

Department of Planning and Environment

Ms Alycia O'Brien
Environmental Compliance Officer
Benedict Recycling Pty Limited
Awabakal Country

By email: compliance@benedict.com.au

22/03/2023

Dear Ms O'Brien

**Mayfield West Recycling Facility (SSD-7698)
2022 Independent Environmental Audit**

Reference is made to the Independent Environmental Audit (IEA) report and Response to Audit Recommendations (RAR) for the Mayfield West Recycling Facility prepared as required by condition C13 of development consent SSD-7698, as modified (the consent) and submitted to the Department of Planning and Environment (the department) on 25 January 2023.

The department considers the IEA report to generally satisfy the reporting requirements of the consent. Please note that acceptance of this report is not an endorsement of the compliance status of the project.

Please include a status update for all actions provided in the RAR in the next Annual Review until all actions are completed.

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

Yours sincerely



Heidi Watters
Team Leader Northern
Compliance

As nominee of the Planning Secretary

Benedict Recycling Newcastle Facility

1A McIntosh Drive, Mayfield West

INDEPENDENT ENVIRONMENTAL AUDIT

Final | 23 JANUARY 2023



**IAN SWANE &
ASSOCIATES**

Benedict Recycling Newcastle Facility, 1A McIntosh Drive, Mayfield West

INDEPENDENT ENVIRONMENTAL AUDIT

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Benedict Recycling Newcastle Facility
1A McIntosh Drive, Mayfield West
Independent Environmental Audit

**IAN SWANE &
ASSOCIATES**

1. Executive Summary

Benedict Recycling Pty Limited is the operator of the Benedict Recycling Newcastle Facility (SSD 7698) located at 1A McIntosh Drive, Mayfield West (the 'Facility'). Benedict was granted development consent for the Facility by the Department of Planning and Environment on 13 March 2018, which was modified on 27 October 2021 to allow an increased processing capacity from 90,000 tonnes per year to 315,000 tonnes per year of general solid waste (non-putrescible). Operations at the Facility commenced on 25 September 2018.

This report documents the results of a three yearly independent environmental audit (IEA) of the Facility that fulfills the requirements of Condition C13 of the Consent. The audit was undertaken in accordance with the DPE (2020) "*Independent Audit Post Approval Requirements*".

The Audit was commissioned on 21 September 2022 and undertaken by Dr Ian Swane from Ian Swane & Associates. The site inspection was undertaken by Dr Swane on 31 October 2022. The audit covered the period from 1 October 2019 to 31 October 2022.

The Auditor considers the weight of evidence provided in this IEA supports the conclusions that:

- Operations at the site have improved over the Audit Period such that no non-compliances with the Facility's environmental statutory obligations were identified at the end of the Audit Period and that the few non-compliances identified in the early stage of the Audit Period have been addressed;
- The outcome of the audit was that the Auditor identified no significant non-compliances during the Audit Period for the Facility, with all audit issues having a negligible risk level;
- Operations at the site have been well managed over the Audit Period and an acceptable level of environmental performance was achieved; and
- The overall recovery rate achieved by the Benedict operation is likely to represent current best practice for the waste streams being recycled in NSW.

The Auditor considers there are no improvements that need to be made at this time to address non-compliances in environmental performance at the site, since there was a low risk of non-compliance at the end of the Audit Period. Nevertheless, the Auditor considers there exist environmental improvement opportunities for the site corresponding to:

- Assessing the practicality of using recycled water for dust suppression;
- Use of technological advances in recycling processes;
- Continue to upgrade equipment when feasible; and
- Other opportunities identified through regular review of site operations.

2. Introduction

2.1 Purpose & Audit Period

Benedict Recycling Pty Limited (**Benedict**) is the operator of the Benedict Recycling Newcastle Facility (SSD 7698) located at 1A McIntosh Drive, Mayfield West (the 'Facility'). Benedict was granted development consent for the Facility by the Department of Planning and Environment (**DPE**) on 13 March 2018, which was modified on 27 October 2021 (the **Consent**)¹ to allow an increased processing capacity from 90,000 tonnes per year to 315,000 tonnes per year of general solid waste (non-putrescible), hereafter referred to as **GSW**. Operations at the Facility commenced on 25 September 2018. A recent aerial photo of the Facility is provided in **Figure 2-1**.

This report documents the results of a three yearly independent environmental audit (**IEA**) of the Facility that fulfills the requirements of Condition C13 of the Consent. The audit was undertaken in accordance with the DPE (2020) "Independent Audit Post Approval Requirements".

The Audit was commissioned on 21 September 2022 and undertaken by Dr Ian Swane from Ian Swane & Associates (**ISAA**). The site inspection was undertaken by Dr Swane on 31 October 2022. The audit covered the period from 1 October 2019 to 31 October 2022 (**Audit Period**). The previous independent audit was undertaken by Barnett & May (21 February 2020)² and covered the period 25 September 2018 to 30 September 2019.

2.2 Audit Requirements

Condition C13 of the Consent states that:

"Within one year of the commencement of operations, and every three years thereafter, unless the Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the Development. This audit must:

- a) *be conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;*
- b) *include consultation with the relevant agencies;*
- c) *assess the environmental performance of the Development and assess whether it is complying with the requirements in this consent, and any relevant approvals, relevant EPL(s) (including any assessment, plan or program required under these approvals);*
- d) *review the adequacy of any approved strategy, plan or program required under the abovementioned consents; and*
- e) *recommend measures or actions to improve the environmental performance of the Development, and/or any strategy, plan or program required under these consents.*

Note: This audit team must be led by a suitably qualified auditor, and include relevant experts in any other fields specified by the Secretary.

Condition C14 of the Consent states that:

"Within three months of commissioning the audit, or as otherwise agreed by the Secretary, the Applicant must submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the Audit Report.

¹ Department of Planning Industry and Environment (27 October 2021) 'Consolidated Consent SSD 76987 for 1a McIntosh Drive, Mayfield West, Lot 1 DP 874109'. Prepared for Benedict Recycling Pty Ltd

² Barnett & May (21 February 2020) 'Benedict Waste Recycling Facility Mayfield West, Independent Environmental Audit'. Prepared for Benedict Recycling Pty Ltd

Figure 2-1 Site Locality Aerial Photo

(Source: Microsoft Bing)



The requirements of the Consent considered relevant to this IEA cover:

- Administrative conditions (Consent Part A);
- Environmental performance and management (Consent Part B); and
- Environmental management, reporting and auditing (Consent Part C).

The Facility operates under an Environment Protection Licence (**EPL**) issued by the EPA number 20771. The requirements of the Consent that are considered relevant to this IEA cover:

- Administrative conditions (EPA Part 1 of the EPL);
- Discharges to air and water and applications to land (EPL Part 2);
- Limit conditions (EPL Part 3);
- Operating conditions (EPL Part 4);
- Monitoring and recording conditions (EPL Part 5); and
- Reporting conditions (EPL Part 6).

2.3 Audit Team

The Audit Team was led by Dr Ian Swane, a NSW Environmental Protection Authority (**EPA**) accredited Site Auditor (Accreditation No: 9821). Dr Swane has been an EPA accredited Site Auditor since 1998 before the scheme formally began in 1999. He has also been an EPA accredited Site Auditor in Victoria, Queensland, Western Australia and the Northern Territory. Over the past 24 years he has completed over 280 site audits in NSW. Dr Swane has a BE (Hons 1st Class) and a PhD from Sydney University. Ian is also a Certified Practising (Civil) Engineer (**CPEng**) and a Site Contamination Specialist (Rego No: SC40103).

The professional experience of Dr Swane covers:

- A Senior Principal environmental & civil engineer with over 40 years of professional experience specialising in the investigation, assessment, remediation and management of contaminated sites, health & ecological risk assessments, environmental audits & waste management in Australia and Southeast Asia;
- He has investigated and remediated many of the largest contaminated sites in Australia and been a technical adviser to Government agencies on key projects (e.g. BHP Hunter Sediment Remediation Project, BHP Steel River Remediation Project, Homebush Bay Dioxin Remediation Project);
- He has detailed knowledge of the area where the Facility was located, which is located adjacent to the former BHP Steel River industrial development. In 2010 – 2014, he was the chairperson of the BHP and EPA expert panel into the remediation of the BHP Steel River site and its redevelopment into an industrial estate; and
- He completed eight independent audits for the NSW Government in 2022, which included EPA statutory site audits and EPA waste audits under the POEO Act.

Dr Swane completed all work required by the Audit, since his technical expertise and experience covered all technical aspects required by the Audit. The DPE approved Dr Swane as the Auditor for this IER on 21 September 2022, with a copy of the DPE auditor endorsement letter provided in **Appendix B**.

2.4 Audit Scope

The scope of work undertaken by the Auditor for the IER involved:

- Consulted with NSW Government agencies relevant to the audit (e.g. DPE, EPA, Newcastle City Council, Fire and Rescue NSW);
- Reviewed documentation provided by Benedict and Government agencies relevant to the audit;

- Prepared detailed audit checklists (spreadsheets) to assess and track compliance;
- Online meetings between the Auditor, Benedict Environmental Compliance officer and the Benedict Site Manager;
- Facility inspection and on-site meeting conducted on 31 October 2022; and
- Auditor report preparation.

2.5 Facility Description

The Facility at 1A McIntosh Drive Mayfield West is located on land legally defined as Lot 1 DP874109. The main features of the Facility are:

- A sealed access road from McIntosh Drive that leads to a wheel wash, weighbridge and administrative area;
- The main processing shed located in the SW part of the site;
- A segregated heavy waste processing and stockpiling area located in the northern part of the site;
- Screening equipment located towards the centre of the site;
- A generator and diesel tank in the central part of the site;
- A public waste unloading shed in the southern part of the site;
- A workshop and equipment maintenance shed in the southern part of the site;
- Sealed internal roadways;
- Perimeter drains inside the site boundaries with a final sedimentation basin located in the NW corner that discharges validated stormwater to the Hunter River;
- Water holding tanks and automated dust suppression water sprays; and
- Security fencing around the property boundaries with lockable gates and signage.

Plans of the Facility are provided in **Figures 2-2 to 2-6**, with copies of photos taken by the Auditor on 31 October 2022 showing current site conditions provided in **Appendix F**.

Changes made to the Facility since the previous audit period (25/09/18 – 30/09/19) were associated with modifications approved by the Consent issued on 27 October 2021 and shown on an earlier 2018 site layout plan provided in the Consent. These changes included:

- Expanding the operational area to cover the whole site;
- Moving the public waste unloading area from an area just north of the main processing shed to an unloading shed in the southern part of the site;
- Moving the truck/wheel wash from the northern part of the site to the southern part within the main access road;
- Constructing a workshop and equipment maintenance shed in the southern part of the site; and
- Water holding tanks and automated dust suppression water sprays.

Figure 2-2 Facility Layout Plan

(Source: Consent SSD 7698)



Figure 2-3 Historical Facility Layout Plan (pre 2021)

(Source: Consent SSD 7698)

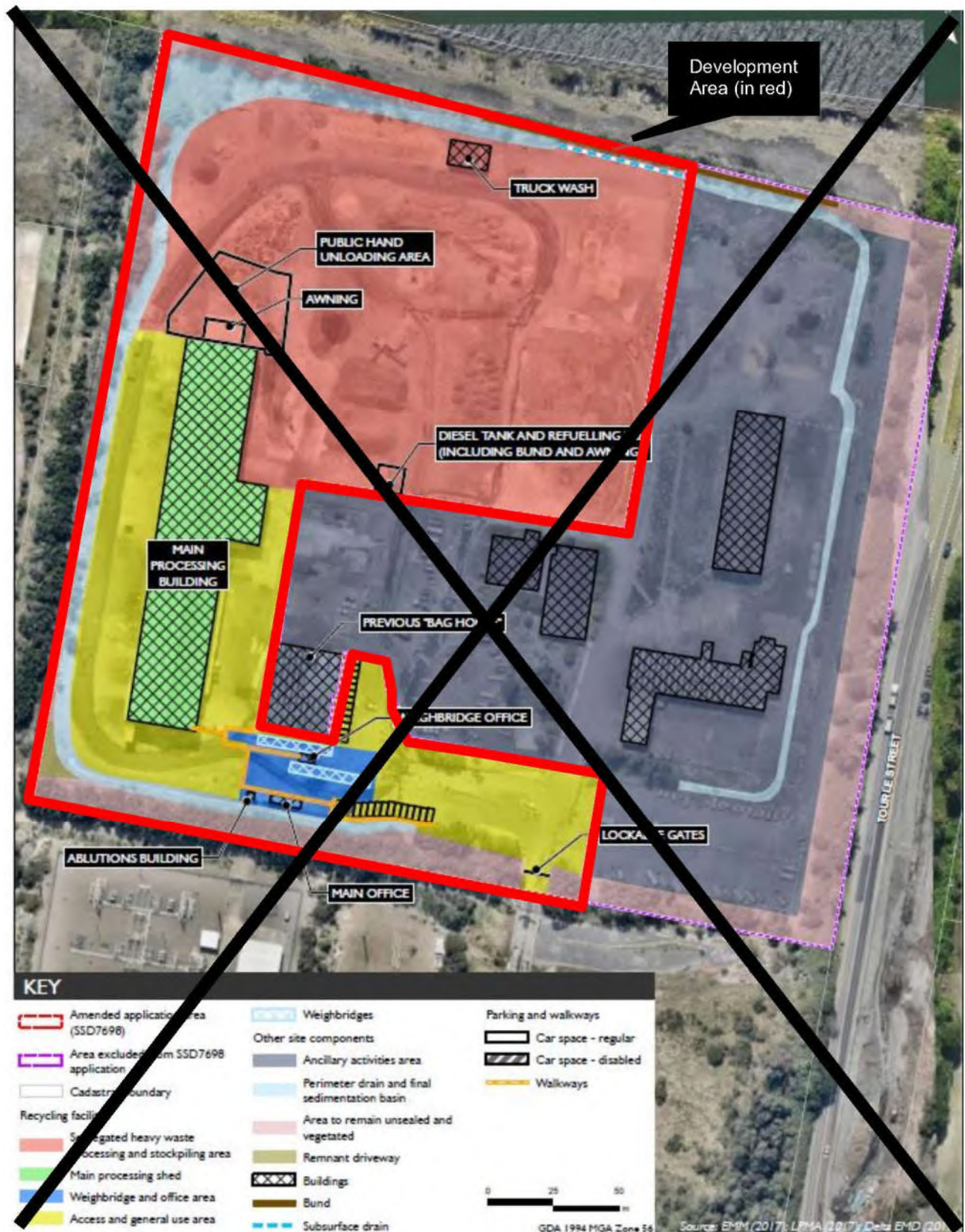


Figure 2-4 Location of Surface Water Management Infrastructure

(Source: Consent SSD 7698)

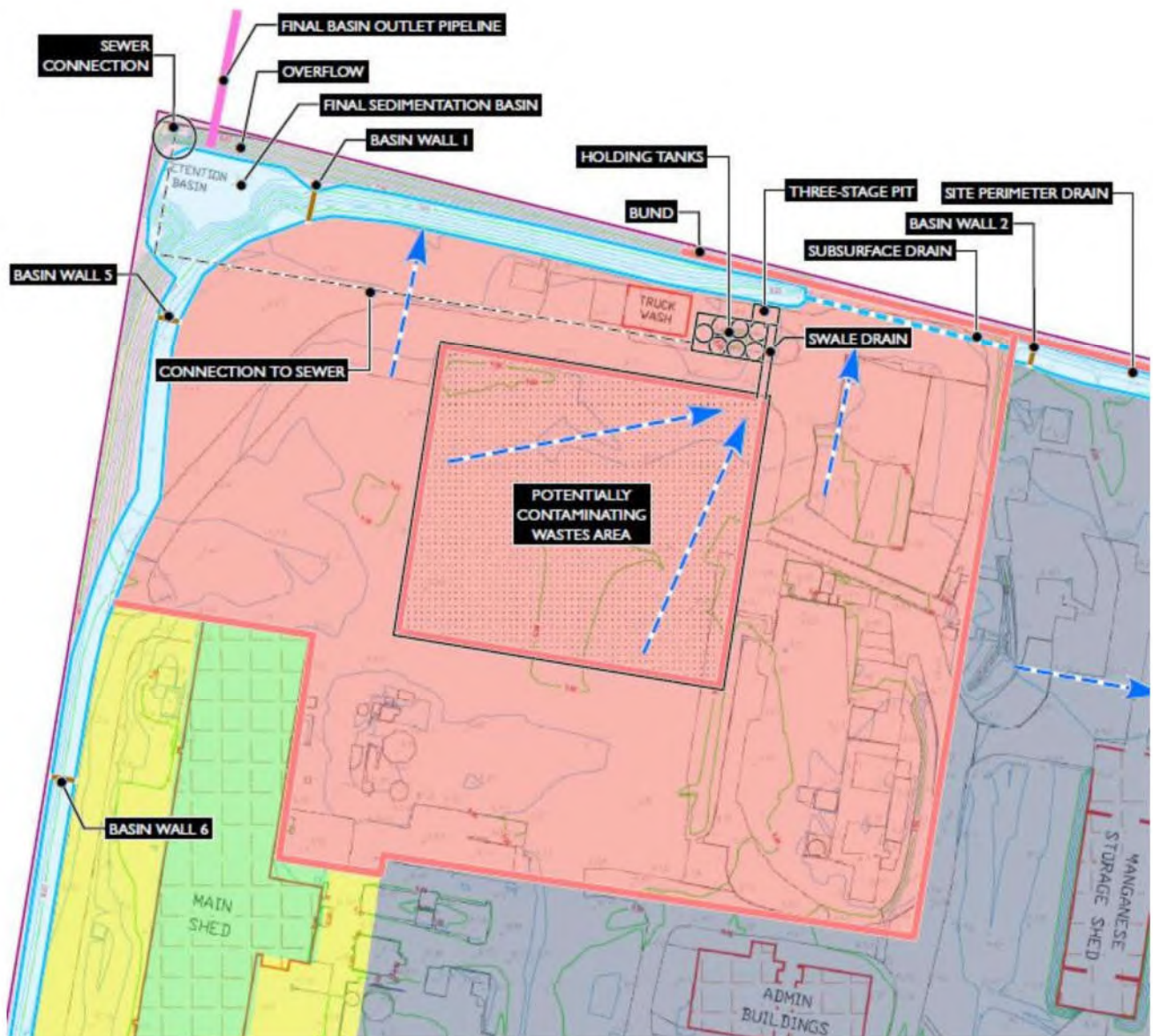


Figure 2-5 Limits on Location of Crusher, Shredder and Screens

(Source: Consent SSD 7698)



Figure 2-6 Sensitive Receptor Locations

(Source: Consent SSD 7698)



2.6 Waste Description

The facility accepts wastes for recycling on Monday to Friday 6am – 5.30pm and Saturday 6am – 2pm. The wastes accepted include:

- building and demolition wastes (both commercial and domestic);
- green wastes;
- soils and clean fills;
- paper and cardboard wastes; and
- metals.

The various waste types accepted by the facility are summarised in **Table 2-1**.

Table 2-1 Waste Types Accepted at the Facility (Sheet 1 of 2) (Source: Benedict Recycling website)

Waste Type	Prod. Code
Mixed Building & Demolition Waste	DEMOT
General Solid Waste Recyclable Building & Demolition Waste from Infrastructure Projects May contain man-made rubbish such as plastic, paper, cloth, metal, brick, concrete, asphalt. Tipping subject to test reports being supplied and approved.	GSREC
Clean Segregated Concrete Clean Straight Concrete - Building & Demolition Waste - must not contain any other material. Less than 700mm x 700mm in size.	CONCC
Clean Segregated Concrete - Large Clean Straight Concrete - Building & Demolition Waste - must not contain any other material. Greater than 700mm x 700mm in size.	CONCCL
Clean Segregated Brick Clean Straight Brick - must not contain any other material.	BRICC
Mixed Brick & Concrete Building & Demolition Waste - must not contain any other material.	CONBK
Rubble (No Light Rubbish) Building & Demolition Waste consisting of a mixture of soil / clay, brick, concrete, asphalt. Must not contain any other material incl. light rubbish.	RUBBL
Asphalt Building & Demolition Waste - must not contain any other material.	ASPHA
VENM (Certified) Certified only - Virgin Excavated Natural Material Soil, clay, shale, sandstone, sand - must not contain any other material.	VENM
VENM (Certified) - Sand Only Certified only - Virgin Excavated Natural Material. SAND ONLY - must not contain any other material including shale, clay or soil.	VENMS
Timber Must not contain any other material including treated or engineered timber or stumps.	TIMBE
Vegetation Full Loads – Garden/Green Waste Only – No Stumps.	VEGET

Table 2-1 Waste Types Accepted at the Facility (Sheet 2 of 2)

(Source: Benedict Recycling website)

Non-Recyclable Waste Carpet/underlay, vegetation, astro turf, kopper logs, treated timber, particle board, MDF, CCA, form ply, glass, horsehair plaster, heavy clay with rubbish, historical steel works blast furnace slag skulls & pig iron.	NRECW
Non-Recyclable Waste - Light Polystyrene, plastics, insulation, foam packaging. Loads that contain 50% or more by volume of one or a mixture of any of the listed wastes.	NRECWL
C&I Waste Commercial and Industrial Waste	CIWASTE
Gyprock Clean Gyprock - must not contain any other material including horsehair plaster.	GYPROCK
Cardboard Must not contain any other material.	CBOARD
Minimum Charge Minimum transaction fee applies for all waste streams. No minimum 'weight' charge applies at any sites except for NRECW which will be charged at 'Net Weight x DEMOT'.	MIN CHARGE
Car & Light Utility Tyres	TYREC
Truck & Forklift Tyres	TYRET
Mattresses	MATTR
Stumps (Exceeding 500mm diameter)	STUMP
Reload Fee	RELOAD

The wastes are separated for reuse and recycling. The facility also has a range of recycled sands, aggregates and mulch products for sale. The Facility's promotional flier provided on the Benedict website advises customers, among other things, that:

- All vehicles are weighed in and out on our fully certified weighbridges to calculate the net weight disposed;
- All waste will be inspected at each site by a Waste Inspector both before and during unloading;
- All goods invoiced as per signed weighbridge docket. No classification disputes will be accepted;
- Benedict Recycling does not accept any non-conforming or hazardous materials that do not appear on our EPA licence, including but not limited to: liquid waste, asbestos or putrescible waste; and
- Benedict's recycled products meet the conditions of the relevant resource recovery orders issued under the POEO (Waste) Regulation 2014. Customers are advised to consult the "BENEDICT" guide to customers for Product Selection and Use at www.benedict.com.au/products and the EPA website at www.epa.nsw.gov.au for advice on the appropriate use of natural and recycled materials.

2.7 Abbreviations

AQMP	Air quality management plan
CDMP	Conceptual Decommissioning Management Plan
CEMP	Construction Environmental Management Plan
DPE	Department of Planning and Environment
EMS	Environmental management system
EPA	NSW Environment Protection Authority
EPL	Environment Protection Licence
FRNSW	Fire and Rescue NSW
GSW	General solid waste
IEA	Independent environmental audit
LMP	Landscape management plan
NCC	National Construction Code
NSW	New South Wales
OEMP	Operational environmental management plan
OTPMP	Operational traffic and pedestrian management plan
PIRMP	Pollution incident response management plan
POEO Act	Protection of the Environment Operations Act 1997
RTS	The Applicant's response to issues raised in submissions received in relation to the application for consent for the development under the EP&A Act, titled Mayfield West Recycling Facility Response to Submissions, prepared by EMM, dated 20 July 2017
SSD	State significant development
SWCMP	Surface Water Characterisation and Mitigation Plan
SWVR	Surface Water Validation Report
WMP	Waste Management Plan

3. Audit Methodology

3.1 Selection and Endorsement of Audit Team

Refer **Section 2.3**.

3.2 Independent Audit Scope Development

The audit scope was developed through the Auditor undertaking:

- **Task 1 Early work** that involved:
 - Reviewing the DPE (May 2020) audit guideline;
 - Reviewing the audit report prepared by Barnett & May (February 2020) for the previous audit period;
 - Reviewing data provided by Benedict for the Audit Period;
 - Reviewing data available on the POEO Public Register³ and search for any applications, notices, convictions, civil proceedings, enforceable undertakings, and penalty notices concerning the Facility;
 - Initial consultation with agencies (comprising DPE, EPA, Newcastle City Council, and Fire and Rescue NSW) involving email requests for information; and
 - Preparing two detailed audit checklists (spreadsheets) to assess and track compliance with the Consent and the EPL. A copy of these checklists was sent to Benedict for review and comment prior to Task 2.
- **Task 2 Site inspection and on-site meeting** involved:
 - Inspecting the Facility in the company of the Benedict Environmental Compliance Manager and Site Supervisor. The Auditor examined conditions within the Facility and adjacent to site boundaries. Facilities inspected included:
site access and security; weighbridge; waste receipt areas; waste sorting areas; waste storage stockpiles; fuel and dangerous goods storage areas; equipment maintenance shed; wheel wash; and surface water management infrastructure.
 - The Auditor holding an on-site meeting with the Benedict Environmental Compliance Manager and Site Supervisor to:
 - i. discuss observations of site conditions and environmental practices made by the Auditor;
 - ii. discuss audit documentation provided by Benedict; and
 - iii. discuss non-compliances (if any) identified during the site inspection.
- **Task 3 Data assessment** involved:
 - Further consultation with agencies as may have been required to collect additional data;
 - Data assessment;
 - Further discussions with Benedict; and
 - Preparation of Independent Audit Tables.
- **Task 4 Reporting** involved preparing the audit report. The Auditor initially prepared a draft audit report that was sent to Benedict for review and comment. A follow-up online meeting was then held to discuss the report's findings and recommendations. The report was then finalised and issued in accordance with Audit requirements.

³ <https://www.epa.nsw.gov.au/licensing-and-regulation/public-registers>

3.3 Compliance Evaluation

The audit process was used to determine the compliance status of environmental operations undertaken at the Facility over the Audit Period. Conclusions made by the audit were based on a weight of evidence approach that used data collected from multiple sources, such as:

- Findings of the previous audit as documented in the Barnett & May (February 2020) report and the response provided by Benedict (March 2020);
- NSW Government agencies relevant to the audit (e.g. DPE, EPA, Newcastle City Council, Fire and Rescue NSW);
- Documentation provided by Benedict and Government agencies relevant to the audit;
- Facility inspection and on-site meeting conducted on 31 October 2022; and
- Additional online meetings between the Auditor, Benedict Environmental Compliance Manager and the Benedict Site Supervisor.

3.4 Interviews with Benedict Personnel

Site personnel were interviewed prior to, during and following the Facility inspection. The site personnel interviewed were:

- The Benedict Environmental Compliance Manager (Alycia O'Brien); and
- The Benedict Site Supervisor (Liam Baker).

The interviews involved:

- Obtaining feedback and information from the Benedict personnel addressing issues raised by the checklists. Most of this information consisted of documentation that was provided to the Auditor prior to the site inspection;
- Discussion of site conditions as observed during the site inspection;
- Review of the checklists on-site and obtaining additional verbal information following the site inspection; and
- The Auditor obtaining feedback from Benedict personnel in response to the release of a draft version of the audit report.

3.5 Site Inspection

The site inspection was conducted by the Auditor on 31 October 2022. All areas of the site were inspected by the Auditor and the Auditor was not refused entry to any part of the Facility. The site inspection involved a walkover with Benedict site personnel, which included the observation of:

- Site access and security;
- Weighbridge, wheel wash, weather station and admin area;
- The main waste processing shed;
- Waste receival areas;
- Waste sorting areas;
- Waste storage stockpiles;
- Fuel and dangerous goods storage areas;
- Equipment maintenance shed; and
- Surface water and dust control management infrastructure.

Copies of photos taken by the Auditor during the site inspection showing current site conditions are provided in **Appendix F**.

3.6 Consultation

Consultation undertaken by the Auditor for the audit involved a request for inputs from stakeholders. These stakeholders comprised the DPE, EPA, Newcastle City Council (Council) and Fire and Rescue NSW.

Emails were initially sent to each of the above agencies on 27 October 2022 advising them of the audit and the scope of the audit and inviting them to provide comments/requirements or specific environmental issues they required the audit to target. A follow up email was then sent on 3 November 2022. Copies of inputs from stakeholders is provided in **Appendix C** with a summary of stakeholder inputs provided in **Table 3-1**.

Table 3-1 Summary of Stakeholder Inputs

Stakeholder	Contact	Date of Input	Stakeholder Input	Auditor Response
DPE	Ann Hagerthy – Senior Compliance Officer	3/11/22	Review surface water management, waste management, limits on the approval and approved uses within site boundaries	Refer Section 4.7
EPA	Adam Plant – Operations Officer	3/11/22	Review licensee's records of correspondence with EPA and on-line and publicly available regulatory database at http://www.epa.nsw.gov.au/prpoeoapp/	Refer Section 4.7
Council	Daniel O'Brien – Senior Environment Protection Officer	13/12/22	No additional requirements	--
Fire and Rescue NSW	Aaron Ross – Team Leader Fire Safety	3/11/22	No addition requirements	--

3.7 Compliance Status Descriptors

The meaning of compliance status descriptors used by the Independent Audit tables in **Appendix A** is summarised in **Table 3-2**. Risk levels for each non-compliance identified have been assessed in accordance with **Table 3-3**.

Table 3-2 Compliance Assessment Matrix

Assessment	Criteria
Compliance	<p>Compliance:</p> <ul style="list-style-type: none"> The Facility complies with the requirements of applicable pre-operational Consent conditions A judgement made by the Auditor that the activities undertaken and the results achieved fulfil the specified requirements of the audit criteria. While further improvements may still be possible, the minimum requirements are being met.
Non-compliance	<p>Non-compliance:</p> <ul style="list-style-type: none"> Clear evidence has been collected to demonstrate the requirement has not been complied with and is within the scope of the audit Site displays little or no evidence of compliance with the requirements of the regulatory documentation.

Assessment	Criteria
	Note: Where the Auditor has not been able to collect enough verifiable evidence to demonstrate that the intent and all elements of the requirement of the regulatory approval have been complied with within the scope of the audit. In the absence of enough verification, the auditor may in some instances be able to verify by other means (visual inspection, personal communication, etc.) that a requirement has been met. In such a situation, the requirement should still be assessed as not verified. As the condition cannot be verified it is treated as a non-compliance.
Not triggered	Not applicable / not triggered <ul style="list-style-type: none"> The respective condition / requirement was not activated within the scope of the audit.
Noted	A statement or fact where no assessment of compliance is required.

Table 3-3 Risk Assessment Matrix

Risk Level	Description
High	Non-compliance with potential for significant environmental consequences, regardless of the likelihood of occurrence
Medium	Non-compliance with: <ul style="list-style-type: none"> potential for serious environmental consequences, but is unlikely to occur; or potential for moderate environmental consequences but is likely to occur.
Low	Non-compliance with: <ul style="list-style-type: none"> potential for moderate environmental consequences, but is unlikely to occur; or potential for low environmental consequences but is likely to occur
Negligible	General compliance
Administrative non-compliance	Only to be applied where the non-compliance does not result in any risk of environmental harm (e.g. submitting a report to government later than required under approval conditions)

4. Audit Findings

4.1 Approval and Document List

The main documentation reviewed for this IEA (in chronological order) comprised:

1. Terras Landscape Architects (9 September 2015) '*Landscape Plan, Mayfield West Recycling Facility*'. Plan No. 10944.5 prepared for Benedict Recycling
2. NSW EPA (December 2017) '*Compliance Audit Handbook*'
3. Centurion Survey (26 July 2018) '*WAC Site Layout Plan, Benedict Recycling Newcastle, 1A McIntosh Drive Mayfield West Recycling Facility*'. Drawing No. 0011WAC01, 5 sheets
4. NSW Department of Planning and Environment (July 2018) '*Independent Audit – Post Approval Requirements Fact Sheet*'. 3 pages
5. Benedict Recycling (30 July 2018) '*Operational Environmental Management Plan, Mayfield West*'. Revision 5
6. EMM (6 September 2018) '*Mayfield West Recycling Facility, Surface Water Characterisation and Mitigation Plan*'. Prepared for Benedict Recycling
7. Benedict Recycling (30 September 2019) '*Mayfield West Recycling Facility (SSD 7698), 13 March 2018 – 31 December 2018*'
8. Barnett & May (21 February 2020) '*Benedict Waste Recycling Facility Mayfield West Independent Environmental Audit*'. Revision 1 prepared for Benedict Recycling Pty Ltd
9. Benedict Recycling (2 March 2020) '*Benedict Recycling's Response to Independent Environmental Audit 2019*'. Revision 1
10. EMM (2 March 2020) '*Groundwater Monitoring Program, Mayfield West Recycling Facility*'. Document No. J14152 20 prepared for Benedict Recycling
11. Benedict Recycling (30 March 2020) '*Mayfield West Recycling Facility (SSD 7698), 01 January 2019 – 31 December 2019*'
12. NSW Department of Planning, Industry and Environment (May 2020) '*Independent Audit, Post Approval Requirements*'
13. VGT (30 June 2020) '*Surface Water Audit for Benedict Mayfield West Recycling Facility*'
14. Benedict Recycling (4 September 2020) '*Benedict Recycling's response to Independent Surface Water Audit 2020*'
15. Benedict Recycling (30 March 2021) '*Mayfield West Recycling Facility (SSD 7698), 01 January 2020 – 31 December 2020*'
16. NSW Department of Planning, Industry and Environment (27 October 2021) '*Consolidated Consent, Application Number SSD 7698, Benedict Recycling Pty Ltd, 1a McIntosh Drive, Mayfield West*'
17. NSW EPA (23 February 2022) '*Environment Protection Licence Number 207711, Benedict Recycling Mayfield West, 1A McIntosh Drive, Mayfield West NSW 2304*'
18. Benedict Recycling (3 June 2022) '*Mayfield West Recycling Facility (SSD 7698), 01 January 2021 – 31 December 2021*'
19. Benedict Recycling (August 2022) '*Environmental Awareness Training, Newcastle*'
20. Benedict Recycling (8 August 2022) '*Pollution Incident Response Management Plan (PIRMP)*'. Revision 7
21. City of Newcastle (9 September 2022) '*Modification Application No. MA2022/00157 for Development Application No. DA2015/0291 for Lot 1 DP 874109, 1A McIntosh Drive Mayfield West NSW 2304, Development: Ancillary waste activities, construction of truck wash facilities, and associated site work*'

4.2 Compliance Performance

The Benedict Annual Review Report for 2019 advised that work addressing practically all the non-compliances identified in the previous IEA had been completed, with the few exceptions to be completed by 30 April 2020.

The Benedict Annual Review Report for 2020 advised there were a few (5) non-compliances identified in the Independent Surface Water Audit conducted by VGT in June 2020⁴. The non-compliances concerned aspects of management plans and data collection. Benedict subsequently advised that all actions/non-compliances were addressed and documented in a report issued by Benedict⁵ dated 4 September 2020.

The Benedict Annual Review Report for 2021 advised there were no non-compliances, with the 2022 annual review report not yet available.

As previously discussed in **Section 3.2**, the Auditor prepared two detailed audit checklists (spreadsheets) to assess and track compliance with the Consent and the EPL. A copy of these checklists was sent to Benedict for review and comment prior to Task 2.

The data used by the Auditor to assess compliance of the Benedict Recycling Newcastle Facility with the requirements of the Consent and EPL comprised:

- Documentation provided by Benedict on 6/10/22;
- Discussion of site conditions as observed during the site inspection;
- Observations made by the Auditor during the site inspection;
- Review of the checklists on-site and obtaining additional verbal information following the site inspection;
- Feedback provided by stakeholders;
- Data provided by the EPA public registers; and
- The Auditor obtaining feedback from Benedict personnel in response to the release of a draft version of the audit report.

For the purpose of this IEA, issues identified by the other audits that were addressed during this Audit Period have not been considered as a non-compliance. This was done so that site improvements achieved during the Audit Period can be recognised.

Detailed documentation of the checklist results is provided in **Appendix A**, with a summary of statutory compliance outcomes from the audit is provided in **Table 4-1**.

Table 4-1 Summary of Statutory Compliance

Statutory Approval / Licence	Number of Conditions	Compliance	Non-compliance	Not triggered
Consent SSD 7698	134	99	0	35
EPL 20771	67	52	0	15
Total	201	151	0	50

⁴ VGT (30 June 2020) 'Surface Water Audit for Benedict Mayfield West Recycling Facility'. Prepared for Benedict Recycling

⁵ Benedict (4 September 2020) 'Benedict Recycling's response to Independent Surface Water Audit 2020'

The outcome of the audit was that the Auditor identified no significant non-compliances during the Audit Period for the Facility, with all audit issues having a negligible risk level.

4.3 Summary of Agency Notices, Orders, Penalty Notices or Prosecutions

The Auditor is not aware of any agency notices, order, penalty notices or prosecutions against the Facility during the Audit Period.

The only notices listed on the EPA public registers for EPL 20771 showed that for the Audit Period (1/10/19 – 31/10/22):

- A s.58 licence variation was issued on 29/07/20 (Application & Notice No: 1598044);
- A s.58 licence variation was issued on 10/11/20 (Application & Notice No: 1605556);
- A s.58 licence variation was issued on 21/01/22 (Application & Notice No: 1616094);
- No penalty notices were issued;
- An annual report for the period 25/05/20 – 24/05/21 was received by the EPA on 22/07/21 with one non-compliance recorded; and
- An annual report for the period 25/05/21 – 24/05/22 was received by the EPA on 6/07/22 with no non-compliances being recorded.

Details of the non-compliance for 25/05/20 – 24/05/21 period are provided in **Table 4-2**.

Table 4-2 Details of Non-Compliance for 25/05/20 – 24/05/21 Period

<u>Licence Condition number</u>	<u>Type of non-compliance</u>	<u>EPA actions</u>	<u>No. of times occurred</u>
L3.6	As per the Official Caution issued by the EPA (Notice Number 1607456) for waste activities being undertaken outside of the area defined in the SSD Consent 7698.	EPA has written to licensee regarding non-compliance and relevant action	1

The Auditor considered this non-compliance was addressed by Benedict receiving a modification to their Consent on 27/10/21, which allowed waste recycling operations to be undertaken across the whole of the site, as shown by **Figures 2-2** and **2-3**.

4.4 Non-compliances

The Auditor did not identify any non-compliances with the Facility's environmental statutory obligations for the Audit Period.

4.5 Previous Audit Recommendations

Condition C14 of the Consent required Benedict to submit a copy of the previous audit report prepared by Barnett & May (21 February 2020) to the DPE together with its response to any recommendations contained in the audit report.

The available documentation indicates that an initial response was provided by Benedict on 6 December 2019, with a final report issued on 2 March 2020.

The Benedict Annual Review Report for 2019 advised that work addressing practically all the non-compliances identified in the previous IEA had been completed, with the few exceptions to be completed by 30 April 2020.

The Benedict Annual Review Report for 2020 advised there were a few (5) non-compliances identified in the Independent Surface Water Audit conducted by VGT in June 2020⁶. The non-compliances concerned aspects of management plans and data collection. Benedict subsequently advised that all actions/non-compliances were addressed and documented in a report issued by Benedict⁷ dated 4 September 2020.

The Benedict Annual Review Report for 2021 advised there were no non-compliances, with the 2022 annual review report not yet available.

The Auditor considered that the weight of evidence supports the conclusions that non-compliances identified in the previous audit period and by other audits in the earlier part of this Audit Period have since been addressed.

4.6 EMP, Sub-plans and Compliance Documents

Refer **Section 4.1**.

4.7 Stakeholder Consultation Outcomes

The Auditor considered that all stakeholder inputs to this IEA, as described in **Section 3.6**, have been addressed for the reasons given in the following sub-sections.

4.7.1 DPE

In feedback provided on 3 November 2022, the DPE requested the Auditor to review:

- Surface water management;
- Waste management;
- Limits on the approval; and
- Approved uses within site boundaries.

The Auditor considers these matters were reviewed as part of the review into compliance with the Consent, with details on the review provided by the spreadsheets in **Appendix A**.

4.7.2 EPA

In feedback provided on 3 November 2022, the EPA advised that the Auditor needed to consider the EPA's on-line and publicly available regulatory database for issued notices, licence non-compliance, pollution reduction programs and audits.

The Auditor considers these matters were reviewed and the results documented in **Section 4.3**.

4.8 Complaints

The Annual Reports issued by Benedict during the Audit Period advised that a few complaints were made, with them all concerning dust generated by the site. The number of complaints recorded by Benedict were:

- 2019: 1 complaint;
- 2020: 1 complaint; and
- 2021: 3 complaints.

The documentation provided in the Annual reports indicates that these complaints were notified to the EPA.

⁶ VGT (30 June 2020) 'Surface Water Audit for Benedict Mayfield West Recycling Facility'. Prepared for Benedict Recycling

⁷ Benedict (4 September 2020) 'Benedict Recycling's response to Independent Surface Water Audit 2020'

The Auditor considers the weight of evidence supports the conclusion that reasonable measures have since been taken by Benedict to minimise dust generation risks at the Site. This evidence includes:

- Dust management systems observed by the Auditor included a misting system installed at the public unloading shed, an automated water spray system that covers all operational parts of the site, stockpiles are limited in height, practically all roads are sealed and a water tank is present on-site;
- No dust was observed by the Auditor during the inspection - refer photos in **Appendix F**;
- No dust issues were raised by stakeholders;
- There is no requirement for dust monitoring in EPL; and
- The Auditor is not aware of any dust complaints having been made in 2022.

The Auditor is not aware of any other complaints having been made by off-site receptors during the Audit Period.

The Auditor considers the relatively small number of complaints made during the Audit Period supports the conclusion that operations at the site have been well managed.

4.9 Incidents

Benedict advised there were no incidents during the Audit Period, which was consistent with information provided in the Annual Reports

The Auditor considers the lack of incidents during the Audit Period supports the conclusion that operations at the site have been being well managed.

4.10 Environmental Performance

The Auditor considers the weight of evidence supports the conclusion that operations at the site have been well managed over the Audit Period and an acceptable level of environmental performance achieved. This is because:

- No significant non-compliances were identified during the Audit Period for the Facility, with all audit issued having a negligible risk level (**Section 4.2**);
- The Auditor is not aware of any agency notices, order, penalty notices or prosecutions against the Facility during the Audit Period (**Section 4.3**);
- The Auditor did not identify any non-compliances with the Facility's environmental statutory obligations for the Audit Period (**Section 4.4**);
- Non-compliances identified in the previous audit period and by other audits in the earlier part of this Audit Period have since been addressed (**Section 4.5**).
- Stakeholder requirements as notified to the Auditor have been met (**Section 4.7**);
- Reasonable measures have since been taken by Benedict to minimise dust generation risks at the Site that should maintain the frequency of complaints from the public to an acceptably low level (**Section 4.8**); and
- There were no incidents during the Audit Period (**Section 4.9**); and
- The monthly resource recovery rate summary reports for the period October 2020 - September 2022 showed the overall resource recovery rate was generally 88 - 95%, with the lowest monthly rate of 80% in March 2021. The Auditor considers the recovery rate achieved by Benedict is likely to represent current best practice for the waste streams being recycled in NSW (**Appendix A**).

4.11 Improvement Opportunities

The Auditor considers there were no improvements that need to be made to address non-compliances in environmental performance at the site, since there was a low risk of non-compliance at the end of the Audit Period. Nevertheless, the Auditor considers there exist environmental improvement opportunities for the site corresponding to:

- Assessing the practicality of using recycled water for dust suppression;
- Use of technological advances in recycling processes;
- Continue to upgrade equipment when feasible; and
- Other opportunities identified through regular review of site operations.

5. Conclusions & Recommendations

The Auditor considers the weight of evidence provided in this IEA supports the conclusions that:

- Operations at the site have improved over the Audit Period such that no non-compliances with the Facility's environmental statutory obligations were identified at the end of the Audit Period and that the few non-compliances identified in the early stage of the Audit Period have been addressed;
- The outcome of the audit was that the Auditor identified no significant non-compliances during the Audit Period for the Facility, with all audit issues having a negligible risk level;
- Operations at the site have been well managed over the Audit Period and an acceptable level of environmental performance achieved; and
- The overall recovery rate achieved by the Benedict operation is likely to represent current best practice for the waste streams being recycled in NSW.

The Auditor considers there are no improvements that need to be made to address non-compliances in environmental performance at the Site, since there was a low risk of non-compliance at the end of the Audit Period. Nevertheless, the Auditor considers there exist environmental improvement opportunities for the site corresponding to:

- Assessing the practicality of using recycled water for dust suppression;
- Use of technological advances in recycling processes;
- Continue to upgrade equipment when feasible; and
- Other opportunities identified through regular review of site operations.

6. Other Relevant Information

This IEA report relates to the environmental performance of the Benedict Recycling Newcastle Facility at 1A McIntosh Drive, Mayfield West. The IEA has been prepared in accordance with DPE and EPA audit requirements. Opinions and judgements expressed herein, which are based on our understanding and interpretation of current regulatory standards, should not be construed as legal opinions.

The audit report has been prepared for Benedict Recycling (the 'Client'), the DPE and EPA for the purposes nominated in the report. The scope of work performed in connection with the audit may not be appropriate to satisfy the needs of any other person. Any other person's use of, or reliance on, the audit report and statement, or the findings, conclusions, recommendations or any other material presented in them, is at that person's sole risk.

The audit was, and this report is, limited by and relies on the scope of work undertaken for this audit, the information made available to the Auditor by the Client and their environmental consultants through the documents provided to us, and also on our observations of the site made during the Audit Period. The Auditor has taken this information to represent a fair and reasonable characterisation of operations at the site. Whilst all reasonable care has been taken, to the extent practical under normal auditing procedures, to assure adequacy of the information, the Auditor and Ian Swane & Associates cannot warrant that this is the case. If the information is subsequently determined to be false, inaccurate or incomplete, it is possible that the Auditor's conclusions, as expressed in the audit report may change.

It is not possible in an Audit Report to present all data that could be of interest to all readers of this report. Readers are therefore referred to the referenced documentation for further data.

Yours faithfully



Dr Ian C Swane (CPEng)
Accredited EPA Site Auditor in NSW and NT
Ian Swane & Associates Pty Ltd

Appendix A. Independent Audit Compliance Tables

AUDIT CHECKLIST FOR CONSOLIDATED CONSENT FOR SSD 7698 - SCHEDULE 2 CONDITIONS

No.	Condition	Observation	Recommendation	Risk Level
PART A: ADMINISTRATIVE CONDITIONS				
	OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT			
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.	Noted	Not triggered	--
	TERMS OF CONSENT			
A2	The Development may only be carried out: (a) in compliance with the conditions of this consent; (b) in accordance with the directions of the Secretary; (c) in accordance with the EIS, RTS and Amended Application; (d) in accordance with the Modification Assessments; (e) in accordance with development layout plans and drawings in the RTS and Amended Application; and (f) in accordance with the management and mitigation measures.	Noted	Not triggered	--
A3	Consistent with the requirements in this consent, the 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 relation to this consent, including those that are required to be, and have been, approved by the Secretary; and (b) the implementation of any actions or measures contained in any such document referred to in (a) above.	Noted	Not triggered	--
A4	The conditions of this consent and directions of the Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c), A2(d) and A2(e). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c), A2(d) and A2(e) the most recent document prevails to the extent of the inconsistency, ambiguity or conflict. <i>Note: For the purposes of this condition, there will be an inconsistency between documents if it is not possible to comply with both documents, or in the case of a condition of consent or direction of the Secretary, and a document, if it is not possible to comply with both the condition or direction, and the document.</i>	Noted	Not triggered	--
	LIMITS OF CONSENT			
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.	Noted	Not triggered	--
A6	The Applicant must not receive or process on site more than 315,000 tonnes per year of general solid waste (non-putrescible).	Benedict provided a weekly tracker of stockpile capacity for the period 1/10/19 to 1/10/22. The tracker consisted of monthly plots of stock on hand, receival capacity, projected closing stock and % authorised amount. Data shows the stockpile capacity was maintained at all times below the authorised amount generally at 25 - 50%	Compliance achieved	Negligible

AUDIT CHECKLIST FOR CONSOLIDATED CONSENT FOR SSD 7698 - SCHEDULE 2 CONDITIONS

No.	Condition	Observation	Recommendation	Risk Level
A7	The Applicant must not: (a) crush more than 71,000 tonnes per year of waste; and (b) shred more than 5,400 tonnes per year of timber.	No timber shredding was done this year or in future as it's done at the Benedict Chipping Norton Facility. No crushing done on-site. Auditor confirmed absence of crusher during site inspection - refer photos in Appendix F	Compliance achieved	Negligible
A8	The amount of waste stored on site at any one time must not exceed 53,733 tonnes	Benedict provided a weekly tracker of stockpile capacity for the period 1/10/19 to 1/10/22. The tracker consisted of monthly plots of stock on hand, receival capacity, projected closing stock and % authorised amount. Data shows the stockpile capacity was maintained at all times below the authorised amount generally at 25 - 50%	Compliance achieved	Negligible
A9	This consent does not permit any areas of the site to be leased to third parties for storage purposes or approval of any portion of the site as a storage premises.	Benedict advised that no part of site is leased. Auditor found no evidence of subleasing at time of site inspection	Compliance achieved	Negligible
A10	The Applicant shall aim to achieve a recycling rate of 95% of all waste and a disposal rate of not more than 5% to landfill.	Benedict provided monthly resource recovery rate summary reports for the period October 2020 - September 2022. The reports showed the total resource recovery rate was generally 88 - 95%, with the lowest monthly rate of 80% in March 2021. The Auditor considered the recovery rate achieved by Benedict represented current best practice for the waste streams being recycled	Compliance achieved	Negligible
A11	Stockpiles of waste and recycled product on-site must not be more than seven (7) metres in height when measured from the finished ground level of the site.	Stockpile markers used to manage stockpile heights. Auditor observed compliance during site inspection	Compliance achieved	Negligible
A12	Heavy vehicles are not permitted to access Werribi Street.	Copy of updated driver induction form provided. Access restriction also indicated on sign at front gates	Compliance achieved	Negligible
NOTIFICATION OF COMMENCEMENT				
A13	The date of commencement of each of the following phases of the Development must be notified to the Department in writing, at least one month before that date: (a) construction; (b) operation; (c) cessation of operations; and (d) decommissioning.	(a) and (b) done previously as shown by copies of emails from DPE provided by Benedict. Benedict advised that site operations were not ceasing in the foreseeable future	Compliance achieved	Negligible
A14	If the construction or operation or decommissioning of the Development is to be staged, the Department must be notified in writing at least one month before the commencement of each stage, of the date of commencement and the Development to be carried out in that stage.	Not relevant	Not triggered	--
STAGING, COMBINING & UPDATING STRATEGIES, PLANS OR PROGRAMS				
A15	With the approval of the 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); (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 (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).	Noted	Not triggered	--

AUDIT CHECKLIST FOR CONSOLIDATED CONSENT FOR SSD 7698 - SCHEDULE 2 CONDITIONS

No.	Condition	Observation	Recommendation	Risk Level
A16	If the 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.	Noted	Not triggered	--
A17	If approved by the 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.	Noted	Not triggered	--
REQUEST FOR INFORMATION				
A18	The Applicant must retain all weighbridge records as required by the POEO (Waste) Regulation and for the life of the Development. The weighbridge records must be made immediately available on request by the Secretary and/or the EPA.	Automated weighbridge present at site on which all vehicles to site must pass. Weighbridge data summarised by Benedict in weekly tracker of stockpile capacity for the period 1/10/19 to 1/10/22	Compliance achieved	Negligible
A19	The Applicant must retain waste classification records for all wastes received on the site and waste disposed from the site for the life of the Development. The waste classification records must be made immediately available on request by the EPA and/or the Secretary.	Automated weighbridge present at site on which all vehicles to site must pass. Weighbridge data summarised by Benedict in weekly tracker of stockpile capacity for the period 1/10/19 to 1/10/22	Compliance achieved	Negligible
EVIDENCE OF CONSULTATION				
A20	Where conditions of this consent require consultation with an identified party, the Applicant must: (a) consult with the relevant party prior to submitting the subject document to the Secretary for approval; and (b) provide details of the consultation undertaken including: (i) a description of how matters raised by those consulted have been resolved to the satisfaction of both the Applicant and the party consulted; and (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.	Noted	Not triggered	--
STATUTORY REQUIREMENTS				
A21	The Applicant must ensure that all licences, permits and approval/consents are obtained as required by law and maintained as required throughout the life of the Development. No condition of this consent removes the obligation for the Applicant to obtain, renew or comply with such licences, permits or approval/consents.	Noted	Not triggered	--
STRUCTURAL ADEQUACY				
A22	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.	Auditor observed no new buildings and structures were constructed outside those approved by the Consent	Compliance achieved	Negligible
A23	Prior to the commencement of the operations, the Applicant must obtain a Building Information Certificate from Council in accordance with Division 6.7 of the Environmental Planning and Assessment Act 1979	Not relevant	Not triggered	--
UTILITIES AND SERVICES				
A24	Prior to the construction of any utility works associated with the Development, the Applicant must obtain relevant approvals from service	Not relevant	Not triggered	--

AUDIT CHECKLIST FOR CONSOLIDATED CONSENT FOR SSD 7698 - SCHEDULE 2 CONDITIONS

No.	Condition	Observation	Recommendation	Risk Level
	PROTECTION OF PUBLIC INFRASTRUCTURE			
A25	Before the commencement of construction, the Applicant must: (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; (b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and (c) submit a copy of the dilapidation report to the Secretary and Council.	Not relevant	Not triggered	--
A26	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 (b) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the Development.	Noted	Not triggered	--
	COMPLIANCE			
A27	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.	All new employees are induced and trained; completion of trained signed by employees; recent example sighted; copy of Benedict environmental awareness training presentation (dated August 2022) provided	Compliance achieved	Negligible
	SECTION 7.12 CONTRIBUTIONS TO COUNCIL			
A28	Prior to the commencement of the operations, a contribution must be paid to Council in accordance with Section 7.12 of the EP&A Act, in particular the City of Newcastle Section 94A Development Contributions Plan 2009 (Updated July 2017) (adjusted on a quarterly basis (from the date of this consent), to account for movements in the Australian Bureau of Statistics Consumer Price Index – Building Construction (NSW)). A receipt for the payment to Council of the Section 7.12 Levy Contributions must be submitted to the Secretary prior to the commencement of the operations.	Not relevant for the audit period	Not triggered	--
	OPERATION OF PLANT AND EQUIPMENT			
A29	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 (b) operated in a proper and efficient manner.	Benedict advised that all machines were serviced every 500 hours by suppliers who hold maintenance records. Auditor observed all site equipment was operational - refer photos in Appendix F	Compliance achieved	Negligible
	MODIFICATION OF CONSENT			
A30	Prior to the commencement of operations and in order for the development of land to proceed in a coordinated and orderly manner and to avoid potential conflicts with this consent, the Applicant must modify DA2015/0291 (described in Table 1) pursuant to Section 4.17(1)(b) of the Environmental Planning and Assessment Act 1979 and Clause 97 of the Environmental Planning and Assessment Regulation 2000 such that the recycling facility including acceptance of up to 90,000 tonnes per annum of waste (pre-classified general solid wastes (nonputrescible waste)) is removed from the development consent.	Noted	Not triggered	--

AUDIT CHECKLIST FOR CONSOLIDATED CONSENT FOR SSD 7698 - SCHEDULE 2 CONDITIONS

No.	Condition	Observation	Recommendation	Risk Level
A31	Within 12 months of the commencement of SSD-7698-MOD-1 and in order for the development of land to proceed in a coordinated and orderly manner and to avoid potential conflicts with this consent, the Applicant must modify DA2015/0291 pursuant to Section 4.17(1)(b) of the Environmental Planning and Assessment Act 1979 and Clause 97 of the Environmental Planning and Assessment Regulation 2000 to amend the DA2015/0291 boundary to remove those areas to be included within the site under SSD-7698-MOD-1.	Benedict provided copy of a Consent from Council dated 9/09/22 for modification application MA2022/00157 to construct ancillary waste facilities, construction of truck wash facility and associated site works	Compliance achieved	Negligible
PART B: ENVIRONMENTAL PERFORMANCE AND MANAGEMENT				
	WASTE MANAGEMENT			
	Statutory Requirements			
B1	All waste materials removed from the site must only be directed to a waste management facility or premises lawfully permitted to accept the materials.	Data captured by weighbridge system and managed by the waste recording system. Auditor observed all waste materials were being properly managed - refer photos in Appendix F	Compliance achieved	Negligible
B2	Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal, except as expressly permitted by an EPL.	Data captured by weighbridge system and managed by the waste recording system. Auditor observed all waste materials were being properly managed - refer photos in Appendix F	Compliance achieved	Negligible
B3	The Applicant must record the amount of waste (in tonnes) received at the site on a daily basis.	Data captured by weighbridge system and managed by the waste recording system	Compliance achieved	Negligible
B4	The Applicant must retain all sampling and waste classification data for the life of the Development in accordance with the requirements of the EPA.	Benedict advised that all data is sent to the Benedict Environmental Compliance Officer (AC) for filing and storage	Compliance achieved	Negligible
B5	No biochar production or storage is approved under the terms of this consent.	Benedict advised that no such material received at site. Waste tracking data showed no such material was received at site. Auditor found no evidence of this material at site - refer photos in Appendix F	Compliance achieved	Negligible
	Receipt, Storage & Handling of Waste			
B6	The Applicant must only receive waste on site that is authorised for receipt by an EPL.	Data captured by weighbridge system and managed by the waste recording system. Auditor observed all waste materials were being properly managed - refer photos in Appendix F	Compliance achieved	Negligible
B7	The Applicant must ensure any waste generated on the site during construction and from general office activities is classified in accordance with the EPA's Waste Classification Guidelines, 2014 or its latest version, and disposed of to a facility that may lawfully accept the waste.	Benedict advised that no construction work had occurred at site during audit period. Auditor found no evidence of construction work - refer photos in Appendix F	Compliance achieved	Negligible
B8	Loads predominantly containing glass are not permitted to be crushed at the site.	Benedict advised that there was no glass crushing onsite. Auditor found no evidence of this activity - refer photos in Appendix F	Compliance achieved	Negligible
B9	The Applicant must: (a) implement auditable procedures to: (i) ensure the site does not accept wastes that are prohibited; and (ii) screen incoming waste loads. (b) ensure that: (i) all waste types that are controlled under a tracking system have the appropriate documentation prior to acceptance at the site; (ii) all waste received at the site must be recorded in accordance with clause 27 of the POEO (Waste) Regulation; (iii) details of the quantity, type and source of wastes received on the site must be provided to the EPA and the Secretary when requested; and (iv) staff receive adequate training in order to be able to recognise and handle any hazardous or other prohibited waste including asbestos.	Data captured by weighbridge system and managed by the waste recording system. Auditor observed all waste materials were being properly managed - refer photos in Appendix F	Compliance achieved	Negligible

AUDIT CHECKLIST FOR CONSOLIDATED CONSENT FOR SSD 7698 - SCHEDULE 2 CONDITIONS

No.	Condition	Observation	Recommendation	Risk Level
B10	The Applicant must assess and classify all liquid and non-liquid wastes to be taken off site in accordance with the EPA's Waste Classification Guidelines Part 1: Classifying Waste, November 2014, or its latest version and dispose of all wastes to a facility that may lawfully accept the waste.	Benedict advised that no liquid waste was accepted on-site. All waste received was GSW from known sources and tracked. Data captured by weighbridge system and managed by the waste recording system. Auditor observed all waste materials were being properly managed - refer photos in Appendix F	Compliance achieved	Negligible
B11	All waste must be: (a) stored wholly within the designated waste stockpile areas (b) loaded and unloaded within the designated loading and unloading	Auditor observed all waste materials were being properly managed - refer photos in Appendix F	Compliance achieved	Negligible
	Waste Monitoring Program			
B12	From the commencement of operations, the Applicant must implement a Waste Monitoring Program for the Development. The program must: (a) be prepared by a suitably qualified and experienced person(s) prior to the commencement of operations; (b) include suitable provision to monitor the: (i) quantity, type and source of waste received on site; (ii) type of waste and the material crushed and shredded on site; (iii) quantity, type and quality of the outputs produced on site; and (iv) number of days crushing has occurred per calendar year. (c) ensure that: (i) all waste that is controlled under a tracking system has the appropriate documentation prior to acceptance at the site; and (ii) staff receive adequate training to be able to recognise and handle any hazardous or other prohibited waste including asbestos.	Refer Benedict (July 2018) OEMP approved by DPE 25/09/18. Copy provided to Auditor and available on facility website at https://www.benedict.com.au/wp-content/uploads/Benedict-Mayfield-Resource-Recovery-Facility-OEMP-Version-6.pdf	Compliance achieved	Negligible
	Waste Management Plan			
B13	Prior to the commencement of operations, the Applicant must prepare a Waste Management Plan (WMP) for the Development to the satisfaction of the Secretary. The WMP must form part of the OEMP required by Condition C4 and be prepared in accordance with Condition C7. The WMP must: (a) detail the type and quantity of waste to be received during operation of the Development; (b) include details of stockpile limits in the incoming waste receival area and waste storage areas;	WMP approved under previous audit with a copy of the DPE approval letter dated 25/09/18 provided. Benedict advised that no significant changes made during audit period	Compliance achieved	Negligible
B13	(c) include procedures for ensuring no build-up of waste will occur in the incoming waste receival area during unexpected machinery breakdown and 24-hour waste receival for major infrastructure projects; and (d) details the requirements for non-conforming waste handling and removal.	WMP approved under previous audit with a copy of the DPE approval letter dated 25/09/18 provided. Benedict advised that no significant changes made during audit period	Compliance achieved	Negligible
B14	The Applicant must: (a) not commence the operations until the Waste Management Plan required by Condition B13 is approved by the Secretary; and (b) implement the most recent version of the Waste Management Plan approved by the Secretary.	WMP approved under previous audit with a copy of the DPE approval letter dated 25/09/18 provided. Benedict advised that no significant changes made during audit period	Compliance achieved	Negligible
	Pests, Vermin and Noxious Weed Management			
B15	The Applicant must: (a) implement suitable measures to manage pests, vermin and declared noxious weeds on the site; and (b) inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or noxious weeds are not present on site in sufficient numbers to pose an environmental hazard, or cause the loss of amenity in the	Benedict advised that these measures are checked weekly. A copy of an 'Environmental Inspection Checklist' prepared for the site by Benedict was provided to the Auditor. Auditor observed site was well maintained - refer photos in Appendix F	Compliance achieved	Negligible

AUDIT CHECKLIST FOR CONSOLIDATED CONSENT FOR SSD 7698 - SCHEDULE 2 CONDITIONS

No.	Condition	Observation	Recommendation	Risk Level
	SOILS, WATER QUALITY AND HYDROLOGY			
	Erosion and Sediment Control			
B16	Prior to the commencement of construction, the Applicant must install and maintain suitable erosion and sediment control measures on-site, in accordance with the relevant requirements in the latest version of the Managing Urban Stormwater: Soils and Construction Guideline and the Erosion and Sediment Control Plan included in the CEMP required by	Benedict advised that these works were done in previous audit period and the current system was well maintained and improved. Auditor observed site was well maintained - refer photos in Appendix F	Compliance achieved	Negligible
	Pollution of Waters			
B17	The Development must comply with Section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided in an EPL.	Noted	Not triggered	--
B18	Any discharge or water quality criteria specified under the EPL must be complied with.	Pollution monitoring results are on Benedicts website for 2017 - 2022 at https://www.benedict.com.au/about/policies-compliance/ . Benedict advised that it was very rare that water from the final sedimentation pond needs to be discharged. The water quality reports indicated no discharge events during audit period	Compliance achieved	Negligible
B19	Surface water must only be discharged from the location specified in the EPL.	Confirmed by Auditor's site inspection - refer photos in Appendix F	Compliance achieved	Negligible
B20	Overland flow from the Development must be contained within the sealed areas of the site.	Yes, site inspection, perimeter drain around whole site - refer photos in Appendix F	Compliance achieved	Negligible
B21	Any spills must be contained and disposed of at a licenced facility.	Auditor observed all relevant areas bunded with spill kits provided - refer photos in Appendix F. Copy of the Benedict spill procedure provided	Compliance achieved	Negligible
B22	Any servicing or repair work on motor vehicles or mobile plant is to be carried out within a sealed area that has environmental controls appropriate for servicing or repair work. This must include bunding where there this work could result in liquids being spilled.	Benedict advised this work was done in on-site workshop. Auditor observed this workshop - refer photos in Appendix F	Compliance achieved	Negligible
	Truck and Wheel Wash			
B23	The floor of the truck wash is to be suitably graded and or bunded across the external door openings to prevent the escape of stored materials, process water or spilt liquids.	Concrete structure. Auditor observed truck wash structure met Consent condition - refer photos in Appendix F	Compliance achieved	Negligible
B24	All excess water from the truck wash and wheel wash is to be discharged into suitable holding tanks and removed from the facility for treatment at an appropriately licensed facility or via trade waste.	Benedict advised that they never have excess water - always needing to top water up. Auditor observed truck wash structure met Consent condition - refer photos in Appendix F	Compliance achieved	Negligible
	Surface Water Management System			
B25	Prior to the commencement of operations, the Applicant must design, install and operate a surface water management system for the Development. The system must: (a) be designed and constructed by a suitably qualified and experienced person(s) endorsed by the Secretary; (b) be generally in accordance with the conceptual design in the RTS, the letter titled Mayfield West Recycling Facility (SSD 7698) – Water Assessment, dated 8 September 2017 prepared by EMM and applicable Australian Standards; (c) ensure that the system capacity has been designed in accordance with Australian Rainfall and Runoff (Engineers Australia, 2016) and Managing Urban Stormwater: Council Handbook (EPA, 1997);	Benedict advised that this work was done in previous audit period and approved. Auditor observed the system was being well maintained with a new sprinkler system installed - refer photos in Appendix F	Compliance achieved	Negligible

AUDIT CHECKLIST FOR CONSOLIDATED CONSENT FOR SSD 7698 - SCHEDULE 2 CONDITIONS

No.	Condition	Observation	Recommendation	Risk Level
B25	(d) include detention basins with a minimum capacity to contain the 90th percentile rainfall over any consecutive 5 day period in accordance with Managing Urban Stormwater - Soils and Construction Vol. 2B: Waste landfills (Department of Environment and Climate Change NSW, 2008). The wet weather capture capacity requirements of the sediment basins and water treatment system may be modified by the EPL subject to the required surface water characterisation (Condition B33); (e) ensure vegetation within the sediment basin and perimeter drain has been removed and the surface water infrastructure has been sealed to prevent surface water infiltration to groundwater; and	Benedict advised that this work was done in previous audit period and approved. Auditor observed the system was being well maintained with a new sprinkler system installed - refer photos in Appendix F	Compliance achieved	Negligible
B25	(f) bund any potentially contaminating waste, any surface water leaving this area must be directed to the three-stage pit or equivalent for treatment, the water must then be directed to holding tanks for testing and depending on its quality either discharged to the perimeter drain or sewer as trade waste see Appendix A	Benedict advised that this work was done in previous audit period and approved. Auditor observed the system was being well maintained with a new sprinkler system installed - refer photos in Appendix F	Compliance achieved	Negligible
B26	The Applicant must provide a Compliance Certificate to the Secretary prior to the commencement of operations, that confirms the surface water management system has been designed and installed as per the requirements of Condition B25 and the alterations will not impede or divert natural surface water runoff so as to cause a nuisance to adjoining properties.	Work completed during previous audit period with a compliance certificate issued by Tooker & Associates on 22/06/18	Compliance achieved	Negligible
B27	Prior to the commencement of operations, works-as-executed drawings signed by a registered surveyor must be submitted to the certifying authority demonstrating that the stormwater drainage and finished ground levels have been constructed as approved.	Work completed during previous audit period with copies of as constructed drawings dated 26/07/18 provided to Auditor	Compliance achieved	Negligible
B28	The surface water management system must be operated and maintained for the duration of the Development.	Noted	Not triggered	--
B29	The Applicant must maintain the surface water management system to minimise the infiltration of surface water to groundwater. This includes inspecting the infrastructure monthly for cracking and vegetation break through, removing the vegetation and sealing the infrastructure. Any maintenance on the surface water management system must be undertaken by a suitably qualified and experienced person(s), a record of these works must be kept for the life of the Development.	This work was included on Benedict's weekly management checklist with a copy provided to the Auditor. Auditor observed site was being maintained in a good condition with practically all site concrete sealed - refer photos in Appendix F	Compliance achieved	Negligible
B30	The Applicant must maintain the surface water detention basins on site with a minimum capacity to contain the 90th percentile rainfall over any consecutive 5-day period in accordance with Managing Urban Stormwater - Soils and Construction Vol. 2B: Waste landfills. The Managing Urban Stormwater series of document relate to clean sediment and therefore the wet weather capture and storage capacity requirements of the sediment basins and treatment systems may be modified by the EPL based on the required surface water characterisation (Condition B33).	Auditor observed the original system was being maintained - refer photos in Appendix F. A height marker was present in the dam	Compliance achieved	Negligible

AUDIT CHECKLIST FOR CONSOLIDATED CONSENT FOR SSD 7698 - SCHEDULE 2 CONDITIONS

No.	Condition	Observation	Recommendation	Risk Level
B31	The Applicant must ensure that a visible marker is installed in the sediment detention basin in a position that shows the freeboard in the basin that equates to the volume required to contain all rainfall and runoff in the catchment from a 90th percentile rainfall event over any consecutive 5-day	Auditor observed height marker in dam - refer photos in Appendix F	Compliance achieved	Negligible
B32	All hand unloading activities must be carried out in the hand unloading area as shown on the Development Layout Plan in Appendix A. All waste unloaded at the hand unloading area must be unloaded and stockpiled in the hand unload shed or hand unloading area as shown on the Development Layout Plan in Appendix A.	Auditor inspected new shed for unloading small loads brought to site by the general public - refer photos in Appendix F	Compliance achieved	Negligible
B32A	The Applicant must not commence the external unloading or storing of hand unload waste in the hand unloading area as shown on the Development Layout Plan in Appendix A prior to the Surface Water Validation Report (SWVR) in Condition B35 being provided to the satisfactory of the Planning	Auditor inspected new shed for unloading small loads brought to site by the general public - refer photos in Appendix F. Copy of approval from DPE dated 2/09/22 provided to Auditor	Compliance achieved	Negligible
B32B	The hand unloading shed shown on the Development Layout Plan in Appendix A must be fitted with an internal dust suppression system.	Auditor inspected new misting system at entrance of new shed - refer photos in Appendix F	Compliance achieved	Negligible
	Surface Water Characterisation and Mitigation Plan			
B33	Prior to the commencement of operations, the Applicant must prepare a Surface Water Characterisation and Mitigation Plan (SWCMP) to the satisfaction of the Secretary to characterise the surface water and implement a mitigation plan, the SWCMP must form part of the OEMP required by Condition C4 and be prepared in accordance with Condition C7. The SWCMP must: (a) be carried out by a suitably qualified and experienced person(s) whose appointment has been endorsed by the Secretary; (b) be prepared in consultation with the EPA; (c) detail the triggers of when the pump which transfers surface water from the three-stage pit to the holding tanks would be activated;	Completed and part of OEMP	Compliance achieved	Negligible
B33	(d) detail the type and size of the bunding around the potentially contaminating waste area; (e) detail the frequency of overflows from the three-stage pit and sediment basin; (f) collect representative samples, including a minimum of four surface water samples from the sediment basin and the three-stage pit. The surface water samples must be analysed for the analytical suite identified in Table 3.16 of the RTS; (g) characterise the surface water for the entire development and detail the potential impact of discharges on receiving surface waters with reference to ANZECC (2000)	Completed and part of OEMP	Compliance achieved	Negligible
B33	(h) be based on the results of the surface water characterisation, investigate all practical alternatives to discharge and whether sediment basin sizing, at-source pollution controls, tertiary water treatment, water treatment plants and other treatment and reuse options are appropriate; (i) provide the Secretary with a timeframe for and implement the measures identified in sub-clause (h); (j) consider the human health risks associated with the surface water reuse process at the site; (k) include details of the maintenance procedures of the sediment basins and surface water infrastructure;	Completed and part of OEMP	Compliance achieved	Negligible

AUDIT CHECKLIST FOR CONSOLIDATED CONSENT FOR SSD 7698 - SCHEDULE 2 CONDITIONS

No.	Condition	Observation	Recommendation	Risk Level
B33	(l) describe the procedures for maintaining vegetation along the perimeter drain and sediment basin; (m) establish an ongoing surface water monitoring program to validate the proposed mitigation measures. The surface water monitoring program must provide monitoring details of surface water flows, quality, storage and discharge limits; (n) identify measures for managing pollutant exceedances; and (o) identify contingency options to account for any mitigation measures that do not adequately address the site water pollution risks.	Completed and part of OEMP	Compliance achieved	Negligible
B34	The Applicant must: (a) not commence the operations until the SWCMP required by Condition B33 is approved by the Secretary; and (b) implement the most recent version of the SWCMP approved by the Secretary for the duration of the development.	Work completed during previous audit period with a compliance certificate issued by DPE dated 25/09/18	Compliance achieved	Negligible
Water Quality Validation				
B35	Within six months of the commencement of operations and following the management measures being implemented as per SWCMP (Condition B33), the Applicant must provide a Surface Water Validation Report (SWVR) to the satisfaction of the Secretary. The SWVR must: (a) be carried out by a suitably qualified and experienced expert whose appointment has been endorsed by the Secretary; (b) be prepared in consultation with the EPA; (c) collect a minimum of four surface water samples from the sediment basin and four from the three-stage pit system; (d) characterise the surface water data (samples) and detail the potential impact of discharges on receiving surface waters with reference to ANZECC (2000) assessment criteria;	Work completed during previous audit period with the DPE approval of the SWCP provided in a letter dated 11/07/19. Benedict provided a copy of this letter and the SWCP to the Auditor	Compliance achieved	Negligible
B35	(e) compare the results with the surface water characterisation in the SWCMP (Condition B33); (f) ensure surface water is being managed in accordance the EPL; (g) provide an assessment of the effectiveness of implemented mitigation measures; (h) if necessary, provide additional mitigation measures to control and/or treat all pollutants to ensure the ANZECC (2000) assessment criteria can be met including further storage or the installation of a water treatment plant; and (i) update the SWCMP to reflect any changes to the surface water management system.	Work completed during previous audit period with the DPE approval of the SWCP provided in a letter dated 11/07/19. Benedict provided a copy of this letter and the SWCP to the Auditor	Compliance achieved	Negligible
B36	Any alterations to the surface water management system identified in the SWVR must be implemented prior to any further controlled discharges occurring to the satisfaction of the Secretary.	Noted	Not triggered	--
B37	The Applicant must comply with any amended surface water quality criteria and discharge limits identified in the EPL.	Noted	Not triggered	--
Surface Water Audit				

AUDIT CHECKLIST FOR CONSOLIDATED CONSENT FOR SSD 7698 - SCHEDULE 2 CONDITIONS

No.	Condition	Observation	Recommendation	Risk Level
B38	Within 18 months of the commencement of operations, the Applicant must commission an independent Surface Water Audit of the Development to the satisfaction of the Secretary. The audit must: (a) be carried out by a suitably qualified and experienced expert whose appointment has been endorsed by the Secretary; (b) be conducted in consultation with the EPA; (c) audit the Development whilst it is in operation; (d) validate the development against the SWCMP required by Condition B33; (e) include a summary of any EPL water quality exceedances;	A copy of the surface water audit was provided to the Auditor. The report was VGT (30 June 2020) 'Surface Water Audit for Benedict Mayfield West Recycling Facility'. A copy of the report is also provided on the Benedict website	Compliance achieved	Negligible
B38	(f) review the design and management practices of the Development against industry best practice for surface water; (g) include an action plan that identifies and prioritises additional surface water mitigation measures and/or treatment options that may be necessary to reduce surface water impacts; and (h) provide a further program of monitoring to address water quality issues that may emerge over time.	A copy of the surface water audit was provided to the Auditor. The report was VGT (30 June 2020) 'Surface Water Audit for Benedict Mayfield West Recycling Facility'. A copy of the report is also provided on the Benedict website	Compliance achieved	Negligible
B39	Within three months of commissioning this audit, the Applicant must submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report. The Applicant must comply with any reasonable requirement(s) of the Secretary arising from the Surface Water Audit.	Benedict prepared a report titled 'Benedict Recycling's response to Independent Surface Water Audit 2020' dated 2/07/20, with a final version dated 4/09/20. The documents were submitted to DPE	Compliance achieved	Negligible
Groundwater				
B40	Within 12 months of the commencement of operations the Applicant must conduct a Groundwater Monitoring Program to the satisfaction of the Secretary. The program must: (a) be carried out by a suitably qualified and experienced expert in consultation with the EPA; (b) ascertain the potential for leakage of the sediment basin and perimeter drain to groundwater; (c) detail baseline data, groundwater levels and groundwater quality against the relevant criteria; (d) provide mitigation and contingency measures to prevent the sediment basins from leaking; and (e) identify a program for ongoing groundwater monitoring and reporting.	Completed as part of previous audit	Not triggered	--
B41	Within three months of the completion of the Groundwater Monitoring Program, the Applicant must submit a copy of the Groundwater Monitoring Program as identified in Condition B40 to the Secretary and the EPA.	Completed in previous audit	Not triggered	--
Diesel Tank Management				
B42	As a minimum, the Applicant must ensure the 40,000 litre self-bunded diesel tank is managed as follows: (a) the tank must be installed in the centre of the site in accordance with Figure 3.1 of the RTS; (b) the tank must be installed in accordance with the relevant Australian Standards, must be above ground and be protected against impact from heavy vehicles; (c) the refuelling area must be covered with an awning to minimise dirty water run-off; (d) overfilling of the tank must be prevented through gauging and monitoring of the tank's	Auditor inspected diesel tank facility and considered it complied with Consent requirements - refer photos in Appendix F	Compliance achieved	Negligible

AUDIT CHECKLIST FOR CONSOLIDATED CONSENT FOR SSD 7698 - SCHEDULE 2 CONDITIONS

No.	Condition	Observation	Recommendation	Risk Level
B42	(e) hoses used for transfer of diesel must be inspected weekly; (f) in an emergency, flow of liquid from the storage tank to a consuming device must be immediately shut off; (g) the shut off valve must comply with the relevant Australian Standard and be fire resistant; (h) the diesel tank and re-fuelling area must be bunded within an area of impervious hardstand; and (i) a diesel spill kit must be stored in the refuelling area and deployed in the event of a	Auditor inspected diesel tank facility and considered it complied with Consent requirements - refer photos in Appendix F	Compliance achieved	Negligible
	Chemical Spills and Fire Water Containment			
B43	To ensure that chemical spills and fire-water are contained on-site, prior to the commencement of operations and to the satisfaction of FRNSW, the Applicant must ensure: (a) a stormwater isolation valve is installed, the stormwater isolation valve must be closed at all times unless stormwater is being discharged and its closure must be monitored weekly; (b) during an incident, the stormwater isolation valve must remain in the closed position until manually opened upon confirmation that stormwater isolation is no longer required or once any contaminated water is disposed via trade waste or at a site that can lawfully receive the waste; and (c) the location of the stormwater isolation valve and any associated controls must be clearly identified on the site's fire hydrant block plan, fire sprinkler block plan and the site plan located within the site's Emergency Response Plan prepared as part of the OEMP as required by Condition C7.	In a letter dated 4/09/20, Fire and Rescue NSW provided 3 comments on the Benedict Emergency Plan, these being: <ul style="list-style-type: none"> • FRNSW was satisfied that the emergency plan was consistent with the requirements of Australian Standard AS 3745-2010 Planning for emergencies in facilities; • Benedict satisfied its obligations under Condition B43 of the Consent; • Provide future revised copies of the plan to FRNSW; and • Implement and make plan available to staff. Benedict also advised that the discharge point can be opened manually if required. The value is checked weekly as part of the weekly environmental checklist	Compliance achieved	Negligible
	TRAFFIC AND ACCESS			
	Traffic and Access			
B44	The Applicant must implement all reasonable and feasible measures to minimise the impact on the site's access road and any impacts on 1 McIntosh Drive, Mayfield West (Lot 16 in DP 270249).	Benedict advised there had been no reported accidents at entrance	Compliance achieved	Negligible
B45	Prior to the commencement of operations, the vehicular entrance and exit driveways and the direction of traffic movement within the site are to be permanently marked on the pavement surface.	Auditor inspection considered these traffic and access requirements were met - refer photos in Appendix F	Compliance achieved	Negligible
B46	All customers are not permitted to leave their vehicles anywhere on the site other than the public unloading area and to access the pedestrian walkways between marked car parking spaces and the weighbridge and office area.	Part of induction form and instructions provided by weighbridge	Compliance achieved	Negligible
B46A	The Applicant must ensure a tipping inspector is present in the hand unloading area as shown on the Development Layout Plan in Appendix A when vehicles or customers are present.	Benedict advised that 3 tipping inspectors are present are present on-site at all times. The Auditor observed these inspectors during the site inspection - refer photos in Appendix F	Compliance achieved	Negligible
B46B	Prior to the commencement of operations under Modification application SSD 7698 MOD 1, the Applicant must amend the bay wall in the heavy waste processing and stockpiling area shown on the Development Layout Plan in Appendix A to accommodate the largest vehicle entering the site to travel unobstructed through the heavy waste processing area.	Completed in previous audit period. Auditor also observed this requirement had been met - refer photos in Appendix F	Compliance achieved	Negligible
	Parking			

AUDIT CHECKLIST FOR CONSOLIDATED CONSENT FOR SSD 7698 - SCHEDULE 2 CONDITIONS

No.	Condition	Observation	Recommendation	Risk Level
B47	Prior to the commencement of operations, the Applicant must provide and mark 25 on-site parking spaces (including two accessible spaces) for staff and visitors to ensure that traffic associated with the Development does not utilise public and residential streets or public parking facilities. Parking areas are to be constructed in accordance with the latest version of Australian Standard 2890. All parking associated with the Development must be contained on site.	Completed in previous audit period. Auditor also observed this requirement had been met - refer photos in Appendix F	Compliance achieved	Negligible
B48	Parking is only permitted within the designated parking spaces.	Auditor also observed this requirement had been met - refer photos in Appendix F	Compliance achieved	Negligible
	Operating Conditions			
B49	The Applicant must ensure: (a) all vehicular movement to and from the site must be in a forward direction; (b) 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 maintained in accordance with the latest version of Australian Standard 2890.1 and Australian Standard 2890.2; (c) 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 AUSTROADS guidelines; (d) the Development does not result in any vehicles queuing on the public road network or along the sites access road owned known as 1 McIntosh Drive, Mayfield West (Lot 16 in DP 270249) which is subject to a right of	Benedict advised that marking, signage, instructions direct vehicles to move in one direction. The Benedict Traffic Management Map also supported this requirement. Auditor also observed this requirement had been met - refer photos in Appendix F	Compliance achieved	Negligible
B49	(e) heavy vehicles and bins associated with the Development are not to be parked on local roads or footpaths in the vicinity of the site; (f) only light vehicles and trailers are permitted within the public unloading area, no heavy vehicles are permitted within the public unloading area; (g) all vehicles are wholly contained on site before being required to stop; (h) all loading and unloading of materials is carried out on-site in designated areas; (i) the different activities such as unloading (public and contractor), processing and stockpiling areas at the site are clearly marked and separated by physical barriers to ensure safety is maintained;	Benedict advised that marking, signage, instructions direct vehicles to move in one direction. The Benedict Traffic Management Map also supported this requirement. Auditor also observed this requirement had been met - refer photos in Appendix F	Compliance achieved	Negligible
B49	(j) signage must be erected to direct the public and contractors to the designated unloading and loading areas; (k) public and contractor unloading areas are kept separate; (l) pedestrian access paths are clearly marked and interactions between pedestrians and vehicles must be minimised; (m) an outbound wheel wash must be installed behind the exit weighbridge as per Figure 3.9 of the RTS; (n) signage is erected and vehicles at the site do not exceed a speed of 20 km/h; (o) vehicle manoeuvring areas must always be kept clear of any obstacles, including parked cars; and (p) the turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.	Benedict advised that marking, signage, instructions direct vehicles to move in one direction. The Benedict Traffic Management Map also supported this requirement. Auditor also observed this requirement had been met - refer photos in Appendix F	Compliance achieved	Negligible
	Operational Traffic and Pedestrian Management Plan			

AUDIT CHECKLIST FOR CONSOLIDATED CONSENT FOR SSD 7698 - SCHEDULE 2 CONDITIONS

No.	Condition	Observation	Recommendation	Risk Level
B50	Prior to the commencement of operations, the Applicant must prepare an Operational Traffic and Pedestrian Management Plan (OTPMP) for the Development to the satisfaction of the Secretary. The plan must form part of the OEMP required by Condition C4 and be prepared in accordance with Condition C7. The OTPMP must: (a) be prepared by a suitably qualified and experienced person(s); (b) be prepared in consultation with Council; (c) detail the measures that would be implemented to ensure road safety and network efficiency during operation; (d) detail measures to ensure public safety is maintained at all times including marking pedestrian access ways and signage to direct the public to the public unloading area;	OTPMP is part of the Benedict (July 2018) OEMP approved by DPE 25/09/18. Copy provided to Auditor and available on facility website at https://www.benedict.com.au/wp-content/uploads/Benedict-Mayfield-Resource-Recovery-Facility-OEMP-Version-6.pdf	Compliance achieved	Negligible
B50	(e) detail how the public unloading area will be barricaded from the contractor unloading areas and processing areas to ensure safety is maintained; detail measures to minimise the potential for conflicts between light vehicles entering and exiting the hand unloading area as shown on the Development Layout Plan in Appendix A and heavy vehicles and mobile plant; (f) detail how traffic exiting the main processing building will give way to traffic exiting the segregated heavy waste processing and stockpiling area to ensure vehicles safely exit the site; (g) detail heavy vehicle routes, access and parking	OTPMP is part of the Benedict (July 2018) OEMP approved by DPE 25/09/18. Copy provided to Auditor and available on facility website at https://www.benedict.com.au/wp-content/uploads/Benedict-Mayfield-Resource-Recovery-Facility-OEMP-Version-6.pdf	Compliance achieved	Negligible
B50	(h) include a Driver Code of Conduct to: (i) minimise the impact on the local and regional road network; (ii) minimise conflicts with other road users; (iii) minimise road traffic noise; and (iv) ensure truck drivers use Steel River Boulevard and McIntosh Drive (the use of Murray Dwyer Circuit is not permitted); (v) ensure truck drivers use specified routes (i) include a program to monitor the effectiveness of these measures; and (j) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.	OTPMP is part of the Benedict (July 2018) OEMP approved by DPE 25/09/18. Copy provided to Auditor and available on facility website at https://www.benedict.com.au/wp-content/uploads/Benedict-Mayfield-Resource-Recovery-Facility-OEMP-Version-6.pdf	Compliance achieved	Negligible
B51	The Applicant must: (a) not commence the operations until the OTPMP required by Condition B50 is approved by the Secretary; and (b) implement the most recent version of the OTPMP approved by the Secretary for the duration of the development.	OTPMP is part of the Benedict (July 2018) OEMP approved by DPE 25/09/18. Copy provided to Auditor and available on facility website at https://www.benedict.com.au/wp-content/uploads/Benedict-Mayfield-Resource-Recovery-Facility-OEMP-Version-6.pdf	Compliance achieved	Negligible
AIR QUALITY				
Meteorological Station				
B52	Before the commencement of the operations, the Applicant must install a suitable meteorological station on the site that complies with the requirements in the EPA's <i>Approved Methods for Sampling of Air Pollutants in New South Wales</i> .	The meteorological station is located at the office near the weighbridge. The Auditor observed the station and confirmed it was operational - refer photos in Appendix F	Compliance achieved	Negligible
B53	The Applicant must maintain the meteorological station to the satisfaction of the EPA for the life of the development.	The meteorological station is located at the office near the weighbridge. The Auditor observed the station and confirmed it was operational - refer photos in Appendix F	Compliance achieved	Negligible
Dust Minimisation				

AUDIT CHECKLIST FOR CONSOLIDATED CONSENT FOR SSD 7698 - SCHEDULE 2 CONDITIONS

No.	Condition	Observation	Recommendation	Risk Level
B54	All reasonable steps must be taken to minimise dust generated during all works authorised by this consent.	Dust management systems observed by the Auditor included sorting inside sheds, a misting system installed at the public unloading shed, an automated water spray system that covers all operational parts of the site, stockpiles are limited in height, practically all roads and sealed and a water tank is present on-site. No dust was observed by the Auditor during the inspection - refer photos in Appendix F. No dust issues raised by stakeholders	Compliance achieved	Negligible
B55	The Applicant must ensure that: (a) all on-site roads and car parking areas are sealed with concrete or asphalt; (b) all operating, storage, unloading and loading areas must be sealed with concrete, asphalt or other impervious barrier(s) of the same or greater quality; (c) water sprinklers at the crushing and screening plant must be utilised at all time when the plant is operational; (d) dust suppressants must be used to prevent particulate emissions from stockpiles and other dust generating sources; (e) trucks and vehicles entering and leaving the Development that are carrying loads of dust generating materials must have their loads covered at all times, except during loading and unloading;	Auditor observed that these requirements were met - refer photos in Appendix F	Compliance achieved	Negligible
B55	(f) crushing occurs for no more than 46 days per year in total; (g) crushing does not occur during adverse meteorological conditions; (h) all operations and activities occurring at the Development must be carried out in a manner that minimises the emissions of air pollutants from the Development; (i) trucks associated with the Development do not track dirt onto the public road network; (j) public roads used by these trucks are kept clean; and (k) any works are carried out progressively on site to minimise exposed surfaces.	Auditor observed that these requirements were met - refer photos in Appendix F	Compliance achieved	Negligible
	Air Quality Discharges			
B56	Equipment must be installed and operated in accordance 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.	Dust management systems observed by the Auditor included a misting system installed at the public unloading shed, an automated water spray system that covers all operational parts of the site, stockpiles are limited in height, practically all roads and sealed and a water tank is present on-site. No dust was observed by the Auditor during the inspection - refer photos in Appendix F. No dust issues raised by stakeholders. No requirement for dust monitoring in EPL	Compliance achieved	Negligible
	Air Quality Management Plan			
B57	Prior to the commencement of operations, the Applicant must prepare an Air Quality Management Plan (AQMP) to the satisfaction of the Secretary. The AQMP must form part of the OEMP required by Condition C4 and be prepared in accordance with Condition C7. The AQMP must: (a) be prepared by a suitably qualified and experienced person(s); (b) be prepared in consultation with the EPA; (c) detail and rank all emissions from all sources of the Development, including particulate emissions and odour; (d) describe the measures that will be implemented to minimise the potential risks to adverse air quality in the area including:	AQMP is part of the Benedict (July 2018) OEMP approved by DPE 25/09/18. Copy provided to Auditor and available on facility website at https://www.benedict.com.au/wp-content/uploads/Benedict-Mayfield-Resource-Recovery-Facility-OEMP-Version-6.pdf	Compliance achieved	Negligible

AUDIT CHECKLIST FOR CONSOLIDATED CONSENT FOR SSD 7698 - SCHEDULE 2 CONDITIONS

No.	Condition	Observation	Recommendation	Risk Level
B57	(i) the management and mitigation measures to be employed at the site; (ii) plant and equipment being maintained to ensure that it is in good order; (iii) how the air quality impacts of the development will be minimised during adverse meteorological conditions or extraordinary events; (iv) identification of high emission generating operational activities, including proposed times when these works will be carried out (including respite periods if required) and mitigation measures to minimise adverse impacts from these activities; (v) compliance with the relevant conditions of this consent;	AQMP is part of the Benedict (July 2018) OEMP approved by DPE 25/09/18. Copy provided to Auditor and available on facility website at https://www.benedict.com.au/wp-content/uploads/Benedict-Mayfield-Resource-Recovery-Facility-OEMP-Version-6.pdf	Compliance achieved	Negligible
B57	(e) identify the control measures that will be implemented for each emission source; and (f) define what constitutes an air quality incident and includes a protocol for identifying and notifying the Department and relevant stakeholders of any air quality incidents.	AQMP is part of the Benedict (July 2018) OEMP approved by DPE 25/09/18. Copy provided to Auditor and available on facility website at https://www.benedict.com.au/wp-content/uploads/Benedict-Mayfield-Resource-Recovery-Facility-OEMP-Version-6.pdf	Compliance achieved	Negligible
B58	The Applicant must: (a) not commence the operations until the AQMP required by Condition B57 is approved by the Secretary; and (b) implement the most recent version of the AQMP approved by the Secretary for the duration of the development.	AQMP is part of the Benedict (July 2018) OEMP approved by DPE 25/09/18. Copy provided to Auditor and available on facility website at https://www.benedict.com.au/wp-content/uploads/Benedict-Mayfield-Resource-Recovery-Facility-OEMP-Version-6.pdf	Compliance achieved	Negligible
	Air Quality Monitoring and Reporting			
B59	The Applicant must carry out Air Quality Monitoring and Reporting of the Development for the first three crushing events following the commencement of the operations to the satisfaction of the Secretary. The monitoring and reporting must: (a) be carried out by a suitably qualified and experienced person(s) whose appointment has been endorsed by the Secretary; (b) monitor the dust emissions whilst the Development is in operation and crushing (as described section 3.5 of the RTS) is occurring;	Benedict advised there was no crushing conducted on-site so not monitoring required. Auditor observed this was the case - refer photos in Appendix F	Not triggered	--
B59	(c) include a summary of air emission related complaints and any actions that were carried out to address the complaints; (d) validate the Development against air quality predictions in the RTS; (e) review design and management practices of the Development against industry best practice for dust emissions; and (f) include an action plan that identifies and prioritises additional dust mitigation measures that may be necessary to reduce	Benedict advised there was no crushing conducted on-site so not monitoring required. Auditor observed this was the case - refer photos in Appendix F	Not triggered	--
B60	Within three months of each monitoring event, the Applicant must submit a copy of the Air Quality Monitoring Report (Condition B59) to the Secretary, together with its response to any recommendations.	Not relevant	Not triggered	--
	Odour			
B61	The Applicant must ensure the Development does not cause or permit the emission of any offensive odour (as defined in the POEO Act).	Benedict advised that no odorous waste was received at site - odorous material is rejected. Auditor observed this was the case and found no objectionable odours at site	Compliance achieved	Negligible

AUDIT CHECKLIST FOR CONSOLIDATED CONSENT FOR SSD 7698 - SCHEDULE 2 CONDITIONS

No.	Condition	Observation	Recommendation	Risk Level																															
	NOISE																																		
	Hours of Work																																		
B62	<p>The Applicant must comply with the hours detailed in Table 2.</p> <p><i>Table 2: Hours of Work</i></p> <table><tr><th>Activity</th><th>Day</th><th>Time</th></tr><tr><td rowspan="3">Construction</td><td>Monday to Friday</td><td>7 am to 6 pm</td></tr><tr><td>Saturday</td><td>8 am to 1 pm</td></tr><tr><td>Sunday and Public Holidays</td><td>Not Permitted</td></tr><tr><td rowspan="3">Waste Reveal</td><td>Monday to Friday</td><td>6 am to 6 pm</td></tr><tr><td>Saturday</td><td>6 am to 5 pm</td></tr><tr><td>Sundays and Public Holidays</td><td>7 am to 3 pm</td></tr><tr><td rowspan="3">Waste Processing</td><td>Monday to Friday</td><td>6 am to 6 pm</td></tr><tr><td>Saturday</td><td>6 am to 5 pm</td></tr><tr><td>Sundays and Public Holidays</td><td>Not Permitted</td></tr><tr><td rowspan="3">Waste Dispatch</td><td>Monday to Friday</td><td>6 am to 6 pm</td></tr><tr><td>Saturday</td><td>6 am to 5 pm</td></tr><tr><td>Sunday and Public Holidays</td><td>Not Permitted</td></tr></table>	Activity	Day	Time	Construction	Monday to Friday	7 am to 6 pm	Saturday	8 am to 1 pm	Sunday and Public Holidays	Not Permitted	Waste Reveal	Monday to Friday	6 am to 6 pm	Saturday	6 am to 5 pm	Sundays and Public Holidays	7 am to 3 pm	Waste Processing	Monday to Friday	6 am to 6 pm	Saturday	6 am to 5 pm	Sundays and Public Holidays	Not Permitted	Waste Dispatch	Monday to Friday	6 am to 6 pm	Saturday	6 am to 5 pm	Sunday and Public Holidays	Not Permitted	Benedict advised that this requirement was met with working hours listed on website and maingate. Auditor noted that noise was not raised by stakeholders as an issue	Compliance achieved	Negligible
Activity	Day	Time																																	
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B63	Works outside of the hours identified in Condition B62 may be undertaken in the following circumstances: (a) the works are inaudible at the nearest sensitive receivers; (b) for the delivery or dispatch of materials as requested by the NSW Police Force or other public authorities for safety reasons; or (c) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.	Benedict advised that this requirement was met with working hours listed on website and maingate. Auditor confirmed working hour information and noted that noise was not raised by stakeholders as an issue	Compliance achieved	Negligible																															
B64	Waste reveal is permitted on a 24-hour per day basis on limited occasions to facilitate major infrastructure projects. Limited occasions is defined as: (a) no greater than six times per year; and (b) only for a period of less than two weeks in length for each occasion.	Documentation provided by Benedict indicated that waste was received on a 24-hour per day basis on 3 occasions in 2021, with notifications issued to Council, DPE and EPA on 24/05/21, 29/10/21 and 16/11/21	Compliance achieved	Negligible																															
B65	The Secretary, Council and all adjacent landowners must be notified no later than 48 hours prior to each of the 24-hour waste reveal periods referred to in Condition B64 along with a description of the major infrastructure projects which necessitate the 24-hour operations.	Documentation provided by Benedict indicated that waste was received on a 24-hour per day basis on 3 occasions in 2021, with notifications issued to Council, DPE and EPA on 24/05/21, 29/10/21 and 16/11/21	Compliance achieved	Negligible																															
B66	During the 24-hour waste reveal period (as stipulated in Condition B64), the number of heavy vehicles accessing the site from 6 pm to 6 am must not exceed 12.	Documentation provided by Benedict indicated that waste was received on a 24-hour per day basis on 3 occasions in 2021, with notifications issued to Council, DPE and EPA on 24/05/21, 29/10/21 and 16/11/21	Compliance achieved	Negligible																															
	Noise Management																																		
B67	The crusher and shredder are only permitted to be operated in the segregated heavy waste processing and stockpiling area, no further south than 130 m from the northern site boundary (see Appendix A).	Benedict advised that no crushing or shredding occurred at the site. The Auditor observed tthis was the case - refer photos in Appendix F	Compliance achieved	Negligible																															
B68	The mobile screens in the segregated heavy waste processing and stockpiling area must not be operated simultaneously with the crusher or shredder.	Benedict advised that no crushing or shredding occurred at the site. The Auditor observed tthis was the case - refer photos in Appendix F	Compliance achieved	Negligible																															

AUDIT CHECKLIST FOR CONSOLIDATED CONSENT FOR SSD 7698 - SCHEDULE 2 CONDITIONS

No.	Condition	Observation	Recommendation	Risk Level																																																																																					
B69	The Applicant must: (a) implement best practice, including all reasonable and feasible noise management and mitigation measures to minimise operational, low frequency and traffic noise generated by the Development; (b) minimise the noise impacts of the Development during adverse meteorological conditions; (c) maintain the effectiveness of any noise suppression equipment on plant at all times and ensure defective plant is not used operationally until fully repaired; and (d) regularly assess noise emissions and relocate, modify and/or stop operations to ensure compliance with the relevant conditions of this consent.	Auditor observed that site operations were well managed with equipment being well maintained and operated. Auditor noted that noise was not an issue raised by any of the stakeholders	Compliance achieved	Negligible																																																																																					
Operational Noise Limits																																																																																									
B70	<p>The Applicant must ensure that noise generated by operation of the Development does not exceed the noise limits in Table 3.</p> <p>Table 3: Noise Limits dB(A)</p> <table border="1"> <thead> <tr> <th>Location</th><th>Day LAeq(15 minute)</th><th>Evening LAeq(15 minute)</th><th>Night LAeq(15 minute)</th><th>Night L_{AMax}</th></tr> </thead> <tbody> <tr><td>R1</td><td>48</td><td>40</td><td>40</td><td>51</td></tr> <tr><td>R2</td><td>49</td><td>41</td><td>41</td><td>52</td></tr> <tr><td>R3</td><td>47</td><td>39</td><td>39</td><td>51</td></tr> <tr><td>R4</td><td>47</td><td>39</td><td>39</td><td>50</td></tr> <tr><td>R5</td><td>50</td><td>42</td><td>42</td><td>53</td></tr> <tr><td>R6</td><td>48</td><td>41</td><td>41</td><td>51</td></tr> <tr><td>R7</td><td>48</td><td>41</td><td>41</td><td>52</td></tr> <tr><td>R8</td><td>48</td><td>40</td><td>40</td><td>52</td></tr> <tr><td>R9</td><td>49</td><td>42</td><td>42</td><td>52</td></tr> <tr><td>R10</td><td>49</td><td>41</td><td>41</td><td>51</td></tr> <tr><td>R11</td><td>49</td><td>42</td><td>42</td><td>52</td></tr> <tr><td>R12</td><td>42</td><td>41</td><td>41</td><td>48</td></tr> <tr><td>R13</td><td>40</td><td>36</td><td>36</td><td>47</td></tr> <tr> <td>Mayfield School</td><td colspan="4">Internal 35 dB(A) – Noisiest 1 hr period (when in use)</td></tr> <tr> <td>Church of Christ</td><td colspan="4">Internal 40 dB(A) LAeq, period (when in use)</td></tr> <tr> <td>Scout Hall</td><td colspan="4">External 55 dB(A) Leq, period (when in use)</td></tr> </tbody> </table>	Location	Day LAeq(15 minute)	Evening LAeq(15 minute)	Night LAeq(15 minute)	Night L _{AMax}	R1	48	40	40	51	R2	49	41	41	52	R3	47	39	39	51	R4	47	39	39	50	R5	50	42	42	53	R6	48	41	41	51	R7	48	41	41	52	R8	48	40	40	52	R9	49	42	42	52	R10	49	41	41	51	R11	49	42	42	52	R12	42	41	41	48	R13	40	36	36	47	Mayfield School	Internal 35 dB(A) – Noisiest 1 hr period (when in use)				Church of Christ	Internal 40 dB(A) LAeq, period (when in use)				Scout Hall	External 55 dB(A) Leq, period (when in use)				Annual noise monitoring occurs with results on website at https://www.benedict.com.au/about/policies-compliance/ . The Auditor found that annual noise monitoring data were available on the website for 2016 - 2022, with all results over the audit period complying with the noise criteria	Compliance achieved	Negligible
Location	Day LAeq(15 minute)	Evening LAeq(15 minute)	Night LAeq(15 minute)	Night L _{AMax}																																																																																					
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B71	Vibration caused by construction at any residence or structure outside the site must be limited to: (a) for structural damage, German Standard DIN 4150 Part 3 Structural Vibration in Buildings. Effects on Structures; and (b) for human exposure, the acceptable vibration values set out in the Environmental Noise Management Assessing Vibration: A Technical Guideline (Department of Environment and Conservation, 2006).	The Auditor considered that operations at the site represented a low vibration environment due to absence of crushing and shredding, dispersed operations and large site area. Auditor observed no excessive vibrations during inspection and noted that no stakeholders raised vibration as an issue	Compliance achieved	Negligible																																																																																					

AUDIT CHECKLIST FOR CONSOLIDATED CONSENT FOR SSD 7698 - SCHEDULE 2 CONDITIONS

No.	Condition	Observation	Recommendation	Risk Level
	FIRE MANAGEMENT			
B72	Prior to the commencement of operations, the final design of the development must be finalised in consultation with and to the satisfaction of the Secretary and include suitable additional provisions for special hazards by specifically addressing Clauses E1.10 and E2.3 of Volume One of the National Construction Code (NCC) Series. In particular, the following matters must be addressed: (a) Clauses E1.10 and E2.3 of Volume One of the NCC be complied with to the meet the operational requirements of FRNSW; (b) the stockpile storage within any building and/or open yard storage on the allotment be limited in size and volume and arranged to minimise fire spread; (c) the arrangement of stockpiles of combustible material, stored externally, on the allotment be sufficiently separated to permit FRNSW vehicle access between	Benedict provided copies of: <ul style="list-style-type: none"> • Fire safety statements from DPE for 2019 - 2022; • Elite Fire Training certificate of completion dated 18/11/19 for Benedict Recycling Newcastle for warden / chief warden training, building excavation training, and use of portable fire fighting equipment; and • An approved plan of the fire fighting system for the main processing shed dated 20/06/18. The Auditor also observed the stockpiled materials were well managed in terms of fire risk and fire fighting equipment was present - refer photos in Appendix F	Compliance achieved	Negligible
B72	(d) the site must be serviced by a fire hydrant system that has a minimum water supply capable to extinguishing the sites largest fire load stockpile; (e) buildings which store recyclable material must include a smoke hazard system that facilitates FRNSW firefighting operations; (f) if deemed necessary by the Secretary, by virtue of applying Clauses E1.10 and E2.3 to the Development, that any significant building used to process recyclable material is provided with an appropriate fire suppression system; and (g) the containment on-site of fire water run-off.	Benedict provided copies of: <ul style="list-style-type: none"> • Fire safety statements from DPE for 2019 - 2022; • Elite Fire Training certificate of completion dated 18/11/19 for Benedict Recycling Newcastle for warden / chief warden training, building excavation training, and use of portable fire fighting equipment; and • An approved plan of the fire fighting system for the main processing shed dated 20/06/18. The Auditor also observed the stockpiled materials were well managed in terms of fire risk and fire fighting equipment was present - refer	Compliance achieved	Negligible
	ABORIGINAL HERITAGE			
	Unexpected Finds Protocol			
B73	If Aboriginal objects are uncovered during construction work in the immediate area, work must stop and the Regional Operations Group of the OEH, Council and the Registered Aboriginal Parties are to be consulted.	Not applicable	Not triggered	--
	HAZARDS AND RISK			
	Dangerous Goods			
B74	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.	Benedict advised that only very minor quantities were stored in the workshop. The Auditor observed this was the case - refer photos in Appendix F. Benedict also provided a copy of their Hazardous Substance and Dangerous Goods Procedure	Compliance achieved	Negligible
B75	Dangerous goods, as defined by the Australian Dangerous Goods Code, must be stored and handled strictly in accordance with: (a) all relevant Australian Standards; (b) for liquids, a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and (c) the Environment Protection Manual for Authorised Officers: Bunding and Spill Management, technical bulletin (EPA,1997). In the event of an inconsistency between the requirements listed from a) to c) above, the most stringent requirement must prevail to the extent of the inconsistency.	Benedict advised that all Dangerous Goods were placed in banded areas. The Auditor observed this was the case - refer photos in Appendix F	Compliance achieved	Negligible
	Bunding			

AUDIT CHECKLIST FOR CONSOLIDATED CONSENT FOR SSD 7698 - SCHEDULE 2 CONDITIONS

No.	Condition	Observation	Recommendation	Risk Level
B76	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 EPA's Storing and Handling of Liquids: Environmental Protection – Participants Manual (DECC, 2007) (as may be updated or replaced from time to time).	Benedict advised that all Dangerous Goods were placed in bunded areas. The Auditor observed this was the case - refer photos in Appendix F	Compliance achieved	Negligible
	CONTAMINATION			
B77	Any works carried out on the site that involve the disturbance of (or contact with) soil or groundwater are to be carried out in accordance with the requirements of the report titled Site Management Plan for Subsurface Disturbance Activities, McIntosh Drive Mayfield NSW. Ref: N4113204_SMP_Rev4_20Oct09, prepared by AECOM Pty Ltd, dated 2 October 2009.	Benedict advised that all the site was sealed so there was no disturbance to underlying soils / groundwater. The Auditor observed that this was the case - refer photos in Appendix F	Compliance achieved	Negligible
B78	Prior to the commencement of operations, the main processing building and segregated heavy waste processing and stockpiling area must be sealed with either asphalt or concrete to minimise infiltration of surface water to groundwater.	The Auditor observed that this work had been completed - refer photos in Appendix F	Compliance achieved	Negligible
B79	Prior to the commencement of construction, the Applicant must prepare an unexpected finds protocol to ensure that potentially contaminated material is appropriately managed. The protocol must form part of the CEMP required by Condition C1 and must ensure any material identified as contaminated must be disposed off-site, with the disposal location and results of testing submitted to Council, prior to its removal from the site.	The Auditor observed that this work had been completed - refer photos in Appendix F	Compliance achieved	Negligible
	VISUAL AMENITY			
	Landscaping			
B80	The Applicant must maintain the landscaping and vegetation on the site in accordance with the approved Landscape Plan prepared by Terras Landscape Architects dated 9 September 2015 in Appendix A.	Benedict provided a copy of a landscape plan for the site prepared by Terras Landscape Architects dated 9/09/15. The Auditor observed that the landscaping had been established and was being maintained - refer photos in Appendix F	Compliance achieved	Negligible
	Lighting			
B81	The Applicant must ensure the lighting associated with the Development: (a) complies with the latest version of AS 4282 (INT) - Control of Obtrusive Effects of Outdoor Lighting; (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 including at night; and (c) is not installed on the exterior of the Development and does not flash, chase or scintillate or contain promotional material of a visually intrusive nature.	Benedict advised that there had been no changes to the original lighting setup. The Auditor also noted that stakeholders did not raised lighting as an issue	Compliance achieved	Negligible
	SITE SECURITY			
B82	The Applicant must: (a) maintain the 1.8 m perimeter fence and security gates on the site in accordance with Council's requirements; and (b) ensure the security gates are locked whenever the site is not in operation or unattended.	Benedict advised that the entire site was surrounded by a security fence with lockable gates at the main entrance. The Auditor observed this was the case - refer photos in Appendix F	Compliance achieved	Negligible

AUDIT CHECKLIST FOR CONSOLIDATED CONSENT FOR SSD 7698 - SCHEDULE 2 CONDITIONS

No.	Condition	Observation	Recommendation	Risk Level
	COMMUNITY ENGAGEMENT			
B83	The Applicant must consult with the community regularly throughout the Development, including consultation with the nearby, adjacent landowners, sensitive receivers, relevant regulatory authorities, Registered Aboriginal Parties and other interested stakeholders.	Community engagement information was provided on the Benedict website at https://www.benedict.com.au/about/policies-compliance/ . The information included a copy of complaints registers for the 2018 - 2022 period. The registers indicated 1 complaint for dust was received in 2019, 1 complaint for dust was received in 2019, 4 complaints for dust were received in 2021 and no complaints for dust were received in 2022. Complaints phone number advertised at main entrance. The Auditor considered the recent dust control measures installed at the site seem to have addressed historic dust issues	Compliance achieved	Negligible
	CONCEPTUAL DECOMMISSIONING PLAN			
B84	Prior to the commencement of operations, the Applicant must prepare a Conceptual Decommissioning Management Plan (CDMP) for the Development to the satisfaction of the Secretary. The plan must form part of the OEMP required by Condition C4. The CDMP must: (a) include a schedule for the decommissioning of the Development; (b) detail how the following would be achieved: (i) ensure the site is left in a safe, stable and non-polluting manner; (ii) removal of all waste from the site in a lawful manner; (iii) restoration of the site so that the contamination status is no worse than that described in the Site Audit Report -Former EMD Facility Mayfield West, prepared for Delta EMD, prepared by Environ Australia Pty Ltd, November 2009; and (iv) ensure public safety is maintained;	Not applicable	Not triggered	--
B84	(c) include procedures for notification of the surrounding landowners; (d) include procedures for safe removal of any machinery and structures; (e) include measures to mitigate any environmental impacts associated with the removal of the Development; (f) include details of monitoring that would be undertaken during the decommissioning of the Development; and (g) be reviewed 12 months prior to the closure of the site to the satisfaction of the Secretary.	Not applicable	Not triggered	--
PART C: ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING				
	CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN			
C1	The Applicant must prepare a Construction Environmental Management Plan (CEMP) to the satisfaction of the Secretary. The CEMP must: (a) be approved by the Secretary prior to the commencement of construction; (b) identify the statutory approvals that apply to the Development; (c) describe all activities to be undertaken on the site during construction of the Development, including a clear indication of construction stages in particular how the sealing works will be staged and any associated impacts on operation, construction of surface water infrastructure must also be addressed;	Not relevant - no construction	Not triggered	--

AUDIT CHECKLIST FOR CONSOLIDATED CONSENT FOR SSD 7698 - SCHEDULE 2 CONDITIONS

No.	Condition	Observation	Recommendation	Risk Level
C1	(d) outline all environmental management practices and procedures to be followed during construction works associated with the Development; (e) detail how unexpected finds, traffic, erosion and sedimentation and noise will be managed; (f) include a complaints handling procedure; (g) detail how the environmental performance of the construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts; and (h) describe the roles and responsibilities for all relevant employees involved in construction works associated with the Development.	Not relevant - no construction	Not triggered	--
C2	As part of the CEMP required under Condition C1 of this consent, the Applicant must include the following: (a) Erosion and Sediment Control Plan (see Condition B16); (b) Unexpected Finds Protocol (see Condition B79).	Not relevant - no construction	Not triggered	--
C3	The Applicant must carry out the construction of the Development in accordance with the CEMP approved by the Secretary (and as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary.	Not relevant - no construction	Not triggered	--
OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN				
C4	The Applicant must prepare an Operational Environmental Management Plan (OEMP) to the satisfaction of the Secretary. The OEMP must: (a) be approved by the Secretary prior to the commencement of operations; (b) be prepared by a suitably qualified and experienced expert; (c) provide the strategic framework for environmental management of the Development; (d) identify the statutory approvals that apply to the Development; (e) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the Development;	Refer Benedict (July 2018) OEMP approved by DPE 25/09/18. Copy provided to Auditor and available on facility website at https://www.benedict.com.au/wp-content/uploads/Benedict-Mayfield-Resource-Recovery-Facility-OEMP-Version-6.pdf	Compliance achieved	Negligible
C4	(f) describe the procedures that would be implemented to: (i) keep the local community and relevant agencies informed about the operation and environmental performance of the Development; (ii) receive, handle, respond to, and record complaints; (iii) resolve any disputes that may arise; (iv) respond to any non-compliance; and (v) respond to emergencies and provide an Emergency Response Plan;	Refer Benedict (July 2018) OEMP approved by DPE 25/09/18. Copy provided to Auditor and available on facility website at https://www.benedict.com.au/wp-content/uploads/Benedict-Mayfield-Resource-Recovery-Facility-OEMP-Version-6.pdf	Compliance achieved	Negligible
C4	(g) include the following environmental management plans: (i) Waste Management Plan (see Condition B13); (ii) Surface Water Characterisation and Mitigation Plan (see Condition B33); (iii) Operational Traffic and Pedestrian Management Plan (see Condition B50); (iv) Air Quality Management Plan (see Condition B57); and (v) Conceptual Decommissioning Management Plan (see Condition B84).	Refer Benedict (July 2018) OEMP approved by DPE 25/09/18. Copy provided to Auditor and available on facility website at https://www.benedict.com.au/wp-content/uploads/Benedict-Mayfield-Resource-Recovery-Facility-OEMP-Version-6.pdf	Compliance achieved	Negligible
C5	The Applicant must carry out the construction of the Development in accordance with the OEMP approved by the Secretary (and as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary.	Benedict advised that th development involved no construction work. The Auditor observed that no construction work had been undertaken during the audit period - refer photos in Appendix F	Compliance achieved	Negligible
COMPLIANCE REGISTER TABLE				
C6	The Applicant must submit a Compliance Register Table to the Secretary with any Environmental Management Plans, which details where the relevant conditions have been addressed within the Environmental Management Plan.	The Compliance Register was included in the OEMP that was approved by DPE 25/09/18	Compliance achieved	Negligible

AUDIT CHECKLIST FOR CONSOLIDATED CONSENT FOR SSD 7698 - SCHEDULE 2 CONDITIONS

No.	Condition	Observation	Recommendation	Risk Level
	MANAGEMENT PLAN REQUIREMENTS			
C7	The Applicant must ensure that the environmental management plans required under Condition C4 of this consent are prepared by a suitably qualified person or persons in accordance with best practice and include: (a) detailed baseline data; (b) a description of: (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions); (ii) any relevant limits or performance measures/criteria; and (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; (c) a description of the management measures that would be implemented to comply with the relevant statutory requirements, limits or performance measures/criteria;	Refer Benedict (July 2018) OEMP approved by DPE 25/09/18. Copy provided to Auditor and available on facility website at https://www.benedict.com.au/wp-content/uploads/Benedict-Mayfield-Resource-Recovery-Facility-OEMP-Version-6.pdf	Compliance achieved	Negligible
C7	(d) a program to monitor and report on the: (i) impacts and environmental performance of the Development; and (ii) effectiveness of any management measures (see (c) above) (e) a contingency plan to manage any unpredicted impacts and their consequences; (f) a program to investigate and implement ways to improve the environmental performance of the Development over time;	Refer Benedict (July 2018) OEMP approved by DPE 25/09/18. Copy provided to Auditor and available on facility website at https://www.benedict.com.au/wp-content/uploads/Benedict-Mayfield-Resource-Recovery-Facility-OEMP-Version-6.pdf	Compliance achieved	Negligible
C7	(g) a protocol for managing and reporting any: (i) incidents; (ii) complaints; (iii) non-compliances with statutory requirements; and (iv) exceedances of the impact assessment criteria and/or performance criteria; and (h) a protocol for periodic review of the plan.	Refer Benedict (July 2018) OEMP approved by DPE 25/09/18. Copy provided to Auditor and available on facility website at https://www.benedict.com.au/wp-content/uploads/Benedict-Mayfield-Resource-Recovery-Facility-OEMP-Version-6.pdf	Compliance achieved	Negligible
	Revision of Strategies, Plans and Programs			
C8	Within three months of: (a) approval of a modification; (b) approval of an annual review under Condition C9; (c) submissions of an incident report under Condition C11; or (d) completion of an audit under Condition C13. The Applicant must review, and if necessary revise, the strategies, plans, and programs required under this consent to the satisfaction of the Secretary.	Work completed during previous audit period	Not triggered	--
	ANNUAL REVIEW			
C9	Each year, the Applicant must review the environmental performance of the Development to the satisfaction of the Secretary. This review must: (a) describe the development that was carried out in the previous calendar year, and the Development that is proposed to be carried out over the next year; (b) provide a conditions compliance report which tracks the compliance of the development with the conditions of this approval; (c) include a comprehensive review of the monitoring results and complaints records of the Development over the previous calendar year, which includes a comparison of these results against the: (i) the relevant statutory requirements, limits or performance measures/criteria; (ii) requirements of any plan or program required under this consent; (iii) the monitoring results of previous years; and (iv) the relevant predictions in the EIS;	Copies of annual reviews were provided for 2018 - 2021. Copies of annual reviews are also provided on the Benedict website at https://www.benedict.com.au/about/policies-compliance/ . Copies of annual returns also provided on EPA website for 2017 - 2022. The Auditor received no feedback from stakeholders regarding these annual reports	Compliance achieved	Negligible

AUDIT CHECKLIST FOR CONSOLIDATED CONSENT FOR SSD 7698 - SCHEDULE 2 CONDITIONS

No.	Condition	Observation	Recommendation	Risk Level
C9	(d) detail and provide evidence for the number of days crushing and the 24-hour waste receival operations has occurred; (e) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance; (f) identify any trends in the monitoring data over the life of the Development; (g) identify any discrepancies between the predicted and actual impacts of the Development, and analyse the potential cause of any significant discrepancies; and (h) describe what measures will be implemented over the next year to improve the environmental performance of the Development.	Copies of annual reviews were provided for 2018 - 2021. Copies of annual reviews are also provided on the Benedict website at https://www.benedict.com.au/about/policies-compliance/ . The Auditor received no feedback from stakeholders regarding these annual reports	Compliance achieved	Negligible
	REPORTING			
	Incident Reporting			
C10	The Applicant must notify the Secretary and any other relevant agencies of any incident or potential incident with actual or potential significant off-site impacts on people or the biophysical environment associated with the Development immediately after the Applicant becomes aware of the incident.	Benedict advised there were no incidents, which was consistent with information provided in the Annual Reports	Compliance achieved	Negligible
C11	Within seven days of the date of this incident, the Proponent must provide the Secretary and any relevant agencies with a detailed report on the incident.	Not relevant - Benedict advised there were no incidents, which was consistent with information provided in the Annual Reports	Not triggered	--
	Regular Reporting			
C12	The Applicant must provide regular reporting on the environmental performance of the Development on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent.	Copies of annual reviews were provided for 2018 - 2021. Copies of annual reviews are also provided on the Benedict website at https://www.benedict.com.au/about/policies-compliance/ . The Auditor received no feedback from stakeholders regarding these annual reports	Compliance achieved	Negligible
	AUDITING			
	Independent Environmental Audit			
C13	Within one year of the commencement of operations, and every three years thereafter, unless the Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the Development. This audit must: (a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary; (b) include consultation with the relevant agencies; (c) assess the environmental performance of the Development and assess whether it is complying with the requirements in this consent, and any other relevant approvals, relevant EPL(s) (including any assessment, plan or program required under these approvals);	Refer previous audit report issued by Barnett & May (21/02/20) and this report	Compliance achieved	Negligible
C13	(d) review the adequacy of any approved strategy, plan or program required under the abovementioned consents; and (e) recommend measures or actions to improve the environmental performance of the Development, and/or any strategy, plan or program required under these consents. <i>Note: This audit team must be led by a suitably qualified auditor, and include relevant experts in any other fields specified by the Secretary.</i>	Refer previous audit report issued by Barnett & May (21/02/20) and this report	Compliance achieved	Negligible
C14	Within three months of commissioning this audit, or as otherwise agreed by the Secretary, the Applicant must submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report.	Refer previous audit report issued by Barnett & May (21/02/20) and this report	Compliance achieved	Negligible

AUDIT CHECKLIST FOR CONSOLIDATED CONSENT FOR SSD 7698 - SCHEDULE 2 CONDITIONS

No.	Condition	Observation	Recommendation	Risk Level
	ACCESS TO INFORMATION			
C15	The Applicant must: (a) make copies of the following publicly available on its website: (i) the documents referred to in Condition A2; (ii) all current statutory approvals for the Development; (iii) all approved strategies, plans and programs required under the conditions of this consent; (iv) 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;	A copy of the previous audit prepared by Barnett & May (21/02/20) is available on the Benedict website at https://www.benedict.com.au/about/policies-compliance/ . The Auditor received no feedback from stakeholders regarding these annual reports	Compliance achieved	Negligible
C15	(v) a complaints register updated on a monthly basis; (vi) the annual reviews of the Development; (vii) any independent environmental audit of the Development and the Applicant's response to the recommendations in any audit; and (viii) any other matter required by the Secretary (b) keep this information up to date, to the satisfaction of the Secretary.	A copy of the previous audit prepared by Barnett & May (21/02/20) is available on the Benedict website at https://www.benedict.com.au/about/policies-compliance/ . The Auditor received no feedback from stakeholders regarding these annual reports	Compliance achieved	Negligible

AUDIT CHECKLIST FOR ENVIRONMENT PROTECTION LICENCE 20771

No.	Condition	Observation	Recommendation	Risk Level
3 LIMIT CONDITIONS				
	L1 POLLUTION OF WATERS			
L1.1	Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.	Noted	Not triggered	--
	L2 CONCENTRATION LIMITS			
L2.1	For each monitoring/discharge point or utilisation area specified in the table below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.	The results of surface water monitoring are provided at https://www.benedict.com.au/about/policies-compliance/ for 2017 - 2022. The data indicated few discharges with no exceedances	Compliance achieved	Negligible
L2.2	Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges	The results of surface water monitoring are provided at https://www.benedict.com.au/about/policies-compliance/ for 2017 - 2022. The data indicated few discharges with no exceedances	Compliance achieved	Negligible
L2.3	To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table.	The results of surface water monitoring are provided at https://www.benedict.com.au/about/policies-compliance/ for 2017 - 2022. The data indicated few discharges with no exceedances	Compliance achieved	Negligible
	L3 WASTE			
L3.1	The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled "Waste" and meeting the definition, if any, in the column titled "Description" in the table below. Any waste received at the premises must only be used for the activities referred to in relation to that waste in the column titled "Activity" in the table below. Any waste received at the premises is subject to those limits or conditions, if any, referred to in relation to that waste contained in the column titled "Other Limits" in the table below. This condition does not limit any other conditions in this licence.	Benedict advised that only waste types allowed on the EPL are accepted at the Site, with any non-complying loads being rejected and not allowed on-site. The Auditor observed no evidence of waste non-compliance and this issue was not raised by stockholders	Compliance achieved	Negligible
L3.2	The premises may accept up to 315,000 tonnes of general solid waste (non-putrescible) per annum	Benedict provided a weekly tracker of stockpile capacity for the period 1/10/19 to 1/10/22. The tracker consisted of monthly plots of stock on hand, receival capacity, projected closing stock and % authorised amount. Data shows the stockpile capacity was maintained at all times below the authorised amount of 53,733 T generally at 25 - 50%	Compliance achieved	Negligible
L3.3	Notwithstanding any limit specified in the above table, the licensee shall not exceed the authorised amount specified in this licence. Where the authorised amount is less than the total of all wastes listed above, the authorised amount will take precedent.	Benedict provided a weekly tracker of stockpile capacity for the period 1/10/19 to 1/10/22. The tracker consisted of monthly plots of stock on hand, receival capacity, projected closing stock and % authorised amount. Data shows the stockpile capacity was maintained at all times below the authorised amount of 53,733 T generally at 25 - 50%	Compliance achieved	Negligible

AUDIT CHECKLIST FOR ENVIRONMENT PROTECTION LICENCE 20771

No.	Condition	Observation	Recommendation	Risk Level
L3.4	The authorised amount of waste permitted on the premises cannot exceed 53,733 tonnes at any one time.	Benedict provided a weekly tracker of stockpile capacity for the period 1/10/19 to 1/10/22. The tracker consisted of monthly plots of stock on hand, receival capacity, projected closing stock and % authorised amount. Data shows the stockpile capacity was maintained at all times below the authorised amount of 53,733 T generally at 25 - 50%	Compliance achieved	Negligible
L3.5	All waste stockpiles occurring as part of the operation at the premises must be no greater than 7.0 metres in height.	This requirement was achieved by stockpile height markers scattered across site, which were observed by the Auditor - refer photos in Appendix F	Compliance achieved	Negligible
L3.6	All waste activities, including unloading, loading, processing and stockpiling of wastes, is only permitted within the area as identified as the Development Area in the State Significant Development 7698 - Appendix A Plans - Development Layout Plan.	The Auditor observed no change to the approved layout - refer photos in Appendix F	Compliance achieved	Negligible
L4 NOISE LIMITS				
L4.1	Noise limits			
L4.2	For the purpose of condition L4.1: - Day is defined as the period from 7 am to 6 pm Monday to Saturday and 8 am to 6 pm Sunday and Public Holidays; - Evening is defined as the period 6 pm to 10 pm; - Night is defined from 10 pm to 7 am Monday to Saturday and 10 pm to 8 am Sunday and Public Holidays.	Noted	Not triggered	--
L4.3	The noise limits set out in condition L4.1 apply under all meteorological conditions except for the following: a) Wind speeds greater than 3 m/sec at 10 metres above ground level; or b) Stability category F temperature inversion conditions and wind speeds greater than 2 m/sec at 10 m above ground level; or c) Stability category G temperature inversion conditions.	Noted	Not triggered	--
L4.4	To determine compliance: a) the Leq(15 minute) noise limits in condition L4.1, the noise measurement equipment must be located: - approximately on the property, where any dwelling is situated 30 m or less from the property boundary closest to the premises; or - within 30 m of a dwelling façade, but not closer than 3 m, where any dwelling on the property is situated more than 30 m from the property boundary closest to the premises; or where applicable - within approximately 50 m of the boundary of a National Park or Nature Reserve.	Annual noise monitoring occurs with results on website at https://www.benedict.com.au/about/policies-compliance/ . The Auditor found that annual noise monitoring data were available on the website for 2016 - 2022, with all results over the audit period complying with the noise criteria. Stakeholders did not raise noise as an issue of concern	Compliance achieved	Negligible
L4.4	b) with any LMax in condition L4.1, the noise measurement equipment must be located within 1 m of a dwelling façade. c) with the noise limits in condition L4.1, the noise measurement equipment must be located: - at the most affected point at a location where there is no dwelling at the location; or - at the most affected point within an area at a location prescribed by conditions L4.4(a) or L4.4(b).	Annual noise monitoring occurs with results on website at https://www.benedict.com.au/about/policies-compliance/ . The Auditor found that annual noise monitoring data were available on the website for 2016 - 2022, with all results over the audit period complying with the noise criteria. Stakeholders did not raise noise as an issue of concern	Compliance achieved	Negligible
L4.5	A non-compliance of conditions L4.1 will still occur where noise generated from the premises in excess of the appropriate limit is measured: - at a location other than an area prescribed by conditions L4.4(a) and L4.4(b); and/or - at a point other than the most affected point at a location.	Noted	Not triggered	--

AUDIT CHECKLIST FOR ENVIRONMENT PROTECTION LICENCE 20771

No.	Condition	Observation	Recommendation	Risk Level
L4.6	For the purposes of determining the noise generated at the premises, the modification factors in Fact Sheet C - Corrections for Annoying Noise Characteristics of the NSW Noise Policy for Industry must be applied, as appropriate, to the noise levels measured by the noise monitoring equipment.	Noted	Not triggered	--
L4.7	The crusher and shredder are only permitted to be operated in the segregated heavy waste processing and stockpiling area, no further south than 130 m from the northern site boundary in accordance with the State Significant Development 7698 - Appendix A Plans - Location of Crusher, Shredder and Screens.	Noted	Not triggered	--
L4.8	The mobile screens in the segregated heavy waste processing area and stockpiling area must not be operated simultaneously with the crusher or shredder.	No timber shredding was done this year or in future as it's done at the Benedict Chipping Norton Facility. No crushing done on-site. Auditor confirmed absence of crusher during site inspection - refer photos in Appendix F	Compliance achieved	Negligible
L5 HOURS OF OPERATION				
L5.1	Hours of operation	Noted	Not triggered	--
L5.2	Works outside the hours identified in condition L5.1 may be undertaken in the following circumstances: i. the works are inaudible at the nearest sensitive receivers; or ii. for the delivery or dispatch of materials as requested by the NSW Police Force or other public authorities for safety reasons; or iii. where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.	Benedict advised that this requirement was met with working hours listed on website and maingate. Auditor confirmed working hour information and noted that noise was not raised by stakeholders as an issue	Compliance achieved	Negligible
L5.3	Waste receipt is permitted on a 24-hour per day basis on limited occasions to facilitate major infrastructure projects. Limited occasions is defined as: i) no greater than six times per year; and ii) only for a period of less than two weeks in length for each occasion.	Documentation provided by Benedict indicated that waste was received on a 24-hour per day basis on 3 occasions in 2021, with notifications issued to Council, DPE and EPA on 24/05/21, 29/10/21 and 16/11/21	Compliance achieved	Negligible
L5.4	The EPA must be notified no later than 48 hours prior to each of the 24-hour waste receipt periods referred to in condition L5.3 along with a description of the major infrastructure projects which necessitate the 24-hour operations.	Documentation provided by Benedict indicated that waste was received on a 24-hour per day basis on 3 occasions in 2021, with notifications issued to Council, DPE and EPA on 24/05/21, 29/10/21 and 16/11/21	Compliance achieved	Negligible
4 OPERATING CONDITIONS				
O1 ACTIVITIES MUST BE CARRIED OUT IN A COMPETENT MANNER				
O1.1	Licensed activities must be carried out in a competent manner. This includes: a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.	Benedict advised that all employees are trained. The Auditor considered weight of evidence supports compliance because of observations made by site inspection, comprehensive management systems, no issues raised by stakeholders, annual inspections by EPA/Planning	Compliance achieved	Negligible
O2 MAINTENANCE OF PLANT AND EQUIPMENT				
O2.1	All plant and equipment installed at the premises or used in connection with the licensed activity: a) must be maintained in a proper and efficient condition; and b) must be operated in a proper and efficient manner.	Benedict advised that all machines were serviced every 500 hours by suppliers who hold maintenance records. Auditor observed all site equipment was operational - refer photos in Appendix F	Compliance achieved	Negligible
O3 DUST				

AUDIT CHECKLIST FOR ENVIRONMENT PROTECTION LICENCE 20771

No.	Condition	Observation	Recommendation	Risk Level
O3.1	Activities occurring in or on the premises must be carried out in a manner that will minimise the generation, or emission from the premises, of wind-blown or traffic generated dust.	Dust management systems observed by the Auditor included sorting inside sheds, a misting system installed at the public unloading shed, an automated water spray system that covers all operational parts of the site, stockpiles are limited in height, practically all roads and sealed and a water tank is present on-site. No dust was observed by the Auditor during the inspection - refer photos in Appendix F. No dust issues raised by stakeholders	Compliance achieved	Negligible
O3.2	Trucks entering and leaving the premises that are carrying loads of dust generating materials must have their loads covered at all times, except during loading and unloading.	Benedict advised this practice was followed. The Auditor also observed all truck loads entering and leaving site were covered - refer photos in Appendix F	Compliance achieved	Negligible
O3.3	No material, including sediment, is permitted to be tracked from the premises.	Auditor observed site was being well managed with no evidence of material being tracked from the premises. Stakeholders and community also did not raise this as an issue	Compliance achieved	Negligible
O3.4	The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.	Dust management systems observed by the Auditor included sorting inside sheds, a misting system installed at the public unloading shed, an automated water spray system that covers all operational parts of the site, stockpiles are limited in height, practically all roads and sealed and a water tank is present on-site. No dust was observed by the Auditor during the inspection - refer photos in Appendix F. No dust issues raised by stakeholders	Compliance achieved	Negligible
O4 EMERGENCY RESPONSE				
Note:	The licensee must maintain, and implement as necessary, a current Pollution Incident Response Management Plan (PIRMP) for the premises. The PIRMP must be developed in accordance with the requirements in Part 5.7A of the POEO Act 1997 and POEO regulations. The licensee must keep the incident response plan on the premises at all times. The incident response plan must document systems and procedures to deal with all types of incidents (e.g. spills, explosions or fire) that may occur at the premises or that may be associated with activities that occur at the premises and which are likely to cause harm to the environment. The PIRMP must be tested at least annually or following a pollution incident.	The Benedict PIRMP is provided on their website at https://www.benedict.com.au/wp-content/uploads/2022_PIRMP_AllSites.pdf . The document is dated 8/08/22 and the document control sheet shows that it has been reviewed and updated annually since 1/12/16. Benedict advised that there were no emergencies during audit period, which is supported by the documentation provided in the annual reports that have been prepared by Benedict and reviewed by the EPA. A surface water characterisation and management plan and an emergency response plan are provided in Appendices E & K of the OEMP.	Compliance achieved	Negligible
O5 PROCESSES AND MANAGEMENT				
O5.1	A litter management program must be implemented, which includes litter patrol to ensure that the local amenity is not degraded.	Benedict advised that the collection of litter is included on the weekly environmental checklist, pickups are made as required, and litter control at the site is part of employees training. The Auditor considered these procedures were consistent with the observed well managed condition of the site - refer photos in Appendix F	Compliance achieved	Negligible

AUDIT CHECKLIST FOR ENVIRONMENT PROTECTION LICENCE 20771

No.	Condition	Observation	Recommendation	Risk Level
05.2	All above ground tanks containing material capable of causing harm to the environment must be stored within a bund or within an alternative spill containment system that achieves the same outcome.	Auditor inspected diesel tank facility and considered it complied with Consent requirements - refer photos in Appendix F	Compliance achieved	Negligible
05.3	Bunds must: a) have walls and floors constructed of impervious materials; b) be of sufficient capacity to contain 110% of the volume of the tank (or 110% volume of the largest tank where a group of tanks are installed); c) have floors graded to a collection sump; and d) not have a drain valve incorporated in the bund structure, or be constructed and operated in a manner that achieves the same environmental outcome.	Auditor inspected diesel tank facility and considered it complied with Consent requirements - refer photos in Appendix F	Compliance achieved	Negligible
05.4	A surface water management system must be operated and maintained at the premises at all times.	The system was managed using the OEMP approved by DPE 25/09/18. Auditor observed the surface water management system comprised a perimeter drain around the site, gravel dam filters, sedimentation tanks and a monitoring system, which was being well maintained - refer photos in Appendix F.	Compliance achieved	Negligible
05.5	The surface water management system must be maintained to minimise the infiltration of surface water to groundwater. This includes inspecting the surface water infrastructure monthly for cracking and vegetation breakthrough, removing the vegetation and sealing the surface water	Benedict advised that these measures are checked weekly. A copy of an 'Environmental Inspection Checklist' prepared for the site by Benedict was provided to the Auditor. Auditor observed site was well maintained - refer photos in Appendix	Compliance achieved	Negligible
05.6	The final sediment basin must be maintained with a minimum capacity to contain the 90th percentile rainfall over any consecutive 5-day period in accordance with Managing Urban Stormwater - Soils and Construction Vol. 2B: Waste landfills.	Pollution monitoring results are on Benedicts website for 2017 - 2022 at https://www.benedict.com.au/about/policies-compliance/ . Benedict advised that it was very rare that water from the final sedimentation pond needs to be discharged. The water quality reports indicated no discharge events during audit period	Compliance achieved	Negligible
05.7	A visible marker must be installed and maintained in the final sediment basin in a position that shows freeboard in the basin that equates to the volume required to contain all rainfall and runoff in the catchment from a 90th percentile rainfall event over any consecutive 5-day period.	Auditor observed a height marker in the final sedimentation dam located in the NW corner of the site - refer photos in Appendix F	Compliance achieved	Negligible
O6 WASTE MANAGEMENT				
06.1	All putrescible waste received at the premises must be: a) stored in an enclosed vessel; and b) disposed of, to a place that can lawfully receive that waste, within 24 hours of receipt.	Benedict advised that no putrescible waste was received. The Auditor observed no putrescible waste or odorous material at the site	Compliance achieved	Negligible
06.2	Waste collected at the premises that is unable to be recycled, must not be stored at the premises and must be taken to a lawful waste facility at least once a week.	Benedict advised this waste is removed from site at least once a week. The Auditor observed no large quantities of unrecyclable waste at the site - refer photos in Appendix F	Compliance achieved	Negligible
06.3	All co-mingled waste (to include but not limited to metals, shredded wood products, glass and non-recyclable residues) received at the Premises must be unloaded, processed and stockpiled within an enclosed processing shed.	The Auditor observed co-mingled waste was processed in the main processing shed	Compliance achieved	Negligible
5 MONITORING AND RECORDING CONDITIONS				
M1 MONITORING RECORDS				
M1.1	The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.	All waste records are kept on the Benedict computer system and used to prepare weekly and monthly waste reports that were provided to the Auditor. The data is received by the Benedict Environmental Compliance Officer	Compliance achieved	Negligible

AUDIT CHECKLIST FOR ENVIRONMENT PROTECTION LICENCE 20771

No.	Condition	Observation	Recommendation	Risk Level
M1.2	All records required to be kept by this licence must be: a) in a legible form, or in a form that can readily be reduced to a legible form; b) kept for at least 4 years after the monitoring or event to which they relate took place; and c) produced in a legible form to any authorised officer of the EPA who asks to	All waste records are kept on the Benedict computer system and used to prepare weekly and monthly waste reports that were provided to the Auditor. The data is received by the Benedict Environmental Compliance Officer	Compliance achieved	Negligible
M1.3	The following records must be kept in respect of any samples required to be collected for the purposes of this licence: a) the date(s) on which the sample was taken; b) the time(s) at which the sample was collected; c) the point at which the sample was taken; and d) the name of the person who collected the sample.	All waste records are kept on the Benedict computer system and used to prepare weekly and monthly waste reports that were provided to the Auditor. The data is received by the Benedict Environmental Compliance Officer	Compliance achieved	Negligible
M2 REQUIREMENT TO MONITOR CONCENTRATION OF POLLUTANTS DISCHARGED				
M2.1	For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:	Pollution monitoring results are on Benedicts website for 2017 - 2022 at https://www.benedict.com.au/about/policies-compliance/ . Benedict advised that it was very rare that water from the final sedimentation pond needs to be discharged. The water quality reports indicated no discharge events during audit period	Compliance achieved	Negligible
M2.2	Water and/ or Land Monitoring Requirements	These requirements are documented in the Benedict (July 2018) OEMP approved by DPE 25/09/18. Copy provided to Auditor and available on facility website at https://www.benedict.com.au/wp-content/uploads/Benedict-Mayfield-Resource-Recovery-Facility-OEMP-Version-6.pdf	Compliance achieved	Negligible
M3 TESTING METHODS - CONCENTRATION LIMITS				
M3.1	Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.	These requirements are documented in the Benedict (July 2018) OEMP approved by DPE 25/09/18. Copy provided to Auditor and available on facility website at https://www.benedict.com.au/wp-content/uploads/Benedict-Mayfield-Resource-Recovery-Facility-OEMP-Version-6.pdf	Compliance achieved	Negligible
M4 WEATHER MONITORING				
M4.1	At the point(s) identified below, the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1 of the table below, using the corresponding sampling method, units of measure, averaging period and sampling frequency, specified opposite in the Columns 2, 3, 4 and 5 respectively.	The meteorological station is located at the office near the weighbridge. The Auditor observed the station and confirmed it was operational - refer photos in Appendix F	Compliance achieved	Negligible
M5 RECORDING OF POLLUTION COMPLAINTS				
M5.1	The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.	Benedict advised that a complaints log is maintained at the weighbridge. Copies of complaint registers for the 2018 - 2022 period were also provided on the Benedict website at https://www.benedict.com.au/about/policies-compliance/ . The registers indicated 1 complaint for dust was received in 2019, 1 complaint for dust was received in 2019, 4 complaints for dust were received in 2021 and no complaints for dust were received in 2022. Complaints phone number advertised at main entrance.	Compliance achieved	Negligible

AUDIT CHECKLIST FOR ENVIRONMENT PROTECTION LICENCE 20771

No.	Condition	Observation	Recommendation	Risk Level
M5.2	The record must include details of the following: a) the date and time of the complaint; b) the method by which the complaint was made; c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect; d) the nature of the complaint; e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and f) if no action was taken by the licensee, the reasons why no action was taken.	Refer complaint registers for the 2018 - 2022 period provided on the Benedict website at https://www.benedict.com.au/about/policies-compliance/ . The registers indicated 1 complaint for dust was received in 2019, 1 complaint for dust was received in 2019, 4 complaints for dust were received in 2021 and no complaints for dust were received in 2022. Registers also record the data specified by the EPL	Compliance achieved	Negligible
M5.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	Refer complaint registers for the 2018 - 2022 period provided on the Benedict website at https://www.benedict.com.au/about/policies-compliance/ .	Compliance achieved	Negligible
M5.4	The record must be produced to any authorised officer of the EPA who asks to see them.	Noted	Not triggered	--
M6 TELEPHONE COMPLAINTS LINE				
M6.1	The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.	Complaints phone number advertised at main entrance.	Compliance achieved	Negligible
M6.2	The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.	Complaints phone number advertised at main entrance.	Compliance achieved	Negligible
M6.3	The preceding two conditions do not apply until one month after the date of the issue of this licence.	Noted	Not triggered	--
M7 NOISE MONITORING				
M7.1	To assess compliance with the noise limits specified within this licence, the licensee must undertake operator attended noise monitoring at each specified noise monitoring point in accordance with the table below	Annual noise monitoring results provided on Benedict website. Auditor observed that site operations were well managed with equipment being well maintained and operated. Noise levels were low around site boundary waste processsing was conducted within sheds and there was no crushing or shredding. The Auditor noted that noise was not an issue raised by any of the stakeholders	Compliance achieved	Negligible
M7.2	The noise monitoring required by the condition above must be conducted during a period of normal or above average throughput at the premises. The noise consultancy report generated as a result of the above noise monitoring must stipulate the activities being undertaken at the premises at the time of the noise monitoring and the daily throughput compared to average daily throughput.	Annual noise monitoring results provided on Benedict website. Auditor observed that site operations were well managed with equipment being well maintained and operated. Noise levels were low around site boundary waste processsing was conducted within sheds and there was no crushing or shredding. The Auditor noted that noise was not an issue raised by any of the stakeholders	Compliance achieved	Negligible

AUDIT CHECKLIST FOR ENVIRONMENT PROTECTION LICENCE 20771

No.	Condition	Observation	Recommendation	Risk Level
6 REPORTING CONDITIONS				
	R1 ANNUAL RETURN DOCUMENTS			
R1.1	The licensee must complete and supply to the EPA an Annual Return in the approved form comprising: 1. a Statement of Compliance, 2. a Monitoring and Complaints Summary, 3. a Statement of Compliance - Licence Conditions, 4. a Statement of Compliance - Load based Fee, 5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan, 6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and 7. a Statement of Compliance - Environmental Management Systems and Practices. At the end of each reporting period, the EPA will provide to the licensee notification that the Annual Return is due.	Copies of annual reviews provided for 2018 - 2021. Copies were also provided on the Benedict website at https://www.benedict.com.au/about/policies-compliance/ . Copies of annual returns also provided on EPA website for 2017 - 2022. The Auditor received no feedback from stakeholders regarding these annual reports	Compliance achieved	Negligible
R1.2	An Annual Return must be prepared in respect of each reporting period, except as provided below. Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.	Copies of annual reviews provided for 2018 - 2021. Copies were also provided on the Benedict website at https://www.benedict.com.au/about/policies-compliance/ . Copies of annual returns also provided on EPA website for 2017 - 2022. The Auditor received no feedback from stakeholders regarding these annual reports	Compliance achieved	Negligible
R1.3	Where this licence is transferred from the licensee to a new licensee: a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period. Note: An application to transfer a licence must be made in the approved form for this purpose.	Not relevant	Not triggered	--
R1.4	Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on: a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.	Not relevant	Not triggered	--
R1.5	The Annual Return for the reporting period must be supplied to the EPA via eConnect EPA or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').	Benedict advised the reports were submitted on time, which is consistent with the times received by the EPA as listed on their website	Compliance achieved	Negligible
R1.6	The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.	Copies of annual returns for 2018 - 2021 provided on the Benedict website at https://www.benedict.com.au/about/policies-compliance/	Compliance achieved	Negligible

AUDIT CHECKLIST FOR ENVIRONMENT PROTECTION LICENCE 20771

No.	Condition	Observation	Recommendation	Risk Level
R1.7	Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by: a) the licence holder; or b) by a person approved in writing by the EPA to sign on behalf of the licence holder.	Copies of annual reviews provided for 2018 - 2021. Copies were also provided on the Benedict website at https://www.benedict.com.au/about/policies-compliance/ . Copies of annual returns also provided on EPA website for 2017 - 2022. The Auditor received no feedback from stakeholders regarding these annual reports	Compliance achieved	Negligible
	R2 NOTIFICATION OF ENVIRONMENTAL HARM			
R2.1	Notifications must be made by telephoning the Environment Line service on 131 555. Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.	Benedict advised there were no incidents, which was consistent with information provided in the Annual Reports	Compliance achieved	Negligible
R2.2	The licensee must provide written details of the notification to the EPA within 7 days of the date on which they became aware of the incident.	Benedict advised there were no incidents, which was consistent with information provided in the Annual Reports	Compliance achieved	Negligible
	R3 WRITTEN REPORT			
R3.1	Where an authorised officer of the EPA suspects on reasonable grounds that: a) where this licence applies to premises, an event has occurred at the premises; or b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.	Noted	Not triggered	--
R3.2	The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.	Noted	Not triggered	--
R3.3	The request may require a report which includes any or all of the following information: a) the cause, time and duration of the event; b) the type, volume and concentration of every pollutant discharged as a result of the event; c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event; d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort; e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants; f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and g) any other relevant matters.	Noted	Not triggered	--
R3.4	The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.	Noted	Not triggered	--

Appendix B. Planning Secretary Audit Team Agreement

Department of Planning and Environment

Ms Alycia O'Brien
Environmental Compliance Officer
Benedict Recycling Pty Limited
Awabakal Country
PO Box 426
MAYFIELD WEST NSW 2304

By email: compliance@benedict.com.au

21/09/2022

Dear Ms O'Brien

**Mayfield West Recycling Facility (SSD-7698)
2022 IEA Auditor Endorsement**

I refer to your request (SSD-7698-PA-20) for the Planning Secretary's endorsement of suitably qualified person to prepare the 2022 Independent Environmental Audit (IEA) for the Mayfield West Recycling Facility, as required by condition C13 of development consent SSD-7698, as modified (the consent).

The Department of Planning and Environment (the department) has reviewed the nomination and information you have provided and is satisfied that these experts are suitably qualified and experienced. Consequently, I can advise that in accordance with condition C13 of the consent and the department's *Independent Audit Post Approval Requirements*, the Planning Secretary endorses to the following audit team:

- Ian Swane

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

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

As per condition C14 of the consent, a copy of the IEA report, together with the Applicant's response to audit recommendations, must be submitted to the Planning Secretary (via the Major Projects portal) within three months of the IEA site inspection, or as otherwise agreed by the Planning Secretary.

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

Yours sincerely



Heidi Watters
Team Leader Northern
Compliance

As nominee of the Planning Secretary

Appendix C. Stakeholder Consultation

From: Ann Hagerthy <Ann.Hagerthy@planning.nsw.gov.au>
Sent: Thursday, 3 November 2022 2:25 PM
To: iswane@bigpond.com
Cc: Heidi Watters
Subject: RE: Independent Environmental Audit for Benedict Recycling Newcastle Facility

Hi Ian,

Thank you for your email. If you could please keep this email confidential but undertake the following review during the Independent Environmental Audit:

A review of surface water management, waste management, limits on the approval, and approved uses within site boundaries.

Many thanks,

Ann Hagerthy
Senior Compliance Officer

Energy, Industry & Compliance | Planning & Assessment
Department of Planning and Environment
T 02 6575 3407 | E ann.hagerthy@planning.nsw.gov.au
PO Box 3145 | Singleton NSW 2330

If you are submitting a compliance document or request as required under the conditions of consent or approval, please note that the Department is no longer accepting lodgement via compliance@planning.nsw.gov.au.

The Department has recently upgraded the Major Projects Website to improve the timeliness and transparency of its post approval and compliance functions. As part of this upgrade, proponents are now requested to submit all post approval and compliance documents online, via the Major Projects Website. To do this, please refer to the instructions available [here](#).

www.dpie.nsw.gov.au



Our Vision: Together, we create thriving environments, communities and economies.

The Department of Planning, Industry and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

From: Heidi Watters <Heidi.Watters@Planning.nsw.gov.au>
Sent: Thursday, 3 November 2022 9:27 AM
To: Ann Hagerthy <Ann.Hagerthy@planning.nsw.gov.au>
Subject: FW: Independent Environmental Audit for Benedict Recycling Newcastle Facility

From: iswane@bigpond.com <iswane@bigpond.com>
Sent: Thursday, 3 November 2022 7:31 AM
To: DPE PSVC Compliance Mailbox <compliance@planning.nsw.gov.au>
Subject: RE: Independent Environmental Audit for Benedict Recycling Newcastle Facility

Dear Ann

Just a gentle reminder about my invitation for the DPE to provide me feedback relevant to the IEA I am undertaking for the Benedict Recycling Newcastle facility located at 1A McIntosh Drive, Mayfield West. I plan to issue my report in a few weeks, so I would need to receive feedback in the next week.

Many thanks
Ian

Dr Ian C Swane (CPEng, CEnvP)
EPA Site Auditor
Ian Swane & Associates (mob: 0418 867 112)



From: iswane@bigpond.com <iswane@bigpond.com>
Sent: Thursday, 27 October 2022 2:33 PM
To: 'compliance@planning.nsw.gov.au' <compliance@planning.nsw.gov.au>
Subject: Independent Environmental Audit for Benedict Recycling Newcastle Facility

Attention: Ann Hagerthy, Senior Compliance Office (DPE)

Dear Ann,

I have been approved by the Department of Planning and Environment (**DPE**) to undertake an independent environmental audit (**IEA**) for the Benedict Recycling Newcastle facility located at 1A McIntosh Drive, Mayfield West (the **Facility**). The audit is being undertaken to comply with Condition C13 of development consent SSD 7698 that was issued by the DPE on 13 March 2018 (the **Consent**). The audit covers a three-year period from 1 October 2019 to 31 October 2022.

The requirements of the Consent considered relevant to this IEA cover:

- Administrative conditions (Consent Part A);
- Environmental performance and management (Consent Part B); and
- Environmental management, reporting and auditing (Consent Part C).

The requirements of Environment Protection Licence (**EPL**) number 20771 considered relevant to this IEA cover:

- Administrative conditions (EPA Part 1 of the EPL);
- Discharges to air and water and applications to land (EPL Part 2);
- Limit conditions (EPL Part 3);
- Operating conditions (EPL Part 4);
- Monitoring and recording conditions (EPL Part 5); and

➤ Reporting conditions (EPL Part 6).

The DPE is invited to provide me with comments / requirements or specific environmental issues the DPE requires the audit to target. Feedback would most conveniently be via email. In the interim, please don't hesitate to contact me by email or mobile should you require any further information regarding the audit.

Many thanks

Ian

Dr Ian C Swane (CPEng, CEnvP)

EPA Site Auditor

Ian Swane & Associates (mob: 0418 867 112)



From: Adam Plant <Adam.Plant@epa.nsw.gov.au>
Sent: Thursday, 3 November 2022 8:08 AM
To: iswane@bigpond.com
Subject: RE: Independent Environmental Audit for Benedict Recycling Newcastle Facility

Dear Dr Swane,

The Environment Protection Authority (EPA) encourages the undertaking of audits, strategies, programs and plans as useful tools for industry to ensure that it meets the environmental objectives specified in conditions of Environment Protection Licences. As a regulatory authority the EPA does not review or comment on these tools.

In general, the EPA raises regulatory issues directly with its licensees at the time that the issues arise. I recommend that you review the licensee's records of correspondence from the EPA to determine the relevance of these issues to your audit.

Please refer to the EPA's on-line and publicly available regulatory database (link below) for issued notices, licence non-compliance, pollution reduction programs, audits etc. Search for the relevant premises using the licence number.

<http://www.epa.nsw.gov.au/prpoeoapp/>

Regards,

Adam Plant
Operations Officer
D 02 4908 6809 | M 0447 109 128

.....



----- Forwarded Message -----

From: [iswane@bigpond.com]
Sent: 27/10/2022 2:38 PM
To: info@epa.nsw.gov.au
Subject: Independent Environmental Audit for Benedict Recycling Newcastle Facility

Attention: The Appropriate EPA Officer

Dear EPA,

I have been approved by the Department of Planning and Environment (**DPE**) to undertake an independent environmental audit (**IEA**) for the Benedict Recycling Newcastle facility located at 1A McIntosh Drive, Mayfield West (the **Facility**). The audit is being undertaken to comply with Condition C13 of development consent SSD 7698 that was issued by the DPE on 13 March 2018 (the **Consent**). The audit covers a three-year period from 1 October 2019 to 31 October 2022.

The requirements of the Consent considered relevant to this IEA cover:

1. Administrative conditions (Consent Part A);
2. Environmental performance and management (Consent Part B); and
3. Environmental management, reporting and auditing (Consent Part C).

The requirements of Environment Protection Licence (**EPL**) number 20771 considered relevant to this IEA cover:

1. Administrative conditions (EPA Part 1 of the EPL);
2. Discharges to air and water and applications to land (EPL Part 2);
3. Limit conditions (EPL Part 3);
4. Operating conditions (EPL Part 4);
5. Monitoring and recording conditions (EPL Part 5); and
6. Reporting conditions (EPL Part 6).

The EPA is invited to provide me with comments / requirements or specific environmental issues the EPA requires the audit to target. Feedback would most conveniently be via email. In the interim, please don't hesitate to contact me by email or mobile should you require any further information regarding the audit.

Many thanks

Ian

Dr Ian C Swane (CPEng, CEnvP)

EPA Site Auditor

Ian Swane & Associates (mob: 0418 867 112)



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This email is intended for the addressee(s) named and may contain confidential and/or privileged information. If you are not the intended recipient, please notify the sender and then delete it immediately. Any views expressed in this email are those of the individual sender except where the sender expressly and with authority states them to be the views of the Environment Protection Authority.

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL

iswane@bigpond.com

From: Daniel O'Brien <dobrien@ncc.nsw.gov.au>
Sent: Tuesday, 13 December 2022 4:48 PM
To: iswane@bigpond.com
Subject: RE: Independent Environmental Audit for Benedict Recycling Newcastle Facility

Mr Swane

Sorry for the delay in responding to your request, we have been fairly busy this time of year.

The Environmental Health Team did review your initial letter and determined we had no comments we wished to provide.

As the site is regulated by the NSW EPA and we have not had involvement in any regulatory issues or concerns from the site we don't feel that we would be qualified to request any additional audit comments/requirements.

Regards

Daniel O'Brien | Senior Environment Protection Officer

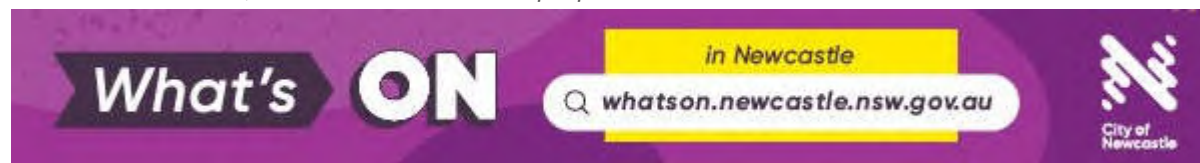
City of Newcastle | Planning & Environment

Planning, Transport & Regulation | Regulatory Section

E: dobrien@ncc.nsw.gov.au | T: +61249742534 | M: +61492132368



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



From: iswane@bigpond.com <iswane@bigpond.com>
Sent: Thursday, 3 November 2022 7:32 AM
To: Official Mail <officialmail@ncc.nsw.gov.au>
Subject: RE: Independent Environmental Audit for Benedict Recycling Newcastle Facility

Dear Council

Just a gentle reminder about my invitation for Council to provide me feedback relevant to the IEA I am undertaking for the Benedict Recycling Newcastle facility located at 1A McIntosh Drive, Mayfield West. I plan to issue my report in a few weeks, so I would need to receive feedback in the next week.

Many thanks
Ian

Dr Ian C Swane (CPEng, CEnvP)

EPA Site Auditor

Ian Swane & Associates (mob: 0418 867 112)



From: iswane@bigpond.com <iswane@bigpond.com>

Sent: Thursday, 27 October 2022 2:45 PM

To: 'mail@ncc.nsw.gov.au' <mail@ncc.nsw.gov.au>

Subject: Independent Environmental Audit for Benedict Recycling Newcastle Facility

Attention: The Appropriate Council Officer

Dear Newcastle City Council,

I have been approved by the Department of Planning and Environment (**DPE**) to undertake an independent environmental audit (**IEA**) for the Benedict Recycling Newcastle facility located at 1A McIntosh Drive, Mayfield West (the **Facility**). The audit is being undertaken to comply with Condition C13 of development consent SSD 7698 that was issued by the DPE on 13 March 2018 (the **Consent**). The audit covers a three-year period from 1 October 2019 to 31 October 2022.

The requirements of the Consent considered relevant to this IEA cover:

- Administrative conditions (Consent Part A);
- Environmental performance and management (Consent Part B); and
- Environmental management, reporting and auditing (Consent Part C).

The requirements of Environment Protection Licence (**EPL**) number 20771 considered relevant to this IEA cover:

- Administrative conditions (EPA Part 1 of the EPL);
- Discharges to air and water and applications to land (EPL Part 2);
- Limit conditions (EPL Part 3);
- Operating conditions (EPL Part 4);
- Monitoring and recording conditions (EPL Part 5); and
- Reporting conditions (EPL Part 6).

Council is invited to provide me with comments / requirements or specific environmental issues the Council requires the audit to target. Feedback would most conveniently be via email. In the interim, please don't hesitate to contact me by email or mobile should you require any further information regarding the audit.

Many thanks

Ian

Dr Ian C Swane (CPEng, CEnvP)

EPA Site Auditor

Ian Swane & Associates (mob: 0418 867 112)



iswane@bigpond.com

From: Operational Liaison <OpsLiaison@fire.nsw.gov.au>
Sent: Thursday, 3 November 2022 2:25 PM
To: iswane@bigpond.com
Cc: Operational Liaison
Subject: RE: Independent Environmental Audit for Benedict Recycling Newcastle Facility

Hi Ian,

Thank you for your email inviting FRNSW to comment on the Independent Environmental Audit for Benedict Recycling Newcastle.

Generalised fire safety advice for waste facilities is available publicly via a FRNSW guideline document [Fire safety in waste facilities](#). This document may be used to provide guidance on fire safety in waste facilities, including adequate provision for fire safety and facilitate safe fire brigade intervention to protect life, property, and the environment.

FRNSW have reviewed your enquiry and submit no specific comments or recommendations for consideration, nor any requirements beyond that specified by applicable legislation.

Thanks,
Aaron



STATION OFFICER AARON ROSS
Team Leader Fire Safety
Operational Liaison and Special Hazards Unit | Fire and Rescue NSW

T: +61 457 438 760 E: OpsLiaison@fire.nsw.gov.au
1 Amarina Ave, Greenacre, NSW 2190 | Locked Bag 12, Greenacre, NSW, 2190

PREPARED FOR ANYTHING.

www.fire.nsw.gov.au



From: iswane@bigpond.com <iswane@bigpond.com>
Sent: Thursday, 3 November 2022 7:34 AM
To: Info <Info@fire.nsw.gov.au>
Subject: RE: Independent Environmental Audit for Benedict Recycling Newcastle Facility

CAUTION: This email originated from outside of Fire and Rescue NSW. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Fire and Rescue NSW

Just a gentle reminder about my invitation for FRNSW to provide me feedback relevant to the IEA I am undertaking for the Benedict Recycling Newcastle facility located at 1A McIntosh Drive, Mayfield West. I plan to issue my report in a few weeks, so I would need to receive feedback in the next week.

Many thanks
Ian

Dr Ian C Swane (CPEng, CEnvP)

EPA Site Auditor

Ian Swane & Associates (mob: 0418 867 112)



From: iswane@bigpond.com <iswane@bigpond.com>

Sent: Thursday, 27 October 2022 2:51 PM

To: 'info@fire.nsw.gov.au' <info@fire.nsw.gov.au>

Subject: Independent Environmental Audit for Benedict Recycling Newcastle Facility

Attention: The Fire and Rescue NSW Officer

Dear Fire and Rescue NSW (FRNSW),

I have been approved by the Department of Planning and Environment (**DPE**) to undertake an independent environmental audit (**IEA**) for the Benedict Recycling Newcastle facility located at 1A McIntosh Drive, Mayfield West (the **Facility**). The audit is being undertaken to comply with Condition C13 of development consent SSD 7698 that was issued by the DPE on 13 March 2018 (the **Consent**). The audit covers a three-year period from 1 October 2019 to 31 October 2022.

The requirements of the Consent considered relevant to this IEA cover:

- Administrative conditions (Consent Part A);
- Environmental performance and management (Consent Part B); and
- Environmental management, reporting and auditing (Consent Part C).

The requirements of Environment Protection Licence (**EPL**) number 20771 considered relevant to this IEA cover:

- Administrative conditions (EPA Part 1 of the EPL);
- Discharges to air and water and applications to land (EPL Part 2);
- Limit conditions (EPL Part 3);
- Operating conditions (EPL Part 4);
- Monitoring and recording conditions (EPL Part 5); and
- Reporting conditions (EPL Part 6).

FRNSW is invited to provide me with comments / requirements or specific environmental issues FRNSW requires the audit to target. Feedback would most conveniently be via email. In the interim, please don't hesitate to contact me by email or mobile should you require any further information regarding the audit.

Many thanks

Ian

Dr Ian C Swane (CPEng, CEnvP)

EPA Site Auditor

Ian Swane & Associates (mob: 0418 867 112)

Appendix D. Independent Audit Declaration Form

Project Name: Benedict Recycling Newcastle Facility
Consent Number: SSD 7698
Description of Project: IER of Recycling Facility
Project Address: 1A McIntosh Drive, Mayfield West NSW 2304
Proponent: Benedict Recycling Pty Limited
Title of Audit: Benedict Recycling Newcastle Facility 1A McIntosh Drive, Mayfield West, Independent Environmental Audit
Date: 23 January 2023

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

- i. the audit has been undertaken in accordance with relevant condition(s) of consent and the Independent Audit Compliance Requirements (Department 2019);
- ii. the findings of the audit are reported truthfully, accurately and completely;
- iii. I have exercised due diligence and professional judgement in conducting the audit;
- iv. I have acted professionally, objectively and in an unbiased manner;
- v. I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child;
- vi. I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
- vii. neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit; and
- viii. I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.

Notes:

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



Name of Auditor: Dr Ian C Swane

Signature:

Qualification: NSW EPA site auditor, BE (Hons), PhD, CPEng, CSCS

Company: Ian Swane & Associates

Company Address: PO Box 359, Mortdale NSW 2223

Appendix E. Technical Specialists Reports

Not required

Appendix F. Site Inspection Photographs

Site inspection 31/10/2022

Site entrance, weighbridge, wheel wash, roads and admin facilities



Photo 1 Site entrance showing sealed road, security gate and signage



Photo 2 Site entrance signage describing waste types accepted



Photo 3 Wheelwash for trucks leaving site



Photo 4 Automated weighbridge



Photo 5 Admin area showing weighbridge, parking and site offices to right



Photo 6 Sealed roads, kerb and gutters, fire mains and inspection point



Photo 7 Weather station at admin area



Photo 8 Weather station readout and data storage

Site drainage and dust suppression controls



Photo 9 Final sedimentation basin at NW corner of site



Photo 10 Main stormwater drain along western site boundary with gravel filters (basin walls) looking south



Photo 11 Main stormwater drain along western site boundary with gravel filters (Basin walls) looking north



Photo 12 Main stormwater drain in SW corner of site with gravel filters (basin walls)



Photo 13 Three stage pit in centre of northern site boundary



Photo 14 Water cart filling up from NW final sedimentation basin



Photo 15 Water holding tanks and pump house along northern site boundary



Photo 16 Dust suppression water sprays along western boundary viewed from NW corner of site



Photo 17 Dust suppression water sprays along northern boundary and central part of site viewed from NW corner of site

Waste separation operations in Main Processing Building



Photo 18 Receiving of waste at southern end of Main Processing Building



Photo 19 Coarse separation of metal waste in Main Processing Building using hydraulic grab



Photo 20 Separated waste stockpiles at northern end of Main Processing Building

Waste separation operations in northern part of site



Photo 21 Asphalt waste stockpiles north of Main Processing Building



Photo 22 Segregated waste stockpiles in NW corner of site



Photo 23 Mixed waste operations and green waste stockpiling in northern part of site



Photo 24 Mixed waste operations and green waste stockpiling in northern part of site

Waste separation operations in central part of site



Photo 25 Bricks and concrete stockpiling in central part of site



Photo 26 Crushing and screening operation in central part of site



Photo 27 Screened loamy sand stockpile in central part of site



Photo 28 Loading timber waste for transportation to Benedict Chipping Norton facility for shredding



Photo 29 Water spray cannon at timber stockpile



Photo 30 Double contained diesel fuel tank with external concrete bunding



Photo 31 Generator and diesel fuel tank facility with external concrete bunding



Photo 32 Skip bin for metal waste



Photo 33 Public waste reception shed

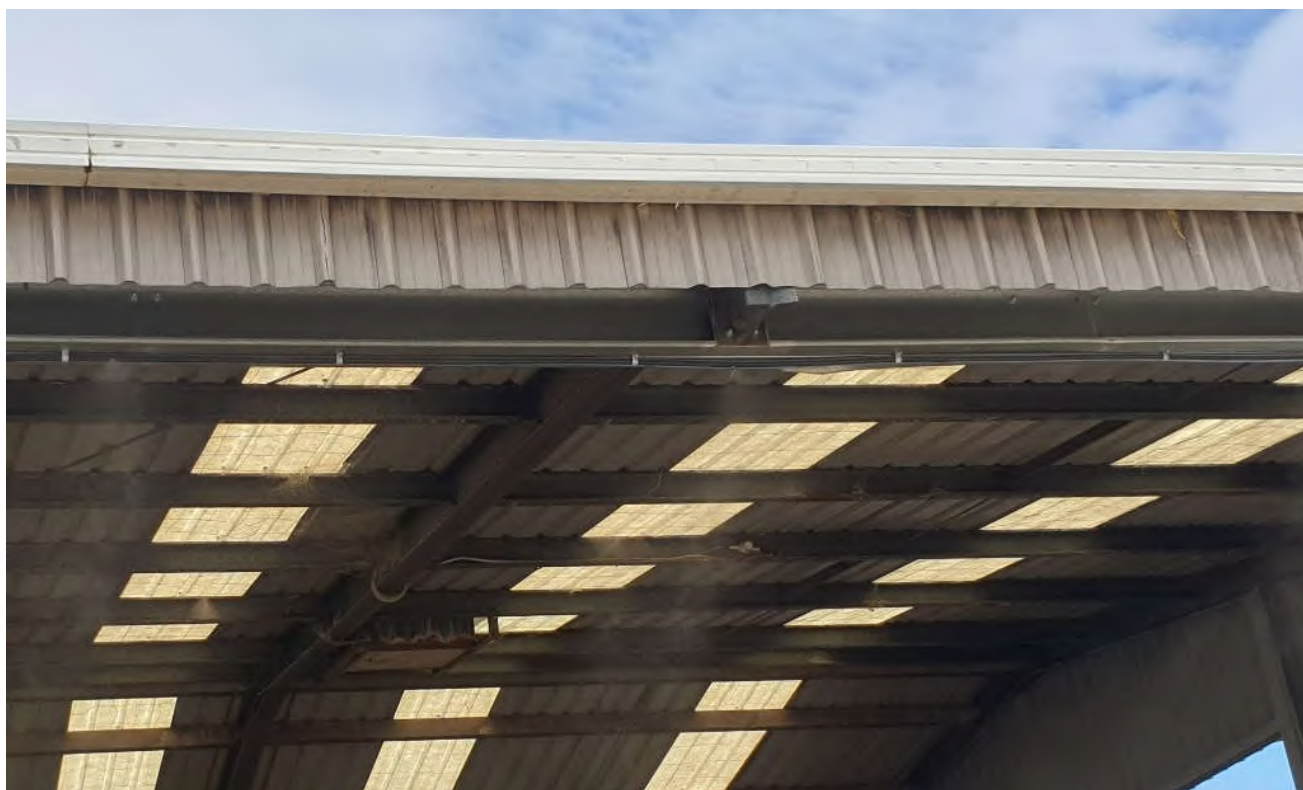


Photo 34 Close-up of misting system installed in underside of roof of public waste receival shed



Photo 35 Minor chemical storage on bunded spill pallets in on-site workshop