a) No more than 2,500m^3 of organic waste on the site at any one time; and	+ Site inspection of stockpiles on 13/02/20 + Site is limited to <2,500 m^3 of organic waste and <45,000 tonnes of waste at any point in time (Condition L3.2 and L3.3 of EPL 20601) + Assessment of WARRP reports for 2019 calendar year	+ Visual inspection of stockpiles on 13/02/20 + Assessment of WARRP reports for 2019 calendar year	**Yes**

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SSD5300 Condition	Consent Condition	Evidence of compliance	Evidence assessed and validated by auditor	Compliant? (Y/N)
	b) No more than 500m^3 of the above limit on organic waste is to comprise compost product		+ Stock on hand at end of month for Jan to Dec 2019 all less than 45,000 tonnes	
A12	**Surrender of Consent** In order for the development of land to proceed in a coordinated and orderly manner and to avoid potential conflicts with this consent, the Applicant shall and in the manner prescribed by clause 97 of the EP&A Regulation, surrender the development consent (DA-2009/1153, as modified) issued by Wollongong City Council described in Table 1 (of SSD5300) within 14 days of the issue of the Construction Certificate for the Development	+ Letter from Wollongong City Council dated 3/11/16 confirming surrender of DA-2009/1153	+ Letter from Wollongong City Council dated 3/11/16	**Yes**
A13.	**Meteorological Monitoring** Within 14 days of the issues of a Construction Certificate for the Development, the Applicant shall ensure that there is a suitable meteorological station on the site that complies with the requirements of the latest version of the Approved Methods for Sampling Air Pollutants in New South Wales. The Application shall operate the meteorological station for the life of the Development.	+ Meteorological station was in operation all 2019 though it was decommissioned on 12/02/20 and is being replaced + For the purposes of the 2019 audit, this consent condition has been complied with	+ Meteorological data observed during site inspection 13/02/20	**Yes**
B2	**Waste Management** The Applicant shall implement a Waste Monitoring Program for the Development within 14 days of the issue of a Construction Certificate for the Development. The program must: a) be prepared by a suitably qualified and experienced person(s); b) include suitable provision to monitor and record the:	+ Waste Monitoring Program as approved by the Secretary DPE on 26/02/18 + Bingo Training Needs Register sighted + SOP-YA003 Asbestos at Recycling Centres procedure sighted + OPL-YA040 Unexpected asbestos finds – site sighted	+ Waste Monitoring Program (Appendix D of Operational Environmental Management Plan) + Bingo Training Needs Register	**Yes**

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SSD5300 Condition	Consent Condition	Evidence of compliance	Evidence assessed and validated by auditor	Compliant? (Y/N)
	(i) quantity, type and source of waste received on site; and (ii) quantity, type and quality of the outputs produced on site. c) ensure that: (i) all waste that is controlled under a tracking system has the appropriate documentation prior to acceptance at the site; and (ii) staff receive adequate training in order to be able to recognise and handle any hazardous or other prohibited waste including asbestos.		with details on asbestos removal training + SOP-YA003 Asbestos at Recycling Centres procedure + OPL-YA040 Unexpected asbestos finds	
B4	**Sewage Management** The applicant shall obtain approval for the operation of an On-site Sewage Management System in Accordance with Section 68 of the *Local Government Act* 1993.	+ OS-2015/15 Approval to Operate On-site Management System sighted from Wollongong City Council (dated 10/04/19))	+ OS-2015/15 Approval to Operate On-site Management System approval	**Yes**
B5.	**Water Management Plan** Prior to the commencement of construction of the Development, the Applicant shall prepare a Water Management Plan to the satisfaction of the Secretary. The plan must: a) be prepared by a suitably qualified and experienced person(s) in consultation with the EPA and DPI; b) include a detailed site water balance; c) include a mass soil balance; d) include the details of: (i) retaining walls and soil cut and fill; (ii) expected groundwater interception and extraction;	+ Soil and Water Management Plan as approved by the Secretary DPE on 26/02/18. + Pollution Incident Response Management Plan sighted	+ Soil and Water Management Plan Program (Appendix C of Operational Environmental Management Plan) + Pollution Incident Response Management Plan	**Yes**

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SSD5300 Condition	Consent Condition	Evidence of compliance	Evidence assessed and validated by auditor	Compliant? (Y/N)
	(iii) all-weather access to the site; (iv) clean water runoff areas that discharge without treatment (i.e. car parks and roofs) (v) the Water Management System for the site (see Condition B7); (vi) erosion and sediment controls (see Condition B8); (vii) bunding (see Condition B9); and (viii) water management, monitoring, testing and incident response arrangements.			
B6.	**Water Management Plan** The Applicant shall carry out the Development in accordance with the Water Management Plan approved by the Secretary (as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary.	+ Soil and Water Management Plan as approved by the Secretary DPE on 26/02/18	+ Soil and Water Management Plan (Appendix C of Operational Environmental Management Plan)	**Yes**
B7.	**Water Management System** The Applicant shall operate a Water Management System for the site. The system must: a) be designed by a suitably qualified and experienced person(s) in consultation with the EPA and Council; b) control surface water so that it does not mix with waste on the site; c) include surface water and leachate detention; d) be consistent with the guidance in Managing Urban Stormwater - Soils and Construction Vol. 1 (Landcom, 2004);	+ Soil and Water Management Plan Program as approved by the Secretary DPE on 26/02/18 + Groundwater wells in place (x6) and data reported quarterly to Office of Water (Feb, May, Aug and Nov 19) + Daily Supervisor Checklist inspected for details on daily checks on water management system + Roof water from main warehouse is connected to tanks now on northern side of shed. This is subject to a regularisation approval under SSD5300 Mod 2 (submitted 21/02/20). + Runoff from northern part of site not fully diverted around the NE corner of the facility. Vegetation of former access road around NE corner of site is required, and vegetated earth mound as per	+ Soil and Water Management Plan Program (Appendix C of Operational Environmental Management Plan) + Site inspection across entire site 13/02/20 + Daily Supervisor Checklist	**No**

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SSD5300 Condition	Consent Condition	Evidence of compliance	Evidence assessed and validated by auditor	Compliant? (Y/N)
	e) divert clean surface water around operational areas of the site; f) include water quality monitoring that can determine the performance of the water management system against any EPL discharge limits; and g) include water reuse based on a risk assessment of environment and human health impacts.	SSD 5300 Mod 1 plans is required to divert runoff from northern hill slope around the site and into the unnamed creek. + Some surface ponding of water observed in operational areas, resulting mud to form due to vehicles operating within the area. Pad maintenance needed more regularly to avoid low spots forming to improve surface drainage and reduce sediment generation. + Inspection on 13/02/20 showed evidence of silt build-up on crushed concrete pavement from recent wet weather and transfer into stormwater pits. More frequent cleaning of pad is needed to avoid sediment build up, including changing the geotextile filter covers on pits. + An update to the Soil and Water Management Plan (last updated March 2018) is required to set out additional soil and erosion control measures that need to be considered during wet weather, to avoid excessive sediment load on the OSD ponds, in accordance with Landcom (2004) Managing Urban Stormwater – Soils and Construction Vol. 1. The plan update should include current practices such as pits and pipes cleaning by external contractor once a quarter including Humeceptor. + Due to dry weather during the majority of the year, no water has been available at sampling point for 1 analysis. Results are reported at: https://www.bingoindustries.com.au/getattachment/recycling-centres/recycling-centres-sydney-and-surrounds/KEMBLA-GRANGE/Pollutant-Monitoring-Results-EPL20601-1102.pdf?lang=en-AU + All other water management measures considered satisfactory.		
B8.	**Erosion and Sediment Control** The Applicant shall implement erosion and sediment control measures on-site in accordance with Managing	+ Soil and Water Management Plan Program as approved by the Secretary DPE on 26/02/18 + Daily Supervisor Checklist inspected for details on daily checks on water management system	+ Soil and Water Management Plan Program (Appendix C of	**No**

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SSD5300 Condition	Consent Condition	Evidence of compliance	Evidence assessed and validated by auditor	Compliant? (Y/N)
	Urban Stormwater: Soils and Construction Vol. 1 (Landcom, 2004).	+ Vegetation of former access road around NE corner of site is required to reduce sediment transfer into unnamed creek. + Inspection on 13/02/20 showed evidence of silt build-up on crushed concrete pavement from recent wet weather and transfer into stormwater pits. Whilst pad maintenance is done regularly to reduce low spots on the pad, and to avoid pooling in wet weather, more frequent monitoring of pad condition will help to improve surface drainage and reduce sediment generation. + More frequent cleaning of the pad is needed to avoid sediment build up, including more frequent changing of the geotextile filter covers on pits. + All other erosion and sediment control measures considered satisfactory.	Operational Environmental Management Plan) + Site inspection across entire site 13/02/20 + Daily Supervisor Checklist	
B9.	**Bunding** The Applicant shall store all chemicals, fuels and oils used on-site in appropriately bunded areas in accordance with the requirements of all relevant Australian Standards, and/or EPA's Storing and Handling Liquids: Environmental Protection - Participant's Manual 2007.	+ All fuels, oils and chemicals were appropriately bunded on spill containment pallets.	+ Site inspection on 13/02/20 + Pollution Incident Response Management Plan (Appendix F, of Operational Environmental Management Plan)	**Yes**
B10.	**Imported Soil** The Applicant shall: a) ensure that only VENM, or ENM, or other material approved in writing by the EPA is used as fill on the site; b) keep accurate records of the volume and type of fill to be used; and	+ This requirement is documented in the Construction Waste Management Plan dated 10 May 2016 for the development + VENM and ENM used in construction occurred prior to Wollongong Recycling (NSW) Pty Ltd acquisition. No records are available to Wollongong Recycling (NSW) Pty Ltd and no evidence of non-compliance provided by previous site owner.	+ Construction Waste Management Plan dated 10 May 2016	**Yes**

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SSD5300 Condition	Consent Condition	Evidence of compliance	Evidence assessed and validated by auditor	Compliant? (Y/N)
	c) make these records available to the Department upon request.			
B11.	**Odour** The Applicant shall ensure the Development does not cause or permit the emission of any offensive odour (as defined under section 129 of the POEO Act).	+ Complaints register – no complaints in 12 months of reporting period (see https://www.bingoindustries.com.au/getattachment/recycling-centres/recycling-centres-sydney-and-surrounds/KEMBLA-GRANGE/COMPLAINTS-REGISTER-EPL20601-31-01-2020.pdf?lang=en-AU) + Air Quality Management Plan (Appendix A, Operational Environmental Management Plan)	+ Complaints register + Air Quality Management Plan + Site inspection on 13/02/20	**Yes**
B12.	**Air Quality Management Plan** Prior to the commencement of construction of the Development, the Applicant shall prepare an Air Quality Management Plan to the satisfaction of the Secretary. The plan must: a) be prepared by a suitably qualified and experienced person(s) in consultation with the EPA; b) describe the measures that would be implemented to ensure: (i) all reasonable and feasible measures are employed to minimise air emissions, including details of water sprays for stockpiles, exposed areas and the dust suppression system for the crushing plant; (ii) compliance with the relevant conditions of this consent; (iii) contingency measures are deployed to minimise impacts should adverse air emissions occur or appear likely to occur;	+ Air Quality Management (Appendix A, Operational Environmental Management Plan) is in place and addresses all requirements as per Condition B12 of the development consent + Plan has been approved by Department of Planning and Environment on 19 August 2016	+ Air Quality Management Plan	**Yes**

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SSD5300 Condition	Consent Condition	Evidence of compliance	Evidence assessed and validated by auditor	Compliant? (Y/N)
	c) include well defined triggers for the deployment of construction and operational air quality measures; d) include well defined triggers for ceasing or partially ceasing operations on site during adverse air quality conditions; and e) include a protocol to determine the occurrence of an exceedance of any criteria in the EPL should an exceedance occur.			
B13	The Applicant shall carry out the Development in accordance with the Air Quality Management Plan approved by the Secretary (as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary.	+ Air Quality Management Plan in place and approved by the Secretary 26/02/2018 (Appendix A of Operational Environmental Management Plan) + Daily Site Supervisor Checklist sighted with details on air quality procedural checks	+ Air Quality Management Plan in place + Daily Site Supervisor Checklist	**Yes**
B14.	**Air Emissions Mitigation** The Applicant shall: a) operate the Development so that air emissions are minimised during all meteorological conditions; and b) implement best management practice, including all reasonable and feasible air and odour emissions mitigation measures to minimise emissions from the Development, including but not limited to: (i) carrying out all composting on the site inside a fully enclosed building under negative atmospheric pressure; (ii) covering all finished compost or mulch that is stored outside a	+ All waste processing operations on-site inspection on 13/02/20 appears to be compliant with consent condition and Operational Environmental Management Plan and Appendix A – Air Quality Management. As approved by Secretary + No composting activities inside building are currently being performed. + Only mulching and temporary storage on bunded pad outdoors in designated storage area. + Surface wetting of piles observed for dust control. + Sprinkler system observed designated above waste storage bays.	+ Operational Environmental Management Plan and Appendix A – Air Quality Management. + Site inspection on 13/02/20.	**Yes**

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SSD5300 Condition	Consent Condition	Evidence of compliance	Evidence assessed and validated by auditor	Compliant? (Y/N)
	building with a suitable rain-proof cover; (iii) ensuring all paper, cardboard or plastic that is stored outside a building is within a compacted bale or covered enclosure; (iv) ensuring any stockpile of organic waste stored outside a building is 3 metres in height or less; (v) ensuring any stockpile of inorganic waste stored outside a building is 5 metres in height or less; (vi) storing no more than 2,500 m^3 of organic matter outside a building at any one time, comprising of no more than: • 1,000m^3 of unprocessed green waste; • 1,000m^3 of mulches; and • 500m^3 of compost; (vii) storing no more than 300 tonnes of firewood outside a building at any one time; and (viii) dust suppression through the use of chemical suppressants, water sprays/misters.			
B15.	**Construction Emissions Mitigation** During construction, the Applicant shall ensure that: a) all vehicles on site do not exceed a speed of 30 kilometres per hour; b) all loaded construction vehicles entering or leaving the site have their loads covered; and	+ Construction works completed prior to inspection on 13/02/20. + Construction process managed as per approved Construction Environment Management Plan dated 9/05/16 by KFW.	+ Construction Environment Management Plan.	**Yes**

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	c) all construction vehicles leaving the site are cleaned of dirt, sand and other materials before they leave the site, to avoid tracking the materials on public roads.			
B16	**Air Quality and Odour Audit** The Applicant shall carry out an Air Quality and Odour Audit of the Development no later than three months after the Secretary has approved the Operational Environmental Management Strategy (refer to Condition C3) for the Development. The audit must: a) be carried out by a suitably qualified and experienced expert whose appointment has been endorsed by the Secretary; b) audit the Development whilst it is in operation; c) include a summary of air and odour emission related complaints and any actions that were carried out to address the complaints; d) validate the Development against air quality and odour predictions in the EIS; e) review design and management practices of the Development against industry best practice for air emissions and odour management; and f) include an action plan that identifies and prioritises additional air and odour emission mitigation measures that may be necessary to reduce air emissions.	+ Air Quality and Odour Report was undertaken by Consulting Earth Sciences on between 22 and 24 May 2018. No further updates were required in 2019.	+ Air Quality and Odour Audit Report dated 25th May 2018.	**Yes**
B18.	**Construction and operation hours** The Applicant shall comply with the construction and operation hours in Table 2 (of SSD-5300) unless otherwise agreed to in writing by the Secretary.	+ Construction works completed prior to inspection on 13/02/20. + Construction process managed as per approved Construction Environment Management Plan dated 9/05/16 by KFW.	+ Construction Environment Management Plan	**Yes**

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SSD5300 Condition	Consent Condition	Evidence of compliance	Evidence assessed and validated by auditor	Compliant? (Y/N)
			+ Advice provided by Bingo Environmental Manager	
B20.	**Noise criteria** The Applicant shall ensure that noise generated by the Development does not exceed the noise criteria in Table 3 (of SSD5300).	+ Noise managed in accordance with procedure OPL-YA027 Controlling Noise Emissions at Recycling Centres + No complaints as per Complaints Register (see https://www.bingoindustries.com.au/getattachment/recycling-centres/recycling-centres-sydney-and-surrounds/KEMBLA-GRANGE/COMPLAINTS-REGISTER-EPL20601-31-01-2020.pdf?lang=en-AU)	+ OPL-YA027 Controlling Noise Emissions at Recycling Centres + Complaints Register	**Yes**
B21.	**Noise compliance measurement** Noise generated by the Development is to be measured in accordance with the relevant requirements and exemptions (including certain meteorological conditions) of the latest version of the NSW Industrial Noise Policy.	+ Noted.	+ No noise data required to be measured during 2019.	**Yes**
B22.	**Vibration criteria** The Applicant shall ensure that vibration resulting from the Development does not exceed the continuous or impulsive vibration criteria in EPA's Assessing Vibration: A Technical Guideline (February 2006) at residential receivers.	+ Vibration managed in accordance with procedure OPL-YA027 Controlling Noise Emissions at Recycling Centres + No complaints as per Complaints Register	+ OPL-YA027 Controlling Noise Emissions at Recycling Centres + Complaints Register	**Yes**
B23.	**Noise mitigation** The Applicant shall: a) implement best management practice, including all reasonable and feasible noise management and mitigation measures to prevent and minimise operational, low frequency and traffic noise generated by the Development;	+ Noise managed in accordance with procedure OPL-YA027 Controlling Noise Emissions at Recycling Centres + No complaints as per Complaints Register for previous 12 months (see https://www.bingoindustries.com.au/getattachment/recycling-centres/recycling-centres-sydney-and-surrounds/KEMBLA-GRANGE/COMPLAINTS-REGISTER-EPL20601-31-01-2020.pdf?lang=en-AU)	+ OPL-YA027 Controlling Noise Emissions at Recycling Centres + Complaints Register	**Yes**

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	b) minimise the noise impacts of the Development during adverse meteorological conditions; c) maintain the effectiveness of any noise suppression equipment on plant at all times and ensure defective plant is not used operationally until fully repaired; and d) regularly assess noise monitoring data and relocate, modify and/or stop operations to ensure compliance with the noise criteria in this consent.			
B24.	**Noise monitoring** The Applicant shall carry out any noise monitoring required by the EPL	+ No noise monitoring required under EPL 20601	+ EPL 20601	**Yes**
B26.	**Fire Management** The Applicant shall: a) implement suitable measures to minimise the risk of fire on the site; b) extinguish any fires on the site promptly; and c) maintain adequate fire-fighting capacity on the site at all times.	+ Fire safety systems approved under Occupation Certificate from Illawarra Building Certifiers on 23/01/18 (Cert. No. 2306) + Drills conducted as per Pollution Incident Response Management Plan (last tested 16/04/19) + No fire incidents during 2019	+ Occupation Certificate + Pollution Incident Response Management Plan	**Yes**
B29.	**Landscape Management Plan** Prior to the commencement of construction of the Development, the Applicant shall prepare a Landscape Management Plan in consultation with the Office of Water, to the satisfaction of the Secretary. The plan must: a) be prepared by a suitably qualified and experience person(s); b) detail the measures to be employed to address the requirements of Condition 830;	+ Site landscaping managed in accordance with approved Operational Environmental Management Plan – Appendix C- Soil and Water Management Plan + Contract landscaper engaged to manage maintenance of all landscaped areas during 2019 (Southern Habitat)	+ Operational Environmental Management Plan – Appendix C- Soil and Water Management Plan. + Site inspection 13/02/20	**Yes**

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SSD5300 Condition	Consent Condition	Evidence of compliance	Evidence assessed and validated by auditor	Compliant? (Y/N)
	c) describe and map the extent of the Riparian Zone for the un-named tributary on the site; d) be consistent with the Vegetation Management Plan, Version 7, dated October 2015, prepared by Southern Habitat; e) include: (i) a schedule of proposed planting, including botanic and common names, expected mature height and staking requirements, numbers of plants and pot sizes; (ii) the location of all proposed and existing overhead and underground service lines, with all service lines clear of the drip lines of existing and proposed trees; (iii) the location of common taps and/or irrigation system in accordance with Wollongong City Council Landscape Technical Policy No 98/4; (iv) the details of protection measures for existing vegetation to be retained; and (v) a landscape maintenance program for the operational life of the facility.			
B30.	The Applicant shall carry out the Development in accordance with the Landscape Management Plan approved by the Secretary (as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary	+ Landscape Management Plan (as per approved Operational Environmental Management Plan – Appendix C- Soil and Water Management Plan) + Maintenance reports for March 2019 and August 2019 provided by Southern Habitat cited on 13/02/20	+ Landscape Management Plan (as per approved Operational Environmental Management Plan – Appendix C- Soil	**Yes**

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SSD5300 Condition	Consent Condition	Evidence of compliance	Evidence assessed and validated by auditor	Compliant? (Y/N)
			and Water Management Plan) + Maintenance reports provided by Southern Habitat March and August 2019	
B31.	**Landscaping** The Applicant shall: a) ensure that all works are consistent with the Vegetation Management Plan, Version 7, dated October 2015, prepared by Southern Habitat; b) ensure that the Ficus macrophylla (Moreton Bay Fig) and Streb/us brunonianus (Whalebone Tree) described in Drawing No.1442-LC01G, prepared by Ochre Landscape Architects dated 12 August 2015, are retained and protected during construction; c) install a permanent physical barrier at the landward extent of the riparian zone to prevent damage to the riparian zone; d) ensure that the riparian zone is landscaped with fully structured native vegetation that emulates the local vegetation community; e) ensure that washing of equipment or disposing of building materials, does not occur within the drip line of any tree nominated for retention;	+ Site landscaping managed in accordance with approved Operational Environmental Management Plan – Appendix C- Soil and Water Management Plan + Southern Habitat engaged to manage maintenance of all landscaped areas + Site inspection on 13/02/20	+ Operational Environmental Management Plan – Appendix C- Soil and Water Management Plan. + Site inspection 13/02/20 + Maintenance reports provided by Southern Habitat March and August 2019	**Yes**

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	f) ensure that appropriate tree protection measures are employed for the entirety of the excavation and construction phases of the Development, including: (i) 1.8 metre high cyclone chain mesh fence, with posts and portable concrete footings; and (ii) mulching of tree protection zones with 75 millimetres of mulch; and g) install permeable surfaces (in accordance with the manufacturer's recommendations) for any proposed hard surface under the canopy of existing trees, with finished surface levels matching existing levels.			
C1.	**Construction Environmental Management Plan** Prior to the commencement of construction of the Development, the Applicant shall prepare a Construction Environmental Management Plan to the satisfaction of the Secretary. The Plan must: a) be prepared by a suitably qualified and experienced person(s); b) describe all activities to be undertaken on the site during construction, including a clear indication of construction stages; c) identify the statutory approvals that apply to the Development; d) outline all environmental management practices and procedures to be followed during construction (e.g. construction traffic management and construction noise and vibration management), including all reasonable and feasible mitigation measures	+ Construction works complete + Construction process managed as per approved Construction Environment Management Plan dated 9/05/16 by KFW	+ Construction Environment Management Plan + Advice provided by Environmental Manager	**Yes**

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	to protect the amenity of the surrounding environment; e) detail how the environmental performance of construction will be monitored, and what actions will be taken to address identified adverse environmental impacts; f) describe the roles and responsibilities for all relevant employees involved in construction; g) include arrangements for community consultation and complaints handling procedures during construction; and h) consolidate the construction related parts of any management plans and monitoring programs required in the conditions of this consent.			
C2.	The Applicant shall carry out the Development in accordance with the Construction Environmental Management Plan approved by the Secretary (as revised approved by the Secretary from time to time), unless otherwise agreed by the Secretary.	+ Construction works complete	+ Construction Environment Management Plan + Advice provided by Bingo Environmental Manager	**Yes**
C3.	**Operational Environmental Management Strategy** C3. The Applicant shall prepare an Operational Environmental Management Strategy for the Development to the satisfaction of the Secretary. This strategy must: a) be prepared by a suitably qualified and experienced person(s); b) provide a strategic framework for environmental management of the Development;	+ Construction process managed as per approved Construction Environment Management Plan dated 9/05/16 by KFW.	+ Construction Environment Management Plan	**Yes**

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	c) identify the statutory approvals that apply to the Development; d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the Development; e) describe in general how the environmental performance of the Development would be monitored and managed; and f) describe the procedures that would be implemented to: (i) keep the local community and relevant agencies informed about the operation and environmental performance of the Development; (ii) receive, handle, respond to, and record complaints; (iii) resolve any disputes that may arise; (iv) respond to any non-compliance; and (v) respond to emergencies.			
C4.	The Applicant shall carry out the Development in accordance with the Operational Environmental Management Strategy approved by the Secretary (as revised approved by the Secretary from time to time), unless otherwise agreed by the Secretary.	+ Operational Environmental Management Strategy approved by Secretary 26/02/18	+ Operational Environmental Management Strategy	**Yes**
C5.	**Management Plan Requirements** The Applicant shall ensure that the environmental management plans/strategies required under this consent are prepared in accordance with any relevant guidelines and include: a) detailed baseline data; b) a description of:	+ Operational Environmental Management Strategy approved by Secretary 26/02/18	+ Operational Environmental Management Strategy	**Yes**

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	(i) the relevant statutory requirements (including any relevant approval, licence or lease conditions); (ii) any relevant limits or performance measures/criteria; (iii) 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; (iv) the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria; c) a program to monitor and report on the: (i) impacts and environmental performance of the Development; (ii) effectiveness of any management measures; (iii) a contingency plan to manage any unpredicted impacts and their consequences; (iv) a program to investigate and implement ways to improve the environmental performance of the Development over time; d) a protocol for managing and reporting any: (i) incidents; (ii) complaints; (iii) non-compliances with statutory requirements; and (iv) exceedances of the impact assessment criteria and/or performance criteria; and			

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SSD5300 Condition	Consent Condition	Evidence of compliance	Evidence assessed and validated by auditor	Compliant? (Y/N)
	(v) a protocol for periodic review of the plan.			
C7.	**Incident Reporting** The Applicant shall notify, at the earliest opportunity, the Secretary and any other relevant agencies of any incident that has caused, or threatens to cause, material harm to the environment. For any other incident associated with the Development, the Applicant shall notify the Secretary and any other relevant agencies as soon as practicable after the Applicant becomes aware of the incident. Within 7 days of the date of the incident, the Applicant shall provide the Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.	+ Incident reporting given in the Operational Environmental Management Strategy approved by Secretary 26/02/18 + Pollution Incident Response Management Plan + Incident reporting system on Bingo intranet + No incidents during 2019	+ Operational Environmental Management Strategy + Bingo Intranet for Incident Reporting	**Yes**
C8.	**Regular Reporting** The Applicant shall provide regular reporting on the environmental performance of the Development on a website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent.	+ Reporting given in the Operational Environmental Management Strategy approved by Secretary on 26/02/18 + The 2018 Annual Review is available on Bingo's web site (see: https://www.bingoindustries.com.au/getattachment/de095687-5875-4245-beca-5c140d3b010b/kembla-grange-annual-review-report-2018.pdf)	+ Operational Environmental Management Strategy + Bingo web site	**Yes**
C9.	**Independent Environmental Audit** Within 1 year of the Secretary's approval of the Operational Environmental Management Strategy for the Development, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the Development. This audit must: a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;	+ Independent Environmental Audit completed by Seventh Sense Sustainability Consultants Pty Ltd on 27 November 2019. + Audit was commissioned more than one year after the OEMS was approved by DPE on 26/02/18. + Delay in appointment of auditor was due to difficulty in appointing an auditor due to lack of qualified personnel in sector.	+ IEA Report by Seventh Sense Sustainability Consultants Pty Ltd	**No**

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	b) led by a suitably qualified auditor, and include experts in fields specified by the Secretary; c) include consultation with the relevant agencies; d) assess the environmental performance of the Development and assess whether it is complying with the requirements in this consent, and any other relevant approvals and relevant EPUs (including any assessment, plan or program required under the approvals); e) review the adequacy of any approved strategy, plan or program required under the abovementioned consents; and f) recommend measures or actions to improve the environmental performance of the Development, and/or any strategy, plan or program required under the consents.			
C10.	Within 6 weeks of commissioning this audit, or as otherwise agreed by the Secretary, the Applicant shall submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report.	+ IEA Report was submitted prepared by Seventh Sense Sustainability Consultants Pty Ltd on 27 November 2019.	+ Advice from Bingo	**Yes**
C11.	**Annual Review** By the end of March each year or as otherwise agreed with the Secretary, the Applicant shall review the environmental performance of the Development. This review must: a) describe the Development that was carried out in the previous calendar year, and the Development that is proposed to be carried out over current calendar year;	+ This report addresses the requirements of Condition C11 of SSD5300 + DPIE has recommended as part of the 2019 IEA, that the following items be included in the Annual Review for Kembla Grange Recycling Pty Ltd: - Details of the key IEA outcomes including progress made in implementing the plan - Details of the water re-use monitoring results from the OSDs and commentary around the suitability in	+ N/a	**Yes**

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	b) include a comprehensive review of the monitoring results and complaints records of the Development over the last calendar year, which includes a comparison of the results against the: (i) the relevant statutory requirements, limits or performance measures/criteria; (ii) requirements of any plan or program required under this consent; (iii)the monitoring results of previous years; and (iv)the relevant predictions in the EIS; c) identify any non-compliance over the last calendar year, and describe what actions were (or are being) taken to ensure compliance; d) identify any trends in the monitoring data over the life of the Development; e) identify any discrepancies between the predicted and actual impacts of the Development, and analyse the potential cause of any significant discrepancies; and f) describe what measures have or will be implemented in the current calendar year to improve the environmental performance of the Development.	relation to its re-use for dust suppression and environmental / human health risk assessment - Details of the monitoring data for the generator runtimes and diesel consumption including commentary as to whether any actions were taken to improve and/or reduce energy consumption during the period - A section detailing the status of the review and/or any revisions of management plans required under the Consent. For any revisions required of the management plans, provide a schedule for their completion and submission to the Department for approval. + These matters have been addressed in Section 2.5 of the Annual Review report.		
C12	**Revision of Strategies, Plans and Programs** Within 3 months of the submission of an: a) annual review under Condition C11 above; b) incident report under Condition C7 above; c) audit under Condition C9 above; or d) any modification to this consent,	+ Noted. + No change in management plans was required during 2018.	+ N/a	**Yes**
C14.	**Access to Information** The application shall make copies of the following publicly available on its website:	+ All documents under SSD Condition A2 are provided on publicly available web sites + IEA Report yet to be loaded to website as not approved by DPIE	+ EIS, Response to Submissions, site layout plans and	**Yes**

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	a) the documents referred to in Condition A2; b) all current statutory approvals for the development; c) all approved strategies, plans and programs required under the conditions of this consent; d) a comprehensive summary of the monitoring results of the Development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs; e) a complaint register, updated on a monthly basis; f) the annual reviews of the Development; g) any independent environmental audit of the Development, and the Applicants response to the recommendations in any audit; and h) any other matter required by the secretary; and i) keep this information up to date.		drawings and management and mitigation measures + EPA licence + Complaints Register + OEMP	
Revised Statement of Commitments 4.1	**Geotechnical Design Solutions, Works and Investigations** The following recommendations to address geotechnical constraints will be implemented by Bicorp: 1) As part of site preparation prior to construction works, all vegetation, topsoil and any uncontrolled fill will be removed. 2) Temporary surface protection against erosion will be provided in accordance with the requirements of the supervising geotechnical engineer.	+ Construction works completed + Construction process managed as per approved Construction Environment Management Plan dated 9/05/16 by KFW.	+ Construction Environment Management Plan	**Yes**

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Revised Statement of Commitments 4.2	**Groundwater** The following will be implemented by Bicorp in relation to groundwater monitoring and reporting: 1) Groundwater presence or levels will be confirmed if construction is undertaken during or following adverse weather or if a significant time period elapses between this investigation and construction. The Office of Water will be notified prior to any works occurring that are likely to intercept or extract groundwater and an estimate of the likely take of groundwater will be provided to the Office of Water to assess the need for an authorisation. 2) Quarterly Testing of the groundwater on the site will be undertaken to identify any future trends and characterise the groundwater within the local area. Monitoring will commence at least three months prior to construction commencing and the results of the groundwater monitoring programme will be provided to the Office of Water. 3) Development of a Soil and Water Management Plan to minimise the amount of surface runoff and potential migration of contamination. 4) Engineering of the development working platform to minimise the infiltration of any contaminants into the underlying soils.	+ Groundwater testing undertaken quarterly consistent with Appendix C - Soil and Water Management Plan as per Operational Environmental Management Plan approved by the Secretary 26/02/18 + Construction process managed as per approved Construction Environment Management Plan dated 9/05/16 by KFW + Quarterly groundwater monitoring done in February, May, August and November 2019 by Consulting Earth Sciences	+ Appendix C Soil and Water Management Plan as per Operational Environmental Management Plan + Construction Environment Management Plan + Quarterly groundwater monitoring done in February, May, August and November 2019 by Consulting Earth Sciences	**Yes**
Revised Statement of Commitments	**Hazards** The following measures will be implemented by Bicorp to address hazards associated with transport,	+ (1) Pollution Incident Response Management Plan sighted in Appendix F of Operational Environmental Management Plan approved by the Secretary 26/02/18 and updated 09/12/19.	+ Refer to evidence sighted	Yes

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4.3	construction, on site storage of fuels/hydrocarbons, and site operation in relation to dust, bushfire and theft: 1) Preparation of an Emergency Management/Response Plan. 2) Preparation of an Environmental Management Plan. 3) Preparation of a Work Health and Safety Plan. 4) Preparation of a Hazardous Material Management Plan. 5) Appropriate induction and training of personnel and the implementation of operator training. 6) The purchase of spill response equipment and the implementation of spill response training. 7) Emergency services (police, fire brigade) will be contacted when required. 8) The implementation of site security to limit public access, as required. 9) Procurement of firefighting equipment adequate for the level of risk and regular maintenance and testing of such equipment. 10) Preparation of a Bushfire Management Plan. 11) Regular maintenance inspections of equipment. 12) The preparation of a Traffic Management Plan. 13) Implementation of procedures to ensure that handling and storage of flammable and combustible liquids is in accordance with Australian Standards. 14) Storage and handling of all substances, including waste, under conditions that minimise the risk of fire, explosion or toxic	+ Emergency response procedures given in Section 13 of Operational Environmental Management Plan approved by the Secretary 26/02/18. + (2) EMS System under ISO 14001 in place and certified by Best Practice Industry Certification, Cert. No 72617748231E (expiry 18/02/2021) + (3) WHS System in place under AS4801 and independently audited and certified by Best Practice Industry Certification, Cert. No 72617748231S (expiry 18/02/2021) + (4) Pollution Incident Response Management Plan sighted in Appendix F of Operational Environmental Management Plan approved by the Secretary 26/02/18. + (5) Sighted procedure SOPCOM005 Induction, Competence, Training and Awareness and Training Register for 2019 + (6), (7) Pollution Incident Response Management Plan sighted in Appendix F of Operational Environmental Management Plan approved by the Secretary 26/02/18. + (8) Section 14 of Operational Environmental Management Plan approved by the Secretary 26/02/18. + (9), (10) Bushfire Management Plan in Appendix I of Operational Environmental Management Plan approved by the Secretary 26/02/18. + (11) Air Quality Management Plan as per Appendix A of Operational Environmental Management Plan approved by the Secretary 26/02/18. + (12) Traffic Management Plan in Appendix H of Operational Environmental Management Plan approved by the Secretary 26/02/18. + (13) Waste Monitoring Program as per Appendix D of Operational Environmental Management Plan approved by the Secretary 26/02/18		

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	emissions, with implementation of specific measures that address the use of solvent extraction reagents. 15) Implementation of specific procedures for high risk tasks. 16) Appropriate induction and training of personnel in emergency response (internal and external) procedures. 17) Ongoing communication with agencies such as Rural Fire Services and monitoring of risk levels in relation to fire danger ratings. 18) Vacuuming and sweeping of site, as required. 19) Procurement of spill and water cart equipment adequate for the level of risk identified for the project and regularly maintained and tested to ensure good working order. 20) If a major failure of air quality management systems occurs, processing will cease at the facility until the management system is repaired and operational.	+ (14), (15) Sighted procedure 'SWMS009 – Recycling Centre Operations' + (16) Sighted procedure 'SWMS013 – Ground staff, traffic control and tip floor management' + (17) Pollution Incident Response Management Plan sighted in Appendix F of Operational Environmental Management Plan approved by the Secretary 26/02/18 + (18) Soil and Water Management Plan as per Appendix C of Operational Environmental Management Plan approved by the Secretary 26/02/18. + (19) Sighted the site's Daily Site Supervisor Checklist + (20 Air Quality Management Plan as per Appendix A of Operational Environmental Management Plan approved by the Secretary 26/02/18.		
Revised Statement of Commitments 4.4	**Biodiversity** Bicorp commit to the implementation of the following biodiversity protection measures: 1) Retention of remnant intact native vegetation / endangered ecological communities. 2) Erection of a standard three strand wire fence around the extent of the Illawarra Subtropical Rainforest located within the area of workings to indicate and protect this particular remnant. A buffer zone of 5m will apply within this fencing.	+ Occupation Certificate as approved by Illawarra Building Certifiers 23/01/18 (Cert. No. 2306) + Construction Environment Management Plan dated 9/05/16 by KFW + Site inspection on 13/02/20 provided evidence of SOC 4.4 Commitments in place + Landscape contractor to be engaged to ensure vegetation associated with riparian corridor is managed in accordance with Vegetation Management Plan, including weed removal	+ Occupation Certificate +Construction Environment Management Plan + Site inspection 13/02/20	**Yes**

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	3) Retention of identified hollow bearing trees. 4) Retention of a 10m wide vegetated riparian corridor to protect aquatic habitats. 5) Retention of identified hollow bearing tree. 6) Revegetation of disturbed batters and landscape areas with native flora species. 7) Undertaking of weed management in accordance with the requirements of the Noxious Weeds Act (1993). 8) Removal of vegetative matter from earth moving machines prior to entering and leaving the site 9) Undertaking of weed management of the vegetated riparian buffer area in accordance with the Vegetation Management Plan prepared by Southern Habitat (Version 6, dated August 2015) 10) Rapid revegetation and/or stabilization of disturbed areas. 11) Remove windblown rubbish.			
Revised Statement of Commitments 4.5	**Vegetation** 1) The following will be implemented by Bicorp to protect the Moreton Bay Fig on the site: • Retention of a reserve as shown on the Landscape Plan dated August 2015. • Removal of the Hickory Wattles 4 & 5 (simply by cutting out with a chainsaw, not heavy machinery) which will disrupt the Fig's roots. • Removal of the Lantana infestation.	+ Occupation Certificate as approved by Illawarra Building Certifiers 23/01/18 (Cert. No. 2306) + Site inspection on 13/02/20 provided evidence of Vegetation Management Plan is in place + Landscape contractor engaged (Southern Habitat) to manage vegetation associated with riparian corridor in accordance with Vegetation Management Plan, including weed removal + Revegetation program completed at the end of 2019 and an Annual Report to be submitted to Office of Water annually	+ Occupation Certificate + Site inspection 13/02/20	Yes

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	• Retention of the small Whalebone Tree east of the Fig, and the young Moreton Bay Fig about 7m south - west of the Fig. • Secure quarantining of the Fig's reserve on the works (i.e. east) side with a steel picket and ribbon fence (known as a Tree Protection Zone/TPZ exclusion fence). • No works (apart from Lantana & Hickory removal) to be undertaken within this zone. 2) The Restoration Plan of Action, as contained in the Vegetation Management Plan, updated by Southern Habitat in August 2015 will be implemented. 3) A two (2) year maintenance programme will commence following completion of primary weed control and revegetation throughout the riparian corridor. Following this maintenance period and final report, the ongoing maintenance shall continue for the operational life of the facility. The maintenance will require the compilation and submission of an annual report to NSW Office of Water and must be prepared by a suitably qualified person/organisation. The annual report must include but is not limited to site conditions including: • Weed cover percentage • Native cover percentage • Identification and determination of actions to remedy any issues pertaining to the ongoing maintenance of the			

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SSD5300 Condition	Consent Condition	Evidence of compliance	Evidence assessed and validated by auditor	Compliant? (Y/N)
	riparian vegetation for the 12 months following the report			
4.6	**Bushfire** The following bushfire mitigation and protection recommendations will be adhered to by Bicorp: 1) The stockpiling and loading area for green waste and timber is to be confined to the western and south-western sides of the 'Indoor Processing & Storage Shed' over 100m from the riparian area or within the Indoor Processing & Storage Shed 2) The development will be serviced by a static water supply to meet the PBP requirement for a minimum amount of 20,000 litres for firefighting purposes. The water supply will be visible and readily accessible to fire fighting vehicles and a suitable connection for Rural Fire Service purposes will be made available (65 mm Storz fitting). The supply will be accessible to within 3m by firefighting appliances.	+ Site inspection on 13//02/20 confirmed correct storage of green waste and timber + 200,000L of water tank storage in place for firefighting and dust suppression along northern side of shed (regularisation SSD5300 Mod 2 application sent to DPIE for assessment on 21/02/20). + 2 x 150,000L water tanks and pump room installed on western side of site (regularisation SSD5300 Mod 2 application sent to DPIE for assessment on 21/02/20).	+ Site inspection 13/02/20	**Yes**
4.8	**Environmental and Amenity Impacts** The following flood mitigation and water quality measures will be implemented by Bicorp: 1) Up to three 100,000L rainwater tanks in addition to a permeant pool to provide for dust suppression 2) Use of recycled crushed concrete in road pavements and hardstand areas to promote infiltration and reduce the volume of surface runoff.	+ (1) 200,000L of water tank storage in place for firefighting and dust suppression along northern side of shed (regularisation SSD5300 Mod 2 application sent to DPIE for assessment on 21/02/20). + 2 x 150,000L water tanks and pump room installed on western side of site (regularisation SSD5300 Mod 2 application sent to DPIE for assessment on 21/02/20) + (2), (3), (4) As per SSD5300 plans and confirmed in site inspection on 13/02/20 + (5) Refer to Appendix C of Operational Environmental Management Plan as approved by the Secretary 26/02/18.	+ Site inspection + Operational Environmental Management Plan	**Yes**

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SSD5300 Condition	Consent Condition	Evidence of compliance	Evidence assessed and validated by auditor	Compliant? (Y/N)
	3) Provision of two OSD basis, one on either side of the watercourse 4) Capture of hydrocarbon, including two Rocla downstream defenders to capture hydrocarbons in oil and grease from runoff. A Humecepter is also to be installed upstream. 5) Implementation of an Operation and Maintenance Plan for WSUD in regard to weekly and monthly inspection and maintenance, as well as after every rainfall event >25mm, in addition to six monthly inspections and maintenance.			
4.9	**Dust and Odour Management** The following general dust mitigation will be implemented by Bicorp: 1) Material will be watered prior to it being loaded for haulage, where appropriate. 2) Watering of truck turn around and reversing areas will be undertaken with at least 2L/m^2/hr as required to control dust emissions. Any other areas that are visible sources of dust will be appropriately watered until dust impact is no longer an issue. 3) Chemical Dust suppressant spraying will be undertaken on the unsealed access road from the site office into the site. This will be undertaken as per the supplier's requirements. Additional dust suppression will be applied if dust from the road is visibly observed to be leaving the site boundary.	+ Procedures for dust and odour management are given in the Operational Environmental Management Plan as approved by the Secretary on 26/02/18 (refer to Appendix A – Air Quality Management Plan). + (1) Water supply observed during site inspection on 13/02/20, but not in use due to wet weather. + (2) Water cart observed during site inspection on 13/02/20, but not in use due to wet weather. Road sweeping contractor used for cleaning road surfaces observed on entry to the site. + (3) Chemical dust suppressants not used on the site. + (4) Crushers are fitted with water sprays to minimize dust generation. + (5) Storage piles are minimized and this was observed during the site inspection on 13/02/20 where pile heights were compliant with consent conditions. + (6) – (11) Practices were observed during the site inspection on 13/02/20. Grinding operations were not in operation during inspection. + (12) Indoor composting plant not used.	+ Operational Environmental Management Plan + Site inspection on 13/02/20. + Interview with Site Supervisor and Environmental Manager	**Yes**

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SSD5300 Condition	Consent Condition	Evidence of compliance	Evidence assessed and validated by auditor	Compliant? (Y/N)
	4) A dust suppression system will be installed and operated for the crushing plant. The system will be operated as per manufacturers' specification and used whenever dust from the crusher has the potential to be transported offsite in the direction of sensitive receptors. 5) The size of storage piles will be minimised where possible. 6) Cleared areas of land will be limited and cleared only when necessary to reduce fugitive dust emissions. 7) On site traffic will be controlled by designating specific routes for haulage and access and limiting vehicle speeds to below 25 km/hr. 8) All trucks hauling material should be covered before exiting the site and should maintain a reasonable amount of vertical space between the top of the load and top of the trailer. 9) Material spillage on sealed roads will be cleaned up as soon as practicable. 10) A rumble-strip at the interface of the sealed road and the unsealed access road will be provided. 11) Excavating operations conducted in areas of low moisture content material will be suspended during high wind speed events or water sprays will be used. The following odour mitigation measures will be implemented by Bicorp:	+ (13) Refer to Operational Environmental Management Plan as approved by the Secretary on 26/02/18 (Appendix A – Air Quality Management Plan). + (14) Minimal stockpiles of organic materials were observed during site inspection on 13/02/20. Site supervisor advised stockpiles of materials are minimized and product moved off site to ensure compliance with consent conditions in terms of volumes stored and pile height. + (15) No composting done on site, and no covers are needed on outdoor stockpile of shredded material. + (16) No odour was detectable from leachate dam during site inspection on 13/02/20. + (17) – (19) Not progressed as composting plant not currently used.		

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SSD5300 Condition	Consent Condition	Evidence of compliance	Evidence assessed and validated by auditor	Compliant? (Y/N)
	12) Design and installation of an appropriate building ventilation system at negative pressure at all times during operation. 13) A site odour management plan be developed prior to commissioning the facility with the increased capacity. 14) On site storage times of organic material will be minimised prior to processing. 15) If the chosen composting process allows, the matured compost stockpiles will be covered to reduce the ingress of water and reduce odour. 16) If the leachate pond is a significant source of odour Bicorp will investigate the use of aerators to minimise odour, enhance biological degradation and encourage evaporation. 17) Validation sampling of odour from any key odour discharge points will be undertaken after commissioning. 18) Annual odour sampling of the building ventilation stack will be undertaken. 19) If required (as demonstrated by annual odour sampling), all air will be treated in an odour control system prior to discharge.			

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A1.2 State Significant Development (5300) Mod 1 Conditions of Consent

SSD5300 Mod 1 Condition	Consent Condition	Evidence of compliance	Evidence assessed and validated by auditor	Compliant? (Y/N)
A2.	**Terms of Consent** The Applicant shall carry out the Development in accordance with the: a) EIS b) Response to Submissions c) Site layout plans and drawings (Appendix A of SSD5300) d) Management and Mitigation Measure (Appendix B of SSD5300) e) The S96(1A) Modification Application to SSD5300 prepared by Jackson Environment and Planning, dated 2017	+ Site inspection on 13/02/20 found that the site has been constructed and generally operated consistent with SSD5300 and SSD5300 Mod 1 + Facility has received final Occupation Certificate on 23/01/18 (Cert. No. 2306) + It was observed that a large ACM stockpile was quarantined on the vehicle turning / backing area on the northern side of the site, with sprinklers for dust control. Storage of waste here is not specifically in accordance with the SSD 5300 Mod 1 plans. This material has not been removed.	+ Site inspection on 13/02/20 + All consent documentation	**Yes**

A1.3 Department of Primary Industries Controlled Activity Approval

It is noted that compliance with the conditions of the Controlled Activity Approval have been indicated as 'Compliant', though this requires further consultation with the Department of Planning, Industry and Environment. This is based on legal advice provided by the applicant to the auditor that has indicated (see Appendix 2):

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Pursuant to s 4.41 Environment Planning and Assessment Act 1979 (Act) a water use approval under section 89, a water management work approval under section 90 or an activity approval (other than an aquifer interference approval) under section 91 of the Water Management Act 2000, are not required for State significant development that is authorised by a development consent granted after the commencement of the Act.

Department of Primary Industries Controlled Activity Approval Condition	Consent Condition	Evidence of compliance	Evidence assessed and validated by auditor – Jackson Environment and Planning Pty Ltd	Compliant? (Y/N)
2	The approval holder must not transfer this Controlled Activity Approval 10 ERM2009/1008 without the written approval of DPI Water.	+ Noted	+ N/a	**Yes**
3	The approval holder must keep a copy of the current Controlled Activity Approval 10 ERM2009/1008 on site at all times and make this approval available to officers from DPI Water on request.	+ Controlled Activity Approval not maintained + Applicant has cited legal advice that State Significant Developments are exempt from requiring approvals under the *Water Management Act* 2000. This is because water management considerations are included in the assessment of major projects and conditions of consent	+ Legal advice provided by Senior Legal Counsel of applicant (refer to Appendix 2). + This matter is to be resolved in discussions with DPIE and an amendment to the development consent made if required.	**Yes**
5	The approval holder must notify DPI Water in writing within 14 calendar days of any change (i) site management; (ii) land ownership; (iii) land occupation.	+ Noted	+ N/a	**N/a – refer to Condition 3**
6	The approval holder must comply with the requirements of each of the plans approved by DPI Water and stamped on 24/05/2016 as follows: i. Construction Civil Plans, Ref. KF110816, Sheets C300-C320, prepared by KFW, dated April 2016	+ Facility has received final Occupation Certificate on 23/01/18 (Cert. No. 2306)	+ Occupation certificate + Site inspection 13/02/20 + Vegetation management report from Southern	**Yes**

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Department of Primary Industries Controlled Activity Approval Condition	Consent Condition	Evidence of compliance	Evidence assessed and validated by auditor – Jackson Environment and Planning Pty Ltd	Compliant? (Y/N)
	ii. Landscape Management Plans, Ref. 1442, Sheets LC01-02, prepared by Ochre Landscape Architects, dated 22/04/2016 iii. Vegetation Management Plan (Version 7), prepared by Southern Habitat, dated October 2015	+ Site inspection on 13/02/20	Habitat dated 29th March and 12th August 2019.	
7	The approval holder must submit for approval, by DPI Water, any amendments to a plan listed in Condition 6 (six) prior to carrying out any works in relation to the approved controlled activity.	+ Noted	+ N/a	**Yes**
8	The approval holder must clearly mark on the ground, the boundaries of the areas where the controlled activity is to be carried out before the commencement of the controlled activity and maintain the markings until the works are complete.	+ Noted	+ N/a	**Yes**
11	The approval holder must provide a report on the implementation of the vegetation management plan (VMP) to DPI Water at the completion of the vegetation works at every six (6) months up to the end of the maintenance period that must include: (i) A schedule and map showing vegetation species, number and location of initial and any replacement planting and propagation materials, and (ii) The date of planting of vegetation, and (iii) The percentage of groundcover, shrubs. Trees and weeds, and (iv) Any problems that impacted the survival rates of plants including climatic, fire, flooding, and vandalism, and (v) A map of the location of any stages activities (vi) Photographs showing the revegetation works during the reporting period.	+ Letter reports dated 29 March 2019 and 12th August 2019 + Reports document progress on implementation of the VMP. + Reports have not been provided by DPI. + Applicant has cited legal advice that State Significant Developments are exempt from requiring approvals under the *Water Management Act* 2000. This is because water management considerations are included in the	+ Letter reports dated 29 March 2019 and 12th August 2019 by Southern Habitat	**Yes**

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Department of Primary Industries Controlled Activity Approval Condition	Consent Condition	Evidence of compliance	Evidence assessed and validated by auditor – Jackson Environment and Planning Pty Ltd	Compliant? (Y/N)
		assessment of major projects and conditions of consent		
14	The approval holder must relocate any unused or excess materials outside the designated riparian corridor	+ Site inspection 13/02/20 + Site compliant at time of inspection	+ Site inspection 13/02/20 + Site compliant at time of inspection	**Yes**
15	The approval holder must not leave any material which could obstruct the flow of water or damage river banks on waterfront land at anytime	+ Site inspection 13/02/20 + Site compliant at time of inspection	+ Site inspection 13/02/20 + Site compliant at time of inspection	**Yes**
16	The approval holder must remove surplus material when operations cease and the controlled activity is completed	+ Site inspection 13/02/20 + Site compliant at time of inspection	+ Site inspection 13/02/20 + Site compliant at time of inspection	**Yes**
17	The approval holder must establish all drainage control works in accordance with Construction Civil Plans, Ref. KF110816, Sheets C300-C320 prepared by KFW dated April 2016, approved by DPI Water and stamped 24/05/2016	+ Works conducted as per approved plans + Facility has received final Occupation Certificate on 23/01/18 (Cert. No. 2306) as evidence of completion of works as per approved plans	+ Occupation Certificate	**Yes**
18	The approval holder must direct runoff from the site or from other river or drains of the base of the bank of the river or low flow water level by either a pipe or lined channel in accordance with Construction Civil Plans, Ref. KF110816, Sheets C300-C320 prepared by KFW dated April 2016, approved by DPI Water and stamped 24/05/2016	+ Works conducted as per approved plans + Facility has received final Occupation Certificate on 23/01/18 (Cert. No. 2306) as evidence of completion of works as per approved plans	+ Occupation Certificate	**Yes**
19	The approval holder must construct stormwater outlets so that they point downstream	+ Works conducted as per approved plans	+ Occupation Certificate	**Yes**

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Department of Primary Industries Controlled Activity Approval Condition	Consent Condition	Evidence of compliance	Evidence assessed and validated by auditor – Jackson Environment and Planning Pty Ltd	Compliant? (Y/N)
		+ Facility has received final Occupation Certificate on 23/01/18 (Cert. No. 2306) as evidence of completion of works as per approved plans		
20	The approval holder must use only biodegradable materials for any erosion control matting in the riparian corridor	+ Works conducted as per approved plans + Facility has received final Occupation Certificate on 23/01/18 (Cert. No. 2306) as evidence of completion of works as per approved plans	+ Occupation Certificate	Yes
22	The approval holder must (i) implement erosion and sediment control measures in accordance with the requirements of the Managing Urban Stormwater Manual, Volume 1, Soils and Construction (Landcom, 4th Edition, March 2004) prior to any works commencing at the site, and (ii) maintain the control measures for the duration of the approval to prevent sediment and dirty water entering the waterway	+ Works conducted as per approved plans + Facility has received final Occupation Certificate on 23/01/18 (Cert. No. 2306) as evidence of completion of works as per approved plans	+ Occupation Certificate	Yes
23	The approval holder must only conduct works in the river during periods of low flow	+ Noted as per approved Construction Environment Management Plan	+ Construction Environment Management Plan	Yes
24	The approval holder must revegetate all areas identified in the approved Vegetation Management Plan (Version 7), prepared by Southern Habitat, dated October 2015, in accordance with Landscape Management Plans, Ref. 1442, Sheets LC01-02, prepared by Ochre Landscape Architects, dated 22/04/2016, stamped by DPI Water on 24/05/2016. The approval holder must monitor and	+ Works conducted as per approved plans + Facility has received final Occupation Certificate on 23/01/18 (Cert. No. 2306) as	+ Occupation Certificate	Yes

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Department of Primary Industries Controlled Activity Approval Condition	Consent Condition	Evidence of compliance	Evidence assessed and validated by auditor – Jackson Environment and Planning Pty Ltd	Compliant? (Y/N)
	maintain revegetation works for a period of 2 years in accordance with the approved vegetation management plan.	evidence of completion of works as per approved plans		

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A1.4 Pollution Incident Response Management Plan

Pollution Incident Response Management Plan Chapter	Consent Condition	Evidence of compliance	Evidence assessed and validated by auditor – Jackson Environment and Planning Pty Ltd	Compliant? (Y/N)
3.1.1	**Leachate Collection System** all leachate generated from the indoor composting activities is collected and stored in leachate tanks, which will be pumped out and disposed of to sewer as required or reused as a moisture source for the composting operations.	+ Composting not currently done on site	+ Site inspection 13/02/20	**Yes**
3.2	**Management of material to site** Pre-emptive measures that are in place to prevent a pollution incident as a result of unscheduled or non-permissible material being deposited on site are: • signage to indicate the types of waste allowed and those prohibited; • entry via the weighbridge; • customer declaration of waste; • incoming waste is screened and classified at the weighbridge and CCTV is available to visually inspect loads within trucks; • screening and checking waste at tipping and processing areas; • recording of all information and archived for at least four years; • special waste to be immediately notified to the plant operator; and • regular training of staff supervising tipping and screening of waste in waste classification procedures. If a material is to be delivered under a resource recovery exemption, the material is required to comply with the conditions of a current general exemption or a specific exemption designated for this material. All resource recovery exemptions are made under clauses 51 and 51A of the Protection of the Environment Operations (Waste) Regulation 2005.	+ Site inspection on 13/02/20and checking of induction procedures confirmed compliance with these requirements. + Training register sighted with details on Asbestos Awareness, POEO Act, EPA licence and EPA Minimum Standards for Managing Construction Waste in NSW training	+ Site inspection 13/02/20 + Bingo Training Needs Register	**Yes**

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Pollution Incident Response Management Plan Chapter	Consent Condition	Evidence of compliance	Evidence assessed and validated by auditor – Jackson Environment and Planning Pty Ltd	Compliant? (Y/N)
10.2	A review of ongoing training requirements should be conducted on an annual basis and established based on but not limited to: changes in procedures; changes in regulations; changes in equipment; errors or deficiencies in job performance; and errors in data reporting.	+ Bingo Training Needs Register sighted + Daily and weekly toolbox talks occur and these items are addressed	+ Bingo Training Needs Register + Interview with Site Supervisor	**Yes**
10.3.2	**A simulated test of the PIRMP is to be undertaken annually.** The planning of this exercise is to be undertaken by the Operations Manager. The goal of this exercise is to provide a situation that is reflective of an incident that may be encountered on site. Safety is paramount for this exercise and no actual hazard should be conducted (such as the lighting of a fire) these will include: • Spill; or • Fire.	+ Interview with Site Supervisor advised this occurs at least once yearly + Date of late test was 16/04/19	+ Interview with Site Supervisor	**Yes**
11.1	**Manner in which the plan is to be tested and maintained** The testing of the plan is going to be based on an annual review of the plan in relation to the simulated testing, incident reporting for the past year and any changes in procedures and processes that occurs on site. The simulation and evacuation drill used to test the practical effectiveness of the plan and define areas of improvement. Reporting of incidents will be used to highlight areas of improvement in the plan. Annual reviews will be used to implement any changes that have occurred in the process of running the site or regulations of operating under this licence	+ Interview with Site Supervisor advised this occurs at least once yearly + Date of late test was 16/04/19	+ Interview with Site Supervisor	**Yes**

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Pollution Incident Response Management Plan Chapter	Consent Condition	Evidence of compliance	Evidence assessed and validated by auditor – Jackson Environment and Planning Pty Ltd	Compliant? (Y/N)
11.2	**Review of the Plan** The review is to be conducted annually from the date of the first version of the document: • the document is to be reviewed if there is any significant change in process or operation on the site; • the document is to be reviewed where there is a change in the legislation or the requirements of the Environmental Protection Licence; • the document is to be reviewed where the testing of the plan identifies a failure or inefficiency; and • a review is required to be completed within 30 days of a pollution incident.	+ PIRMP last updated on 09/12/19.	+ Operational Environmental Management Plan	**Yes**

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A1.5 Soil and Water Management Plan

Soil and Water Management Plan	Consent Condition	Evidence of compliance	Evidence assessed and validated by auditor – Jackson Environment and Planning Pty Ltd	Compliant? (Y/N)
4.4	**Site quarterly groundwater monitoring** Groundwater wells to be sampled once every three months upstream and downstream of the development. Quarterly reports to be provided to the Office of Water.	+ Groundwater testing undertaken quarterly consistent with Appendix C - Soil and Water Management Plan as per Operational Environmental Management Plan approved by the Secretary 26/02/18.	+ Operational Environmental Management Plan	**Yes**
6.1	**Inspections and Monitoring** Surface water monitoring will be undertaken within the OSD immediately prior to the overflow point and every six months, in accordance with M2 of EPL 20601. Grab samples will be collected from the OSD and samples analysed for pH and total suspended sediment concentrations. Concentrations will be compared to the concentration limits specified for that pollutant under EPL 20601. Groundwater wells upstream and downstream of the development will be sampled and tested on a quarterly basis, with results provided to the Office of Water as required.	+ Soil and Water Management Plan as per the approved Operational Environmental Management Plan (Appendix C).	+ Operational Environmental Management Plan + Interview with Environmental Manager	**Yes**
6.2	**Reporting** A quarterly report will be produced by the Environment and Quality Manager to summarise all monitoring results.	+ Consultant appointed to conduct monitoring in accordance with Operational Environmental Management Plan	+ Advice from Environmental Manager	**Yes**

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A1.6 Air Quality Management Plan

Air Quality Management Plan	Consent Condition	Evidence of compliance	Evidence assessed and validated by auditor – Jackson Environment and Planning Pty Ltd	Compliant? (Y/N)
6.2	**Meteorological Monitoring** Daily conditions will be recorded in the site diary and will be used to determine if/when unfavourable weather conditions might impact operational activities.	+ Records made by Site Supervisor in the Daily Site Supervisor Checklist + Meteorological station was in operation all 2019 though it was decommissioned on 12/02/20 and is being replaced + For the purposes of the 2019 audit, this management action has been complied with	+ Daily Site Supervisor Checklist + Weather station data	**Yes**
6.3	**Reporting** A quarterly report will be produced by the Environment and Quality Manager to summarise all monitoring results.	+ As per Operational Environmental Management Plan approval from DPE on 26/02/18	+ Operational Environmental Management Plan	**Yes**

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A1.7 Operational Environmental Management Plan

Operational Environmental Management Plan Chapter	Consent Condition	Evidence of compliance	Evidence assessed and validated by auditor – Jackson Environment and Planning Pty Ltd	Compliant? (Y/N)
8.2	**Review and Corrective Action** The requirements for the document review are: • The review is to be conducted annually from the date of the first version of the document; • The document is to be reviewed if there is any significant change in process or operation on the site; • The document is to be reviewed where there is a change in the legislation or the requirements of the Environmental Protection Licence; • The document is to be reviewed where the testing of the plan identifies a failure or • inefficiency; and • · A review is required to be completed within 30 days of a pollution incident (as per the • Pollution Incident Response Management Plan).	+ Operational Environmental Management Plan finalized and approved by the Secretary on 26/02/18 + Annual review to be performed on as required following any incident	+ Operational Environmental Management Plan	**YES**

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Operational Environmental Management Plan Chapter	Consent Condition	Evidence of compliance	Evidence assessed and validated by auditor – Jackson Environment and Planning Pty Ltd	Compliant? (Y/N)
10	**Complaints and Dispute Resolution** All complaints are to be lodged into the Complaints Register. Once a complaint is lodged in the Complaints Register, the relevant personnel (as delegated by the Environment Manager) will provide an initial verbal response to the complainant (immediately if the matter is urgent or otherwise within 24 hour of the complaint) and will investigate or action the complaint if necessary.	+ Complaints register maintained as part of the company's intranet and published online (see https://www.bingoindustries.com.au/getattachment/recycling-centres/recycling-centres-sydney-and-surrounds/KEMBLA-GRANGE/COMPLAINTS-REGISTER-EPL20601-31-01-2020.pdf?lang=en-AU) + System is in place for review and response to all complaints	+ Complaints register + Interview with Environmental Manager	**Yes**
15	**Training** All employees, contractors and utility staff working on site will undergo site induction training (which includes environmental due diligence training) and environmental training in relation to environmental management. Records will be kept of all personnel undertaking the site induction and training, including the contents of the training, date and name of trainer/s.	+ Sighted procedure SOPCOM005 Induction, Competence, Training and Awareness + All records of training entered into the Bingo Training Needs Register	+ SOPCOM005 Induction, Competence, Training and Awareness + Bingo Training Needs Register	**Yes**

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A1.8 Environment Protection Licence

<table>
<tr><th>Environment Protection Licence Condition</th><th>Consent Condition</th><th>Evidence of compliance</th><th>Evidence assessed and validated by auditor – Jackson Environment and Planning Pty Ltd</th><th>Compliant ? (Y/N)</th></tr>
<tr><td>A1.1</td><td>This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation. Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.
<table>
<tr><th>Scheduled Activity</th><th>Fee Based Activity</th><th>Scale</th></tr>
<tr><td>Composting</td><td>Composting</td><td>> 5000 - 50000 T annual capacity to receive organics</td></tr>
<tr><td>Resource recovery</td><td>Recovery of general waste</td><td>Any general waste recovered</td></tr>
<tr><td>Waste storage</td><td>Waste storage - other types of waste</td><td>Any other types of waste stored</td></tr>
</table></td><td>+ Facility currently complying with EPA Licence 20601 limit condition of 230,000 tpa
+ Audit of WARRP data, total waste received in 2019 was 70,775.25 tonnes</td><td>+ EPA WARRP data for 2019</td><td>Yes</td></tr>
<tr><td>P1.2</td><td>The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point.
<table>
<tr><th colspan="4">Water and land</th></tr>
<tr><th>EPA Identification no.</th><th>Type of Monitoring Point</th><th>Type of Discharge Point</th><th>Location Description</th></tr>
<tr><td>1</td><td>Surface Water Monitoring and Discharge</td><td>Surface Water Monitoring and Discharge</td><td>Pit downstream of Detention Pond referenced as Pit 8A in the drawing titled "Proposed Industrial Development, Lot 10 DP 878167, Wyllie Road, Kembla Grange, Site Plan" drawing no. C307 dated April 2016 (EPA ref. no. DOC18/153547).</td></tr>
</table></td><td>+ Monitoring point is maintained, with sampling conducted in February, May and November 2019.</td><td>+ Pollutant monitoring data published at: https://www.bingoindustries.com.au/getattachment/recycling-centres/recycling-centres-sydney-and-surrounds/KEMBLA-GRANGE/Pollutant-Monitoring-Results-EPL20601-1102.pdf?lang=en-AU
+ Consulting Earth Sciences (2019). Monitoring Summary Report (2018/2019) for Kembla Grange Recycling Centre (dated 17 December 2019)</td><td>Yes</td></tr>
</table>

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<table>
<tr><th>Environment Protection Licence Condition</th><th>Consent Condition</th><th>Evidence of compliance</th><th>Evidence assessed and validated by auditor – Jackson Environment and Planning Pty Ltd</th><th>Compliant ? (Y/N)</th></tr>
<tr><td>L2.1</td><td>For each monitoring/discharge point or utilisation area specified in the table\s below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.

POINT 1
<table><tr><th>Pollutant</th><th>Units of Measure</th><th>50 Percentile concentration limit</th><th>90 Percentile concentration limit</th><th>3DGM concentration limit</th><th>100 percentile concentration limit</th></tr><tr><td>pH</td><td>pH</td><td></td><td></td><td></td><td>6.5-8.5</td></tr><tr><td>Total suspended solids</td><td>milligrams per litre</td><td></td><td></td><td></td><td>30</td></tr></table></td><td>+ No pond discharges occurring in 2019, therefore testing was not possible.
+ Sampling of pond water conducted in February, May and November 2019, though no samples were taken as ponds were dry (due to drought)</td><td>+ Pollutant monitoring data published at: https://www.bingoindustries.com.au/getattachment/recycling-centres/recycling-centres-sydney-and-surrounds/KEMBLA-GRANGE/Pollutant-Monitoring-Results-EPL20601-1102.pdf?lang=en-AU
+ Consulting Earth Sciences (2019). Monitoring Summary Report (2018/2019) for Kembla Grange Recycling Centre (dated 17 December 2019)</td><td>Yes</td></tr>
<tr><td>L3.1</td><td>The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled “Waste” and meeting the definition, if any, in the column titled “Description” in the table below.

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

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

This condition does not limit any other conditions in this licence.</td><td>+ Waste Monitoring Program as approved by the Secretary DPE on 26/02/18
+ Bingo Training Needs Register sighted
+ SOP-YA003 Asbestos at Recycling Centres procedure sighted
+ OPL-YA040 Unexpected asbestos finds – site sighted</td><td>+ Waste Monitoring Program (Appendix D of Operational Environmental Management Plan)
+ Bingo Training Needs Register with details on asbestos removal training
+ SOP-YA003 Asbestos at Recycling Centres procedure
+ OPL-YA040 Unexpected asbestos finds</td><td>Yes</td></tr>
</table>

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Environment Protection Licence Condition	Consent Condition	Evidence of compliance	Evidence assessed and validated by auditor – Jackson Environment and Planning Pty Ltd	Compliant ? (Y/N)
L3.2	The authorised amount of waste permitted on the premises cannot exceed 45,000 tonnes at any time.	+ Audit of WARRP data for 2019 suggested the site complied with this requirement at all times.	+ EPA WARRP data for 2019	**Yes**
L3.3	The total combined quantity of unprocessed and processed garden waste and wood waste must not exceed 2,500 cubic metres on the premises at any time. Note: The total combined quantity of unprocessed and processed garden waste and wood waste stored at the premises forms part of the authorised amount.	+ Site inspection done on 13/02/20.	+ Visual inspection of stockpiles on 13/02/20	**Yes**
L3.4	The total quantity of compost stored at the licensed premises must not exceed 500 cubic metres at any one time. Note: The quantity of compost stored at the licensed premises forms part of the total combined quantity of the garden waste and wood waste permitted to be stored at the premises at any one time and the authorised amount.	+ Site inspection done on 13/02/20. + No composting is done on site.	+ Visual inspection of stockpiles on 13/02/20	**Yes**
L3.5	The total quantity of waste processed at the premises must not exceed 871 tonnes per day.	+ Waste Monitoring Program as approved by the Secretary DPE on 26/02/18	+ Waste Monitoring Program (Appendix D of Operational Environmental Management Plan)	**Yes**
L3.6	The total quantity of waste received at the premises must not exceed 230,000 tonnes per annum	+ Facility currently complying with EPA Licence 20601 limit condition of 230,000 tpa + Audit of WARRP data, total waste received in 2019 was 70,775.25 tonnes	+ EPA WARRP data for 2019	**Yes**

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Environment Protection Licence Condition	Consent Condition	Evidence of compliance	Evidence assessed and validated by auditor – Jackson Environment and Planning Pty Ltd	Compliant ? (Y/N)
L4.1	The licensee is only permitted to receive deliveries and operate machinery at the following times: a) Monday - Saturday between the hours of 7am and 6pm; b) Sunday between the hours of 8am to 4pm; and c) At no time on public holidays	+ Site inspection done on 13/02/20. + Advice from operations manager.	+ Site inspection done on 13/02/20. + Advice from operations manager.	**Yes**
L4.2	The licensee is permitted to carry out all operational activities, excluding those outlined in Condition L4.1, at the following times: a) Monday - Saturday between the hours of 6am and 6pm; b) Sunday between the hours of 8am to 4pm; and c) At no time on public holidays	+ Site inspection done on 13/02/20. + Advice from operations manager.	+ Site inspection done on 13/02/20. + Advice from operations manager.	**Yes**
L4.3	Conditions L4.1 and L4.2 do not apply if a delivery is required by police or other authorities; and/or there is an on-site emergency that poses an immediate danger to personnel or equipment; and/or the operation or personnel or equipment are endangered. In such circumstances, prior notification shall be provided to the EPA and affected residents as soon as possible, or within a reasonable period in the case of emergency.	+ Not applicable as no emergency or incident occurred in 2019.	+ Not applicable as no emergency or incident occurred in 2019.	**Yes**
O3.2	The premises must be maintained in a condition which prevents the emission of dust from the premises.	+ All waste processing operations on-site inspection on 13/02/20 appears to be compliant with consent condition and Operational Environmental Management Plan and Appendix A – Air Quality Management. As approved by Secretary	+ Operational Environmental Management Plan and Appendix A – Air Quality Management. + Site inspection on 13/02/20.	**Yes**

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Environment Protection Licence Condition	Consent Condition	Evidence of compliance	Evidence assessed and validated by auditor – Jackson Environment and Planning Pty Ltd	Compliant ? (Y/N)
		+ No composting activities inside building are currently being performed. + Only mulching and temporary storage on bunded pad outdoors in designated storage area. + Surface wetting of piles observed for dust control. + Sprinkler system observed designated above waste storage bays.		
O3.3	The licensee must ensure that no material, including sediment or oil, is tracked from the premises.	+ Soil and Water Management Plan Program as approved by the Secretary DPE on 26/02/18 + Daily Supervisor Checklist inspected for details on daily checks on water management system + Street sweeper observed in operation during site inspection on 13/02/20.	+ Soil and Water Management Plan Program (Appendix C of Operational Environmental Management Plan) + Site inspection across entire site 13/02/20 + Daily Supervisor Checklist	**Yes**
O3.4	Trucks entering and leaving the premises that are carrying loads must be covered at all times, except during loading and unloading	+ Operational Environmental Management Plan and Appendix A – Air Quality Management.	+ Operational Environmental Management Plan and Appendix A – Air Quality Management. + Site inspection on 13/02/20.	**Yes**

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Environment Protection Licence Condition	Consent Condition	Evidence of compliance	Evidence assessed and validated by auditor – Jackson Environment and Planning Pty Ltd	Compliant ? (Y/N)
		+ Site inspection on 13/02/20. + All vehicles observed to be untarping prior to entry on 13/02/20.		
O4.1	Clean stormwater must be diverted away from all areas where waste is located.	+ Soil and Water Management Plan Program as approved by the Secretary DPE on 26/02/18 + Daily Supervisor Checklist inspected for details on daily checks on water management system + Site inspection on 13/02/20.	+ Site inspection on 13/02/20. + Daily Supervisor Checklist inspected for details on daily checks on water management system,	**Yes**
O5.1	All stockpiles of unprocessed or processed garden waste, wood waste or compost stored outside must not exceed 3 metres in height.	+ Site inspection on 13/02/20. + Daily Supervisor Checklist inspected.	+ Site inspection on 13/02/20. + Daily Supervisor Checklist.	**Yes**
O5.2	All stockpiles of waste (excluding garden waste, wood waste and compost) stored outside must not exceed 5 metres in height.	+ Site inspection on 13/02/20. + Stockpile height markings on shed for guidance viewed. + Daily Supervisor Checklist inspected.	+ Site inspection on 13/02/20. + Daily Supervisor Checklist.	**Yes**
O5.3	All paper, cardboard or plastic stored outside must be within a compacted bale or a covered enclosure that prevents the waste becoming windblown litter.	+ No paper, cardboard or plastic stored outside.	+ Not applicable. + Site inspection on 13/02/20.	**Yes**

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Environment Protection Licence Condition	Consent Condition	Evidence of compliance	Evidence assessed and validated by auditor – Jackson Environment and Planning Pty Ltd	Compliant ? (Y/N)
		+ Site inspection on 13/02/20.		
O5.4	All composting carried out at the premises must be undertaken in a fully enclosed building under negative atmospheric pressure.	+ Composting not performed on site. + Site inspection on 13/02/20.	+ Not applicable. + Site inspection on 13/02/20.	Yes
O5.5	All compost and mulch products stored outside must be covered with a cover that prevents rainwater infiltration.	+ No compost stored on site. + Mulching is not done, however, piles are covered in wet weather based on advice from operations manager.	+ Site inspection on 13/02/20. + Interview with site manager.	Yes
O5.6	Any waste received at the premises must be assessed and classified in accordance with the EPA Waste Classification Guidelines as in force from time to time.	+ Waste Monitoring Program as approved by the Secretary DPE on 26/02/18	+ Waste Monitoring Program (Appendix D of Operational Environmental Management Plan)	Yes
O5.7	The licensee must not cause or permit the burning of any waste at the premises.	+ No burning conducted at premises.	+ Not appliable.	Yes
M2.1	For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:	+ Monitoring point is maintained, with sampling conducted in February, May and November 2019.	+ Pollutant monitoring data published at: https://www.bingoindustries.com.au/getattachment/recycling-centres/recycling-centres-sydney-and-surrounds/KEMBLA-GRANGE/Pollutant-Monitoring-Results-EPL20601-1102.pdf?lang=en-AU	Yes

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<table>
<tr><th>Environment Protection Licence Condition</th><th>Consent Condition</th><th>Evidence of compliance</th><th>Evidence assessed and validated by auditor – Jackson Environment and Planning Pty Ltd</th><th>Compliant ? (Y/N)</th></tr>
<tr><td></td><td></td><td></td><td>+ Consulting Earth Sciences (2019). Monitoring Summary Report (2018/2019) for Kembla Grange Recycling Centre (dated 17 December 2019)</td><td></td></tr>
<tr><td>M2.2</td><td>Water and/ or Land Monitoring Requirements

POINT 1
<table><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th></tr><tr><td>pH</td><td>pH</td><td>Special Frequency 1</td></tr><tr><td>Total suspended solids</td><td>milligrams per litre</td><td>Special Frequency 1</td></tr></table></td><td>+ Monitoring point is maintained, with sampling conducted in February, May and November 2019.</td><td>+ Pollutant monitoring data published at: https://www.bingoindustries.com.au/getattachment/recycling-centres/recycling-centres-sydney-and-surrounds/KEMBLA-GRANGE/Pollutant-Monitoring-Results-EPL20601-1102.pdf?lang=en-AU
+ Consulting Earth Sciences (2019). Monitoring Summary Report (2018/2019) for Kembla Grange Recycling Centre (dated 17 December 2019)</td><td>Yes</td></tr>
<tr><td>M4.1 – M4.2</td><td>The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies. M4.2 The record must include details of the following:
a) the date and time of the complaint;
b) the method by which the complaint was made;
c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
d) the nature of the complaint;
e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and</td><td>+ Complaints register inspected 13/02/20.</td><td>+ Complaints register.</td><td>Yes</td></tr>
</table>

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Environment Protection Licence Condition	Consent Condition	Evidence of compliance	Evidence assessed and validated by auditor – Jackson Environment and Planning Pty Ltd	Compliant ? (Y/N)
	f) if no action was taken by the licensee, the reasons why no action was taken.			
M4.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	+ Complaints register inspected 13/02/20.	+ Complaints register.	Yes
M5.1	The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.	+ Complaints register inspected 13/02/20. + Signage on gate and contact details on website observed.	+ Complaints register. + Gate signage. + Web site.	Yes

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Appendix 2: Legal advice from applicant - Controlled Activity Approval

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From:	Nick Ferguson
To:	Tom O"Brien
Cc:	Ros Dent
Subject:	RE: Kembla Grange - Controlled Activity Approval
Date:	Wednesday, 14 August 2019 3:04:23 PM
Attachments:	image438325.png image557753.png image406380.png image569416.png image999764.png image456215.png image771455.png image682142.png image844969.png image523633.png image277856.png image131251.png

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Hi Tom

My review indicates that the Controlled Activity Approval 10 EMR2009/1008 (**CAA**) no longer applies (ie it is no longer a relevant matter to consider in any Annual Review - there is no longer any requirement to comply with it).

Reasoning

1. CAA was issued in relation to DA-2009/1153 (which was an integrated development application submitted to the Council)

2. DA-2009/1153 has been surrendered as a condition of SSD 5300 approval (and Council's DA tracker notes the DA as surrendered)

3. Controlled Activity Approvals do not apply to SSD approved projects (section 4.41 EPA Act).

We need to tell the consultants that the CCA is not a relevant matter to consider – as they did consider it in the 2018 Annual Review notwithstanding that it was no longer applicable (the DA was surrendered on 03.11.2016)

Kind Regards,

Nick Ferguson
Legal Counsel - Environment and Planning (Secondee)
(M) 0455 157 144

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detected.

From: Tom O'Brien <Thomas.OBrien@bingoindustries.com.au>
Sent: Wednesday, 14 August 2019 10:06 AM
To: Nick Ferguson <Nick.Ferguson@bingoindustries.com.au>
Cc: Ros Dent <Ros.Dent@bingoindustries.com.au>
Subject: Kembla Grange - Controlled Activity Approval

Hi Nick,

As discussed, could you please review the attached document and provide feedback on whether you believe it's a requirement to resubmit for another Controlled Activity permit or not.

There are however a few concerns with having to resubmit for approval;

- Condition 6 - i, ii and iii
- Condition 8
- Condition 11 – please discuss with me if you need more clarification on this
- Condition 13