

ANNUAL REVIEW (Condition C9)



Mayfield West Recycling Facility (SSD 7698)

01 January 2019 - 31 December 2019

CONTENTS

| | |
|--|----|
| 1 INTRODUCTION | 1 |
| 1.1 OVERVIEW..... | 1 |
| 2 DEVELOPMENT..... | 3 |
| 3 CONDITIONS COMPLIANCE REPORT | 4 |
| 4 MONITORING RESULTS & COMPLAINTS | 30 |
| 4.1 MONITORING RESULTS | 30 |
| 4.2 COMPLAINTS..... | 34 |
| 5 CRUSHING & 24 HOUR WASTE RECEIVAL..... | 34 |
| 6 NON – COMPLIANCE | 34 |
| 7 INDEPENDANT ENVIRONMENTAL AUDIT..... | 34 |
| 8 TRENDS IN MONITORING DATA..... | 50 |
| 9 DISCREPANCIES IN THE DEVELOPMENT | 50 |
| 10 IMPROVING ENVIRONMENTAL PERFORMANCE | 50 |

1 INTRODUCTION

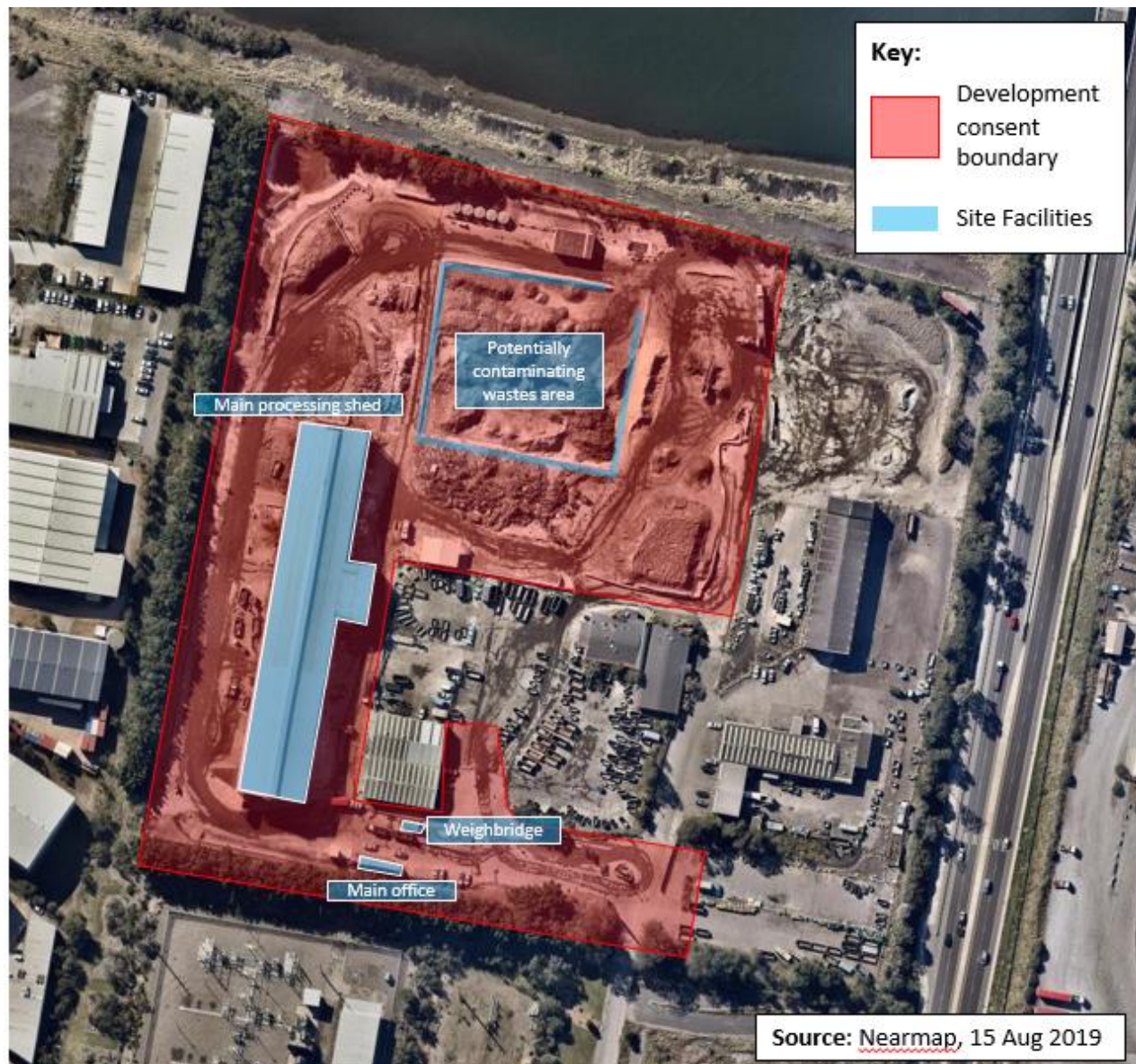
1.1 OVERVIEW

Benedict Recycling Pty Ltd (Benedict) is the operator of the Mayfield West Recycling Facility (SSD 7698) located at 1A McIntosh Drive, Mayfield West.

Condition C9 of the SSD approval requires the preparation of an annual review of the environmental performance of the Development.

This annual review is for the period 01 January 2019 – 31 December 2019.





2 DEVELOPMENT

(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

Benedict was granted development consent for the Mayfield West Recycling Facility by the Department of Planning, Industry and Environment (DPIE) on 13 March 2018 allowing increased processing capacity from 90 000 tonnes per year to 315 000 tonnes per year of general solid waste (non-putrescible). The operations commenced on 25 September 2018.

During 2019 the development continued operating a recycling facility providing a range of services to the demolition and construction industries. As such processing up to 315 000 tonnes per year of general solid waste (non-putrescible). As per the consent and Environmental Protection Licence (EPL) 20771 for the site the acceptable waste to be received includes both co-mingled and segregated building and demolition waste as well as selected commercial and industrial waste. Benedict will continue providing a range of services to the demolition and construction industries in 2020.

3 CONDITIONS COMPLIANCE REPORT

(b) Provide a conditions compliance report which tracks the compliance of the development with the conditions of this approval

| Condition | Requirement | Tracking |
|-----------|---|---|
| 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. | Management Measures documented in Chapter 6 of OEMP, version 5. |
| 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 development layout plans and drawings in the RTS and Amended Application (see Appendix A); and (e) in accordance with the management and mitigation measures (see Appendix B). | Compliant OEMP addresses compliance of all conditions of consent. |
| 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 |
| 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. 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. | Noted |
| 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. Construction activities commenced 20 April 2018 |

| Condition | Requirement | Tracking |
|------------|--|--|
| A6 | The Applicant must not receive or process on site more than 315,000 tonnes per year of general solid waste (non-putrescible). | During 01/01/2019 and 31/12/2019 123 639.71 tonnes of GSW was received/processed on site. |
| 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. | (a) No crushing occurred on site between 01/01/2019 and 31/12/2019 (b) Between 01/01/2019 – 31/12/2019 959.38 tonnes of timber was shredded |
| A8 | The amount of waste stored on site at any one time must not exceed 53,733 tonnes. | During 01/01/2019 and 31/12/2019 the maximum amount of waste stored on site at any one time was 10 383.23 tonnes. |
| 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. | Noted |
| 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 | Between 01/01/2019 – 31/12/2019 the recycling rate was 70% |
| 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. | Compliant. Stockpile height markers are installed on site |
| A12 | Heavy vehicles are not permitted to access Werribi Street. | Noted in OTPM plan. |
| 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; NSW Government 2 Mayfield West Resource Recovery Facility Department of Planning and Environment (SSD 7698) (b) operation; (c) cessation of operations; and (d) decommissioning. | a) Construction 20/04/2018 b) Operation 25/09/2018 |
| 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. | Noted |
| 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 | Noted |

| Condition | Requirement | Tracking |
|------------|---|--|
| | 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). | |
| 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 |
| 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 in Section 5.6 of OEMP, version 5 |
| 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. | Compliant. Noted in Section 4.2 of OEMP, version 5 |
| 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. | Compliant. Noted in Section 4.2 and Appendix D of OEMP, version 5 |
| 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. | Consultation documented as required in OTPMP (Appendix G) and SWCMP (Appendix E) of OEMP, version 5. |
| 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. | Compliant. Noted in Section 2 of OEMP, version 5. |
| 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. | N/A to operations |
| 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. Note: • Under Part 4A of the EP&A Act, the Applicant is required to obtain | N/A to operations |

| Condition | Requirement | Tracking |
|------------|--|---|
| | construction and occupation certificates for the proposed building works. • Part 8 of the EP&A Regulation sets out the requirements for the certification of the Development. | |
| A24 | Prior to the construction of any utility works associated with the Development, the Applicant must obtain relevant approvals from service providers | Compliant |
| 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. | Compliant. Dilapidation report submitted to Jeremy Slattery on 10/05/2018 |
| 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 |
| 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. | Noted in Section 5.2, OEMP, version 5. See Section 6 and 7 below for further details. |
| 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. Note: The Section 7.12 Levy as determined at the date of this consent is \$3938.69 | Compliant. Paid on 11/07/2018. Receipt sent to Bruce Zhang and Kate Masters on 26/07/2018. |
| 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 | Compliant. Noted in Sections 4.7, 4.8 & 4.13 and relevant sub plans of OEMP, version 5. |
| 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 | Submitted to Council and DPE 04/10/2018. On request of Council letter with revised wording submitted to Council and DPE on 01/11/2018. Confirmation received from Council |

| Condition | Requirement | Tracking |
|------------|--|--|
| | 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 (non-putrescible waste)) is removed from the development consent. | 06/11/2018. |
| 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. | Compliant. Noted in Section 4.2 and Appendix D of OEMP, version 5 |
| 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. | Compliant. Noted in Section 4.2 and Appendix D of OEMP, version 5 |
| B3 | The Applicant must record the amount of waste (in tonnes) received at the site on a daily basis. | Compliant. Noted in Section 4.2 and Appendix D of OEMP, version 5 |
| 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. | Compliant. Noted in Sections 4.2 & 4.3 and Appendix D of OEMP, version 5 |
| B5 | No biochar production or storage is approved under the terms of this consent | Noted in Section 4.2 and Appendix D of OEMP, version 5 |
| B6 | The Applicant must only receive waste on site that is authorised for receipt by an EPL. | Compliant. Noted in Sections 4.2 & 4.3 and Appendix D of OEMP, version 5 |
| 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. | Noted in Section 4.2 and Appendix D of OEMP, version 5 |
| B8 | Loads predominantly containing glass are not permitted to be crushed at the site. | Noted in Section 4.2 and Appendix D of OEMP, version 5 |
| 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. | Noted in Section 4.2 and Appendix D of OEMP, version 5 |
| 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. | Noted in Sections 4.2 & 4.3 and Appendix D of OEMP, version 5 |

| Condition | Requirement | Tracking |
|------------|--|---|
| B11 | All waste must be: (a) stored wholly within the designated waste stockpile areas. (b) loaded and unloaded within the designated loading and unloading areas. | Noted in Section 4.2 and Appendix D of OEMP, version 5 |
| 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. | Noted in Sections 4.2 & 4.3 and Appendix D of OEMP, version 5. See Section 6 and 7 below for further details. |
| 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 receipt area and waste storage areas; (c) include procedures for ensuring no build-up of waste will occur in the incoming waste receipt area during unexpected machinery breakdown and 24-hour waste receipt for major infrastructure projects; and (d) details the requirements for non-conforming waste handling and removal. | Compliant. Appendix D of OEMP, version 5 |
| 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 | OEMP, version 5 approved by the Secretary |
| 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 | Noted in Section 4.9 of OEMP, version 5. See Section 6 and 7 below for further details. |

| Condition | Requirement | Tracking |
|------------|--|--|
| | surrounding area. Note: For the purposes of this condition, noxious weeds are those species subject to an order declared under the Noxious Weed Act 1993. | |
| 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 Condition C1. | N/A Construction |
| 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 in Section 2.2 of OEMP, version 5 |
| B18 | Any discharge or water quality criteria specified under the EPL must be complied with. | Noted in Section 4.5 and Appendix E of OEMP, version 5 |
| B19 | Surface water must only be discharged from the location specified in the EPL. | Noted in Section 4.5 and Appendix E of OEMP, version 5 |
| B20 | Overland flow from the Development must be contained within the sealed areas of the site. | Noted in Section 4.5 and Appendix E of OEMP, version 5 |
| B21 | Any spills must be contained and disposed of at a licenced facility. | Noted in Section 4.5 and Appendix E of OEMP, version 5 |
| 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. | Noted in Section 4.5 and Appendix E of OEMP, version 5 |
| 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. | Truck wash not constructed yet. |
| 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. | N/A |
| 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; NSW Government 6 Mayfield West Resource Recovery Facility Department of Planning and Environment (SSD 7698) (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; | Completed and compliance certificate obtained as outlined in B26. See Section 6 and 7 below for further details. |

| Condition | Requirement | Tracking |
|------------|---|--|
| | <p>(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);</p> <p>(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);</p> <p>(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</p> <p>(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.</p> | |
| 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. | Submitted 26/07/2018 |
| 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. | Compliant |
| B28 | The surface water management system must be operated and maintained for the duration of the Development. | Noted in Section 4.5 and Appendix E of OEMP, version 5. See Section 6 and 7 below for further details. |
| 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. | Noted in Section 4.5 and Appendix E of OEMP, version 5. See Section 6 and 7 below for further details. |

| Condition | Requirement | Tracking |
|------------|---|---|
| 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). | Noted in Section 4.5 and Appendix E of OEMP, version 5 |
| 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 period. | Compliant. Noted in Section 4.5 and Appendix E of OEMP, version 5 |
| B32 | All waste unloaded at the public hand unloading area must be unloaded and stockpiled underneath the public unloading awning or within the main processing building. | Noted in Sections 4.2 and 4.5 and Appendix E of OEMP, version 5 |
| 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; (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) assessment criteria; NSW Government 7 Mayfield West Resource Recovery Facility Department of Planning and Environment (SSD 7698) (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 | Appendix E of OEMP, version 5 |

| Condition | Requirement | Tracking |
|------------|---|--|
| | <p>water treatment, water treatment plants and other treatment and reuse options are appropriate;</p> <p>(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;</p> <p>(k) include details of the maintenance procedures of the sediment basins and surface water infrastructure; (l) describe the procedures for maintaining vegetation along the perimeter drain and sediment basin;</p> <p>(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;</p> <p>(n) identify measures for managing pollutant exceedances; and</p> <p>(o) identify contingency options to account for any mitigation measures that do not adequately address the site water pollution risks.</p> | |
| B34 | <p>The Applicant must:</p> <p>(a) not commence the operations until the SWCMP required by Condition B33 is approved by the Secretary; and</p> <p>(b) implement the most recent version of the SWCMP approved by the Secretary for the duration of the development.</p> | <p>Approved 25/09/2018.</p> <p>See Section 6 and 7 below for further details</p> |
| B35 | <p>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:</p> <p>(a) be carried out by a suitably qualified and experienced expert whose appointment has been endorsed by the Secretary;</p> <p>(b) be prepared in consultation with the EPA;</p> <p>(c) collect a minimum of four surface water samples from the sediment basin and four from the three-stage pit system;</p> <p>(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;</p> <p>(e) compare the results with the surface water characterisation in the SWCMP (Condition B33);</p> <p>(f) ensure surface water is being managed in accordance the EPL;</p> <p>(g) provide an assessment of the effectiveness of implemented mitigation measures;</p> <p>(h) if necessary, provide additional mitigation measures to control and/or treat all pollutants to</p> | <p>Per Heidi Watters email confirmation on 26/07/2019 the timeframe for submitting the SWVR (within 1 month of the fourth sampling event) was accepted.</p> <p>As at 20/03/2020 three sampling events have occurred.</p> <p>See Section 6 and 7 below for further details</p> |

| Condition | Requirement | Tracking |
|------------|--|---|
| | 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. | |
| 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 in Appendix E of OEMP, version 5 |
| B37 | The Applicant must comply with any amended surface water quality criteria and discharge limits identified in the EPL | Noted in Appendix E of OEMP, version 5 |
| 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; (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 letter of endorsement was received from the Department on 25/03/2020. |
| 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. | Due 25/06/2020 |
| 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. | A revised Groundwater Monitoring Program was submitted to the Department on 04/03/2020. |
| 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 | As per the report submitted for B40 the Groundwater Monitoring Program will occur |

| Condition | Requirement | Tracking |
|------------|--|--|
| | Secretary and the EPA. | should a trigger occur as outlined in B40 report. |
| 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 contents; (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 spill. | Noted in Sections 4.5 & 4.13 of OEMP, version 5. See Section 6 and 7 below for further details |
| 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. | Noted in Sections 4.12 & 4.13 and Appendix K of OEMP, version 5. See Section 6 and 7 below for further details |
| 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). | Noted in Section 4.6 and Appendix G of OEMP, version 5. See Section 6 and 7 below for further details |
| B45 | Prior to the commencement of operations, the vehicular entrance and exit driveways and the | Noted in Section 4.6 and Appendix G of |

| Condition | Requirement | Tracking |
|------------|--|---|
| | direction of traffic movement within the site are to be permanently marked on the pavement surface. | OEMP, version 5 |
| 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. | Noted in Section 4.6 and Appendix G of OEMP, version 5. See Section 6 and 7 below for further details |
| 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. | Noted in Section 4.6 and Appendix G of OEMP, version 5 |
| B48 | Parking is only permitted within the designated parking spaces | Section 4.6 and Appendix G of OEMP, version 5 |
| 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 carriageway; (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; (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 | Noted in Section 4.6 and Appendix G (Operational Traffic and Pedestrian Management Plan). See Section 6 and 7 below for further details |

| Condition | Requirement | Tracking |
|------------|---|---|
| | 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. | |
| 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; (e) detail how the public unloading area will be barricaded from the contractor unloading areas and processing areas to ensure safety is maintained; (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 arrangements; (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. | Appendix G of OEMP, version 5 |
| 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. | Approved 25/09/2018. See Section 6 and 7 below for further details |
| 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 Approved Methods for Sampling of Air Pollutants in New South Wales. | Installed 23/08/2018 |
| B53 | The Applicant must maintain the meteorological station to the satisfaction of the EPA for the life of the development. | Noted in Section 4.7 and Appendix F of OEMP, version 5 |
| B54 | All reasonable steps must be taken to minimise dust generated during all works authorised by this consent. | Noted in Section 4.7 and Appendix F of OEMP, version 5. See Section 6 and 7 below for further details |

| Condition | Requirement | Tracking |
|------------|---|--|
| B55 | <p>The Applicant must ensure that:</p> <ul style="list-style-type: none"> (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; (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. | <p>Noted in Section 4.7 and Appendix F of OEMP, version 5.</p> <p>See Section 6 and 7 below for further details</p> |
| B56 | <p>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.</p> | <p>Noted in Section 4.7 and Appendix F of OEMP, version 5</p> |
| B57 | <p>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: (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</p> | <p>Appendix F of OEMP, version 5</p> |

| Condition | Requirement | Tracking |
|------------|--|--|
| | impacts from these activities; (v) compliance with the relevant conditions of this consent; (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. | |
| 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. | Approved 25/09/2018. See Section 6 and 7 below for further details |
| 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; (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 emissions. | Noted in Appendix F of OEMP, version 5. No crushing has occurred between 01/01/2019 and 31/12/2019. |
| 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. | Noted |
| B61 | The Applicant must ensure the Development does not cause or permit the emission of any offensive odour (as defined in the POEO Act). | Noted in Section 4.7 Appendix F of OEMP, version 5 |

| Condition | Requirement | Tracking | | | | | | | | | | | | | | | |
|------------------|---|---|-----|------|--------------|--|---|----------------|--|--|------------------|--|---|----------------|--|---|---|
| B62 | <p>The Applicant must comply with the hours detailed in Table 2.</p> <p>Table 2: Hours of Work</p> <table> <tr> <th>Activity</th><th>Day</th><th>Time</th></tr> <tr> <td>Construction</td><td>Monday to Friday Saturday Sunday and Public Holidays</td><td>7 am to 6 pm 8 am to 1 pm Not Permitted</td></tr> <tr> <td>Waste Receival</td><td>Monday to Friday Saturday Sunday and Public Holidays</td><td>6 am to 6 pm 6 am to 5 pm 7 am to 3 pm</td></tr> <tr> <td>Waste Processing</td><td>Monday to Friday Saturday Sunday and Public Holidays</td><td>6 am to 6 pm 6 am to 5 pm Not Permitted</td></tr> <tr> <td>Waste Dispatch</td><td>Monday to Friday Saturday Sunday and Public Holidays</td><td>6 am to 6 pm 6 am to 5 pm Not Permitted</td></tr> </table> | Activity | Day | Time | Construction | Monday to Friday Saturday Sunday and Public Holidays | 7 am to 6 pm 8 am to 1 pm Not Permitted | Waste Receival | Monday to Friday Saturday Sunday and Public Holidays | 6 am to 6 pm 6 am to 5 pm 7 am to 3 pm | Waste Processing | Monday to Friday Saturday Sunday and Public Holidays | 6 am to 6 pm 6 am to 5 pm Not Permitted | Waste Dispatch | Monday to Friday Saturday Sunday and Public Holidays | 6 am to 6 pm 6 am to 5 pm Not Permitted | Noted in Section 3.5 of OEMP, version 5 and EPL 20771 |
| Activity | Day | Time | | | | | | | | | | | | | | | |
| Construction | Monday to Friday Saturday Sunday and Public Holidays | 7 am to 6 pm 8 am to 1 pm Not Permitted | | | | | | | | | | | | | | | |
| Waste Receival | Monday to Friday Saturday Sunday and Public Holidays | 6 am to 6 pm 6 am to 5 pm 7 am to 3 pm | | | | | | | | | | | | | | | |
| Waste Processing | Monday to Friday Saturday Sunday and Public Holidays | 6 am to 6 pm 6 am to 5 pm Not Permitted | | | | | | | | | | | | | | | |
| Waste Dispatch | Monday to Friday Saturday Sunday and Public Holidays | 6 am to 6 pm 6 am to 5 pm Not Permitted | | | | | | | | | | | | | | | |
| 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. | Noted in Section 3.5 of OEMP, version 5 | | | | | | | | | | | | | | | |
| B64 | Waste receival 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. | Noted in Section 3.5 of OEMP, version 5 | | | | | | | | | | | | | | | |
| B65 | The Secretary, Council and all adjacent landowners must be notified no later than 48 hours prior to each of the 24-hour waste receival periods referred to in Condition B64 along with a description of the major infrastructure projects which necessitate the 24-hour operations. | Noted in Section 3.5 of OEMP, version 5 | | | | | | | | | | | | | | | |
| B66 | During the 24-hour waste receival period (as stipulated in Condition B64), the number of heavy vehicles accessing the site from 6 pm to 6 am must not exceed 12. | Noted in Section 3.5 of OEMP, version 5 | | | | | | | | | | | | | | | |

| Condition | Requirement | Tracking |
|------------|---|--|
| 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). | Noted in Section 4.8 of OEMP, version 5 |
| B68 | The mobile screens in the segregated heavy waste processing and stockpiling area must not be operated simultaneously with the crusher or shredder. | Noted in Section 4.8 of OEMP, version 5 |
| 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. | Noted in Section 4.8 of OEMP, version 5. See Section 6 and 7 below for further details |
| B70 | The Applicant must ensure that noise generated by operation of the Development does not exceed the noise limits in Table 3. Table 3: Noise Limits dB(A) | Noted in Section 4.8. Quarterly noise monitoring is undertaken and results published on the website https://www.benedict.com.au/about/policies-compliance/ |

| Condition | Requirement | | | | | | Tracking |
|------------|--|--|--------------------------------|------------------------------|----------------|--|--|
| | | Day LAeq (15 minute) | Evening LAeq (15 minute) | Night LAeq (15 minute) | Night LAMax | Note: Noise generated by the Development is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Industrial Noise Policy. Refer to the plan in Appendix A for the location of residential sensitive receivers. | |
| | 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 West Primary 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) | | | | | |
| 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). | | | | | | Noted in Section 4.8 of OEMP, version 5 |
| 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 stockpiles; (d) the site must be | | | | | | Noted in Section 4.12, Appendix K and Appendix L of OEMP, version 5. See Section 6 and 7 below for further details |

| Condition | Requirement | Tracking |
|------------|---|--|
| | 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. | |
| 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. | Noted |
| 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. | Noted in Sections 4.13 and 4.12 of OEMP, version 5 |
| 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. | Noted in Sections 4.13 and 4.12 of OEMP, version 5 |
| B76 | The Applicant must store all chemicals, fuels and oils used on-site in appropriately banded 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). | Noted in Sections 4.13 of OEMP, version 5 |
| 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_2Oct09, prepared by AECOM Pty Ltd, dated 2 October 2009. | Noted in Section 4.5 of OEMP, version 5 |
| 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 | Completed August 2018 |

| Condition | Requirement | Tracking |
|------------|--|--|
| | infiltration of surface water to groundwater. | |
| 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 NSW Government 14 Mayfield West Resource Recovery Facility Department of Planning and Environment (SSD 7698) 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. | |
| 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. | Noted in Section 3.3 and Appendix J of OEMP, version 5 |
| 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. | Noted in Section 5.3 of OEMP, version 5 |
| 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. | Noted in Section 4.11 of OEMP, version 5 |
| 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. | Noted in Section 5.3 of OEMP, version 5. See Section 6 and 7 below for further details |
| 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. (c) include procedures for notification of the surrounding landowners; (d) include procedures for safe removal of any machinery and structures; (e) include | Appendix I of OEMP, version 5 |

| Condition | Requirement | Tracking |
|-----------|---|--|
| | 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. | |
| 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; (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. | |
| 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). | |
| 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. | |
| 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 | a) Approved 25/09/2018 b) Prepared by EMM Consulting and Benedict Recycling Operations Planning Support Manager c) Noted in Section 2 of OEMP, version 5 d) Noted in Section 2 of OEMP, version 5 e) Noted in Section 5.1 of OEMP, version 5 |

| Condition | Requirement | Tracking |
|-----------|--|--|
| | <p>the environmental management of the Development;</p> <p>(f) describe the procedures that would be implemented to:</p> <p>(i) keep the local community and relevant agencies informed about the operation and environmental performance of the Development;</p> <p>(ii) receive, handle, respond to, and record complaints;</p> <p>(iii) resolve any disputes that may arise;</p> <p>(iv) respond to any non-compliance; and</p> <p>(v) respond to emergencies and provide an Emergency Response Plan;</p> <p>(g) include the following environmental management plans:</p> <p>(i) Waste Management Plan (see Condition B13);</p> <p>(ii) Surface Water Characterisation and Mitigation Plan (see Condition B33);</p> <p>(iii) Operational Traffic and Pedestrian Management Plan (see Condition B50);</p> <p>(iv) Air Quality Management Plan (see Condition B57); and</p> <p>(v) Conceptual Decommissioning Management Plan (see Condition B84).</p> | <p>f) Noted in Section 5 of OEMP, version 5</p> <p>g) Noted in Appendices D-G & I of OEMP, version 5</p> |
| 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. | <p>Noted in OEMP, version 5.</p> <p>See Section 6 and 7 below for further details</p> |
| 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. | Appendix A of OEMP, version 5 |
| C7 | <p>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:</p> <p>(a) detailed baseline data; NSW Government 16 Mayfield West Resource Recovery Facility Department of Planning and Environment (SSD 7698)</p> <p>(b) a description of:</p> <p>(i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);</p> <p>(ii) any relevant limits or performance measures/criteria; and</p> <p>(iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the Development or any management measures;</p> <p>(c) a description of the management measures that would be implemented to comply with the</p> | Appendices D-G & I of OEMP, version 5 |

| Condition | Requirement | Tracking |
|-----------|--|---|
| | relevant statutory requirements, limits or performance measures/criteria; (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; (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. | |
| 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. Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the Development. | Noted in Section 6 of OEMP, version 5 |
| 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 | Report to be submitted by 31 March 2020 for previous calendar year i.e. 01/01/2019 – 31/12/2019 |

| Condition | Requirement | Tracking |
|------------|--|--|
| | <p>Development over the previous calendar year, which includes a comparison of these results against the:</p> <ul style="list-style-type: none"> (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; <p>(d) detail and provide evidence for the number of days crushing and the 24-hour waste receipt operations has occurred;</p> <p>(e) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance;</p> <p>(f) identify any trends in the monitoring data over the life of the Development;</p> <p>(g) identify any discrepancies between the predicted and actual impacts of the Development, and analyse the potential cause of any significant discrepancies; and</p> <p>(h) describe what measures will be implemented over the next year to improve the environmental performance of the Development.</p> | |
| 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. | Noted in Section 5.4 and Section 6 of OEMP, version 5 |
| 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. | Noted in Section 6 of OEMP, version 5. See Section 6 and 7 below for further details |
| 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. | Noted in Section 5.3 of OEMP, version 5 |
| 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); (d) review the adequacy of any | Audit was commissioned by 25/09/2019 |

| Condition | Requirement | Tracking |
|------------|---|---|
| | 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. | |
| 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. | Report was submitted by due date 25/12/2019. |
| C15 | <p>The Applicant must:</p> <ul style="list-style-type: none"> (a) make copies of the following publicly available on its website: <ul style="list-style-type: none"> (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; (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 | <p>https://www.benedict.com.au/about/policies-compliance/ under the tab 'Information relating to Mayfield West'.</p> <p>See Section 6 and 7 below for further details</p> |

4 MONITORING RESULTS & COMPLAINTS

(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
- (iv) the relevant predictions in the EIS

4.1 MONITORING RESULTS

- (i) The relevant statutory requirements and limit criteria for monitoring requirements are outlined in the SSD and EPL for water monitoring and noise monitoring described below.

Noise limits are presented in the table below.

| Receiver | Day LAeq (15 minute) | Evening LAeq (15 minute) | Night LAeq (15 minute) | Night LAMax |
|--------------------------------|--|--------------------------|------------------------|-------------|
| R1 Kerr Street | 48 | 40 | 40 | 51 |
| R2 Woodstock Street North East | 49 | 41 | 41 | 52 |
| R3 Woodstock Street North West | 47 | 39 | 39 | 51 |
| R4 Simpson Court | 47 | 39 | 39 | 50 |
| R5 Shelley Close | 50 | 42 | 42 | 53 |
| R6 Groongal Street East | 48 | 41 | 41 | 51 |
| R7 Groongal Street | 48 | 41 | 41 | 52 |
| R8 Groongal Street | 48 | 40 | 40 | 52 |
| R9 Gregson Avenue | 49 | 42 | 42 | 52 |
| R10 Gregson Avenue | 49 | 41 | 41 | 51 |
| R11 80 Gregson Avenue | 49 | 42 | 42 | 52 |
| R12 Terry Street | 42 | 41 | 41 | 48 |
| R13 Olearia Crescent | 40 | 36 | 36 | 47 |
| Mayfield West Primary 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) | | | |

Note: The noise limits above, apply in all meteorological conditions except the following:

- Wind speeds greater than 3 metres/second at 10 metres above ground level; or
- Stability category F temperature inversion conditions and wind speeds greater than 2 metres/second at 10 metres above ground level; or
- Stability category G temperature inversion conditions.

Water discharge limits are presented below.

| Monitoring Description | Pollutant | Units of measure | 100 percentile concentration limit |
|--|------------------------|----------------------|------------------------------------|
| Final sediment basin in north-western corner of the site | Oil and grease | Milligrams per litre | 10 |
| | pH | pH | 6.5-8.5 |
| | Total suspended solids | Milligrams per litre | 50 |

- (ii) As per the EPL operator attended noise monitoring is to be conducted quarterly at receiver points R5, R9 and R12.
As per the EPL water monitoring (a grab sample) is to occur daily during any discharge from the final sediment basin in the north-western corner of the site.
- (iii) All noise monitoring results conducted between 01 January 2019 – 31 December 2019 were under the limits outlined in the SSD and EPL. No water was discharged between 01 January 2019 – 31 December 2019.

All monitoring results are on our webpage: <https://www.benedict.com.au/about/policies-compliance/>

Quarterly noise monitoring results:

EIS predictions stated noise levels from the project were predicted to comply with EPA noise criteria. The EIS also predicted noise levels to be less than existing ambient noise levels which are primarily due to high road traffic noise. The EIS predicted noise levels would not cause any adverse impacts at the monitoring locations.

These predictions in the EIS were correct as all noise monitoring results conducted between 01 January – 31 December 2019 were under the limits outlined in the SSD and EPL. A summary table for the noise monitoring results against the consent limits can be found below.

Quarter 1 – 08/03/2019:

| Date | Monitoring Point ID | Period | Site Noise Level Construction | | Consent Limits, dB | |
|------------|---------------------|--------|-------------------------------|-------------------|-----------------------|-------------------|
| | | | L _{Aeq} | L _{Amax} | L _{Aeq} | L _{Amax} |
| 08/03/2019 | R4 | Day | I/A | N/A | 47 (Day) / 39 (Night) | 50 (Night) |
| | | Night | I/A | I/A | | |
| | R8 | Day | I/A | N/A | 48 (Day) / 40 (Night) | 52 (Night) |
| | | Night | I/A | I/A | | |
| | R11 | Day | I/A | N/A | 48 (Day) / 42 (Night) | 52 (Night) |
| | | Night | I/A | I/A | | |

Quarter 2 – 02/05/2019:

| Date | Monitoring Point ID | Period | Site Noise Level Construction | | Consent Limits, dB | |
|------------|---------------------|--------|-------------------------------|-------------------|-----------------------|-------------------|
| | | | L _{Aeq} | L _{Amax} | L _{Aeq} | L _{Amax} |
| 02/05/2019 | R4 | Day | I/A | N/A | 47 (Day) / 39 (Night) | 50 (Night) |
| | | Night | I/A | I/A | | |
| | R8 | Day | I/A | N/A | 48 (Day) / 40 (Night) | 52 (Night) |
| | | Night | I/A | I/A | | |
| | R11 | Day | I/A | N/A | 48 (Day) / 42 (Night) | 52 (Night) |
| | | Night | I/A | I/A | | |

Quarter 3 – 06/09/2019:

| Date | Monitoring Point ID | Period | Site Noise Level Construction | | Consent Limits, dB | |
|------------|---------------------|--------|-------------------------------|-------------------|-----------------------|-------------------|
| | | | L _{Aeq} | L _{Amax} | L _{Aeq} | L _{Amax} |
| 06/09/2019 | R4 | Day | I/A | N/A | 47 (Day) / 39 (Night) | 50 (Night) |
| | | Night | I/A | I/A | | |
| | R8 | Day | I/A | N/A | 48 (Day) / 40 (Night) | 52 (Night) |
| | | Night | I/A | I/A | | |
| | R11 | Day | I/A | N/A | 48 (Day) / 42 (Night) | 52 (Night) |
| | | Night | I/A | I/A | | |

Quarter 4 – 24/10/2019:

| Date | Monitoring Point ID | Period | Site Noise Level Construction | | Consent Limits, dB | |
|------------|---------------------|--------|-------------------------------|-------------------|-----------------------|-------------------|
| | | | L _{Aeq} | L _{Amax} | L _{Aeq} | L _{Amax} |
| 24/10/2019 | R4 | Day | I/A | N/A | 47 (Day) / 39 (Night) | 50 (Night) |
| | | Night | I/A | I/A | | |
| | R8 | Day | I/A | N/A | 48 (Day) / 40 (Night) | 52 (Night) |
| | | Night | I/A | I/A | | |
| | R11 | Day | I/A | N/A | 48 (Day) / 42 (Night) | 52 (Night) |
| | | Night | I/A | I/A | | |

- (iv) As noise monitoring were under limits prescribed in SSD and EPL and no water discharges took place all impacts are inline with the anticipated predictions in the EIS.
- (v) Air Quality Monitoring
As per SSD consent condition B59 no crushing events occurred at the site between 01 January – 31 December 2019 therefore no air quality monitoring was conducted.

4.2 COMPLAINTS

Between 01 January 2019 – 31 December 2019 the site received one (1) complaint through the EPA environmental complaints line. A member of the community was driving past the site and noticed a large dust plume fog in the immediate area and poor visibility.

Due to the windy conditions all activities on site creating uncontrollable dust were ceased.

5 CRUSHING & 24 HOUR WASTE RECEIVAL

(d) Detail and provide evidence for the number of days crushing and the 24-hour waste receival operations has occurred

Between 01 January 2019 – 31 December 2019 no crushing has occurred on site nor has there been any 24-hour waste receival operations.

6 NON – COMPLIANCE

(e) Identify any non-compliance over the last year and describe what actions were (or are being) taken to ensure compliance

Between 01 January 2019 – 31 December 2019 there were a few non-compliances identified in the IEA. Please see below Section 7 for further details of non-compliances identified and a status update for all actions provided in the Response to Audit Recommendations (RAR).

7 INDEPENDANT ENVIRONMENTAL AUDIT

As required by Condition 13 and 14 Benedict commissioned Barnett and May to carry out an Independent Environmental Audit (IEA). The audit was carried out by B&M on 31 October 2019. The report has been submitted to DPIE and uploaded to Benedict's website.

The below table summarises the progress of the corrective actions undertaken to address the non-conformances.

| Condition number | Condition | Auditor recommendation | Benedict's response with target dates for implementation of proposed actions | Status Update for proposed actions |
|------------------|--|---|--|--|
| A27 | The Applicant must ensure that all 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 | <ol style="list-style-type: none"> 1. Update the environmental awareness training materials to include reference to the requirement to comply with the Project Approval. The training materials should identify key compliance obligations as they apply to workers and contractors. 2. Update the driver induction form to include the transport related Project Approval obligations, including, for example the requirement that heavy vehicles to not access Werribi Street | <ol style="list-style-type: none"> 1. The existing Environmental awareness training materials will be updated to include the reference to the requirement to comply with the Project Approval (30/06/2020) 2. The current Driver Induction form will be updated to include 'heavy vehicles to not access Werribi Street' (31/01/2020) | <ol style="list-style-type: none"> 1. To be completed by 30/06/2020 2. Completed |
| B12 | From the commencement of operations, the Applicant must implement a Waste Monitoring Program for the development. The program must ensure that: (i) all waste that is controlled under a tracking system has the | <ol style="list-style-type: none"> 1. Revise Section 5 of Appendix D of the OEMP to include process for ensuring that wastes controlled under a waste tracking system has appropriate documentation prior to acceptance on site. 2. Revise Section 5 of Appendix D of the OEMP to include details of waste receipt and management training, including scope | <ol style="list-style-type: none"> 1. We believe Section 5 of Appendix D in the OEMP does satisfy this condition, particularly as DPIE were satisfied that the WMP met this condition before approving the OEMP. 2. Section 4 of the WMP covers training outlined in this condition. This consent condition doesn't specify that the WMP needs to document the recording of this training. | <ol style="list-style-type: none"> 1. Completed 2. Completed |

| Condition number | Condition | Auditor recommendation | Benedict's response with target dates for implementation of proposed actions | Status Update for proposed actions |
|------------------|--|---|---|---|
| | appropriate documentation prior to acceptance at the site. (ii) staff receive adequate training to be able to recognise and handle any hazardous or other prohibited waste including asbestos | and frequency of training in the Waste Monitoring Program. | | |
| 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 | 1. Develop a weekly environmental compliance checklist for completion by site management that includes pest and weed inspections (Note that details of potential weed species and photographs would assist management in determining if weed eradication is required). 2. Ensure that the weekly environmental inspection records are kept | 1. A weekly compliance checklist has since been implemented. Weeds are eradicated from the site; however, this has not been documented as the auditor would like (31/01/2020) 2. The weekly compliance checklist records will be kept (31/01/2020) | 1. Completed – weekly compliance checklist implemented onsite 2. Completed |

| Condition number | Condition | Auditor recommendation | Benedict's response with target dates for implementation of proposed actions | Status Update for proposed actions |
|------------------|--|--|--|---|
| | on site in sufficient numbers to pose an environmental hazard, or cause the loss of amenity in the surrounding area. Note: For the purposes of this condition, noxious weeds are those species subject to an order declared under the Noxious Weed Act 1993 | | | |
| 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 | <ol style="list-style-type: none"> Design and install a system to allow the collection and temporary storage of temporary wastewater from the wheel wash. Ensure that wheel wash wastewaters are disposed of, off-site at an appropriately licenced facility | <ol style="list-style-type: none"> The wheel wash is not a net consumer of water. It needs to be continually topped up as water evaporates from the wheel wash throughout the day. If we were ever needing to empty excess water out we can use the onsite water cart to pump water out | <ol style="list-style-type: none"> Completed |

| Condition number | Condition | Auditor recommendation | Benedict's response with target dates for implementation of proposed actions | Status Update for proposed actions |
|------------------|--|--|---|---|
| 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: (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 | 1. Undertake a detailed survey of the perimeter drain, identify all areas where vegetation has damaged the drain, or the drain has been otherwise compromised. Remove all of the vegetation and reseal the drain | 1. Any vegetation in the surface of the drain at or below the level of the site weir will be removed and repaired. Any surfaces above the weir are not relevant (30/04/2020) | 1. To be completed by 30/04/2020 |
| B28 | The surface water management system must be operated and maintained for the duration of the Development | 1. Undertake a detailed survey of the perimeter drain, identify all areas where vegetation has damaged the drain or the drain has been otherwise compromised. Remove all of the vegetation and reseal the drain. | 1. See B25 comment (30/04/2020) 2. A weekly compliance checklist has since been implemented. The surface water treatment system (sumps and pumps) are checked however, this has not been documented as the auditor would like (31/01/2020) | 1. To be completed by 30/04/2020 2. Completed – weekly compliance checklist implemented onsite |

| Condition number | Condition | Auditor recommendation | Benedict's response with target dates for implementation of proposed actions | Status Update for proposed actions |
|------------------|--|---|--|---|
| | | 2. Initiate a monthly environmental site inspection that covers all compliance issues under the Approval, including the surface water management system. Note that this should include the water treatment system (sumps and pumps) | | |
| 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 | 1. Undertake a detailed survey of the perimeter drain, identify all areas where vegetation has damaged the drain, or the drain has been otherwise compromised. Remove all of the vegetation and reseal the drain. 2. Initiate a monthly environmental site inspection that covers all compliance issues under the Approval, including the surface water management system. | 1. See B25 comment (30/04/2020) 2. A weekly compliance checklist has since been implemented. The surface water management system is checked however, has not been documented as the auditor would like (31/01/2020) | 1. To be completed by 30/04/2020 2. Completed – weekly compliance checklist implemented onsite |

| Condition number | Condition | Auditor recommendation | Benedict's response with target dates for implementation of proposed actions | Status Update for proposed actions |
|------------------|--|---|--|---|
| | 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 | | | |
| B34 | Prior to the commencement of operations, the Applicant must prepare a Surface Water Characterisation and Mitigation Plan (SWCMP). The SWCMP must: (b) implement the most recent version of the SWCMP approved by the Secretary for the duration of the development | 1. Prepare and implement a monthly environmental compliance inspection checklist that provides a framework for on-going review of environmental compliance requirements | 1. An environmental compliance inspection checklist has since been implemented as mentioned above (31/01/2020) | 1. Completed – weekly compliance checklist implemented onsite |

| Condition number | Condition | Auditor recommendation | Benedict's response with target dates for implementation of proposed actions | Status Update for proposed actions |
|------------------|--|--|---|--|
| 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 | Ensure all studies and reports required by DPIE are submitted within the requested timeframes | All studies and reports required by DPIE will be submitted within requested timeframes. | Completed and ongoing |
| B42 | As a minimum, the Applicant must ensure the 40,000 litre self-bunded diesel tank is managed as follows: (b) the tank must be installed in accordance with the relevant Australian Standards, must be above ground and be | <ol style="list-style-type: none"> 1. Install bollards (that meet the requirements of AS3845) to permanently separate heavy vehicles from the fuel tank installation 2. Prepare and implement a weekly environmental compliance inspection checklist covering the fuel storage area. 3. Install a bund (or catch drain) around the refuelling pad to ensure that any spills occurring | <ol style="list-style-type: none"> 1. Bollards will be installed (31/03/2020) 2. A weekly compliance checklist has since been implemented covering the fuel storage area. The fuel area is checked however has not been documented as the auditor would like (31/01/2020) 3. The refuelling area is bunded. All staff will be reminded via a toolbox talk to always refuel within this bunded area (31/03/2020) 4. The spill kit has since been replenished (31/01/2020) 5. A weekly compliance checklist has since been implemented covering the spill kit. The spill kit is checked on occasion, however, has not been documented as the auditor would like (31/01/2020) | <ol style="list-style-type: none"> 1. Completed – installed onsite 2. Completed – weekly compliance checklist implemented onsite 3. Completed – toolbox talk given 4. Completed 5. Completed – weekly compliance checklist implemented onsite |

| Condition number | Condition | Auditor recommendation | Benedict's response with target dates for implementation of proposed actions | Status Update for proposed actions |
|------------------|---|--|--|---|
| | protected against impact from heavy vehicles (e) hoses used for transfer of diesel must be inspected weekly (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 spill. | during refuelling can be fully contained. 4. Replenish the spill kit at the Diesel storage area. 5. Prepare and implement a weekly environmental compliance inspection checklist that covers spill kit inspection. | | |
| B43 | To ensure that chemical spills and firewater are contained on-site, prior to the commencement of operations and to the satisfaction of FRNSW, the Applicant must ensure (a) a stormwater | 1. Contact FRNSW and seek approval for containment of fire water. 2. Prepare and implement a weekly environmental compliance inspection checklist that includes weekly checks on the sediment pond outlet valve | 1. There was no consultation with FRNSW during the preparation of the plan rather FRNSW comments were taken on board during the RTS phase of the assessment phase 2. A weekly compliance checklist has since been implemented covering the sediment pond outlet valve. The valve is checked however, has not been documented as the auditor would like (31/01/2020) | 1. Completed 2. Completed – weekly compliance checklist implemented onsite |

| Condition number | Condition | Auditor recommendation | Benedict's response with target dates for implementation of proposed actions | Status Update for proposed actions |
|------------------|--|--|---|---|
| | 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 | | | |
| 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). | 1. Update the Driver induction materials to fully cover the requirements for minimising impacts on the site access road or 1 Macintosh Drive | 1. Driver induction form will be updated detailing further to minimise impacts on the site access road (31/01/2020) | 1. Completed – driver induction form has been updated |
| B46 | All customers are not permitted to leave their vehicles anywhere on the site other than the public unloading area and to access the | 1. Include the key traffic safety requirements that relate to members of the public using the site in an appropriate information pamphlet / induction form for members of the public using the facility. The existing Driver Induction | 1. Further detail of the key traffic requirements can be added to the driver induction form. The driver induction form is for everyone entering the site, heavy vehicle drivers and members of the general public. The site is also signed, and operational staff are on the ground to direct drivers as required (31/01/2020) 2. Site entrance/induction form will be updated with this detail (31/01/2020) | 1. Completed – driver induction form has been updated 2. Completed |

| Condition number | Condition | Auditor recommendation | Benedict's response with target dates for implementation of proposed actions | Status Update for proposed actions |
|------------------|---|--|--|------------------------------------|
| | pedestrian walkways between marked car parking spaces and the weighbridge and office area. | and Visitor Induction are not the appropriate documents as they are not applicable to members of the general public. 2. Update the site entrance signage to inform members of the public that they are not permitted to exit their vehicles, except to unload in the public, hand unloading area. | | |
| B49 | The Applicant must ensure that: (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 carriageway. | 1. Investigate the reasons for queuing and options to prevent queuing of trucks on the site access road. | 1. The site doesn't cause queuing; however, drivers will pull over from time to time to finish phone calls, do paperwork or eat their lunch. This temporary parking is not caused by lack of queuing distance at the weighbridge | 1. Complete |

| Condition number | Condition | Auditor recommendation | Benedict's response with target dates for implementation of proposed actions | Status Update for proposed actions |
|------------------|--|---|--|------------------------------------|
| B51 | The Applicant must (b) implement the most recent version of the OTPMP approved by the Secretary for the duration of the development | 1. Refer to Condition B49 (d) 2. Provide all heavy vehicle operators using the site with a copy of the Drivers Code of Conduct as part of the Site Induction process | 1. See B49, above 2. All new operators to the site are provided with a copy of the Drivers Code of Conduct | 1. Complete 2. Complete |
| B54 | All reasonable steps must be taken to minimise dust generated during all works authorised by this consent | 1. Review dust management actions including stockpile water sprays and sweeping of internal roads | 1. Stockpiles are wetted down with the water cart daily and in adverse weather conditions. Internal roads are swept with a street sweeper to reduce soil and mud. The number of times the street sweeper visits is adjusted as necessary to suit the conditions on site. | 1. Complete |
| B55 | The Applicant must ensure that: (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 | 1. Review dust management actions including stockpile water sprays and sweeping of internal roads. | 1. See B54 | 1. Complete |
| B58 | The Applicant must: (a) not | 1. Ensure that all air quality mitigation | 1. All air quality mitigation measures contained within the AQMP will be reviewed and continue to be | 1. Complete and ongoing |

| Condition number | Condition | Auditor recommendation | Benedict's response with target dates for implementation of proposed actions | Status Update for proposed actions |
|------------------|--|--|--|---|
| | 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 | measures contained in the AQMP are implemented | implemented in site operations (ongoing) | |
| B69 | The Applicant must: (b) minimise the noise impacts of the Development during adverse meteorological conditions (d) regularly assess noise emissions and relocate, modify and/or stop operations to ensure compliance with the relevant | 1. Develop an appropriate definition of "adverse metrological conditions". This should include wind speed and direction criteria. 2. Identify the actions to be taken to minimise noise impacts on the identified sensitive receivers and update the Section 4.8 of the OEMP 3. Prepare a daily "environmental inspection checklist" for site management to complete. Include noise generation | 1. A definition will be developed and added into the OEMP (30/04/2020) 2. Section 4.8 of the OEMP will be reviewed, however DPIE has already reviewed this content and approved it 3. A checklist will be implemented (31/01/2020) 4. Further training will be provided to site management and supervisors (30/06/2020) | 1. To be completed by 30/04/2020 2. Ongoing 3. Completed – weekly compliance checklist implemented onsite 4. Ongoing |

| Condition number | Condition | Auditor recommendation | Benedict's response with target dates for implementation of proposed actions | Status Update for proposed actions |
|------------------|---|---|--|---|
| | conditions of this consent | and noisy work locations. 4. Provide training to site management / supervisors in assessing (by observation) noisy activities that may result in excessive noise emissions and noise mitigation strategies | | |
| B72 | Prior to the commencement of operations, the final design of the development must be finalised (and include): (c) the arrangement of stockpiles of combustible material, stored externally, on the allotment be sufficiently separated to permit FRNSW vehicle access between stockpiles; | 1. Ensure that all potentially combustible stockpiles are adequately separated to prevent the spread of fire and to allow clear access to FRNSW vehicles directly to the Stockpile | 1. Stockpiles of flammable material will be separated, and this will be included as a check in the environmental compliance checklist (31/01/2020) | 1. Ongoing and completed – weekly compliance checklist implemented onsite |
| B83 | The Applicant must consult with the community regularly | 1. Seek clarification the intent of Condition B83 from DPIE as the triggers for consultation | 1. Neighbours were consulted regarding the increased tonnage as part of the project approval process. Benedict webpage has phone numbers listed for central points of contact from the community. Also the sign at | 1. Ongoing |

| Condition number | Condition | Auditor recommendation | Benedict's response with target dates for implementation of proposed actions | Status Update for proposed actions |
|------------------|---|--|---|------------------------------------|
| | throughout the Development, including consultation with the nearby, adjacent landowners, sensitive receivers, relevant regulatory authorities, Registered Aboriginal Parties and other interested stakeholders | | the front of site has contact numbers listed. Consultation will be made with neighbours should a 24-hour waste receipt occur. This waste receipt period so far has not occurred. | |
| 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 | 1. Refer to the non-compliance recommendations above | 1. Refer to responses as above | 1. Ongoing |

| Condition number | Condition | Auditor recommendation | Benedict's response with target dates for implementation of proposed actions | Status Update for proposed actions |
|------------------|---|--|--|------------------------------------|
| | Secretary | | | |
| 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 | 1. Ensure that all environmental and compliance related incidents are reported to DPIE | 1. All incidents will be reported to DPIE (ongoing) | 1. Ongoing |
| C15 | The Applicant must: (a) make copies of the following publicly available on its website: (i) the documents referred to in Condition A2; (iii) all approved strategies, plans and programs required under the conditions of this consent; | 1. Upload a copy of the EIS to the Benedict Website 2. Upload a copy of the LMP to the Benedict Website | 1. EIS has been uploaded to the website (31/01/2020) 2. LMP has been uploaded to the website https://www.benedict.com.au/about/policies-compliance/ | 1. Completed 2. Completed |

8 TRENDS IN MONITORING DATA

(f) Identify any trends in the monitoring data over the life of the development

The site has not exceeded limits outlined in the SSD and EPL for noise monitoring. There have been no water discharges from the site.

9 DISCREPENCIES IN THE DEVELOPMENT

(g) Identify any discrepancies between the predicted and actual impacts of the development and analyse the potential cause of any significant discrepancies

No discrepancies have arisen between 01 January 2019 – 31 December 2019 from the predicted and actual impacts of the development with all impacts being in line with the anticipated impacts of the development.

10 IMPROVING ENVIRONMENTAL PERFORMANCE

(h) Describe what measures will be implemented over the next year to improve the environmental performance of the development

The site will continue its ongoing commitment to adhere to all management strategies and control measures as outlined in the Operational Environmental Management Plan, SSD and EPL.

As per condition B35 the Surface Water Validation Report is currently being undertaken by EMM Consulting. Any results found from this validation report will be updated within the site's Surface Water Characterisation Management Plan and adhered to on the site.

As per condition B40 the Groundwater Monitoring Program will be undertaken in 2020. Any recommendations identified for ongoing groundwater monitoring and reporting will be adopted on site.

The Independent Environmental Audit was completed as per condition C13. All of the auditor's recommendations were taken on board. Benedict responded to all the recommendations (RAR) with proposed actions to be implemented and a status update of these actions. Most actions have been completed with a handful left to action and complete.