

Operational Compliance Report

Tomago Resource Recovery Facility and Truck Parking Depot

REMONDIS Australia Pty Ltd

Reporting period: 15 August 2023 – 14 August 2024

Application number: SSD 10447

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Revision	Authors	Date	Reviewer	Approved for issue	Date
A	E. Leahy & R. Mulholland	27/11/2024	Guy Raithby-Veall	Guy Raithby-Veall	29/11/2024

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Executive Summary

This Operational Compliance Report relates to activities undertaken at REMONDIS' Resource Recovery Facility and Truck Parking Depot at 21D and 21F School Drive, Tomago (Lot 11, DP 270328 and Lot 8, DP 270328) and a small amount of land north of 21D School Drive, referred to as Lot 2 / DP 1278541 (the Facility).

This report has been developed in order to satisfy condition C14 of the NSW Government Department of Planning, Industry and Environment Compliance Reporting Post Approval Requirements (2020) for SSD 10447.

The project is currently in its operational phase. The compliance report declaration has been signed by Guy Raithby-Veall, National Environment and Sustainability Manager, and can be found in Appendix C – Compliance Report Declaration Form.

This is the second compliance report submitted under SSD 10447, however no Independent Environmental Audit (IEA) has been undertaken in this reporting period. The next IEA will be undertaken in 2026.

This Operational Compliance Report period relates to the operational period between August 15, 2023, and August 15, 2024. The development has been assessed to be generally compliant with the conditions of Development Consent SSD 10447. Only one non-compliance was identified during the assessment.

1.0 Introduction

1.1 Site address

REMONDIS Resource Recovery Facility and Truck Parking Depot (Lot 11, DP 270328 and Lot 8, DP 270328) 21D and 21F School Drive, Tomago, NSW 2322.

1.2 Project activities

The Facility commenced operation on 15 August 2022 and has been fully operational since. Activities undertaken throughout the reporting period include:

- Continuation of operations in accordance with Development Consent for SSD 10447
- Standard site operations, including:
 - A fully integrated Materials Recovery Facility for sorting and processing:
 - General solid waste (non-putrescible) (60%); and
 - Construction and demolition waste (non-putrescible) (40%);
 - A Cardboard Baling Facility for source separated cardboard collected from businesses;
 - A Packaged Food Recycling Plant, which accepts packaged foods and drinks, separating the food contents and packaging for recycling;
 - A Garden Organics Primary Processing plant, which receives, decontaminates, and shreds woody garden organics for off-site composting;
 - A Hazardous Waste Recycling Facility, for sorting and aggregating a range of spent solid materials and liquids containing oils and chemicals;
 - A Copper Processing area; and
 - A Metals Recycling Facility.
- Submission of SSD-10447-Mod-1: Additional waste types and increase in processing limits
- Commenced the process of gaining an Occupancy Certificate in Building 2
- Preparation of this Operational Compliance Report

1.3 Project footprint

Figure 1 Project footprint outlines the extent of the project footprint. Approximate site boundaries are shown in yellow for 21D School Drive and in blue for 21F School Drive.

Figure 1 Project footprint



1.4 Key personnel

The names and contact details of the key personnel responsible for the environmental and compliance management of the Facility are listed below in Table 1.

Table 1 Key personnel responsible for the environmental/compliance management of the development

Name	Organisation	Position	Contact Details
Ben Hope	REMONDIS Australia Pty Ltd	General Manager – NSW	Ben.Hope@remondis.com.au
Steven Hassett	REMONDIS Australia Pty Ltd	Senior HSEQ Advisor NSW/ACT	Steven.Hassett@remondis.com.au
Guy Raithby-Veall	REMONDIS Australia Pty Ltd	National Environment and Sustainability Manager	Guy.Raithby-Veall@remondis.com.au
Rachael Mulholland	REMONDIS Australia Pty Ltd	Environment and Sustainability Advisor	Rachael.Mulholland@remondis.com.au

2.0 Compliance Status Summary

2.1 Descriptors

The following descriptors were used to record the status of each compliance requirement.

Status	Description
Compliant	The proponent has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with.
Non-compliant	The proponent has identified a non-compliance with one or more elements of the requirement.
Not triggered	A requirement has an activation or timing trigger that has not been met at the phase of the development when the compliance assessment is undertaken, therefore an assessment of compliance is not relevant.

2.2 Total Number of Non-Compliances

Compliance performance was determined from a review of documentation, observations and interviews with site representatives. Table 2 outlines a summary of the status findings. Full details of the findings are documented within Appendix A – Compliance Table.

Table 2 Compliance status findings

Status	Findings
Compliant	93
Non-compliant	1
Not triggered	35
Total requirements	129

3.0 Non-Compliances

Refer to Appendix A – Compliance Table for details of non-compliances identified during the reporting period, including:

- Relevant compliance requirement and its ID;
- Details of the non-compliance, the date/s it occurred and the date/s it was identified;
- The agency, or agencies to whom the non-compliance was reported;
- Any formal enforcement action that has been taken by regulators; and
- The proponent’s response that has been implemented, or is proposed to be, to address the non-compliance, including details of timing for undertaking such actions.

The development has been assessed to be generally compliant with the conditions of Development Consent SSD 10447. One non-compliance was identified during the assessment, which has been outlined in Table 3.

Table 3 Summary of non-compliances

ID	Status	Condition of Consent & Requirement	Audit Finding Details	Recommendation
A27	Non-compliance	Before the issuing of the Occupation Certificate for the development the Applicant must demonstrate that the carrier has confirmed in writing it is satisfied that the fibre ready facilities are fit for purpose.	<p>This item is considered as non-compliant because the communication provided by Telstra was dated after the issue date of both Occupation Certificates listed below.</p> <ul style="list-style-type: none">- Newcert (1 June 2022) Occupation Certificate 21-057-OC1- Newcert (3 August 2022) Occupation Certificate 21-057-OC2	No further action is required as confirmation document from Telstra has been obtained and this condition will always be non-compliant.



WORKING FOR THE FUTURE

4.0 Previous Report Actions

Actions noted within the previous Operational Compliance Report for the project are summarised below.

Table 4 Summary of previous report actions

ID	Condition of Consent & Requirement	Non-Compliance	Recommendation	Progress	Outcome
A27	Before the issuing of the Occupation Certificate for the development the Applicant must demonstrate that the carrier has confirmed in writing it is satisfied that the fibre ready facilities are fit for purpose.	<p>This item is considered as non-compliant because the communication provided by Telstra was dated after the issue date of both Occupation Certificates listed below.</p> <ul style="list-style-type: none"> - Newcert (1 June 2022) Occupation Certificate 21-057-OC1 - Newcert (3 August 2022) Occupation Certificate 21-057-OC2 	No further action is required as confirmation document from Telstra has been obtained.	Condition will always be non-compliant; therefore, no further action has been taken.	Closed – Non-compliant
B24	<p>The Applicant must design, construct, and operate a stormwater management system for the development that:</p> <ul style="list-style-type: none"> a) Is designed by a suitably qualified and experienced person(s) in accordance with the conceptual design in the EIS; b) Be in accordance with the applicable Australian Standards; c) Designed in accordance with <i>Australian Rainfall and Runoff</i> (Engineers Australia, 2016) and <i>Managing Urban Stormwater: Council Handbook</i> (EPA, 1997) guidelines; d) Designed to: <ul style="list-style-type: none"> i. Divert existing clean surface water around operational areas of the site; 	<p>This item is considered as non-compliant as there is insufficient evidence that the OSD has been constructed as per design plans by Northrop.</p>	Confirmation should be obtained from Northrop to confirm that the OSD system has been completed per the design.	<p>Record sighted.</p> <ul style="list-style-type: none"> - Northrop letter dated 23 February 2024, addressed to Rachael Mulholland, authored by Ben Clark. "We, Northrop Engineers Pty Ltd, being professional engineers, certify that... based on the WAE survey and periodic inspections, the stormwater design and levels for the hardstand generally conform with the design plans and has been installed and is operating in accordance with the requirements of the Development Consent (10447)." - Photographs of the completed OSD system dated May 2023. 	Closed – Compliant

ID	Condition of Consent & Requirement	Non-Compliance	Recommendation	Progress	Outcome
	<ul style="list-style-type: none"> ii. Prevent discharge or leachate from the buildings into the stormwater system; and iii. Capture all wastewater from the truck wash. <p>e) Designed to ensure peak stormwater flows from the site do not exceed pre-development flows in any downstream areas for 24 hours rainfall events up to and including the 1% AEP;</p> <p>f) Achieves the pollutant reduction targets in Port Stephens Development Control Plan 2014.</p>				
B44	The quantities of dangerous goods stored and handled at the site must be below the threshold quantities listed in the Department of Planning's <i>Hazardous and Offensive Development Application Guidelines – Applying SEPP 33</i> at all times.	This item is considered as non-compliant as Argon and Oxygen quantities listed in the inventory list provided are above the threshold of Appendix 7 Table 6 of Department of Planning's <i>Hazardous and Offensive Development Application Guidelines – Applying SEPP 33</i> . However, REMONDIS states that the specified argon and oxygen amount in ChemAlert may be incorrect.	Inventory quantity for Argon and Oxygen should be checked. Where quantities exceed the quantity listed in Appendix 7 Table 6 of SEPP 33, appropriate notification, manifest, and emergency plans must be developed in accordance with the SEPP.	REMONDIS reviewed stored quantities of Argon and Oxygen at the Facility and found these quantities did not exceed what is listed in Appendix 7 of Table 6 of SEPP33. The unit of measure recorded for both Oxygen and Argon was incorrect and has since been updated to reflect the correct units of measure being stored on-site.	Closed – Compliant
B61	<p>The Applicant must ensure the lighting associated with the development:</p> <p>a) Complies with the latest version of AS 4282:2019 – Control of the obtrusive effects of outdoor lighting (Standards Australia 2019); and</p>	This item is considered as non-compliant as insufficient evidence has been provided to confirm that the existing lighting for the development complies with the Condition B61. However, it is noted that no	The existing lighting on 21D School Drive Tomago should be checked to ensure that Condition B61 is met.	<p>Record sighted.</p> <ul style="list-style-type: none"> - PTD Group letter dated 12 December 2023, "PTD Electrical Services have assessed the site at 21D School Drive, Tomago, within this assessment the perimeter of the site was walked (11 December 2023), and Lux Readings were recorded at four metre intervals... the site complies AS4282:2019 section 3 	Closed – Compliant

ID	Condition of Consent & Requirement	Non-Compliance	Recommendation	Progress	Outcome
	b) Is mounted, screened, and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.	complaint has occurred on lighting.		and note it conforms to the requirements outlined in AS4282:2019... All external lighting is installed in a manor to reduce any spill or glare into neighbouring properties and roadways."	
C9	If necessary to either improve the environmental performance of the development, cater for a modification, or comply with a direction, the strategies, plans, and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks or the review required under condition C8, or such other timing as agreed by the Planning Secretary.	This item is considered as non-compliant because evidence of submission of the revised Energy from Waste Management Plan within 6 weeks of revision (27 June 2023) was unable to be sighted. It is noted that the earlier version of the Plan was provided to DPE. It is also noted that the Energy from Waste operation has not commenced at the time of the Audit.	The most recent Energy from Waste Management Plan must be submitted to DPE.	<p>The Energy from Waste Management Plan was submitted to DPE on 21 December 2023.</p> <p>Records sighted.</p> <ul style="list-style-type: none"> - Post-approval document REMONDIS Resource Recovery Facility Tomago – SSD-10447-PA-28, Energy from Waste Management Plan – Revision to Existing Document. - NSW Government email correspondence dated 21 December 2023, titled "REMONDIS Resource Recovery Facility Tomago - Post Approval Document Received - (SSD-10447-PA-28)" - 022-ENV-MP-001 Energy from Waste Management Plan 2023-07-17 	Closed – Compliant
C19	<p>At least 48 hours before the commencement of construction of the development until the completion of all works under this consent (or such other time as agreed by the Planning Secretary), the Applicant must:</p> <p>a) make the following information and documents (as they are obtained or approved) publicly available on its website:</p> <ol style="list-style-type: none"> the documents referred to in condition A2 of this consent; all current statutory approvals for the development; 	This item is considered non-compliant as the EIS, RTS, or any correspondence with DPE are not yet included in the project website.	Documents referred to in condition A2 (such as but not limited to EIS, RTS, and any correspondence with DPE) should be made publicly available in a website. If there are two websites/pages for the documents, each site/page should list or provide link to other site/page.	<p>Project website viewed (https://www.remondis-australia.com.au/locations/nsw/remondis-tomago-rrf/) and the following records have been uploaded to the REMONDIS project website:</p> <ul style="list-style-type: none"> - REMONDIS Tomago – EIS Report, dated 30 November 2020 - DPE Notification of Commencement of Operations, dated 7 February 2022 - REMONDIS Notification of Commencement of Operations, dated 2 February 2022. - REMONDIS Notification of Construction post-approval document - REMONDIS Tomago – DPIE – Response to Adequacy Review, dated 2 December 2020 	Closed – Compliant

ID	Condition of Consent & Requirement	Non-Compliance	Recommendation	Progress	Outcome
	<ul style="list-style-type: none"> iii. all approved strategies, plans and programs required under the conditions of this consent; iv. regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent; v. 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; vi. a summary of the current stage and progress of the development; vii. contact details to enquire about the development or to make a complaint; viii. complaints register, updated monthly; ix. the Compliance Report of the development; x. audit reports prepared as part of any Independent Audit of the development and the Applicant's response to the recommendations in any audit report; xi. any other matter required by the Planning Secretary; and <p>b) keep such information up to date, to the satisfaction of the Planning Secretary.</p>			<ul style="list-style-type: none"> - REMONDIS Tomago Notification to DPE for IEA, dated 28 April 2023 - REMONDIS Tomago Resource Recovery Facility RTS, dated 7 June 2021 - REMONDIS Tomago RRF Compliance with EfW Policy Statement Letter, dated 8 June 2021 - 10102023 REMONDIS Response to Independent External Audit Report, dated 10 October 2023 	

5.0 Incidents

A summary of notifiable incidents has been provided below in Table 5.

Table 5 Notifiable incidents in the reporting period

Date	Description	Outcomes of Investigation	Further Actions
17/11/2023	A small fire was detected in the cardboard baler by the operator and subsequently put out with water. Under the conditions of EPL 21636 for the site, it was reported as a licence breach to the NSW EPA.	The precise origin of ignition could not be ascertained despite the disassembly of the load; nevertheless, it is suspected to be attributed to the encased battery within the load. On-site operators promptly identified the fire and implemented firefighting procedures with efficacy. The established reporting and notification procedures were adhered to in a proficient manner.	Investigation into additional fire prevention and firefighting options for the building are being undertaken.
06/12/2023	A small fire was detected in the cardboard baler by the operator and subsequently put out with water. Under the conditions of EPL 21636 for the site, it was reported as a licence breach to the NSW EPA.	The precise origin of ignition could not be ascertained despite the disassembly of the load; nevertheless, it is suspected to be attributed to the encased battery within the load. On-site operators promptly identified the fire and implemented firefighting procedures with efficacy. The established reporting and notification procedures were adhered to in a proficient manner.	Investigation into additional fire prevention and firefighting options for the building are being undertaken.

6.0 Complaints

There were no complaints within the reporting period. The Facility's complaint register is available online at the following website:
<https://www.remondis-australia.com.au/locations/nsw/remondis-tomago-rrf>.

7.0 Improvements

REMONDIS seeks to implement the following measures over the next year to improve environmental performance of the development:

- Waste
 - Signage should be provided for different waste/material types in designated areas onsite.
- Incidents
 - To avoid uncertainty on whether an incident requires notification to DPE, we will seek to notify this to DPE regardless. Notification would be conducted in writing in accordance with the consent conditions. Incidents that require notification to EPA may also be notified to DPE.
 - Investigate additional fire prevention and firefighting options for Building 1.
- Groundwater
 - The time of groundwater sampling will be included in the future groundwater monitoring report.

8.0 Appendices

8.1 Appendix A – Compliance Table

Table 6 Compliance Table

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
A1	In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development, and any rehabilitation required under this consent.	Construction and operational	The Auditor reviewed the performance measures and criteria in this consent and consider that reasonable and feasible measures have been implemented to prevent or minimise any material harm to the environment. Individual findings are reported in each condition below.	Compliant
A2	The development may only be carried out: (a) in compliance with the conditions of this consent;	Construction and operational	The development is carried out in compliance with most conditions of consent. Six non-compliances are noted in the respective conditions below.	Compliant
	(b) in accordance with all written directions of the Planning Secretary;		There is no written direction from the Planning Secretary.	
	(c) in accordance with the EIS and RTS;		The development is carried out in general accordance with the SSD, EIS, and RTS.	
	(d) in accordance with the Development Layout in Appendix 1; and		Development was conducted in general accordance with the Development Layout in Appendix 1.	
	(e) in accordance with the management and mitigation measures in Appendix 2.		Assessed below as compliant.	
A3	Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to: (a) the content of any strategy, study, system, plan, program, review, audit, notification, report, or correspondence submitted under or otherwise made in	Construction and operational	There is no other written direction from the Planning Secretary than items covered in this SSD consent.	Not triggered

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
	relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and (b) the implementation of any actions or measures contained in any such document referred to in condition A3(a).		There is no other written direction from the Planning Secretary than items covered in this SSD consent.	
A4	The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c) or A2(e). In the event of an inconsistency, ambiguity, or conflict between any of the documents listed in condition A2(c), or A2(e), the most recent document prevails to the extent of the inconsistency, ambiguity, or conflict.	Construction and operational	No inconsistencies, ambiguities or conflicts exist between them, and a document listed in condition A2(c) or A2(e).	Not triggered
A5	This consent lapses five years after the date from which it operates unless the development has physically commenced on the land to which the consent applies before that date.	Operational	The consent is still current.	Not triggered
A6	The Applicant shall not receive more than a total of 98,201 tonnes per year of wastes on site for waste processing.	Operational	Record sighted: Tomago weighbridge record for FY22/23 notes that total tonnage received in this period is 27,314.06 tonnes.	Compliant
A7	The Applicant must only receive the types of wastes detailed in the Waste Minimisation and Management Plan, prepared by Jackson Environment and Planning and dated 12 August 2021.	Operational	Record sighted: Weighbridge record through Clearweigh for June 2023, which indicated the following waste streams were received and disposed of: cages, ferrous iron or steel, food and garden, glass, mixed hydrocarbon, mixed waste, Nespresso reject, Nespresso cage, non-ferrous metals, oil, paper or cardboard, plastic, plastic film, timber pallets.	Compliant

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
A8	The date of commencement of each of the following phases of the development must be notified to the Planning Secretary in writing, at least one month before that date, or as otherwise agreed with the Planning Secretary: (a) construction;	Construction	Record sighted: DPE letter (5 November 2021) states "The Department acknowledges receipt of the notification and the intention to commence construction on 2 December 2021."	Compliant
	(b) operation;	Operational	Record sighted: DPE letter (7 February 2022) states "The Department has reviewed the document and acknowledges that REMONDIS intends to commence operations at the Tomago Resource Recovery Facility on 2 March 2022." - Newcert (1 June 2022) Occupation Certificate 21-057-OC1 - Newcert (3 August 2022) Occupation Certificate 21-057-OC2	
	(c) cessation of operations; and	Operational	N/A – still operational	
	(d) decommissioning.	Post-operational	N/A – still operational	
A9	If the construction or operation or decommissioning of the development is to be staged, the Planning Secretary must be notified in writing, at least one month before the commencement of each stage (or other timeframe agreed with the Planning Secretary), of the date of commencement and the development to be carried out in that stage.	All	The construction, decommissioning or development was not staged.	Not triggered
A10	Within 12 months of the date of commencement of development to which this consent applies, or within another timeframe agreed by the Planning Secretary, the Applicant must surrender the development consent MP 10_0039 for	Construction	Record sighted: - SSD (12 October 2022) - DPE (15 November 2022) Surrender Letter (REMONDIS Resource Recovery Facility Tomago – (SSD-10447). Surrender of Development	Compliant

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
	an aluminium and rod conductor manufacturing plant on the site in accordance with the EP&A Regulation.		Consent MP10-0039 – Condition A10. The letter states that the surrender of MP10-0039 is effective from 26 September 2022.	
A11	<p>Upon the commencement of development to which this consent applies, and before the surrender of existing development consents or project approvals required under condition A10, the conditions of this consent prevail to the extent of any inconsistency with the conditions of those consents or approvals.</p> <p><i>Note: This requirement does not extend to the surrender of construction and occupation certificates for existing and proposed building works under Part 6 of the EP&A Act. The surrender should not be understood as implying that works legally constructed under a valid consent or approval can no longer be legally maintained or used.</i></p>	Construction	Condition noted, noting that the conditions of this consent prevails.	Compliant
A12	<p>Where conditions of this consent require consultation with an identified party, the Applicant must:</p> <p>(a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and</p>	All	<p>Record sighted:</p> <p>Conditions of this consent that require consultation with an identified party are Conditions B8, B26, B35, and B50. The following documents were prepared in consultation with the relevant agencies:</p> <ul style="list-style-type: none"> - Condition B8 – Energy from Waste Management Plan (EfWMP) document and the proof of consultation with EPA. Energy from waste has not commenced. EPA will be consulted in due course. - Condition B26 – Tomago Resource Recovery Facility and Truck Parking Depot Water Management Plan and the document considers EPL 21636 and Council's DCP (PSC,2014) requirements. - Condition B35 is not triggered in the operational phase as this is a requirement prior to commencement of construction. 	Compliant

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
			- Condition B50 – Fire engineering brief consultation with FRNSW (email from FRNSW dated 7 April 2020 with a list of concerns, this was addressed and acknowledged by FRNSW on 15 April 2020).	
	(b) provide details of the consultation undertaken including: (i) the outcome of that consultation, matters resolved and unresolved; and	All	Details of consultation discussed in the review of the above conditions. Additionally, stakeholder consultation was conducted by the Auditor and is documented within the main part of the report.	
	(ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.	All	Record	
	With the approval of the Planning Secretary, the Applicant may: (a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan, or program);		The project is not staged.	
A13	(b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and	All	The project is not staged.	Not triggered
	(c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).		The project is not staged.	

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
A14	If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.	All	The project is not staged.	Not triggered
A15	If approved by the Planning Secretary, updated strategies, plans, or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.	All	The project is not staged.	Not triggered
A16	Before the commencement of construction of the development, the Applicant must:	Construction	This is outside the scope of the operational stage.	Not triggered
	(a) consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection, and support of the affected infrastructure;		This is outside the scope of the operational stage.	
	(b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters, and footpaths);		This is outside the scope of the operational stage.	
A17	(c) submit a copy of the dilapidation report to the Planning Secretary and Council.	Construction and operational	This is outside the scope of the operational stage.	Compliant
	Unless the Applicant and the applicable authority agree otherwise, the Applicant must: (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and		Record sighted: - REMONDIS Dilapidation Report to Port Stephens Council and DPE (25 November 2021).	

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
	(b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.		No repairs required.	
A18	All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA. Note: • Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works. • Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.	Construction and operational	Record sighted: - Newcert (1 June 2022) Occupation Certificate 21-057-OC1 - Newcert (3 August 2022) Occupation Certificate 21-057-OC2	Compliant
A19	The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.	Construction and operational	Record sighted: - Site induction program, which also includes SSD Consent 10447 and EPL.	Compliant
A20	Before the issuing of a construction certificate for any part of the development, a payment of a levy of 1% of the proposed cost of carrying out the development must be paid to Council under section 7.12 of the EP&A Act.	Construction	This is outside the scope of the operational stage.	Not triggered
A21	All plant and equipment used on site, or to monitor the performance of the development, must be: (a) maintained in a proper and efficient condition; and	Operational	Record sighted: Asset register record for - Weekly Australian Bale Press - Monthly Australian Bale Press - 3-monthly Bale Conveyance	Compliant

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
	(b) operated in a proper and efficient manner.		Record sighted: - Weekly inspection record 11 May 2023 and 10 March 2023	
A22	The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.	Construction	Record sighted: - Newcert (3 August 2022) Occupation Certificate 21-057-OC2	Compliant
A23	Prior to the issuing of: (a) any Construction Certificate relating to the construction of external walls (including the installation of finishes and claddings such as synthetic or aluminium composite panels); and	Construction	This is outside the scope of the operational stage	Not triggered
	(b) an Occupation Certificate, the Applicant must provide the Certifier with documented evidence that the products and systems proposed for use or used in the construction of external walls (including finishes and claddings such as synthetic or aluminium composite panels) comply with the requirements of the BCA.	Construction	This is outside the scope of the operational stage	
A24	The Applicant must provide a copy of the documentation given to the Certifier to the Planning Secretary within seven days after the Certifier accepts it.	Construction	This is outside the scope of the operational stage	Not triggered
A25	Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.	Construction	This is outside the scope of the operational stage	Not triggered
A26	Before the issuing of a Subdivision Works or Construction Certificate for any stage of the development, the Applicant (whether or not a constitutional corporation) is to provide	Construction	This is outside the scope of the operational stage	Not triggered

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
	<p>evidence, satisfactory to the Certifier, that arrangements have been made for:</p> <p>(a) the installation of fibre-ready facilities to all individual lots and/or premises in the development to enable fibre to be readily connected to any premises that is being or may be constructed on those lots; and</p>			
	<p>(b) inspect the site on a regular basis to ensure that these measures are working effectively, and that priority weeds are not present on site in sufficient numbers to pose an environmental hazard or cause the loss of amenity in the surrounding area.</p> <p><i>Note: For the purposes of this condition, priority weed has the same definition of the term in the Biosecurity Act 2015.</i></p>	Construction	This is outside the scope of the operational stage	
A27	Before the issuing of the Occupation Certificate for the development the Applicant must demonstrate that the carrier has confirmed in writing it is satisfied that the fibre ready facilities are fit for purpose.	Construction	<p>Record sighted:</p> <p>Telstra confirmation email (24 August 2022) that states “order 2-32350574882 has now been completed and your services are ready for use”. The product provided is noted to be “Business IP Ethernet” with effective billing date from 22 August 2022.</p>	Non-compliant
A28	Before the issuing of the Occupation Certificate for the development, work-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the Principal Certifier.	Construction	<p>Record sighted:</p> <ul style="list-style-type: none"> - Newcert (1 June 2022) Occupation Certificate 21-057-OC1 - Newcert (3 August 2022) Occupation Certificate 21-057-OC2 - AIVD PM email to the Certifier (2 December 2021) provides the Northrop (2 December 2021) 21F School Drive, Tomago – Hardstand and Capping Civil Design. - Nearmap images showed that the site layout, ground, and buildings has been on site prior to SSD issuance. - Northrop (2 December 2021) 21F School Drive, Tomago – Hardstand and Capping Civil Design. Letter states that: 	Compliant

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
			<p>Northrop Consulting Engineers Pty Ltd, being professional engineers, certify the civil drawings noted in the attached document transmittal were prepared:</p> <ul style="list-style-type: none"> a) Under the supervision of a professional civil engineer register under NER. b) The design intent documented in these drawings is generally in accordance with the relevant civil requirements of the National Construction Code. c) In accordance with the relevant requirements of the National Construction code, the relevant requirements of AS2890.1, AS2890.2, and 3500 Part 3 'Stormwater Drainage' and relevant Austroads Guidelines; d) To ensure that swept path of the longest vehicle expected to enter and exit the site, as well as manoeuvrability through the site is in accordance with the relevant Austroads Guidelines. <ul style="list-style-type: none"> - Work as Construction drawings (1 April 2022) by David Cant registered surveyor. - Northrop (5 April 2022) letter Re: 21F School Drive, Tomago Hardstand and Capping Civil Construction Certificate. The letter states that "Northrop Consulting Engineers Pty Ltd, being professional engineers, certify that: <ul style="list-style-type: none"> a) Northrop Engineers have undertaken periodic site inspections during the construction phase of the project. b) We have reviewed the WAE drawings supplied and signed by David Cant Surveyors relating to the capping works (dated 28 March 2022). c) Based on the WAE survey and periodic inspections, the stormwater design and levels for the hardstand generally conform with the design plans and instructions given by Northrop Engineers during the construction process." 	

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
A29	References in the conditions of this consent to any guideline, protocol, Australian Standard, or policy are to such guidelines, protocols, Standards, or policies in the form they are in as at the date of this consent.	All	Noted	Compliant
A30	However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.	Operational	Interview: REMONDIS stated there has not been any direction from planning.	Not triggered
AN1	All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.	Operational	All licenses, approvals etc. have been obtained. Record sighted: - Apparatus Licence (ACMA) dated 7 June 2023 (1935706/2) - Licence register (liquid waste, EPL, trade waste) on internal system (DoneSafe).	Compliant
B1	The Applicant must assess and classify all liquid and non-liquid wastes to be taken off site in accordance with the latest version of EPA's Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014) and dispose of all wastes to a facility that may lawfully accept the waste.	Operational	Record sighted: - JME (6 July 2023) Waste classification for North Lambton Edgeworth and Dora Creek Depot Test Order Request (23-041, 043, 045, 046). Interview: REMONDIS stated that regular testing is being done onsite before transferring waste to landfill.	Compliant

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
B2	The Applicant must retain all sampling and waste classification data for 6 years in accordance with the requirements of the EPA.	Operational	<p>Interview:</p> <p>REMONDIS stated that records of sampling and waste classification will be retained for six (6) years.</p>	Compliant
B3	<p>The Applicant must:</p> <p>(a) only receive waste on site that is authorised for receipt by an EPL;</p>	Operational	<p>Observation:</p> <p>The waste types observed onsite were included in the EPL (e.g., mine waste (contaminated soil in drums, oily rags, waste oil), cardboard, plastic, coffee pods, glass, timber.</p> <p>Interview:</p> <p>REMONDIS stated that no building waste has been received onsite. No asbestos waste is received onsite.</p> <p>Record sighted:</p> <p>Weighbridge record through Clearweigh for June 2023, which indicated the following waste streams were received and disposed of: cages, ferrous iron or steel, food and garden, glass, mixed hydrocarbon, mixed waste, Nespresso reject, Nespresso cage, non-ferrous metals, oil, paper or cardboard, plastic, plastic film, timber pallets.</p>	Compliant
			<p>REMONDIS has not sold waste to energy recovery yet as this is still in R&D stage.</p>	Compliant
			<p>No construction waste has been received.</p>	Compliant

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
	(d) ensure that any waste received that is not permitted under this consent or the EPL is removed from the site within 48 hours of receipt, or as soon as practicable;		No waste that is not licensed has been received to date.	Compliant
	(e) maintain and operate a calibrated weighbridge to record the volume of all waste brought into the site.		Observation: A weighbridge was observed on site. Record sighted: NSW Nuweigh, calibration record of the weighbridge (18 February 2023)	Compliant
B4	The Applicant must not receive or store any asbestos waste on the site.	Operational	Interview: REMONDIS stated that no construction waste has been received. Weighbridge operator conducts checks of the load as the truck comes into the site, and then as the material is received the material is spread within the building for inspection. Any asbestos would be removed, and work would be stopped, but no has asbestos has been identified to date.	Compliant
B5	Any waste for processing, storage or resource recovery at the site must be assessed and classified in accordance with the EPA's Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014), or its latest version.	Operational	Record sighted: - JME (6 July 2023) Waste classification for North Lambton Edgeworth and Dora Creek Depot Test Order Request (23-041, 043, 045, 046).	Compliant
B6	All waste processing, including storage and materials handling activities must be undertaken inside buildings. All truck loading and unloading and storage of waste materials must only be carried out within the areas designated for these activities, as described in the EIS and RTS.	Operational	Observation: Waste processing and storage were observed to be inside buildings only. No trucks were observed to arrive onsite.	Compliant
B7	The Applicant must ensure the height of baled material does not exceed four metres in total.	Operational	Observation: Baled material was observed to be below four metres in height.	Compliant

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
B8	<p>Prior to the commencement of operation, the Applicant must prepare an Energy from Waste Management Plan (EfWMP) for the handling and distribution of eligible waste fuels, to the satisfaction of the Planning Secretary. The EfWMP must form part of the OEMP and be prepared in accordance with condition C5. The EfWMP must:</p> <p>(a) be prepared by a suitably qualified and experience person(s), in consultation with the EPA</p>	Operational	<p>Record sighted:</p> <ul style="list-style-type: none"> REMONDIS (27 June 2022) Energy from Waste Management Plan – Eligible Fuels. Document was prepared by Roslyn Florie-George (REMONDIS former Project Manager) who is a Civil Engineer with a background in environmental consulting and E. Leahy (REMONDIS Project Manager at the time) who holds a Bachelor of Science degree in Environmental Science and has worked in environmental consulting prior joining REMONDIS. Document was also approved by H. McCarthy (REMONDIS former National Environment and Sustainability Manager) 	Compliant
	<p>(b) detail procedures for the handling and management of eligible waste fuels for energy recovery, including:</p> <p>(i) procedures to ensure full and ongoing compliance with Table 4 the NSW Energy from Waste Policy Statement 2020;</p>		<p>Record sighted:</p> <ul style="list-style-type: none"> REMONDIS (27 June 2022) Energy from Waste Management Plan – Eligible Fuels. Section 5, 6, and 7 address this condition. 	Compliant
	<p>(ii) how the Applicant will compile and calculate percentages of incoming waste streams every three months and retain this information for submission to the EPA on request;</p>		<p>Record sighted:</p> <ul style="list-style-type: none"> REMONDIS (27 June 2022) Energy from Waste Management Plan – Eligible Fuels. Section 7 addresses this condition. 	Compliant
	<p>(iii) a procedure for providing evidence to the EPA that incoming material was previously going to landfill; and</p>		<p>Record sighted:</p> <ul style="list-style-type: none"> REMONDIS (27 June 2022) Energy from Waste Management Plan – Eligible Fuels. Section 1.1 addresses this condition. 	Compliant - 78
	<p>(iv) a procedure for the management of out of specification waste.</p>		<p>Record sighted:</p> <ul style="list-style-type: none"> REMONDIS (27 June 2022) Energy from Waste Management Plan – Eligible Fuels. Section 6.1 addresses this condition. it is stated that "Where the load is identified as containing, or is reasonably suspected to 	

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
			contain, any asbestos waste, reject the entire load of waste by directing the driver to immediately leave the facility and record the information required in 022-ENV-FO-003 Rejected Load Register"	
B9	<p>The Applicant must:</p> <p>(a) not commence operation until the EfWMP is approved by the Planning Secretary;</p>	Operational	<p>Record sighted:</p> <ul style="list-style-type: none"> - DPE (2 August 2022) Operational Environmental Management Plan for REMONDIS Resource Recovery Facility Tomago (Condition C5 of SSD-10447). The letter acknowledged OEMP and its subplans (Energy from Waste Management Plan, Water Management Plan, and Air Quality Management Plan). DPE letter also states that the document contains the information required by the conditions of approval, documents were prepared in consultation with the EPA and Council, where required. - Newcert (1 June 2022) Occupation Certificate 21-057-OC1 - Newcert (3 August 2022) Occupation Certificate 21-057-OC2 	Compliant
	<p>(b) implement the most recent version of the EfWMP approved by the Planning Secretary for the operational life of the development.</p>		<p>Record sighted:</p> <ul style="list-style-type: none"> - REMONDIS (27 June 2022) Energy from Waste Management Plan – Eligible Fuels. <p>Interview:</p> <ul style="list-style-type: none"> - REMONDIS stated that this plan has not been implemented yet as no energy from waste processing has commenced. 	Compliant
B10	<p>From the commencement of operation, the Applicant must implement a Waste Monitoring Program for the development. The program must:</p> <p>(a) be prepared by a suitably qualified and experienced person(s) prior to the commencement of operation;</p>	Operational	<p>Record Sighted:</p> <ul style="list-style-type: none"> - REMONDIS (20 April 2022 DRAFT) Tomago Resource Recovery Facility, Waste Monitoring Program. Prepared by E. Leahy (REMONDIS Project Manager at the time, who holds a Bachelor of Science degree in Environmental Science and has worked in environmental consulting prior 	Compliant

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
			joining REMONDIS) and approved by H. McCarthy (REMONDIS former National Environment and Sustainability Manager) at time of publication.	
	(b) include suitable provisions to monitor the:			
	(i) quantity, type, and source of waste received on site;		Provided in Section 6	Compliant
	(ii) quantity, type, and quality of the outputs produced on site; and		Provided in Section 6.5	Compliant
	(c) ensure that staff receive adequate training in order to be able to recognise and handle any prohibited waste including asbestos.		<p>Provided in Section 3.2 and 3.4 but not yet the training for recognition and handling of any prohibited waste including asbestos.</p> <p>Record sighted:</p> <ul style="list-style-type: none"> - Training record for prohibited waste and asbestos 	Compliant
B11	Prior to the commencement of any earthworks or remediation works for the development on site, the Applicant must engage a Site Auditor accredited under the Contaminated Land Management Act 1997 NSW Site Auditor Scheme.	Construction	<p>Record sighted:</p> <ul style="list-style-type: none"> - GHD (20 May 2022) Site Audit Report prepared for REMONDIS Tomago by Mr Ian Gregson of GHD, an NSW EPA accredited site auditor. 	Compliant
B12	Upon completion of the remediation works and prior to the commencement of operation, the Applicant must submit to the Planning Secretary, a Site Audit Report, and a Site Audit Statement, prepared in accordance with the NSW Contaminated Land Management - Guidelines for the NSW Site Auditor Scheme 2017, which demonstrates the site is suitable for its intended commercial/industrial land use with the implementation of a long term environmental management plan.	Construction	<p>Record sighted:</p> <ul style="list-style-type: none"> - GHD (20 May 2022) Site Audit Report prepared for REMONDIS Tomago by Mr Ian Gregson of GHD, a NSW EPA accredited site auditor. - DPE (27 June 2022) REMONDIS Resource Recovery Facility Tomago (SSD10447) Approval of Site Audit Report and Statement and Long Term Environmental Management Plan – Conditions B12 and B17. The letter states that the conditions are satisfied. 	Compliant

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
B13	Prior to the commencement of remediation works, the Applicant must prepare a detailed design for the capping layer for zinc impacted soils. The detailed design must:	Construction	Record sighted: <ul style="list-style-type: none">- GHD (20 May 2022) Site Audit Report prepared for REMONDIS Tomago by Mr Ian Gregson of GHD, an NSW EPA accredited site auditor, include review of design of capping later for zinc impacted soil.	Compliant
	(a) be prepared by a suitably qualified and experienced engineer;		Record sighted: <ul style="list-style-type: none">- GHD (20 May 2022) Site Audit Report prepared for REMONDIS Tomago by Mr Ian Gregson of GHD, an NSW EPA accredited site auditor.	
	(b) be reviewed and approved by the Site Auditor;		Record sighted: <ul style="list-style-type: none">- GHD (20 May 2022) Site Audit Report prepared for REMONDIS Tomago by Mr Ian Gregson of GHD, an NSW EPA accredited site auditor.	
	(c) include details of earthworks quantities, site design levels, grading and drainage, selection of an appropriate impermeable geotextile layer and a material movement plan;		Record sighted: <ul style="list-style-type: none">- GHD (20 May 2022) Site Audit Report prepared for REMONDIS Tomago by Mr Ian Gregson of GHD, an NSW EPA accredited site auditor.	
	(d) include procedures for verifying that capping layer construction is completed in accordance with the approved RAP; and		Record sighted: <ul style="list-style-type: none">- GHD (20 May 2022) Site Audit Report prepared for REMONDIS Tomago by Mr Ian Gregson of GHD, an NSW EPA accredited site auditor, which includes compliance with RAP.	
B14	(e) detail alternative measures, such as extending the area of capping, if the required volumes from the remediation area cannot be accommodated under the proposed truck parking area.	Construction	Record sighted: <ul style="list-style-type: none">- GHD (20 May 2022) Site Audit Report prepared for REMONDIS Tomago by Mr Ian Gregson of GHD, an NSW EPA accredited site auditor.	Compliant
	Prior to the commencement of remediation works, the Applicant must provide written evidence from the Site Auditor, confirming the detailed design of the capping layer has been prepared in accordance with Condition B13.		Record sighted: <ul style="list-style-type: none">- GHD (20 May 2022) Site Audit Report prepared for REMONDIS Tomago by Mr Ian Gregson of GHD, an NSW EPA accredited site auditor.	

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
B15	The Applicant must remediate the site in accordance with the Remedial Action Plan (RAP) prepared by JM Environments dated 17 July 2021 and relevant guidelines produced or approved under the Contaminated Land Management Act 1997. Remediation works must include the pre-remediation groundwater monitoring detailed in the RAP and must be undertaken by a suitably qualified and experienced consultant(s).	Construction	Record sighted: - GHD (20 May 2022) Site Audit Report prepared for REMONDIS Tomago by Mr Ian Gregson of GHD, an NSW EPA accredited site auditor.	Compliant
B16	Within two months of completion of the remediation works, the Applicant must submit a Remediation and Validation Report to the satisfaction of the Planning Secretary, which has been prepared, or reviewed and approved, by a consultant certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) Scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme.	Construction	Record sighted: - REMONDIS (16 May 2022) Long Term Environmental Management Plan, Tomago Resource Recovery Facility. James McMahon - Director - JM Environments with CEnvP SC41110 qualification	Compliant
B17	Prior to the completion of the Site Audit Report and Site Audit Statement for the remediation works, the Applicant must prepare a Long-Term Environmental Management Plan (LTEMP) for the site. The LTEMP must: (a) be prepared by a suitably qualified and experienced consultant; (b) be reviewed and approved by the Site Auditor;	Operational	Record sighted: - REMONDIS (16 May 2022) Long Term Environmental Management Plan, Tomago Resource Recovery Facility. James McMahon - Director - JM Environments with CEnvP SC41110 qualification Record sighted: - GHD (20 May 2022) Site Audit Report prepared for REMONDIS Tomago by Mr Ian Gregson of GHD, an NSW EPA accredited site auditor.	Compliant

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
	(c) detail measures to identify and monitor contamination remaining on site;		Provided in Section 9	
	(d) detail the post-remediation groundwater monitoring program;		Provided in Section 11.1	
	(e) include a program for ongoing review to ensure that the LTEMP remains contemporary with relevant environmental standards;		Provided in Section 2.2	
	(f) include mechanisms to report results to Council and EPA.		Provided in Section 11.1	
B18	<p>Upon completion of the Site Audit Statement and Site Audit Report, the Applicant must:</p> <p>(a) implement the approved LTEMP;</p> <p>(b) provide evidence to the Planning Secretary the LTEMP is listed on the relevant planning certificate for the land, issued under section 10.7 of the EP&A Act, for the development.</p>	Operational	<p>Record sighted:</p> <ul style="list-style-type: none"> JME (5 March 2023) Groundwater Monitoring Report, as required as part of the ongoing monitoring at the site. <p>Record sighted:</p> <ul style="list-style-type: none"> Port Stephens Council (31 August 2023) PLANNING CERTIFICATE PURSUANT TO SECTION 10.7 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 for Parcel No. 38076 LOT: 8 DP: 270328 and Parcel No: 45464 LOT: 11 DP: 270328. Both documents for both parcels of land states "Council has been notified a Long Term Environmental Management Plan applies to the land". 	Compliant
B19	Prior to the commencement of any construction for the development, the Applicant must install and maintain suitable erosion and sediment control measures on-site, in accordance with the relevant requirements of the Managing Urban Stormwater: Soils and Construction - Volume 1: Blue Book (Landcom, 2004) guideline and the Erosion and	Construction	This is outside the scope of the operational stage, noting that this could not be observed during the operational stage.	Not triggered

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
	Sediment Control Plan included in the CEMP required by condition C2.			
B20	Prior to the commencement of remediation works and construction at 21F School Drive, the Applicant must install bunding to contain runoff for a 24-hour rainfall event at 1% AEP for remediation works and construction.	Construction	This is outside the scope of the operational stage, noting that this could not be observed during the operational stage.	Not triggered
B21	The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided for in an EPL.	Operational	Interview: REMONDIS stated that no waste discharge is conducted from the site. Water for vehicle wash is collected into an oil water separator. The treated water is collected in a tank for collection and offsite disposal. The oil is collected and placed into the oil tank for offsite disposal.	Compliant
B22	The Applicant must obtain relevant water access licence/s in accordance with the Water Management Act 2000, if the development will intercept groundwater	Operational	Interview: REMONDIS stated that they did not or do not currently intend to extract groundwater or surface waste, therefore do not seek a water licence for this Site.	Not triggered
B23	The Applicant must monitor groundwater on a monthly basis during remediation and post-remediation in accordance with, and for the duration detailed in, the RAP.	Operational	Record sighted: - JME (5 March 2023) Groundwater Monitoring Report. The report shows that groundwater has been monitored on a monthly basis.	Compliant
B24	The Applicant must design, construct, and operate a stormwater management system for the development that: (a) is designed by a suitably qualified and experienced person(s), in accordance with the conceptual design in the EIS; (b) be in accordance with applicable Australian Standards;	Operational	Record sighted: - Northrop (23 February 2024) Re: 21F School Drive, Tomago – Hardstand and Capping Civil Design Construction Certificate No. 2. Letter states that: "We, Northrop Engineers Pty Ltd, being professional engineers, certify that... based on the WAE survey and periodic inspections, the stormwater design and levels for the hardstand generally conform with the	Compliant

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
	<p>(c) designed in accordance with Australian Rainfall and Runoff (Engineers Australia, 2016) and Managing Urban Stormwater: Council Handbook (EPA, 1997) guidelines;</p> <p>(d) designed to:</p> <p>(i) divert existing clean surface water around operational areas of the site;</p> <p>(ii) prevent discharge of leachate from the buildings into the stormwater system; and</p> <p>(iii) capture all wastewater from the truck wash.</p> <p>(e) designed to ensure peak stormwater flows from the site do not exceed pre-development flows in any downstream areas for 24-hour rainfall events up to and including the 1% AEP;</p> <p>(f) achieves the pollutant reduction targets in Port Stephens Development Control Plan 2014.</p>		<p><i>design plans and has been installed and is operating in accordance with the requirements of the Development Consent (10447)."</i></p> <p>- Photographs of the completed OSD system dated May 2023.</p> <p>Document in the document list include Civil Notes, Site Plan, Concept sediment and erosion control, Sediment and erosion control details, Bulk earthworks plan, Long sections, Civil works plan, Civil detail sheet 1, Materials movement and remediation staging plan.</p>	
B25	<p>Prior to the commencement of operation, the Applicant must obtain approval from Council under Section 68 of the Local Government Act 1993 for use of the on-site sewage management system for the development. The Applicant must provide a report from a suitably qualified consultant demonstrating the existing on-site sewage management system complies with the requirements of Port Stephens Development Assessment Framework.</p>	Operational	<p>Record sighted:</p> <p>- Northrop (27 August 2020) Soil and Water Management Plan for 21D and 21F School Drive, Tomago.</p> <p>- Port Stephens Council, Renewal of Approval to Operate a System of Sewage Management. <i>"Date from which approval operates: 1 September 2021. Date on which approval lapses: 31 August 2022. This approval is to operate a system of sewage management in the Port Stephens Council Local Government area, required under the Local government Act 1993 (Section 68)."</i></p>	Compliant

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
			<ul style="list-style-type: none"> Envirocycle/AWTS (23 June 2023), AWTS Service Status. In this letter, the NSW Sales and Operation Manager of AWTS Maintenance Services Pty Ltd states that: <ol style="list-style-type: none"> Treatment System is Operational and Satisfactory ("System meets standards set in council approval. Operating as designed"). Ongoing Management is Active and "System is serviced every 3 months as per LGA standards/requirements. Copy of service report is provided to both client and council." 	
B26	<p>Prior to the commencement of operation of the development, the Applicant must prepare a Water Management Plan to the satisfaction of the Planning Secretary. The Water Management Plan must form part of the OEMP required by condition C5 and must:</p> <p>(a) be prepared by a suitably qualified and experienced person(s);</p>	Operational	<p>Record sighted:</p> <ul style="list-style-type: none"> REMONDIS (14 July 2022) Tomago Resource Recovery Facility and Truck Parking Depot Water Management Plan Document was prepared by Eric Wingate, SMEC DPE (2 August 2022) Operational Environmental Management Plan for REMONDIS Resource Recovery Facility Tomago (Condition C5 of SSD-10447). The letter acknowledged OEMP and its subplans (Energy from Waste Management Plan, Water Management Plan, and Air Quality Management Plan) submitted on 2 June 2022. DPE letter also states that the document contains the information required by the conditions of approval, documents were prepared in consultation with the EPA and Council, where required. 	Compliant
	<p>(b) be prepared in consultation with Council and EPA;</p>		<p>EPL 21636 is referred to.</p> <p>Council's DCP requirements were referred to and a MUSIC model (version 6) was produced as part of the SWMP (Northrop, 2020), to assess the performance of the additional stormwater treatment infrastructure to be installed as part of the proposed development.</p> <p>Record sighted:</p>	

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
			- Email correspondence between REMONDIS and Port Stephens Council (2, 20 and 21 June 2022). Council states that council “consider the plan does meet the requirements of having been prepared in consultation with Council”.	
	(c) provide details of:			
	(i) water use, metering, disposal, and management on-site;		Provided in Section 3.2	
	(ii) the number and location of piezometers on-site;		Provided in Section 5.1	
	(iii) the water licence requirements for the development;		Provided in Section 2.3	
	(iv) the management of wastewater streams on-site including leachate and fire water;		Provided in Section 3.2.1	
	(d) contain a Surface Water Management Plan, including;			
	(i) a program to monitor:			
	• surface water flows and quality;		Provided in Section 4.2, 6.1 and 6.3.1, 6.4	
	• surface water storage and use; and			
	• detention basin operation;			
	(e) contain a Groundwater Management Plan, including:			
	(i) baseline data on groundwater levels and quality;		Provided in Section 5.1	
	(ii) a program to monitor groundwater levels and quality on a monthly basis;		Provided in Section 5.2 and 6.2, 6.3.3 and 6.4	
	(iii) groundwater impact assessment criteria, including trigger levels for investigating any		Provided in Section 6, 6.3.3, and 6.4	

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
	potentially adverse groundwater impacts; and (iv) a protocol for the investigation and mitigation of identified exceedances of the groundwater impact assessment criteria.		Provided in Section 6.3.3	
B27	<p>The Applicant must:</p> <p>(a) not commence operation until the Water Management Plan required by condition B26 is approved by the Planning Secretary; and</p> <p>(b) implement the most recent version of the Water Management Plan approved by the Planning Secretary for the duration of the development.</p>	Operational	<p>Record sighted:</p> <ul style="list-style-type: none"> - DPE (2 August 2022) Operational Environmental Management Plan for REMONDIS Resource Recovery Facility Tomago (Condition C5 of SSD-10447). The letter acknowledged OEMP and its subplans (Energy from Waste Management Plan, Water Management Plan, and Air Quality Management Plan). DPE letter also states that the document contains the information required by the conditions of approval, documents were prepared in consultation with the EPA and Council, where required. - Newcert (1 June 2022) Occupation Certificate 21-057-OC1 - Newcert (3 August 2022) Occupation Certificate 21-057-OC2 <p>Record sighted:</p> <ul style="list-style-type: none"> - REMONDIS (14 July 2022 revised in September 2023) Tomago Resource Recovery Facility and Truck Parking Depot Water Management Plan <p>Interview:</p> <p>REMONDIS confirmed that the above plan was submitted and approved by DPE on 2 August 2022 and is currently used.</p>	Compliant
B28	The Applicant must install and operate equipment in line with best practice to ensure that the development complies with all load limits, air quality criteria/air emission limits and air quality monitoring requirements as specified in the EPL applicable to the site.	Operational	<p>Record sighted:</p> <p>DPE (8 July 2022) Odour control installation.</p>	Compliant

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
			REMONDIS (27 May 2022) SSD-10447 Tomago Resource Recovery Facility Condition B33 for your approval	
B29	The Applicant must ensure the development does not cause or permit the emission of any offensive odour (as defined in the POEO Act).	Operational	Interview: REMONDIS confirmed no complaints have been received since commencement of operations.	Compliant
B30	The Applicant must take all reasonable steps to minimise dust and odour generated during all works authorised by this consent.	Operational	Observation: No unacceptable odour or dust were observed during the audit.	Compliant
B31	The Applicant must ensure that: (a) all material handling, processing, storage surfaces and truck routes are sealed;	Operational	Observation: All surfaces accessible for truck routes, handling, processing, and storage areas were sealed.	Compliant
	(b) truck routes are regularly cleaned to remove dirt; water sprays are used on road surfaces to reduce visible dust plumes and trucks do not track dirt onto the public road network;		Observation: Truck routes were observed to be in clean condition.	
	(c) all trucks entering or leaving the site with loads have their loads covered, except during material inspection, unloading and loading; and		Observation: No trucks were observed leaving or entering the site.	
	(d) truck idling is minimised where possible.		Observation: No trucks were observed to be idling.	
B32	Prior to the commencement of construction of the food de-packaging plant, the Applicant must provide a detailed design of the odour control unit on the food de-packaging	Construction	This is outside the scope of the operational stage.	Not triggered

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
	<p>plant, to the satisfaction of the Planning Secretary. The design must include:</p> <p>(a) details of the treatment method;</p> <p>(b) size and capacity of the unit;</p> <p>(c) details of the control efficiencies that the unit would achieve; and</p> <p>(d) performance monitoring maintenance procedures.</p>		<p>This is outside the scope of the operational stage.</p> <p>This is outside the scope of the operational stage.</p> <p>This is outside the scope of the operational stage.</p>	
B33	Prior to the commencement of operation, the Applicant must provide written evidence to the satisfaction of the Planning Secretary, demonstrating that odour controls, such as a carbon filter drum or equivalent odour control measure, has been installed for waste oil unloading activities, to minimise benzene emissions.	Operational	<p>Record sighted:</p> <ul style="list-style-type: none"> DPE (8 July 2022) REMONDIS Resource Recovery Facility Tomago (SSD-10447) Condition B33 Odour Controls. Letter states that Department has reviewed the information and is satisfied that the installation of the carbon filter drums has adequately fulfilled the relevant condition. 	Compliant
B34	Prior to the commencement of construction of the food de-packaging plant, the Applicant must prepare an Air Quality Verification Report (AQVR), prepared by a suitably qualified and experienced air quality consultant, and submitted to the satisfaction of the Planning Secretary.	Construction	This is outside the scope of the operational stage.	Not triggered
B35	<p>The AQVR required by condition B34 must:</p> <p>(a) be prepared in consultation with the EPA;</p> <p>(b) be conducted in accordance with the EPA's Approved Methods for the Modelling and Assessment of Air Pollutants in NSW; and</p>	Construction	<p>This is outside the scope of the operational stage.</p> <p>This is outside the scope of the operational stage.</p>	Not triggered

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
	(c) be based on the final design of the development, including the odour control unit required by Condition B32.		This is outside the scope of the operational stage.	
	<p>Prior to the commencement of operation, the Applicant must prepare an Air Quality Management Plan (AQMP) for the development, to the satisfaction of the Planning Secretary. The AQMP must form part of the OEMP required by Condition C5 and must:</p> <p>(a) be prepared by a suitably qualified and experienced person(s);</p>		<p>Record sighted:</p> <ul style="list-style-type: none"> - REMONDIS (14 June 2022) Resource Recovery Facility and Truck Parking Depot – Air Quality and Odour Management Plan. Prepared by Melissa Gilbert, a Consultant with BEnvSc - DPE (2 August 2022) Operational Environmental Management Plan for REMONDIS Resource Recovery Facility Tomago (Condition C5 of SSD-10447). The letter acknowledged OEMP and its subplans (Energy from Waste Management Plan, Water Management Plan, and Air Quality Management Plan). DPE letter also states that the document contains the information required by the conditions of approval, documents were prepared in consultation with the EPA and Council, where required. 	
B36	<p>(b) detail and rank all significant emission sources from the development;</p> <p>(c) identify the control measures, including proactive and reactive mitigation measures that will be implemented for each emission source;</p> <p>(d) include the following for each emission source:</p> <p>(i) risk assessment;</p>	Operational	<p>Record sighted:</p> <ul style="list-style-type: none"> - REMONDIS (14 June 2022) Resource Recovery Facility and Truck Parking Depot – Air Quality and Odour Management Plan. Section 3 provides this. <p>Record sighted:</p> <ul style="list-style-type: none"> - REMONDIS (14 June 2022) Resource Recovery Facility and Truck Parking Depot – Air Quality and Odour Management Plan. Section 5 provides this. <p>Record sighted:</p>	Compliant

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
			<ul style="list-style-type: none"> REMONDIS (14 June 2022) Resource Recovery Facility and Truck Parking Depot – Air Quality and Odour Management Plan. Section 5 provides this. 	
	(ii) key performance indicator;		<p>Record sighted:</p> <ul style="list-style-type: none"> REMONDIS (14 June 2022) Resource Recovery Facility and Truck Parking Depot – Air Quality and Odour Management Plan. Section 5 provides this. 	
	(iii) monitoring method;		<p>Record sighted:</p> <ul style="list-style-type: none"> REMONDIS (14 June 2022) Resource Recovery Facility and Truck Parking Depot – Air Quality and Odour Management Plan. Section 4 provides this. 	
	(iv) location, frequency, and duration of monitoring;		<p>Record sighted:</p> <ul style="list-style-type: none"> REMONDIS (14 June 2022) Resource Recovery Facility and Truck Parking Depot – Air Quality and Odour Management Plan. Section 4 provides this. 	
	(v) record keeping;		<p>Record sighted:</p> <ul style="list-style-type: none"> REMONDIS (14 June 2022) Resource Recovery Facility and Truck Parking Depot – Air Quality and Odour Management Plan. Section 6 provides this. 	
	(vi) response mechanism and contingency measures; and		<p>Record sighted:</p>	

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
	(vii) compliance reporting.		<ul style="list-style-type: none"> REMONDIS (14 June 2022) Resource Recovery Facility and Truck Parking Depot – Air Quality and Odour Management Plan. Section 6 provides this. <p>Record sighted:</p> <ul style="list-style-type: none"> REMONDIS (14 June 2022) Resource Recovery Facility and Truck Parking Depot – Air Quality and Odour Management Plan. Section 5.5 provides this. Section 7 states <i>“Shift Supervisor Responsibility: Reports to Operations Manager on operational and performance matters that require infrastructure support.”</i> Section 8 states <i>“QOMP should be read in conjunction with the REMONDIS IMP and reporting obligations as specified in EPL 4571”.</i> 	
B37	<p>The Applicant must:</p> <p>(a) not commence operation until the AQMP required by Condition B36 is approved by the Planning Secretary; and</p> <p>(b) implement the most recent version of the AQMP approved by the Planning Secretary for the duration of operation.</p>	Operational	<p>Record sighted:</p> <ul style="list-style-type: none"> DPE (2 August 2022) Operational Environmental Management Plan for REMONDIS Resource Recovery Facility Tomago (Condition C5 of SSD-10447). The letter acknowledged OEMP and its subplans (Energy from Waste Management Plan, Water Management Plan, and Air Quality Management Plan). DPE letter also states that the document contains the information required by the conditions of approval, documents were prepared in consultation with the EPA and Council, where required. Newcert (1 June 2022) Occupation Certificate 21-057-OC1 Newcert (3 August 2022) Occupation Certificate 21-057-OC2 <p>Record sighted:</p> <ul style="list-style-type: none"> REMONDIS (14 June 2022) Resource Recovery Facility and Truck Parking Depot – Air Quality and Odour Management Plan <p>Interview:</p>	Compliant

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
			REMONDIS confirmed that the above plan is the one submitted and approved by DPE on 2 August 2022 and is currently used.	
B38	<p>The Applicant must ensure:</p> <p>(a) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the development are constructed and maintained in accordance with the latest version of AS 2890.1:2004 Parking facilities Off-street car parking (Standards Australia, 2004), AS 2890.2:2018 Parking facilities Off-street commercial vehicle facilities (Standards Australia, 2018) and AS 2890.6.2009 Parking facilities Off-street parking for people with disabilities (Standards Australia, 2009)</p> <hr/> <p>(b) the swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, is in accordance with the relevant AUSTRROADS guidelines;</p>	Operational	<p>Interview</p> <p>REMONDIS advised that the internal roads, driveways, and parking were already built prior to issue of the SSD. The architectural drawings by EJE Architecture are as built drawings.</p> <p>Record sighted:</p> <ul style="list-style-type: none"> - EJE Architecture drawings prepared for CC: <ol style="list-style-type: none"> 1. Drawing No A-000 Rev L 17 March 2022 – COVERSHEET 2. Drawing No A-002 Rev N 17 March 2022 – SITE/ROOF PLAN 3. Drawing No A-002 Rev Q 17 March 2022 SITE PLAN – MOVEMENT & ACCESS <p>EJE states that drawings are in accordance with DA Conditions A18 and B38.</p> <ul style="list-style-type: none"> - OC1 and OC2 - Northrop (6 December 2021) 21F School Drive, Tomago – Hardstand and Capping Civil Design. Letter states that: <i>“Northrop Consulting Engineers Pty Ltd, being professional engineers, certify the civil drawings noted in the attached document transmittal were prepared:</i> <ol style="list-style-type: none"> a) <i>Under the supervision of a professional civil engineer register under NER.</i> b) <i>The design intent documented in these drawings is generally in accordance with the relevant civil requirements of the National Construction Code.</i> c) <i>In accordance with the relevant requirements of the National Construction code, the relevant requirements of AS2890.1, AS2890.2, and 3500 Part 3 ‘Stormwater Drainage’ and relevant Austroads Guidelines;</i> 	Compliant

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
			<p>d) <i>In accordance with Condition B24 and B38 of the Development Consent, where relevant to the hardstand parking area (Lot 21F)."</i></p> <p>- Northrop (2 December 2021) 21F School Drive, Tomago – Hardstand and Capping Civil Design. Letter states that: Northrop Consulting Engineers Pty Ltd, being professional engineers, certify the civil drawings noted in the attached document transmittal were prepared:</p> <p>e) Under the supervision of a professional civil engineer register under NER.</p> <p>f) The design intent documented in these drawings is generally in accordance with the relevant civil requirements of the National Construction Code.</p> <p>g) In accordance with the relevant requirements of the National Construction code, the relevant requirements of AS2890.1, AS2890.2, and 3500 Part 3 'Stormwater Drainage' and relevant Austroads guidelines;</p> <p>h) To ensure that swept path of the longest vehicle expected to enter and exit the site, as well as manoeuvrability through the site is in accordance with the relevant Austroads guidelines.</p>	
	(c) the development does not result in any vehicles queuing on the public road network;		No vehicles were observed to be queueing on the public road network.	
	(d) heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site;		No heavy vehicles or bins were observed to be parked on local roads or footpaths.	
	(e) all vehicles are wholly contained on site before being required to stop;		All vehicles were observed to be wholly contained on the site.	

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
	(f) all loading and unloading of materials is carried out on-site; and		No loading and unloading of materials were observed to be carried out onsite. Loading area was observed to be well into the site boundary.	
	(g) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.		Turning areas in the carpark were observed to be clear of obstacles.	
B39	The Applicant must provide sufficient parking facilities on-site, including for heavy vehicles and for site personnel, to ensure that traffic associated with the development does not utilise public and residential streets or public parking facilities.	Operational	Sufficient parking was observed	Compliant
B40	The Applicant must comply with the hours detailed in Table 1, unless otherwise agreed in writing by the Planning Secretary.	Operational	Record sighted: Sign in/sign out book located at the reception for the operational phase only, noting that the consent allows for 24-hour operation.	Compliant
	Works outside of the hours identified in condition B40 may be undertaken in the following circumstances:		N/A as consent allows for 24/7 operation	
	(a) works that are inaudible at the nearest sensitive receivers;			
B41	(b) works agreed to in writing by the Planning Secretary;	Operational	N/A as consent allows for 24/7 operation	Not triggered
	(c) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or		N/A as consent allows for 24/7 operation	
	(d) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.		N/A as consent allows for 24/7 operation	

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
B42	The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in Table 2.	Operational	Record sighted: - Intercity Hearing Safety (15 Dec 2022) Noise Survey, which confirmed potential risk of noise is minimal.	Compliant
B43	The development must be constructed to achieve the construction noise management levels detailed in the Interim Construction Noise Guideline (DECC, 2009) (as may be updated or replaced from time to time). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures included in the CEMP in accordance with condition C2.	Construction	This is outside the scope of the operational stage.	Not triggered
B44	The quantities of dangerous goods stored and handled at the site must be below the threshold quantities listed in the Department of Planning's Hazardous and Offensive Development Application Guidelines – Applying SEPP 33 at all times.	Operational	Interview: REMONDIS advised that “The site does not store any Dangerous Goods that exceed the threshold requirement for Dangerous Goods storage. The storage and management of hazardous chemicals in the integrated management plan provided outlines the management of DG storage onsite. Record sighted: ChemAlert Stock Inventory by Location (Tomago) lists the number of containers and their quantity. The list was checked against the threshold quantities listed in Table 1 and 2 of the Department of Planning's Hazardous and Offensive Development Application Guidelines – applying SEPP 33. Listed chemicals in Stock Inventory appear to be under the threshold in Table 1 and 2. Argon and Oxygen do not exceed the thresholds outlined in Appendix 7 Table 6. According to Appendix 7, “where dangerous goods are used or stored in volumes greater than the	Compliant

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
			threshold quantities details below" (i.e., Table 6) ", WorkCover NSW must be notified, and manifests and emergency plans must be developed".	
B45	<p>Dangerous goods, as defined by the Australian Dangerous Goods Code, must be stored, and handled strictly in accordance with:</p> <p>(a) all relevant Australian Standards;</p> <hr/> <p>(b) for liquids, a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and</p>	Operational	<p>Observation:</p> <ul style="list-style-type: none"> - Dangerous goods were observed to be stored in the workshop area and in the chemical storage area on paved surface. - Some chemicals within the chemical storage area were not present in bunds, however the storage area was paved and there is a blind (existing/old) collection system. REMONDIS states that any spill into this containment will be collected for offsite disposal. - Some drums in the chemical storage area were observed to have the taps outside the bunded area. Photographs provided after the audit indicated this has been rectified. - Above ground diesel tank and waste oil tanks were observed to be present in the refuelling area, on paved surface. - Spill kits were observed. - A chemical cabinet (unbunded) was observed outside the chemical storage area. Photographs provided after the audit showed that the chemicals were removed, and the cabinet was empty. - The diesel tanks has a plate stating compliance to AS 1692-2006 and AS 1657-1992 and AS 1940-2017 UL 142 and ULC-S601. <p>Record sighted:</p> <ul style="list-style-type: none"> - Tank Solutions Quotation Proposal states that the tanks were certified to AS1692-2006 and AS 1657-1992 and AS 1940-2017 UL 142. <p>Observation:</p>	Compliant

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
	(c) the Environment Protection Manual for Authorised Officers: Bunding and Spill Management – technical bulletin (EPA, 1997).		<ul style="list-style-type: none"> The chemical drums were stored on bunds. Capacity of bunds could not be observed, noting that the chemical storage has a spill collection area (as described above). <p>Record sighted:</p> <ul style="list-style-type: none"> Tank Solutions Quotation Proposal states that the tanks were certified to AS1692-2006 and AS 1657-1992 and AS 1940-2017 UL 142. <p>Observation:</p> <ul style="list-style-type: none"> Bunding was observed Spill kits were present All chemicals were stored on paved areas. 	
B46	In the event of an inconsistency between the requirements of conditions B45(a) to B45(c), the most stringent requirement must prevail to the extent of the inconsistency.	Operational	Noted, noting that observation and records provided onsite indicated chemical storage was compliant.	Compliant
B47	The Applicant must 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 of Liquids: Environmental Protection – Participants Manual (Department of Environment and Climate Change, 2007).	Operational	See B45.	Compliant
B48	<p>Prior to the commencement of operation, the Applicant must prepare and submit to the Planning Secretary an Emergency Plan for the development. The Emergency Plan must:</p> <p>(a) be prepared in accordance with Australian Standard AS 7345 – 2010 Planning for emergencies in facilities;</p>	Operational	<p>Record Sighted:</p> <ul style="list-style-type: none"> REMONDIS (11 March 2022) Tomago Resource Recovery Facility Emergency Response Management Plan 	Compliant

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
	(b) include procedures for bushfire evacuation and management planning, consistent with the recommendations of the Bushfire Assessment Report: Proposed Recycling Facility, Lot 7 and Lot 11 DP 270328, 21D and 21F School Drive, Tomago prepared by Newcastle Bushfire Consulting dated 11 November 2020; and		Provided in Sections 6.1.1 and 11.2	Compliant
	(c) include flood risk management procedures including:			
	(i) clear triggers for implementing flood risk mitigation actions, such as flood heights at a local gauge or flood warnings from the Bureau of Meteorology;			
	(ii) flood emergency responses, consistent with the State Emergency Service local flood plan;			
	(iii) predicted flood levels;		Port Stephens Council flood map, the property is not considered to be in a flood-prone area.	Compliant
	(iv) flood warning time and flood notification;			
	(v) contact details for the State Emergency Service;			
	(vi) assembly points, refuge and evacuation routes and protocols to maintain personal safety of occupants; and			
	(vii) awareness training for employees and contractors.			
B49	The Applicant must design, install, and operate the development to meet the requirements of FRNSWs Fire	Operational	Record sighted: - Newcert (3 August 2022) OC2 (Certificate no. 21-057-OC2)	Compliant

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
	Safety in Waste Facilities 2020, or as otherwise approved by Fire & Rescue NSW (FRNSW).			
B50	The Applicant must consult FRNSW during the fire engineering brief consultation process for the development.	Operational	Record sighted: - Email from FRNSW (7 April 2020) – consultation and conditions required to address.	Compliant
B51	If there are any significant changes to the approved site layout, processing capacity or accepted waste streams, including combustible materials, the Applicant must reassess the fire and life safety measures for the development, re-consult FRNSW and obtain approval from the Planning Secretary.	Operational	No significant changes to the layout since OC issues in August 2022.	Compliant
B52	The Applicant must ensure: (a) the development complies with the relevant provisions of Planning for Bushfire Protection 2019;	Operational	Record sighted: - FRNSW email (15 April 2020) provided recommendations which were addressed in the EIS.	Compliant
	(b) the site is managed as an inner protection area in accordance with the recommendations of the Bushfire Assessment Report: Proposed Recycling Facility, Lot 7 and Lot 11 DP 270328, 21D and 21F School Drive, Tomago prepared by Newcastle Bushfire Consulting dated 11 November 2020; and		Observation: Minimal landscaping is present onsite. Majority of site is paved.	
	(c) landscaping on site is maintained and managed in accordance with Planning for Bushfire Protection 2019.		Observation: Minimal landscaping is present onsite. Majority of site is paved.	
B53	Prior to any clearing or construction works for the development, the Applicant must purchase and retire one (1) species credit species to offset the removal of 0.1	Construction	This is outside the scope of the operational stage.	Not triggered

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
	hectares of Mahony's Toadlet (<i>Uperoleia mahonyi</i>) habitat on the site. The species credits must be retired in accordance with the requirements of the EES Group's Biodiversity Offsets Scheme and the Biodiversity Conservation Act 2016.			
B54	The requirement to retire species credits (see Condition B53) may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the number and classes of species credits, as calculated by the EES Group's Biodiversity Offsets Payment Calculator.	Construction	This is outside the scope of the operational stage.	Not triggered
B55	The Applicant must provide the Planning Secretary with evidence that: (a) the retirement of species credits has been completed (see Condition B53); or	Construction	This is outside the scope of the operational stage.	Not triggered
	(b) a payment has been made to the Biodiversity Conservation Fund prior to undertaking any clearing or construction works for the development.	Construction	This is outside the scope of the operational stage.	
B56	The Applicant must: (a) implement suitable measures to manage declared priority weeds on the site; and (b) inspect the site on a regular basis to ensure that these measures are working effectively, and that priority weeds are not present on site in sufficient numbers to pose an environmental hazard or cause the loss of amenity in the surrounding area. <i>Note: For the purposes of this condition, priority weed has the same definition of the term in the Biosecurity Act 2015.</i>	Operational	Observation: Most of the site was observed to be paved, only several garden beds were observed in the carpark area. The garden beds appeared to be adequately maintained. Record sighted: <ul style="list-style-type: none">- Site HSEQ Inspection (INS34948) in DoneSafe dated 26 Sep 2023 includes the following questions, "Have weeds been managed appropriately so that they do not present an environmental hazard? i.e.,	Compliant

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
			<i>is there any overgrowth or significant weeds observed?"</i> , which indicated that weeds are considered during site inspection.	
B57	<p>If any item or object of Aboriginal heritage significance is identified on site:</p> <p>(a) all work in the immediate vicinity of the suspected Aboriginal item or object must cease immediately;</p> <p>(b) a 10 m wide buffer area around the suspected item or object must be cordoned off; and</p> <p>(c) Heritage NSW must be contacted immediately.</p>	Construction	No Aboriginal heritage objects were encountered during construction phase.	Not triggered
B58	Work in the immediate vicinity of the Aboriginal item or object may only recommence in accordance with the provisions of Part 6 of the National Parks and Wildlife Act 1974.	Construction	No Aboriginal heritage objects were encountered during construction phase.	Not triggered
B59	If any archaeological relics are uncovered during the course of the work, then all works must cease immediately in that area. Unexpected finds must be evaluated and recorded in accordance with the requirements of Heritage NSW.	Construction	No Aboriginal heritage objects were encountered during construction phase.	Not triggered
B60	Prior to the commencement of construction, the Applicant must prepare and implement Aboriginal cultural heritage and Non-Aboriginal heritage induction training for all staff and contractors. The training must outline the obligations of staff and contractors under the National Parks and Wildlife Act 1974 and the Heritage Act 1977.	Construction	This is outside the scope of the operational stage.	Not triggered
B61	The Applicant must ensure the lighting associated with the development:	Operational	Record sighted:	Compliant

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
	<p>(a) complies with the latest version of AS 4282-2019 - Control of the obtrusive effects of outdoor lighting (Standards Australia, 2019); and</p> <hr/> <p>(b) is mounted, screened, and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.</p>		<ul style="list-style-type: none"> - PTD Group (12 December 2023) letter states: “PTD Electrical Services have assessed the site at 21D School Drive, Tomago, within this assessment the perimeter of the site was walked (11/12/23), and Lux Readings were recorded at four metre intervals... the site complies AS4282:2019 section 3 and note it conforms to the requirements outlined in AS4282:2019... All external lighting is installed in a manner to reduce any spill or glare into neighbouring properties and roadways.” <hr/> <p>Record sighted:</p> <ul style="list-style-type: none"> - No complaints on lighting has occurred. 	
B62	<p>All signage and fencing must be erected in accordance with the development plans included in the EIS. <i>Note: This condition does not apply to temporary construction and safety related signage and fencing.</i></p>	Operational	<p>Observation:</p> <p>Fencing was observed around the perimeter of the site as per the development plan in the EIS. The EIS states that Part 3 of SEPP 64 does not apply for signage.</p>	Compliant
C1	<p>Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:</p> <p>(a) details of:</p> <hr/> <p>(i) the relevant statutory requirements (including any relevant approval, licence, or lease conditions);</p> <hr/> <p>(ii) any relevant limits or performance measures and criteria; and</p> <hr/> <p>(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;</p>	Operational	<p>Provided in:</p> <ul style="list-style-type: none"> - REMONDIS (2 June 2022) Integrated Management Plan, Tomago Resource Recovery Facility. - REMONDIS (27 June 2022) Energy from Waste Management Plan – Eligible Fuels. - REMONDIS (11 March 2022) Tomago Resource Recovery Facility Emergency Response Management Plan - REMONDIS (22 March 2022) Pollution Incident Response Management Plan, Tomago Resource Recovery Facility - REMONDIS (14 July 2022) Tomago Resource Recovery Facility and Truck Parking Depot Water Management Plan 	Compliant

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
	(b) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;		- REMONDIS (June 2022) Resource Recovery Facility and Truck Parking Depot - Air Quality and Odour Management Plan	
	(c) a program to monitor and report on the:			
	(i) impacts and environmental performance of the development; and			
	(ii) effectiveness of the management measures set out pursuant to paragraph (c) above;			
	(d) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;			
	(e) a program to investigate and implement ways to improve the environmental performance of the development over time;			
	(f) a protocol for managing and reporting any:			
	(i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);			
	(ii) complaint;			
	(iii) failure to comply with statutory requirements; and			
	(g) a protocol for periodic review of the plan. <i>Note: the Planning Secretary may waive some of these</i>			

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
	<i>requirements if they are unnecessary or unwarranted for particular management plans</i>			
C2	The Applicant must prepare a Construction Environmental Management Plan (CEMP) for the development in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.	Construction	This is outside the scope of the operational stage.	Not triggered
C3	As part of the CEMP required under condition C2 of this consent, the Applicant must include an Erosion and Sediment Control Plan (see condition B19).	Construction	This is outside the scope of the operational stage.	Not triggered
C4	The Applicant must: (a) not commence construction of the development until the CEMP is approved by the Planning Secretary; and	Construction	This is outside the scope of the operational stage.	Not triggered
	(b) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time.	Construction	This is outside the scope of the operational stage.	
C5	The Applicant must prepare an Operational Environmental Management Plan (OEMP) for the development in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.	Operational	Record Sighted: <ul style="list-style-type: none"> - REMONDIS (2 June 2022) Integrated Management Plan, Tomago Resource Recovery Facility. - DPE (2 August 2022) Operational Environmental Management Plan for REMONDIS Resource Recovery Facility Tomago (Condition C5 of SSD-10447). The letter acknowledged OEMP and its subplans (Energy from Waste Management Plan, Water Management Plan, and Air Quality Management Plan). DPE letter also states that the document contains the information required by the conditions of approval, documents were prepared in consultation with the EPA and Council, where required. 	Compliant
C6	As part of the OEMP required under condition C5 of this consent, the Applicant must include the following:	Operational	Record Sighted:	Compliant

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
	(a) describe the role, responsibility, authority, and accountability of all key personnel involved in the environmental management of the development;		<ul style="list-style-type: none"> REMONDIS (2 June 2022) Integrated Management Plan, Tomago Resource Recovery Facility. Provided in Section 6 and Table 2 	
	(b) describe the procedures that would be implemented to:		Record Sighted:	
	(i) keep the local community and relevant agencies informed about the operation and environmental performance of the development;		<ul style="list-style-type: none"> REMONDIS (2 June 2022) Integrated Management Plan, Tomago Resource Recovery Facility. Provided in Section 15 and 16 	
	(ii) receive, handle, respond to, and record complaints;		Record Sighted:	
			<ul style="list-style-type: none"> REMONDIS (2 June 2022) Integrated Management Plan, Tomago Resource Recovery Facility. Provided in Section 15 	
	(iii) resolve any disputes that may arise;		Record Sighted:	
			<ul style="list-style-type: none"> REMONDIS (2 June 2022) Integrated Management Plan, Tomago Resource Recovery Facility. Provided in Section 15 	
	(iv) respond to any non-compliance;		Record Sighted:	
			<ul style="list-style-type: none"> REMONDIS (2 June 2022) Integrated Management Plan, Tomago Resource Recovery Facility. Provided in Section 16 	
	(v) respond to emergencies; and		Record Sighted:	
			<ul style="list-style-type: none"> REMONDIS (11 March 2022) Tomago Resource Recovery Facility Emergency Response Management Plan REMONDIS (22 March 2022) Pollution Incident Response Management Plan, Tomago Resource Recovery Facility 	
	(c) include the following environmental management plans:		Record Sighted:	

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
C7	(i) Energy from Waste Management Plan (see condition B8);	Operational	<ul style="list-style-type: none"> REMONDIS (27 June 2022) Energy from Waste Management Plan – Eligible Fuels. These documents are separate management plans referenced in OEMP/Integrated Management Plan 	Compliant
	(ii) Water Management Plan (see condition B26); and		Record Sighted; <ul style="list-style-type: none"> REMONDIS (14 July 2022) Tomago Resource Recovery Facility and Truck Parking Depot Water Management Plan. These documents are separate management plans referenced in OEMP/Integrated Management Plan 	
	(iii) Air Quality Management Plan (see condition B36).		Record Sighted; <ul style="list-style-type: none"> REMONDIS (June 2022) Resource Recovery Facility and Truck Parking Depot - Air Quality and Odour Management Plan. These documents are separate management plans referenced in OEMP/Integrated Management Plan 	
	The Applicant must: (a) not commence operation until the OEMP is approved by the Planning Secretary; and		Record sighted: <ul style="list-style-type: none"> DPE (2 August 2022) Operational Environmental Management Plan for REMONDIS Resource Recovery Facility Tomago (Condition C5 of SSD-10447). The letter acknowledged OEMP and its subplans (Energy from Waste Management Plan, Water Management Plan, and Air Quality Management Plan). DPE letter also states that the document contains the information required by the conditions of approval, documents were prepared in consultation with the EPA and Council, where required. Newcert (1 June 2022) Occupation Certificate 21-057-OC1 Newcert (3 August 2022) Occupation Certificate 21-057-OC2 	
	(b) operate the development in accordance with the OEMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time).		Record sighted: <ul style="list-style-type: none"> REMONDIS (2 June 2022) Integrated Management Plan, Tomago Resource Recovery Facility. Interview:	

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
			<ul style="list-style-type: none"> REMONDIS confirmed that the Integrated Management Plan was submitted and approved by DPE on 2 August 2022 and is currently implemented. 	
C8	Within three months of:	Operational	An Operational Compliance Report was submitted to the DPE in December 2023 and has been made available on the REMONDIS website.	Compliant
	(a) the submission of a Compliance Report under condition C14;		Two reportable incidents have occurred within the reporting period of 15 August 2023 – 14 August 2024. Record sighted:	
	(b) the submission of an incident report under condition C10;		<ul style="list-style-type: none"> REMONDIS letter submitted via Major Projects Portal, dated 17 November 2023, "Written Incident Notification Tomago SSD 10447" DPE email correspondence titled REMONDIS Resource Recovery Facility Tomago – Post Approval Document Received – (SSD-10447-PA-23), "7/30 Day Incident Written Report". REMONDIS letter submitted via Major Projects Portal, dated 12 December 2023, "Written Incident Notification Tomago SSD 10447" DPE email correspondence titled REMONDIS Resource Recovery Facility Tomago – Post Approval Document Received – (SSD-10447-PA-27), "7/30 Day Incident Written Report". 	
	(c) the submission of an Independent Audit under condition C16;		An Independent Environmental Audit was submitted to the DPE in October 2023 and has been made publicly available on the REMONDIS website.	
	(d) the approval of any modification of the conditions of this consent; or		No modification was made.	
	(e) the issue of a direction of the Planning Secretary under condition A2(b) which requires a review, the strategies, plans, and programs required under this consent must be reviewed, and the Planning Secretary must be notified in writing of the outcomes of any review.		No direction has been received from planning.	

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
C9	<p>If necessary to either improve the environmental performance of the development, cater for a modification, or comply with a direction, the strategies, plans, and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review required under condition C8, or such other timing as agreed by the Planning Secretary.</p> <p><i>Note: This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.</i></p>	Operational	<p>Interview:</p> <p>The Energy from Waste Management Plan was submitted to DPE on 21 December 2023.</p> <p>REMONDIS stated that energy from waste operations has not commenced yet.</p> <p>Record sighted:</p> <ul style="list-style-type: none"> - Post-approval document REMONDIS Resource Recovery Facility Tomago – SSD-10447-PA-28, Energy from Waste Management Plan – Revision to Existing Document. - NSW Government email correspondence dated December 21, 2023, titled "REMONDIS Resource Recovery Facility Tomago - Post Approval Document Received - (SSD-10447-PA-28)" - 022-ENV-MP-001 Energy from Waste Management Plan 2023-07-17 	Compliant
C10	<p>The Planning Secretary must be notified in writing via the Major Projects website immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 3.</p>	Operational	<p>Two reportable incidents have occurred within the reporting period of 15 August 2023 – 14 August 2024.</p> <p>Record sighted:</p> <ul style="list-style-type: none"> - REMONDIS letter submitted via Major Projects Portal, dated 17 November 2023, "Written Incident Notification Tomago SSD 10447" - DPE email correspondence titled REMONDIS Resource Recovery Facility Tomago – Post Approval Document Received – (SSD-10447-PA-23), "7/30 Day Incident Written Report". - REMONDIS letter submitted via Major Projects Portal, dated 12 December 2023, "Written Incident Notification Tomago SSD 10447" - DPE email correspondence titled REMONDIS Resource Recovery Facility Tomago – Post Approval Document Received – (SSD-10447-PA-27), "7/30 Day Incident Written Report". 	Compliant
C11	<p>The Planning Secretary must be notified in writing via the Major Projects website within seven days after the Applicant becomes aware of any non-compliance.</p>	Operational	<p>No non-compliance has been made aware.</p>	Not triggered

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
C12	A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.	Operational	No non-compliance has been made aware.	Not triggered
C13	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	Operational	Noted	Compliant
C14	<p>Within three months after the first year of commencement of operation of the development, and in the same month each subsequent year (or such other timing as agreed by the Planning Secretary), the Applicant must submit a Compliance Report to the Planning Secretary reviewing the environmental performance of the development to the satisfaction of the Planning Secretary. Compliance Reports must be prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2020) and must also:</p> <p>(a) identify any trends in the monitoring data over the life of the development;</p> <p>(b) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and</p> <p>(c) describe what measures will be implemented over the next year to improve the environmental performance of the development.</p>	Operational	<p>First Operational Compliance Report was submitted on 11 November 2023.</p> <p>Record sighted:</p> <ul style="list-style-type: none"> - Post-approval document titled REMONDIS Resource Recovery Facility Tomago – SSD-10447-PA-22, Operational Compliance Report 2023. - NSW Government email correspondence dated 21 December 2023, titled "REMONDIS Resource Recovery Facility Tomago - Post Approval Document Received - (SSD-10447-PA-22)" 	Compliant
C15	The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the	Operational		Compliant

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
	Planning Secretary and notify the Planning Secretary in writing at least seven days before this is done.		<ul style="list-style-type: none"> - Post-approval document dated 22 December 2023 titled REMONDIS Resource Recovery Facility Tomago – SSD-10447-PA-29, Intent to Publish Compliance Report Tomago SSD. - NSW Government email correspondence dated 22 December 2023, titled “REMONDIS Resource Recovery Facility Tomago - Post Approval Document Received - (SSD-10447-PA-29)” - Tomago Compliance Report 2023 dated 11 November 2023 on the REMONDIS website: https://www.remondis-australia.com.au/locations/nsw/remondis-tomago-rf/ 	
C16	<p>Within one year of the commencement of operation of the development, and every three years after, unless the Planning Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit (Audit) of the development. Audits must:</p> <p>(a) be prepared in accordance with the Independent Audit Post Approval Requirements (Department 2020)</p> <p>(b) be led and conducted by a suitably qualified, experienced, and independent team of experts whose appointment has been endorsed by the Planning Secretary; and</p> <p>(c) be submitted to the satisfaction of the Planning Secretary within three months of commissioning the Audit (or within another timeframe agreed by the Planning Secretary).</p>	Operational	<p>The operation commenced in August 2022; hence the current Independent Audit is conducted within one year of operation commencement and in accordance with the Independent Audit Post Approval Requirements (Department 2020).</p> <p>Record sighted:</p> <ul style="list-style-type: none"> - Department of Planning and Environment (13 June 2023) REMONDIS Resource Recovery Facility Tomago (SSD-10447) Auditor Endorsement Request, which provides approval of the current Audit team. <p>This item is not yet triggered for the current period.</p>	Compliant
C17	In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2020), the Applicant must:	Operational	Record sighted:	Compliant

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
	<p>(a) review and respond to each Independent Audit Report prepared under condition C16 of this consent;</p> <p>(b) submit the response to the Planning Secretary and any other NSW agency that requests it, together with a timetable for the implementation of the recommendations;</p> <p>(c) implement the recommendations to the satisfaction of the Planning Secretary; and</p> <p>(d) make each Independent Audit Report and response to it publicly available no later than 60 days after submission to the Planning Secretary and notify the Planning Secretary in writing at least 7 days before this is done.</p>		<ul style="list-style-type: none"> REMONDIS (10 October 2023) Response to Independent External Audit Report – Facility 21D and 21F School Drive Tomago <p>Record sighted:</p> <ul style="list-style-type: none"> REMONDIS (22 December 2023) Re: Response to Independent External Audit Report – Facility 21D and 21F School Drive Tomago letter submitted through Major Projects Portal. <p>Record sighted:</p> <ul style="list-style-type: none"> REMONDIS (1 December 2023) Publication of Audit Report and Response letter states: “I am writing to inform you of our intention to make publicly available a copy of our Independent Environmental Audit report and response letter, submitted to the department on the 10th of October 2023, no later than Friday 8th December 2023.” Post Approval document dated 1 December 2023 titled REMONDIS Resource Recovery Facility Tomago – SSD-10447-PA-25. Intent to Publish Audit Report and Response. 	
C18	<p>Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy, or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance reporting and independent auditing.</p> <p><i>Note: For the purposes of this condition, as set out in the EP&A Act, “monitoring” is monitoring of the development to provide data on compliance with the consent or on the</i></p>	Operational	Noted, and is reviewed in relevant conditions associated with monitoring.	Compliant

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
	<i>environmental impact of the development, and an “environmental audit” is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.</i>			
C19	At least 48 hours before the commencement of construction of the development until the completion of all works under this consent (or such other time as agreed by the Planning Secretary), the Applicant must: (a) make the following information and documents (as they are obtained or approved) publicly available on its website:	Construction	Record sighted: - The project website https://www.remondis-australia.com.au/locations/nsw/remondis-tomago-rrf/	Compliant
	(i) the documents referred to in condition A2 of this consent;		Record sighted: - SSD, written correspondence, EIS and RTS were sighted on the project website (https://www.remondis-australia.com.au/locations/nsw/remondis-tomago-rrf/)	
	(ii) all current statutory approvals for the development;		SSD was sighted on the project website.	
	(iii) all approved strategies, plans and programs required under the conditions of this consent;		The following documents were sighted on the project website: - Pollution Incident Response Management Plan - Air Quality Management Plan - Water Management Plan - Integrated Management Plan - Energy from Waste Management Plan - Long Term Environmental Management Plan	
	(iv) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent;		Groundwater results from March 2022 to March 2023 were sighted on the REMONDIS website.	

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
	(v) 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;		Groundwater results from March 2022 to March 2023 were sighted on the REMONDIS website.	
	(vi) a summary of the current stage and progress of the development;		The project is operational.	
	(vii) contact details to enquire about the development or to make a complaint;		Environmental complaint line is provided on the REMONDIS website.	
	(viii) complaints register, updated monthly;		Complaint register was sighted on the REMONDIS website.	
	(ix) the Compliance Report of the development;		The first Compliance Report is provided on the REMONDIS website.	
	(x) audit reports prepared as part of any Independent Audit of the development and the Applicant's response to the recommendations in any audit report;		The first Independent Environment Audit is provided on the REMONDIS website.	
	(xi) any other matter required by the Planning Secretary; and		No other matter was identified to require inclusion on the website.	
	(b) keep such information up to date, to the satisfaction of the Planning Secretary.		Review of the website indicates the information is up to date.	
Appendix 2 – Waste	<ul style="list-style-type: none"> Waste management and minimisation will form part of the induction program (which includes environmental due diligence training). All Project and site personnel will be trained in the requirements of this document including minimising wastes, recognising which types of materials are recyclable and their obligations to use recycling facilities provided on site; 	Operational	<p>Observation:</p> <ul style="list-style-type: none"> The waste types observed onsite were included in the EPL e.g., mine waste (contaminated soil in drums, oily rags, waste oil), cardboard, plastic, coffee pods, glass, timber. Waste segregation was observed. Spill kits were observed. No trucks were observed to be coming or leaving the site during the audit. 	Compliant

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
	<ul style="list-style-type: none"> Clearly assign and communicate responsibilities to ensure that those involved in the construction are aware of their responsibilities in relation to the waste management plan; Engage and educate personnel on how the various elements of the waste management plan will be implemented; Specific locations for waste management (e.g., sorting area locations, recycling bin locations, material stockpile locations) will be established on site and signposted appropriately; Waste management areas will be adequately managed to prevent sediment runoff and dust generation; Construction Method Statements (CMS) will include practices to minimise waste generation and to maximise recycling and reuse of materials including oils, greases, lubricants, timber, glass, and metal; Packaging minimisation and reuse initiatives will be implemented as part of the procurement; Development of an unexpected finds environmental procedure should any contamination be found during construction works; Spill kit to be present on site in the case of any fuel leaks of plant and equipment during the construction phase of the development; Segregated waste disposal containers for the collection and recycling/disposal of all waste streams generated during the construction and operation phases will be provided onsite. Waste disposal containers will have clear signage and instructions for use to avoid cross contamination. No rubbish shall be disposed of on site; 		<ul style="list-style-type: none"> Waste storage was observed to be in paved areas. Chemicals were observed to be present in paved and generally bunded areas. Monthly inspections are conducted by management team and include waste management. <p>Interviewee stated that no building waste has been received onsite. No asbestos waste is received onsite.</p> <p>Record sighted:</p> <p>Weighbridge record through Clearweigh for June 2023, which indicated the following waste streams were received and disposed of: cages, ferrous iron or steel, food and garden, glass, mixed hydrocarbon, mixed waste, Nespresso reject, Nespresso cage, non-ferrous metals, oil, paper or cardboard, plastic, plastic film, timber pallets.</p>	

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
	<ul style="list-style-type: none"> Waste will be disposed to an appropriate licensed facility. A Waste Management Register of all waste collected for disposal and / recycling, including amounts, data and time and details and location of disposal will be maintained at all times; All waste being transported off site must be covered. The transportation must be appropriately licensed to carry that material; Storage of all hazardous substances and dangerous goods will be in accordance with SDS requirements in a bunded area. Solid and hazardous wastes will be contained and separated from inert waste; Any hazardous will be managed and handled by an appropriately licensed contractor and transported for disposal to a licensed facility approved site; Any material contaminated by spills i.e., fuel, oil, lubricants etc., including empty fuel, oil and chemical containers, will be stored in a sealed secure container within a bunded area and will be transported to a waste disposal site approved by the NSW EPA to accept such material; Incompatible wastes will not be mixed; Storage areas would be located away from waterways and the stormwater system; Biodegradable products will be used wherever practicable; Regular collection of wastes will ensure air emissions are at a satisfactory level. Inappropriate waste and wastewater management systems will be regularly inspected and audited; Conduct regular litter patrols to ensure litter is effectively controlled on site; 			

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
Appendix 2 – Air Quality	<ul style="list-style-type: none"> • All waste tipping, sorting, processing, and storage will occur indoors at all times; • Implement a waste acceptance evaluation procedure to ensure all waste received on site meets the relevant criteria; • Use odour neutralisers; • Availability of spill kits to allow for prompt containment of spills which could be odorous; • Daily odour survey observations around the boundary of the site; • Work procedures in the event of any particularly odorous loads (e.g., Use of odour neutraliser, identifying waste source and investigating possibility of diverting to another waste facility); • Additional odour control system medium on-site at all times (e.g., Additional activated carbon to be stored on site). 	Operational	<p>Observation:</p> <ul style="list-style-type: none"> - All waste tipping, sorting, processing, and storage were observed to be indoor. - REMONDIS stated that odour neutraliser was not needed. Observation indicated there was no unacceptable odour during the audit. - Spill kits were observed. <p>Record sighted:</p> <ul style="list-style-type: none"> - Air Quality and Odour Management Plan - Daily odour assessment form for 28 August 2023 to 1 September 2023 <p>Interview:</p> <p>REMONDIS stated that activated carbon filter was present in the vicinity of the coffee processing area.</p>	Compliant
Appendix 2 – Greenhouse Gas	<ul style="list-style-type: none"> • Minimise the use of fuel by selecting fuel efficient plant and equipment, operating vehicles and machinery in a fuel-efficient manner e.g., turning off idling equipment, and selecting construction techniques that utilise lower amounts of fuel; • Implement a maintenance plan for all fuel and electrically powered equipment; • Implement energy conservation practices by all staff (which can be enforced through appropriate training); • Use solar panels. 	Operational	<p>Observation:</p> <ul style="list-style-type: none"> - All waste tipping, sorting, processing, and storage were observed to be indoor. - REMONDIS stated that odour neutraliser was not needed. Observation indicated there was no unacceptable odour during the audit. - Spill kits were observed. <p>Record sighted:</p> <ul style="list-style-type: none"> - Air Quality and Odour Management Plan - Asset register record for weekly Australian Bale Press - Monthly Australian Bale Press - 3-monthly Bale Conveyance 	Compliant

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
			<p>Interview:</p> <p>REMONDIS stated that activated carbon filter was present in the vicinity of the coffee processing area.</p>	
Appendix 2 – Noise and Vibration	<ul style="list-style-type: none"> • Avoid the coincidence of noisy plant working simultaneously close together would result in reduced noise emissions; • Equipment which is used intermittently is to be shut down when not in use; • Where possible, equipment with directional noise emissions should be oriented away from sensitive receivers; • Regular compliance checks on the noise emissions of all plant and machinery used for the proposal would indicate whether noise emissions from plant items were higher than predicted. This also identifies defective silencing equipment on the items of plant; • Non-tonal reversing alarms should be used on all items of plants and heavy vehicles used for construction; • Existing doors are closed during the waste processing whenever practicable (note this measure is not required to achieve the Project Noise Trigger Levels for the project and is at the discretion of the proponent). 	Operational	<p>Observation:</p> <ul style="list-style-type: none"> - No unacceptable noise was observed at the time of the audit. - No complaints relating to noise were observed. <p>Interview:</p> <ul style="list-style-type: none"> - REMONDIS stated that non-tonal reversing alarms are used on all plant and heavy vehicles. 	Compliant
Appendix 2 – Biodiversity (construction)	<ul style="list-style-type: none"> • The clearing boundary should be clearly marked to avoid removal of additional native vegetation. • Priority will be given during construction to avoid any inadvertent impact to significant biodiversity values within the study area. Avoidance measures should include the following: <ul style="list-style-type: none"> - All material stockpiles, vehicle parking and machinery storage will be located within cleared areas proposed for 	Operational	<p>Interview</p> <ul style="list-style-type: none"> - REMONDIS stated that the site had been cleared (and mostly developed and paved) at the time of construction. Minimal construction work occurred. <p>Observation</p> <ul style="list-style-type: none"> - All materials, vehicles, and machines were located within paved areas. 	Compliant

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
	<p>clearing, and not in areas of native vegetation that are to be retained;</p> <ul style="list-style-type: none"> - Implementation of temporary stormwater controls during construction and to ensure that discharges outside the development footprint are consistent with existing conditions and do not impact the stream located within the site; • Any animals injured during construction should be taken immediately to a Vet for treatment. Any animals suspected to require rehabilitation would be delivered post-veterinary care to an appropriate animal rehabilitator; • The following measures should be implemented to prevent exotic plant material from entering/exiting the development area; <ul style="list-style-type: none"> - No imported/exported material to be permitted unless it has been inspected and confirmed to be free of dirt and mud which may contain weed seeds and vegetative material such as bulbs, root fragment, tubers or rhizomes; - Vehicles and machinery to be clean of soils, vegetation and seeds that have been brushed off or washed down prior to entering the study area; and • A clean down register to be maintained at the entry/exit of the study area. 			
Appendix 2 – Biodiversity (operation)	<ul style="list-style-type: none"> • Vehicles should not drive off the designated parking area into vegetation within the study area to reduce impact to resident fauna and flora within the study area during the operations phase; • Any animals injured during operations should be taken immediately to the Motto Farm Veterinary Hospital for treatment. Any animals suspected to require rehabilitation would be delivered post-veterinary care to an appropriate animal rehabilitator associated with Wildlife in Need of Care Phone 1300 946 295); 	Operational	<p>Observation</p> <ul style="list-style-type: none"> - The majority of site was observed to be paved, with the exception of some garden beds. - Vehicles were observed to be in paved areas. - External lighting is directed downwards. <p>Interview:</p> <ul style="list-style-type: none"> - REMONDIS stated the only material that was imported to site during construction only comprised DGB. - No injured animals had been encountered. 	Compliant

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
	<ul style="list-style-type: none"> The following measures should be implemented to prevent exotic plant material from entering/exiting the study area: No imported/exported material to be permitted unless it has been inspected and confirmed to be free of dirt and mud which may contain weed seeds and vegetative material such as bulbs, root fragment, tubers or rhizomes; Vehicles and machinery to be clean of soils, vegetation and seeds that have been brushed off or washed down prior to entering the study area; A clean down register to be maintained at the entry of the study area; and Trucks are not to drive off the designated parking area onto vegetation within the site; As a part of maintenance within the study area any high threat weeds known to occur will be controlled in accordance with appropriate DPI guidelines. Guidelines for the treatment of high threat weeds can be sourced within the DPI website; Any artificial lighting used for security at night should be angled/directed downwards to avoid excessive light pollution affecting adjacent habitat. 			
Appendix 2 – Heritage	<ul style="list-style-type: none"> All on-site personnel are to be made aware of their obligations under the National Parks and Wildlife Act 1974, this includes protection of Aboriginal sites and the reporting of any new Aboriginal, or suspected Aboriginal, heritage sites. This may be done through an onsite induction or other suitable format; All on-site personnel are to be made aware of their obligations under the NSW Heritage Act 1977, including the reporting of any historic, or suspected historic material. This 	Operational	<p>Record sighted:</p> <ul style="list-style-type: none"> Aboriginal Cultural Heritage Awareness Training <p>Interview:</p> <ul style="list-style-type: none"> No Aboriginal or suspected Aboriginal archaeological material has been uncovered to date. 	Compliant

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
	<p>may be done through an onsite induction or other suitable format;</p> <ul style="list-style-type: none"> • In the unlikely event that Aboriginal or suspected Aboriginal archaeological material is uncovered during the development, then works in that area are to stop and the area cordoned off. The project manager is to contact the heritage consultant to make an assessment as to whether the material is classed as Aboriginal object/s under the National Parks and Wildlife Act and advise on the required management and mitigation measures. Works are not to re-commence in the cordoned off area until heritage clearance has been given and/or the required management and mitigation measures have been implemented; 			
Appendix 2 – Bushfire	<ul style="list-style-type: none"> • At the commencement of building works and in perpetuity, manage an inner protection area (IPA) for the entire property as outlined within Appendix 4 of Planning for Bush Fire Protection (2019) and the NSW Rural Fire Service's Standards for Asset Protection Zones; • Undertake landscaping in accordance with Appendix 4 of Planning for Bush Fire Protection (2019) and manage and maintain in perpetuity; • Property owner and occupants to familiarise themselves with the relevant bushfire preparation and survival information provided by the New South Wales Rural Fire Service; • Implement emergency evacuation plans prepared for the workplace with specific consideration of bushfire evacuation and management planning; 	Operational	<p>Record sighted:</p> <ul style="list-style-type: none"> - REMONDIS (29 March 2023, ref: 022-HSEQ-MP002) Bushfire response program is in the Site's Emergency Management Plan <p>Observation:</p> <p>The site is mostly paved, with only small garden beds.</p>	Compliant
Appendix 2 – Contamination	<ul style="list-style-type: none"> • Implement remedial measures as detailed in the Remedial Action Plan, 	Operational	<p>Record sighted:</p> <ul style="list-style-type: none"> - GHD (20 May 2022) Site Audit Report, with LTEMP attached. 	Compliant

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
Appendix 2 – Chemicals and fuels and pollution incidents	<ul style="list-style-type: none">• Prepare and implement a Long-Term Environmental Management Plan.			
	<ul style="list-style-type: none">• All liquid wastes, chemicals, and fuels to be handled and stored under cover in bunded areas;• All staff working in areas with liquid wastes to be properly trained and wear PPE at all times;• MSDS sheets, where available, to be readily accessible for all chemicals on site;• Chemical spill kits and “absorbent sausages” to be kept on site and readily accessible near liquid waste and chemical storage;• Firefighting equipment to be accessible and regularly inspected.• The area for loading and off-loading drill muds will occur fully indoors within the designated bunded area of Building 2;• Tankers will be provided with automatic shut-off mechanisms;• Valves will be kept closed unless manually opened during transfer;• Storage tanks will be provided with overfill protection and alarms;• Leak detection tests on tanks, distribution lines and seals will be conducted regularly;• The 2 x 50,000L storage tanks will be internally bunded or will be provided with secondary containment bunding such that the compound (area where the two tanks are stored)	Operational	<p>Observation:</p> <ul style="list-style-type: none">- Chemical spill kits were available near chemical storage.- Firefighting equipment was sighted.- The diesel tank has a plate stating compliance to AS 1692-2006 and AS1940-2017 UL 142 and ULC-S601. <p>Interview:</p> <p>REMONDIS stated:</p> <ul style="list-style-type: none">- No drilling muds have been received onsite.- Tankers have automatic shut-off mechanisms.- Storage tanks have bunds and were built in accordance with Australian Standards.- Leak detection has not occurred as the facility is new.- No underground pipes are present.- The waste oil tank is fitted with alarm. The levels can be viewed online with GES online system. GES was sighted.- Waste types were observed to be segregated inside the buildings. <p>Record sighted:</p> <ul style="list-style-type: none">- ChemAlert, which provides a list of chemicals stores onsite. Examples of SDS were sighted.- Induction material includes traffic management required, which requires that different waste streams need to follow colour-coded transport route and door number.- Tool Box Topic #28 Spill Control for 11, 12, 13, 14, and 20 July 2023 were provided following the site visit.	Compliant

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
	<p>will contain a spill equivalent to the volume of one tank (50,000L);</p> <ul style="list-style-type: none"> • The floors of bulk storage facilities will be designed to withstand the hydrostatic pressure exerted when tanks are full; • The containment system will be compatible with the liquid being stored and provide an impervious barrier to prevent spills from discharging outside the containment system; • Any pipes connected to the storage tanks will be located over the containment system. If a pipe passes through a wall, the joint should be sealed to prevent leakage; • All fixed tanks will be provided with a suitable overflow system that discharges to an area within the bund wall or to a collection or holding point; • Any valve used for draining a storage compound should be located outside the bund wall; • The valve should have clear open and closed positions and be compatible with the liquid contained. The valve should normally be closed except during drainage; • Storage tanks should be fitted with level indicators. Where the level inside the tank is not continuously visible to the person filling the tank, a high-level alarm should be fitted to prevent overflow; • All tanks and storage compounds will be inspected and maintained regularly, and the tanks' integrity should be tested at least every 5 years; • Tanks will be properly labelled and have Material Safety Data Sheets available in the work area; 			

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
	<ul style="list-style-type: none"> • Vehicles will move between storage areas in a manner that prevents the tracking of contamination from one area to another; • All storage areas will be secured against unauthorised entry; • Adequate supplies of spill response equipment should be maintained in accessible locations. These are to be checked on a weekly basis and replenished with new supplies immediately after use; • Contaminated water and other waste (spill materials) from the clean-up of spills must be collected and disposed of in accordance with EPA requirements; • A spill response plan will be developed as part of the Operational Environmental Management Plan for the site, implemented, reviewed, and updated as required; • Spill response training and drills will be conducted regularly or as appropriate; • The spread of the spill should be contained, and all spilled liquids should be recovered immediately. 			
Appendix 2 – Chemicals and fuels and pollution incidents (continued)	<ul style="list-style-type: none"> • The spilled liquid and other clean-up waste should be properly disposed of; • Water used for cleaning up and decontaminating spills should not be allowed to enter stormwater drains or watercourses; • Spills should be covered and protected from stormwater runoff during rainfall to the extent that it does not compromise clean-up activities; 	Operational	<p>Interview:</p> <ul style="list-style-type: none"> - REMONDIS states that spills will be cleaning using spill kits, not water. <p>Observation:</p> <ul style="list-style-type: none"> - Sufficient area was observed onsite to allow access during emergencies. - The diesel tank has a plate stating compliance to AS1692-2006 and AS1940-2017 UL 142 and ULC-S601. - All containers holding liquids were sealed. - Packages were stored with adequate separation from site boundaries. - SDS folder in Building 2. 	Compliant

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
	<ul style="list-style-type: none"> • An emergency management plan to deal with significant incidents will be implemented, reviewed, and updated as required; • At the detailed design stage, sufficient space between bund walls, storage areas and other structures should be provided to allow access during emergencies; • Employees will be trained in emergency response procedures, including spill clean-up procedures; • Response equipment should be provided to allow emergencies to be dealt with immediately; • Emergency drills using the emergency response plan should be undertaken at least annually; • Spilled liquids and other wastes from the clean-up should be collected and properly disposed of; • Responsible individuals should be designated to oversee and enforce control; • The site will maintain adequate measures to contain contaminated firewater on-site; • The site's stormwater isolation valve to be activated to block the stormwater drain outlets from the site; • Oil and oily water is to be pumped into designated holding tanks. These tanks are contained within the fully bunded area, with good ventilation; • Tanks will be provided with suitable vents to enable the safe discharge of displaced volatile air emissions during loading and unloading; should have a vapour disposal or recovery system installed where necessary; • Storage tanks are located in a tank farm that will have bunding for at least 100% of the largest tank; 		<p>Record sighted:</p> <ul style="list-style-type: none"> - Tool Box Topic Spill Control - ChemAlert, which provides a list of chemicals stores onsite. Examples of SDS were sighted. - Induction material includes traffic management required, which requires that different waste streams need to follow colour-coded transport route and door number. 	

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
	<ul style="list-style-type: none">• Package stores containing chemicals that emit volatile gases should be provided with adequate natural or mechanical ventilation;• All containers storing liquids / waste liquids should be sealed (i.e., lids sealed, and bungs secured);• All containers are to be stored in accordance with their waste classification codes;• All areas to have placarding and signage to facilitate identification and management of storages;• Package stores should be located with adequate separation from boundaries, ignition sources and protected places;• Stored chemicals and waste materials should be confined to designated areas;• All stores that contain liquid chemicals should be provided with suitable bunding and containment;• The capacity of the spillage containment compound should be adequate to retain spillage;• Spill containment areas should be designed so incompatible material does not drain to the same area;• Drums and other containers should be stored (stacked) in such a manner and location that if the drums and other containers are ruptured or toppled, the contents will not spill outside the containment structure;• All products should be sorted and labelled, and Material Safety Data Sheets should be made available in the work area;			

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
Appendix 2 – Chemicals and fuels and pollution incidents (continued)	<ul style="list-style-type: none"> • Areas for decanting and off-loading liquid chemicals will be done indoors within the fully bunded area of the Hazardous Waste Recycling Facility; • Adequate natural or mechanical ventilation for package-filling operations should be provided, and if necessary, the vents should be fitted with filters to minimise air emissions; • Tanks should be located with adequate separation distances from boundaries, ignition sources and protected places; • Material that tanks are made of should be compatible with chemicals to be stored; 	Operational	<p>Interview:</p> <ul style="list-style-type: none"> - REMONDIS stated that decanting area is within Building 2 (fully paved). The buildings were all bunded. - The waste oil tank is fitted with alarm. The levels can be viewed online with GES online system. GES was sighted. - All statis equipment onsite has e-stop. <p>Observation:</p> <ul style="list-style-type: none"> - The buildings were appropriately ventilated. No evidence of unacceptable odour was noted. - Tanks were located with adequate separation to site boundaries. - No tankers were observed at the time of audit. - Bin washing was observed. Water from the washing is reportedly collected and treated in the oily water separator. Treated water and oil are disposed of offsite. - Chemical containers were observed to be labelled. <p>Record sighted:</p> <ul style="list-style-type: none"> - Operate A Forklift Assessment for a staff (signed off) - Risk Assessment for a Forklift for a staff (signed off) - Forklift licence - Work Instructions for various waste streams. 	Compliant
	<ul style="list-style-type: none"> • Oil storage tanks will be located away from the containment bunds, so any lateral spill from the tank would be contained inside the containment walls or hit a suitable splatter shield; • All storage tanks should be fitted with level indicators. Where the level inside the tank is not continuously visible to the person filling the tank, a high-level alarm should be fitted to prevent overflow; • Tankers that will visit the site to pump out the drain drum and oil filter drum will be provided with automatic shut-off mechanisms; • Shut-off valves used in the transfer of liquids should be of the quick-closing type; • Hatches, manholes or covers on all tankers should be kept closed, except during loading and unloading operations; • Drums or containers to be used to catch any drips from hoses before or after decanting; 			

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
	<ul style="list-style-type: none"> • Transfer pumps should be provided with emergency shut-down devices; • Hoses should be purged before uncoupling; • Overfill protection devices should be regularly inspected; • Forklift drivers transporting IBC's or other containers should be appropriately trained; • Regular inspections should be undertaken for losses or leaks, and valves, pumps, couplings, and seals should be maintained regularly; • Areas for storing scheduled liquid chemical wastes will be secured, roofed, and walled, have impermeable floors and be adequately ventilated; • Empty containers should be washed, rinsed, or chemically treated and sealed before storage or disposal; • Labels of containers should be retained until the containers are washed and rinsed; • Containers not for reuse should be rendered safe and be punctured or crushed; • Accurate records of all wastes stored should be kept ensuring early disposal; • Employees should be trained in appropriate waste control and disposal procedures. 			
Appendix 2 – Fire Safety	<ul style="list-style-type: none"> • Access for fire brigade vehicles and firefighters: <ul style="list-style-type: none"> - It has been noted by both BMG (2020) and Affinity Fire Engineering (2020) that emergency vehicle access around the northern end of Building 2 is not deemed to satisfy BCA cl. C2.4, in 	Operational	<p>Record sighted:</p> <ul style="list-style-type: none"> - Newcert (3 August 2022) Occupation Certificate 21-057-OC2, which includes fire safety certificate. <p>Interview:</p>	Compliant

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
	<p>that the perimeter road is greater than 18 metres from the building in certain locations; and</p> <ul style="list-style-type: none"> • Fire safety in waste facilities: <ul style="list-style-type: none"> - Building 1 will be fitted with ridgeline exhaust fans capable of extracting smoke at the rate of 18m³/s within 10 minutes of the fire reaching steady heat release; - Building 1 will have a minimum 10mm high perimeter bund around the inside of the building; - Building 2 will be fitted with ridgeline exhaust fans capable of extracting smoke at the rate of 17m³/s within 6 minutes of the fire reaching steady heat release; - Building 2 will have a minimum 16mm high perimeter concrete bund around the inside of the building; - Building 3 will be fitted with ridgeline exhaust fans capable of extracting smoke at the rate of 26m³/s that are interlocked with the fire alarm; - Building 3 will have a minimum 5mm high perimeter concrete bund around the inside of the building; - Internal stockpiles will be arranged to allow for six (6) metres unobstructed access around internal stockpiles will have a maximum volume of 1000m³. • It is further recommended that REMONDIS : <ul style="list-style-type: none"> - Provide an emergency tipping area, such as the undeveloped areas on Site 21F, at least 10 metres from parked vehicles and within a 70 metre radius of hydrant FH5; - Use portable infrared detectors to check for thermal hotspots; - Install fixed infrared cameras with audible alarm at five (5) identified high fire load locations; - Install automatic sprinkler system in Building 2; - Building 2 will require the installation of 4 x 36m (DN19) fire hose reels adjacent personal access doors to ensure coverage of the building internal floor area; 		<ul style="list-style-type: none"> - REMONDIS stated batteries were stored in accordance with Dangerous Codes, separated from other waste streams. <p>Observation:</p> <ul style="list-style-type: none"> - Plastic bales were observed to be less than 2m high but cover an area of >20m². REMONDIS stated that plastic waste is removed when they reach one container full. 	

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
	<ul style="list-style-type: none"> - 2A 60B(E) 9 kg powder fire extinguishers will be installed on all the vehicles working in the vicinity of the fire compartments; - 5 x 2A 60B(E) 9 kg powder fire extinguishers to be inside the recycling plant; - Lithium batteries must be stored in accordance with the Dangerous Goods Code and AS/NZS 4681:2000 The storage and handling of Class 9 (miscellaneous) dangerous goods and articles; and - Plastics will be removed on a regular basis to ensure that individual storage areas, no greater than 20m2 and 2 metres high, are separated from adjoining storages by no less than 2.4 metres. 			
Appendix 2 – Visual Impact	<ul style="list-style-type: none"> • Preferably plant native trees and large shrubs along the boundary to help screen the proposed development from future development of adjacent Lots; • Ensure the proposed development is offset from the boundary to allow screen planting; • Plant native trees along the road verge of 21D to reduce views to the proposed development from future development. 	Operational	<p>Observation:</p> <ul style="list-style-type: none"> - Trees have been planted around the truck parking areas. - Trees were observed on the south-eastern boundary adjacent to the road. No planting space was available on the southern boundary. 	Compliant
Appendix 2 – Emergency Response	<ul style="list-style-type: none"> • In the event of an emergency, the Emergency Plan prepared of the facility will be implemented. • As per the Emergency Plan, in the event of a flood that has the potential to reach the site boundaries, the following actions are to be taken: <ul style="list-style-type: none"> - The facility is to stop receiving inbound product; - Service/remove all bins and vessels wherever possible; and - Send contents offsite to recycling/disposal destinations. 	Operational	<p>Record sighted:</p> <ul style="list-style-type: none"> - REMONDIS (11 March 2022) Tomago Resource Recovery Facility Emergency Response Management Plan. <p>Interview:</p> <p>REMONDIS stated that no emergency has occurred.</p>	Not triggered

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
	<ul style="list-style-type: none"> In the event the actions above cannot be carried out, the actions listed in table 4.3 of the Waste Minimisation and Management Plan (Version 4 dated 12/08/21) are to be implemented, relevant to the specific areas. 			
Appendix 3.1	<p>1. A written incident notification addressing the requirements set out below must be submitted to the Planning Secretary via the Major Projects website within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition C10 or, having given such notification, subsequently forms the view that an incident has not occurred.</p>	Operational	<p>Two reportable incidents have occurred within the reporting period of 15 August 2023 – 14 August 2024.</p> <p>Record sighted:</p> <ul style="list-style-type: none"> REMONIDS letter submitted via Major Projects Portal, dated 17 November 2023, <i>"Written Incident Notification Tomago SSD 10447"</i> DPE email correspondence titled REMONDIS Resource Recovery Facility Tomago – Post Approval Document Received – (SSD-10447-PA-23), <i>"7/30 Day Incident Written Report"</i>. REMONIDS letter submitted via Major Projects Portal, dated 12 December 2023, <i>"Written Incident Notification Tomago SSD 10447"</i> DPE email correspondence titled REMONDIS Resource Recovery Facility Tomago – Post Approval Document Received – (SSD-10447-PA-27), <i>"7/30 Day Incident Written Report"</i>. 	Compliant
Appendix 3.2	<p>2. Written notification of an incident must:</p> <p>(a) identify the development and application number;</p> <p>(b) provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);</p> <p>(c) identify how the incident was detected;</p> <p>(d) identify when the applicant became aware of the incident;</p>		<p>Two reportable incidents have occurred within the reporting period of 15 August 2023 – 14 August 2024.</p> <p>Record sighted:</p> <ul style="list-style-type: none"> REMONIDS letter submitted via Major Projects Portal, dated 17 November 2023, <i>"Written Incident Notification Tomago SSD 10447"</i> DPE email correspondence titled REMONDIS Resource Recovery Facility Tomago – Post Approval Document Received – (SSD-10447-PA-23), <i>"7/30 Day Incident Written Report"</i>. REMONIDS letter submitted via Major Projects Portal, dated 12 December 2023, <i>"Written Incident Notification Tomago SSD 10447"</i> 	Compliant

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
	<p>(e) identify any actual or potential non-compliance with conditions of consent;</p> <p>(f) describe what immediate steps were taken in relation to the incident;</p> <p>(g) identify further action(s) that will be taken in relation to the incident; and</p> <p>(h) identify a project contact for further communication regarding the incident.</p>		<ul style="list-style-type: none"> - DPE email correspondence titled REMONDIS Resource Recovery Facility Tomago – Post Approval Document Received – (SSD-10447-PA-27), “7/30 Day Incident Written Report”. 	
Appendix 3.3	<p>3. Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.</p>	Operational	<p>Two reportable incidents have occurred within the reporting period of 15 August 2023 – 14 August 2024.</p> <p>Record sighted:</p> <ul style="list-style-type: none"> - REMONDIS letter submitted via Major Projects Portal, dated 17 November 2023, “Written Incident Notification Tomago SSD 10447” - DPE email correspondence titled REMONDIS Resource Recovery Facility Tomago – Post Approval Document Received – (SSD-10447-PA-23), “7/30 Day Incident Written Report”. - REMONDIS letter submitted via Major Projects Portal, dated 12 December 2023, “Written Incident Notification Tomago SSD 10447” <p>DPE email correspondence titled REMONDIS Resource Recovery Facility Tomago – Post Approval Document Received – (SSD-10447-PA-27), “7/30 Day Incident Written Report”.</p>	Compliant
Appendix 3.4	<p>The Incident Report must include:</p> <p>(a) a summary of the incident;</p> <p>(b) outcomes of an incident investigation, including identification of the cause of the incident;</p>	Operational	<p>Two reportable incidents have occurred within the reporting period of 15 August 2023 – 14 August 2024.</p> <p>Record sighted:</p>	Compliant

Condition ID	Compliance Requirement	Phase	Evidence	Compliance Status
	<p>(c) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and</p> <hr/> <p>(d) details of any communication with other stakeholders regarding the incident.</p>		<ul style="list-style-type: none"> - REMONIDS letter submitted via Major Projects Portal, dated 17 November 2023, <i>"Written Incident Notification Tomago SSD 10447"</i> - DPE email correspondence titled REMONDIS Resource Recovery Facility Tomago – Post Approval Document Received – (SSD-10447-PA-23), <i>"7/30 Day Incident Written Report"</i>. - REMONIDS letter submitted via Major Projects Portal, dated 12 December 2023, <i>"Written Incident Notification Tomago SSD 10447"</i> <p>DPE email correspondence titled REMONDIS Resource Recovery Facility Tomago – Post Approval Document Received – (SSD-10447-PA-27), <i>"7/30 Day Incident Written Report"</i>.</p>	

8.2 Appendix B – Action Status Table

Table 7 Action Status Table

Source	Condition of Consent No.	Action Proposed	Proposed Completion Date	Status	Action Completed
IEA 2023	A27	No recommendation is provided as the confirmation from Telstra has been obtained.	31 December 2023	Completed	SOW for Tomago Office Network (14 September 2021), submitted to Geosyntec 14 August 2023.

8.3 Appendix C – Compliance Report Declaration Form

Appendix D – Compliance Report Declaration Form Template

Compliance Report Declaration Form

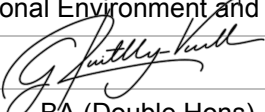
Project Name	REMONDIS Resource Recovery Facility and Truck Parking Depot
Project Application Number	SSD 10447
Description of Project	
Project Address	21D and 21F School Drive, Tomago NSW 2322
Proponent	REMONDIS AUSTRALIA PTY LTD
Title of Compliance Report	Operational Compliance Report - Tomago Resource Recovery Facility
Date	29 November 2024

I declare that I have reviewed the contents of the attached Compliance Report and to the best of my knowledge:

- the Compliance Report has been prepared in accordance with all relevant conditions of consent;
- the Compliance Report has been prepared in accordance with the Compliance Reporting Requirements;
- the findings of the Compliance Report are reported truthfully, accurately and completely;
- due diligence and professional judgement have been exercised in preparing the Compliance Report; and
- the Compliance Report is an accurate summary of the compliance status of the development.

Notes:

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

Name of Authorised Reporting Officer	Guy Raithby-Veall
Title	National Environment and Sustainability Manager
Signature	
Qualification	BA (Double Hons), LL.B Law, MBA Sustainability, CIWM, GACID
Company	REMONDIS AUSTRALIA PTY LTD
Company Address	Level 4/164 O'Riordan St, Mascot NSW 2020