

# Independent Environmental Audit

Report for:

Caltex Refineries (NSW) Pty Ltd  
Kurnell Refinery Conversion and Demolition Project  
(2017) - SSD 5544 incl. MOD 1

<b>LRQA reference:</b>	MEL4000225/0000
<b>Assessment dates:</b>	18th - 25th September 2017
<b>Assessment location:</b>	2 Solander Street, Kurnell, NSW 2231
<b>Assessment criteria:</b>	Development Consent 5544 incl. MOD 1
<b>Assessment team:</b>	Paul Dzamko Paul Mannix
<b>LRQA office:</b>	Melbourne

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<b>This report was presented to and accepted by:</b>	
Name:	Dr. Jos Kusters
Job title:	Senior Environmental Specialist

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## 1. Report explanation

### Compliance Assessment Criteria and Risk Levels for Non-Compliances\*

Assessment	Criteria
<b>Compliant</b>	Where the auditor has collected sufficient verifiable evidence to demonstrate that the intent and all elements of the requirement of the regulatory approval have been complied with within the scope of the audit.
<b>Not verified</b>	Where the auditor has not been able to collect sufficient verifiable evidence to demonstrate that the intent and all elements of the requirement of the regulatory approval have been complied with within the scope of the audit. In the absence of sufficient verification the auditor may in some instances be able to verify by other means (visual inspection, personal communication, etc.) that a requirement has been met. In such a situation, the requirement should still be assessed as not verified. However, the auditor could note in the report that they have no reasons to believe that the operation is non-compliant with that requirement.
<b>Non-compliant</b>	Where the auditor has collected sufficient verifiable evidence to demonstrate that the intent of one or more specific elements of the regulatory approval have not been complied with within the scope of the audit.
<b>Administrative non-compliance</b>	A technical non-compliance with a regulatory approval that would not impact on performance and that is considered minor in nature (e.g. report submitted but not on the due date, failed monitor or late monitoring session). This would not apply to performance-related aspects (e.g. exceedance of a noise limit) or where a requirement had not been met at all (e.g. noise management plan not prepared and submitted for approval).
<b>Not triggered</b>	A regulatory approval requirement has an activation or timing trigger that had not been met at the time of the audit inspection, therefore a determination of compliance could not be made.
<b>Observation</b>	Observations are recorded where the audit identified issues of concern which do not strictly relate to the scope of the audit or assessment of compliance. Further observations are considered to be indicators of potential non-compliances or areas where performance may be improved.
<b>Note</b>	A statement or fact, where no assessment of compliance is required. The terms "partial compliance" or "partial non-compliance" or similar should not be used.

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

\*Adapted from Post-approval requirements for State significant developments (October 2015), NSW Government.

## Additional information

### **Confidentiality**

We will treat the contents of this report, together with any notes made during the visit, in the strictest confidence and will not disclose them to any third party without written client consent, except as required by the Caltex Refineries (NSW) Pty Ltd and the NSW Department of Planning and Environment.

### **Sampling**

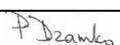
The assessment process relies on taking a sample of the Development activities for each condition. This is not statistically based but uses representative examples. The compliance table indicating the compliance status of each condition of the approval is dependent on the evidence sampled. The Auditors have relied upon information supplied by the Auditee; conclusions on compliance are contingent upon the accuracy and completeness of data supplied.

### **Terms and conditions**

Please note that, as detailed in the Terms and Conditions of the contract, clients have an obligation to advise LRQA of any breach of legal, regulatory, or statutory requirements and any pending prosecution. Although proportionality and scale of the situation should be considered, Caltex are required to advise LRQA of any serious potential risks to our audit conclusions but not, for example, isolated cases of a minor nature.

## Acronyms / Terms Used in Report

Caltex	Caltex Refineries (NSW) Pty Ltd
CEMP	Construction Environmental Management Plan
DEMP	Demolition Environmental Management Plan
DPE	NSW Department of Environment and Planning (incl. previous Department of Planning and Infrastructure)
Department	DPE
DG	Director General (DPE)
EPA	Environment Protection Agency
EPL	Environment Protection License
IDES	Industrial Demolition & Environmental Services
IEA	Independent Environmental Audit
LRQA	Lloyds Register Quality Assurance Limited
NC	Non-compliance
OFI	Opportunity for Improvement
ROW	Right of Way
SSD	State Significant Development

<b>Independent Audit Certification Form</b>	
Development Name	Kurnell Refinery Demolition Project
Development Consent No.	SSD 5544 MOD 1
Description of Development	The excavation and removal of redundant refinery processing units, tanks, pipeways / pipelines and other infrastructure.
Operator	Caltex Refineries (NSW) Pty Ltd
Operator Address	2 Solander Street, Kurnell, NSW 2231
<b>Independent Audit</b>	
Title of Audit	Independent Environment Audit –
<p>I certify that I have undertaken the independent audit and prepared the contents of the attached independent audit report and to the best of my knowledge:</p> <ul style="list-style-type: none"> <li>• The audit has been undertaken in accordance with relevant approval condition(s) and in accordance with the auditing standard AS/NZS ISO 19011:2014 and Consent Condition</li> <li>• The findings of the audit are reported truthfully, accurately and completely;</li> <li>• I have exercised due diligence and professional judgement in conducting the audit;</li> <li>• I have acted professionally, in an unbiased manner and did not allow undue influence to limit or over-ride objectivity in conducting the audit;</li> <li>• I am not related to any owner or operator of the development as an employer, business partner, employee, sharing a common employer, having a contractual arrangement outside the audit, spouse, partner, sibling, parent, or child;</li> <li>• I do not have any pecuniary interest in the audited development, including where there is a reasonable likelihood or expectation of financial gain or loss to me or to a person to whom I am closely related (i.e.immediate family);</li> <li>• Neither I nor my employer have provided consultancy services for the audited development that were subject to this audit except as otherwise declared to the lead regulator prior to the audit; and</li> <li>• I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from fair payment) from any owner or operator of the development, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.</li> </ul> <p>Note.</p> <p>a) The Independent Audit is an 'environmental audit' for the purposes of section 122B(2) of the Environmental Planning and Assessment Act 1979. Section 122E provides that a person must not include false or misleading information (or provide information for inclusion in) an audit report produced to the Minister in connection with an environmental audit if the person knows that the information is false or misleading in a material respect. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000.</p> <p>b) The Crimes Act 1900 contains other offences relating to false and misleading information: section 192G (Intention to defraud by false or misleading statement—maximum penalty 5 years imprisonment); sections 307A, 307B and 307C (False or misleading applications/information/documents—maximum penalty 2 years imprisonment or \$22,000, or both).</p>	
Signature	
Name of Lead Auditor	Paul Dzamko
Address	LRQA Level 16, 461 Bourke Street, Melbourne, Vic. 3001
Email Address	paul.dzamko@lrqa.com
Auditor Certification	IRCA Lead EMS Assessor A010818
Date	6.11.2017

## 2. Executive report

### Assessment outcome:

#### Conclusion

Based on activities and records sampled for the August 2016 – August 2017 year, the IEA audit team found a good level of compliance to the EIS, Development Consent (Consent Conditions and Appendix C - Management and Mitigation Measures; Modification 1), DEMP (incl. sub-plans) and related parts of the EPL. Non-compliances reported were all in the Low – Administrative risk categories.

#### Findings

The overall findings outcome was:

- Three non-compliances (NCs) against two Development Consent Conditions (C3A and D2) – 2x Low Risk and 1x Administrative risk ratings for the NCs.
- One Opportunity for Improvement

Based on records sampled, compliance with all other triggered conditions was considered to have been achieved – this includes Appendix C Management and Mitigation Measures.

The Consent contained a total of 78 Conditions (not including sub-clauses).

These findings are listed below, the context and any further mitigating evidence / discussion is included in the Compliance Table.

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### Environmental Performance

Taking into account the deficiencies in the Findings Log, measurement & monitoring data, no reportable environmental incidents or legislative breaches attributable to Demolition Project during August 2016 – August 2017, the overall environmental performance is considered to be good.

The only community complaints directly attributed to demolition activities were three dust complaints and these were handled via Caltex protocols (LPS) and interaction with residents involved – there have been no repeat occurrences at this time.

The DEMP and sub-plans are well designed to meet the EIS and Consent Conditions.

For the audit period of this IEA, there were two reportable terminal operational environmental incidents (offensive odours, loss of containment) and these have been handled as per Caltex protocols and with applicable communication with the regulators involved (principally the EPA).

Key project staff were available for interview during this audit and demonstrated high awareness of the environmental performance requirements of the Development. Evidence was sighted of good deployment of this awareness to contractors working on site. Lessons Learnt from the findings of the first IEA (SSD 5544) have been well applied during the demolition activities.

An area that is contentious is that of shipping noise – the Development Consent Condition D2 includes implementation of an Operational Environmental Management Plan for the whole development. Noise monitoring (by Caltex and also by external consultant specialists) indicates overall compliance with noise level criteria; however the data takes into account extraneous noise thus making it not fully conclusive. Also, there is a significant and persistent level of community noise complaints. There is a noise mitigation plan and the IEA team noted good awareness by Caltex staff and also formal communications to ship captains of noise issues.

There have been no regulator infringements issued for noise; Caltex is continuing to look at better noise mitigation. The IEA audit team concluded that compliance or non-compliance was inconclusive based on data available.

### 3. Audit Details

#### AUDIT OBJECTIVES

The objectives of this audit are to:

- Assess the environmental performance of the development and whether it is complying with the conditions in the Consent (SSD 5544 incl. MOD 1) and applicable Environment Protection License 837 (terminal operations).
- Review the adequacy of any approved strategy, plan or programme required under these approvals
- Recommend measures or actions to improve the environmental performance of the development, and / or any assessment, plan or programme required under these approvals.

#### AUDIT SCOPE AND CRITERIA

Condition D7 of the Development Consent (SSD 5544 incl. MOD 1) Caltex Kurnell Demolition Project, Kurnell for the August 2016 – August 2017 year (includes Appendix C Management and Mitigation Measures).

Includes applicable parts of the Environment Protection License 837 for the August 2016 – August 2017 year.

Notes:

- the audit scope includes all conditions (as applicable during the audit period) of Development Consent 5544 (2014) plus additional Conditions from the Notice of Modification (August 2015)
- during the activities covered by this Consent, the refinery had been decommissioned and converted to Terminal operations and the latter is within the audit scope as implementation of Condition D2 and EPL 837.
- When determining non-compliances, the approach has been to categorise them to either demolition activities or terminal operations. Likewise, community feedback has been thus categorised.

#### AUDIT METHODOLOGY

The audit methodology:

- Was conducted in accordance with AS/NZS ISO 19011:2014, Consent Condition D7 and the Department's Independent Audit Guideline – Post-approval requirements for State significant developments (October 2015).
- Includes a compliance table indicating the compliance status of each Consent Condition
- Sampled applicable EPL conditions – includes compliance table with evidence sampled
- Avoided terms such as partial compliance
- Includes recommendations in response to non-compliances
- Includes a review of actions related to non-compliances raised in the first IE
- Identifies opportunities for improvement
- Audit is for year August 2016 – August 2017 only.

This is the second IEA conducted for this Development Consent - first IEA was conducted April 2016 and is available on the Caltex public website.

#### SITE INSPECTION

The demolition site was inspected during this audit. Results are reported within the applicable Consent Conditions. Reference was also made to previous demolition site inspections reported in LRQA ISO 14001 audits (September 2016 and May 2017) as this enabled use of evidence of independent inspections over a range of activities and times during the August 2016 – August 2017 period of this audit.

## AGENCY AND COMMUNITY CONSULTATION

The following stakeholders were contact by the IEA Team Leader, approximately 3-4 weeks prior to this audit, requesting feedback and any key issues to draw the auditor's attention within the scope of this audit:

- NSW Department of Planning and Environment (DPE)
- NSW Environmental Protection Agency (EPA)
- Sutherland Shire Council
- Kurnell Progress and Precinct Residents association (KPPRA)

Acknowledgement was received from the KPPRA without further feedback. There was no response from the DPE and Sutherland Shire Council.

The NSW EPA responded in writing (September 2017) with the following items for consideration:

- Community noise complaints from shipping noise should be considered for C17 Operational Noise Limits
- Community odour complaints should be considered for C26 Offensive Odours
- Consider current assessment of polyfluoroalkyl substances (PFAS) across the site as part of EPL 837 requirements and the environmental performance of the development
- Consider the separate Soil Regeneration Facility performance as a part of the IEA (EPL conditions)
- Reporting of incidents by Caltex to the EPA and consider these as part of the assessment of the environmental performance of the development

EPL conditions have been reported in the EPL Compliance Table. Whilst the environmental performance of the terminal operations was sampled, the IEA Team separated findings attributed to demolition activities and terminal operation activities (where no overlap existed).

Evidence used during the audit also included communications to and from relevant regulators (DPE, EPA and local council), site community meeting minutes, community hotline analysis and LRQA ISO 14001 audit reports that included site inspections (wharf and terminal) in the period under audit.

## AUDIT TEAM

- Paul Dzamko Environmental Lead Assessor from Lloyds Register Quality Assurance (LRQA) – Team Leader
- Paul Mannix Environmental Lead Assessor from Lloyds Register Quality Assurance (LRQA) – Team Member
- This audit duration was for this audit and also the IEA for Development Consent 5353.

Both auditors received approval, from the Department of Planning & Environment, to conduct this audit.

This audit report was peer reviewed by Makis Galanos, Assessment Manager, LRQA

## AUDITEES

The following Caltex and related contractor staff were interviewed during this audit:

Jeff Andrews	Demolition Project Lead
Craig Collard	Decommissioning and Demolition Execution Superintendent
Craig Powell	Senior Demolition safety Specialist
Dora Ambrosi-Wall	Demolition Environment Specialist
Michelle Lucas	Decommission Environment Specialist
Damien Davidson	Senior Remediation & Project Specialist
Jos Kusters	Senior Environment Specialist Licensed Sites
Amanda Basten	ISO & Environmental Systems Specialist
Gary McKay	Sydney Terminals Operations Manager
Dane Isemonger	Kurnell Terminal Operations Specialist
Trevor Malone	Kurnell Terminal Operations Specialist
Marty Manns	Maintenance Utilities Team Leader
Russell Bullen	Reliability & Maintenance Mechanical Lead
Steve Gilbert	Senior Tank Engineer
Rod Riquelme	Tank Project Engineer
Elvis Talevski	Trans Pacific Industries – Site Waste Co-ordinator (Kurnell)
Kevin Wahlberg	IDES – demolition contractor (site inspection)

## 4. Project Background and Boundaries

Extracted from the Demolition Environment Management Plan (DEMP)

Caltex have converted the refinery in Kurnell to a fuel terminal facility. The Terminal is fully operational and the project is now in the demolition phase.

The majority of the demolition works will be completed within the boundary of the Site. The exceptions to this include:

- The removal of the Continental carbon Pipeline which is located on land owned by Caltex to the south side of the Site;
- Sections of the redundant return cooling water pipelines that run through the Western and Eastern ROWs that are located outside of the Site (i.e. under the roads cross the ROWs and under Silver Beach; and
- The removal of the cooling water intake pipelines and associated infrastructure from the Kurnell Wharf.

Demolition Project status (information supplied by Caltex):

- Overall demolition scope: 67% complete
- Civil work and buildings: 68% complete
- Offsite equipment and systems: 60% complete
- Demolition of tanks and pipeways: 63% complete
- Process plant demolition: 95% complete

Key activities for the period of this audit:

- Saltwater cooling line removed from wharf
- F10 concrete stack demolished (August 2017)
- Concrete crusher approved and commissioned
- Soil / asbestos cell awaiting final approval (pending)
- All process units removed (except power plant 50% complete)
- Stage I cooling water outlet removal complete
- 34,000 tonne scrap metal processed – 10,000 tonne parcel of recycled steel sold and removed from site

## 5. Audit Findings Log

The compliance table gives further context to each finding and mitigating evidence as applicable.

Both non-compliances relate to use of the infrastructure rather than refinery conversion and demolition. They are the same as those reported for the IEA on Development Consent 5353 (November 2017) and also reported by Caltex in the EPA Annual Return.

Non-compliance	Risk	Recommendation (Options)
<p><b>1. Odour</b></p> <p>There were potentially offensive odours emitted from the operations at the Kurnell Terminal. This was shown in the Caltex complaints records which indicate that there were 17 odour issues (in this audit period) reported by neighbours to the Kurnell facility. Caltex reported this as a non-compliance in the annual EPA return 2016 - 2017.</p> <p><i>Applicable Consent Condition D2 and EPL 837 Condition L7</i> Not caused by the direct development activities but related to Condition D2 requiring the establishment and implementation of an Operational Environmental Management.</p> <p>Note: Caltex Loss Prevention procedures were followed.</p>	<p>LOW</p>	<ul style="list-style-type: none"> <li>Continue investigations in odour complaints and design odour monitoring programs to determine severity / causes. Most odour investigations are post event, so consider a more pro-active approach to internally recording odours before they become potentially offensive to neighbours.</li> </ul>
<p><b>2. Operational Controls – loss of containment</b></p> <p>Caltex loss prevention records and the annual EPA Return 2016 – 2017 recorded a non-compliance for release of slops (wharf), a spill of 86,000L of hydrocarbon water (land), loss of gasoline from pipeline “Gasoline 1” (land)</p> <p><i>Applicable Consent Condition D2 and EPL 837 Conditions L1 and O1</i> Not caused by the direct demolition activities but related to Condition D2 requiring the establishment and implementation of an Operational Environmental Management.</p> <p>Note: Caltex Loss Prevention procedures were followed. Reported to DPE (Annual Review Report December 2016).</p>	<p>LOW</p>	<ul style="list-style-type: none"> <li>Loss Prevention investigations and subsequent actions were satisfactory.</li> </ul>

<p><b>3. Late Submission of Demolition Studies (prior to commencement of Demolition).</b></p> <p>The following studies were required to be submitted (for approval) to the Secretary at least one month prior to the commencement of demolition works:</p> <ul style="list-style-type: none"> <li>• Firewater System Review</li> <li>• Demolition Safety Study</li> </ul> <p>Demolition had started prior to submission and approval.</p> <p><i>Applicable Consent Condition C3A</i></p>	<p><b>Administrative</b></p>	<ul style="list-style-type: none"> <li>• Sighted subsequent approval and associated communications between Caltex and DPE</li> <li>• Noted that other Plans sampled (including sub-plans) have been submitted and approved within required timeframes. Better diligence demonstrated.</li> </ul>

## 6. Previous Audit Findings

Non-compliance	Risk	Recommendation (Options)
<p><b>1, Noise Management Plan</b></p> <p>Noise monitoring, indicating a high level of Leq &gt; 60, at the boundary (Road 7) on 4<sup>th</sup> November 2014 was not further investigated / monitored to determine causes and resolution. It was not entered in the Caltex Loss Prevention System (or equivalent).</p> <p>Note: based on evidence sampled, this was an isolated example.</p> <p>Applicable Consent Conditions: C22</p>	<p>Closed</p>	<p><b>Caltex Response (summary)</b> Ensure LPS (or equivalent) is used to capture high noise readings to facilitate (and have a record) of cause analysis and reporting to the Project Team</p> <p><b>IEA Team Review</b> Sighted communication of requirements and Lessons Learnt session. Sighted effective recording and use of LPS for various issues e.g. odour, dust etc. From environmental data sampled on this audit, no examples sighted where LPS was not used when applicable.</p>
<p><b>2. Air Quality Management Plan</b></p> <p>Air Quality Management Plan (Jan. 2014) requires that fortnightly reports (dust, odour observations / inspections) are submitted to the Caltex EMR by relevant contractors. There were no records available.</p> <p>Applicable Consent Condition C28</p>	<p>Closed</p>	<p><b>Caltex Response (summary)</b> Ensure specified monitoring activities (in Management Plans) are complied with. Include more information in the Management Plan as what the format of such reporting will be rather than a general reference. CEMP and sub-plan audits can be used to verify specified activities are being complied with and records are available to demonstrate it.</p> <p><b>IEA Team Review</b> Sighted evidence of Lessons Learnt being carried forward into the demolition phase. Sighted records of regular audits and inspections conducted by contractor (IDES) and the Caltex Project Audit Schedule – all plans and sub-plans audited (each plan at least bi-monthly) to ensure all inspections and monitoring is conducted as specified in each plan.</p>

<p><b>3. Construction Environment Management Plan (CEMP) Audits</b></p> <p>The CEMP (Jan. 2014) section 4.1 requires the following:</p> <ul style="list-style-type: none"> <li>• Implementation of the CEMP will be audited by Caltex within 6 weeks of the commencement of site construction works</li> <li>• Contractor will submit copies of completed monthly HSE audits</li> </ul> <p>The CEMP audit was not done; only one contractor monthly HSE audit was in evidence.</p> <p>Applicable Consent Condition D1</p>	<p>Closed</p>	<p><b>Caltex Response (summary)</b> Improve prominence of specified CEMP audits and use them as intended. Feature as a critical milestone to be tracked. Establish a better long-term record keeping system for information (e.g. HSE audits) from contractors.</p> <p><b>IEA Team Review</b> Sighted application of Lessons Learnt in the DEMP audits. Project Audit Schedule covers all management plans (including sub-plans) on a regular basis. Sighted audit reports and subsequent actions on findings. Contractor audit reports (IDES) were readily available.</p>
<p><b>4. Independent Environmental Audit</b></p> <p>This IEA was conducted past the approved extension date of October 2015.</p> <p>Applicable Consent Condition D7</p>	<p>Closed</p>	<p><b>Caltex Response (summary)</b> Clarify IEA timeframes with other / future Development Consents.</p> <p><b>IEA Team Review</b> IEAs for SSD 5544 and SSD 5353 back on track with required timeframes.</p>

## 7. Caltex Refineries (NSW) Pty Ltd, Kurnell Terminal Response to the Audit Findings

Caltex has reviewed the auditor's findings and provides the following comments and commitments to address those findings.

Non-Compliance	Risk	Auditor Recommendation (Options)	Caltex Response
<p>1. Odour There were potentially offensive odours emitted from the operations at the Kurnell Terminal. This was shown in the Caltex complaints records which indicate that there were 17 odour issues (in this audit period) reported by neighbours to the Kurnell facility. Caltex reported this as a non-compliance in the annual EPA return 2016 -2017. Applicable Consent Condition D2 and EPL 837 Condition L7 Not caused by the direct development activities but related to Condition D2 requiring the establishment and implementation of an Operational Environmental Management. Note: Caltex Loss Prevention procedures were followed.</p>	LOW	<p>Continue investigations in odour complaints and design odour monitoring programs to determine severity / causes.</p> <p>Most odour investigations are post event, so consider a more pro-active approach to internally recording odours before they become potentially offensive to neighbours.</p>	<p>Caltex accepted the audit team's findings and comments.</p> <p>We will continue investigations into any odour complaints received (internal and external).</p> <p>Potential odours sources are already known. Any operation and/or maintenance works in these areas take odour mitigation measures into consideration as a proactive step in preventing offensive odours in the surrounding neighbourhood.</p>
<p>2. Operational Controls – loss of containment Caltex loss prevention records and the annual EPA Return 2016 – 2017 recorded a non-compliance for release of slops (wharf), a spill of 86,000L of hydrocarbon water (land), loss of gasoline from pipeline "Gasoline 1" (land) Applicable Consent Condition D2 and EPL 837 Conditions L1 and O1 Not caused by the direct demolition activities but related to Condition D2 requiring the establishment and implementation of an Operational Environmental Management. Note: Caltex Loss Prevention procedures were followed. Reported to DPE (Annual Review Report December 2016).</p>	LOW	<p>Loss Prevention investigations and subsequent actions were satisfactory.</p>	<p>Caltex accepted the audit team's findings and comments.</p> <p>Gasoline 1 Pipeline:</p> <ul style="list-style-type: none"> <li>• Checks were completed on all PSV valves to ensure they are operating as intended</li> <li>• All isolating valves for PSVs to be secured open</li> <li>• An internal memorandum (Loss Prevention System Alert) was issued to raise awareness of working around PSVs.</li> </ul>

Non-Compliance	Risk	Auditor Recommendation (Options)	Caltex Response
<p>3. Late Submission of Demolition Studies (prior to commencement of Demolition)</p> <p>The following studies were required to be submitted (for approval) to the Secretary at least one month prior to the commencement of demolition works:</p> <ul style="list-style-type: none"> <li>Firewater System Review</li> <li>Demolition Safety Study</li> <li>Demolition had started prior to submission and approval.</li> </ul> <p>Applicable Consent Condition C3A</p>	<p>LOW</p>	<p>Sighted subsequent approval and associated communications between Caltex and DPE</p> <p>Noted that other Plans sampled (including sub-plans) have been submitted and approved within required timeframes. Better diligence demonstrated</p>	<p>Caltex accepted the audit team's findings and comments.</p> <p>As stated by the Auditor, better diligence has been applied to the tracking of Consent Condition requirements, DPE submission dates and the use of the Caltex action tracking system to demonstrate compliance.</p>

## 8. Opportunities for Improvement Log

Improvement Opportunity	Recommendation (Options)
<p><b>Noise</b></p> <p>It was not able to be verified whether the demolition and / or Terminal operating noise levels were complied with during the audit period. There were 25 community (shipping) noise complaints; subsequent investigations and noise monitoring did not conclusively indicate compliance or non-compliance.</p> <p>Noted that noise monitoring is hampered by extraneous noise (preventing accurate representation of noise generated by Caltex demolition and shipping activities) and this was confirmed by using external noise consultant reports as well as Caltex monitoring.</p> <p>External monitoring indicates overall compliance; nonetheless there is still a significant level of community noise complaints.</p> <p>There have been no regulator infringements issued.</p> <p>Thus the IEA Team determined that, based on available evidence, compliance or non-compliance could not be verified conclusively</p> <p>Note: there were no community noise complaints attributed to the demolition project activities.</p>	<p>Continue with existing noise mitigation activities and further investigations / monitoring. It is noted that such actions are in progress.</p>

## 9. Consent Conditions Compliance Checklist

	Conditions	Verifiable Evidence	Compliance Criteria Risk rating	Recommendations OFIs
	<b>OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT</b>			
B1	The Applicant shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction or operation of the development.	Sighted Demolition Environmental Management Plan (DEMP) September 2015 and relevant sub-plans for specific environmental impacts. These were developed in response to the EIS and this Consent. Compliance to these plans is the focus of this audit.	Compliant	
	<b>TERMS OF CONSENT</b>			
B2	The Applicant shall carry out the Development generally in accordance with the: (a) EIS; (b) RTS; (c) site layout plans and drawings in the EIS (see Appendix A); (d) MOD 1; and (e) conditions of this consent	Sighted EIS and Caltex response to submissions (RTS). Sampling compliance to the Consent is the focus of this audit.	Compliant	
B3	If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this Consent shall prevail to the extent of any inconsistency.	No inconsistencies identified.	Note	
B4	The Applicant shall comply with any reasonable requirement(s) of the Secretary arising from the Department's assessment of: (a) any reports, plans or correspondence that are submitted in accordance with this consent; and (b) the implementation of any actions or measures contained within these reports, plans or correspondence.	This is the subject of this compliance audit. Correspondence with the Department was sampled during the course of this audit - from records sampled, no breaches noted.	Compliant	
B5	Subject to confidentiality, the Applicant shall make all documents required under this consent available for public inspection on request.	Documents on the website included the EIS, RTS, DEMP and sub-plans.	Compliant	
	<b>LIMITS OF CONSENT</b>			
B6	The Applicant shall not store in excess of 925 mega litres (ML) of refined product on the Site at any one time, unless otherwise agreed to in writing by the Secretary.	A review of capacity for tankage allocated to refined (finished) product is approx. 840 megalitres nominal capacity. Current levels at approx. 470 megalitres (sighted current inventory).	Compliant	
B7	The construction works associated with the Development shall not extend beyond five (5) years from the date of approval.	Still within 5 years from date of approval (January 2014).	Not triggered.	

B7A	The demolition works associated with the development shall not extend beyond three (3) years from the date of consent of MOD 1.	Still within 3 years from date of MOD 1 (August 2018).	Not triggered	
	<b>LAPSING OF CONSENT</b>			
B8	This consent shall lapse on 1 December 2018 unless any part of the Project is physically commenced (within the meaning of section 95 of the EP&A Act) on or before that day, in accordance with any consent or development consent, on the Land to which the consent or consent relates.	Consent still valid	Not triggered	
	<b>SURRENDER OF EXISTING DEVELOPMENT CONSENTS</b>			
B9	Within six (6) months of ceasing refining operations, or as otherwise agreed in writing by the Secretary, the Applicant shall surrender all existing development consents for the site listed in Appendix B in accordance with Clause 97 of the EP&A Regulation.	Sighted Surrender Letters to DPE and Sutherland Shire Council (March 2016) and confirmation letters.	Compliant	
B10	Within six (6) months of the issue of a Compliance Certificate or Occupation Certificate for the following development consents, or as otherwise agreed in writing by the Secretary, the Applicant shall surrender these consents in accordance with Clause 97 of the EP&A Regulation. (a) DA 13/0195 – Stormwater Drainage Upgrade; and (b) DA 12/0238 – Construction of a switch room.	DA 13/0195 surrendered August 2015; DA 12/0238 surrendered October 2015	Compliant	
B11	Nothing in this consent alters or modifies the following development consents: (a) SSD 5353 – Port and Berthing Works; (b) DA 13/0335 – Construction and operation of a Bio-Pile Pilot Trial to treat Hydrocarbon impacted soils; (c) DA 09/840 – Jet Fuel Remediation; and (d) DA 11/1090 – Remediation of Limestone Pits."	Statement	Note	
	<b>STATUTORY REQUIREMENTS</b>			
B12	The Applicant shall 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.	Sampled currency of EPL (March 2017) and MHF License application in progress.	Compliant	
	<b>AMENDED ENVIRONMENT PROTECTION LICENCE (EPL) REQUIREMENT</b>			
B13	Prior to the commencement of construction, the Applicant must apply to the EPA to vary the Environment Protection Licence (EPL) for the Kurnell Refinery (Licence No. 837) to permit the Development.	Verified last IEA LRQA MEL400225/2 (April 2016). Continued with current license (March 2017).	Compliant	
B13A	The Applicant shall apply to the EPA to vary the EPL if additional scheduled activities are required to be undertaken as result of the	Sighted License variation March 2016 & March 2017. Primarily to include Soil Regeneration Facility (A1.1),	Compliant	

	demolition works.	inclusion of waste type of petroleum hydrocarbon contaminated soil (L4.1), new offensive odour condition (L6.1) and Bio-Pile Trial removed and added to the completed special conditions table. Noted that these were not specifically related to demolition works.		
	<b>STRUCTURAL ADEQUACY</b>			
B14	The Applicant shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures are constructed in accordance with the relevant requirements of the BCA. Notes: Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.	Condition deleted as in B15	Not triggered	
B15	Condition deleted in MOD 1	Statement	Note	
	<b>OPERATION OF PLANT AND EQUIPMENT</b>			
B16	The Applicant shall ensure that all plant and equipment used for the Development is: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.	Covered as contract item that IDES and their contractors have registered and maintained equipment – sighted standard Caltex contract terms and conditions covering this. Sighted weekly IDES equipment inspection records monthly OHSE Reports, plant & machinery compliance records (2016 / 2017 period). Also covered in Caltex EMPs and IDES EMP. Overall requirements communicated; records of implementation sighted.	Compliant	
B16A	The cooling water outlet pipeline shall be removed from beneath Silver Beach north of Prince Charles Parade and up to 20 metres seaward from the low tide mark in Botany Bay as shown in Appendix A of this consent.	Staged process – refer comments in B16A. Stage I management plan approved (March 2017) and completed. Stages II under review and Stage III under development.	Compliant	
	<b>PROTECTION OF PUBLIC INFRASTRUCTURE</b>			
B17	Prior to the commencement of construction, the Applicant shall: (a) prepare a dilapidation report of the public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and (b) submit a copy of this report to the Secretary and Council.	Verified last IEA LRQA MEL4000225/2 (April 2016).	Compliant	
B17A	Prior to the commencement of demolition works, the Applicant shall: (a) prepare a dilapidation report of the public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and (b) submit a copy of this report to the Secretary and Council.	Sighted Dilapidation Report (September 2015) and submission document (to DPE) September 2015.	Compliant	
B18	The Applicant shall: (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and (b) relocate, or pay the full costs associated with relocating, any public	Sighted three community complaints (July 2017) for damages and entered into Caltex LPS and investigated and accepted by Caltex Contract Resources. Repairs still pending completion of works in that area.	Compliant	

	infrastructure that needs to be relocated as a result of the development.	Compliant at this stage of the process.		
	<b>STAGED SUBMISSION OF PLANS OR PROGRAMS</b>			
B19	<p>With the approval of the Secretary, the Applicant may:</p> <p>(a) submit any strategy, plan or program required by this consent on a progressive basis; and/or</p> <p>(b) combine any strategy, plan or program required by this consent.</p> <p>Notes:</p> <ul style="list-style-type: none"> <li>· If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program shall clearly describe the specific stage to which the strategy, plan or program applies, the relationship of this stage to any future stages and the trigger for updating the strategy, plan or program.</li> <li>· There must be a clear relationship between the strategy, plan or program that are to be combined."</li> </ul>	<p>Approval for Staged Submission of Management Plans (DPE Letter September 2015).</p> <p>Cooling Water Line Removal (B16A) proposed via a staged process:</p> <ul style="list-style-type: none"> <li>• Stage I: pipeline through Caltex property (approved June 2017 and completed)</li> <li>• Stage II: from final pit over the beach and into the bay (underwater): plan in development</li> <li>• Stage III: remove under-road section of pipeline (submitted to Council under review)</li> </ul> <p>Sighted DPE Approval of staged approach (March 2017)</p> <p>Sighted DPE Approval (July 2017) for staged submission of the final Terminal OEMP including Caltex submission (June 2017).</p> <p>Sighted submission and approval of Stage 1 Interim OEMP. Stage 2 OEMP due 1 month prior to completion of demolition (will be in 2018).</p> <p>Noted communications between Caltex and DPE on initial submission dates – dispatch and receipt discrepancies. Issue resolved between parties.</p>	Compliant	
	<b>DISPUTE RESOLUTION</b>			
B20	In the event that a dispute arises between the Applicant and Council or a public authority other than the Department, in relation to a specification or requirement applicable under this consent, the matter must be referred by either party to the Secretary, or if not resolved, to the Minister, whose determination of the dispute shall be final and binding to all parties. For the purpose of this condition, 'public authority' has the same meaning as provided under Section 4 of the Act.	No records of such disputes August 2016 – August 2017 and no evidence observed during this audit to indicate otherwise.	Compliant	
B21	The Applicant shall ensure that employees, contractors and sub-contractors are aware of, and comply with, the conditions of this consent relevant to their respective activities.	The Kurnell site induction covers relevant impacts and mitigation. For more detailed communication of Consent Conditions this is done via the DEMP and sub-plans. Also sighted IDES Environmental Site Management Plan (February 2015) approved by Caltex. Caltex terms and conditions include compliance with EMPs.	Compliant	
B22	The Applicant shall be responsible for environmental impacts resulting from the actions of all persons that it invites onto the site, including	Statement	Note	

	contractors, sub-contractors and visitors.																		
<b>HAZARDS AND RISKS</b>																			
<b>Terms of Approval</b>																			
C1	The Applicant shall: (a) carry out the Development in accordance with the PHA; (b) implement all control measures proposed in the PHA; (c) implement all actions proposed by Caltex in response to the recommendations from the Buncefield incident investigation report (Kurnell Buncefield Review - Final, submitted to the Department May 2013). (d) implement all proposed actions listed in Caltex's response to the Department's requests for additional information and clarifications (Caltex Response to D&I Queries of Caltex Submitted QRA - August 2013).	Verified last IEA LRQA MEL4000225/2 (April 2016).	Compliant																
C1A	The Applicant shall implement the recommendations in section 6 of the document titled <i>Hazard and Risk Analysis</i> of the proposed <i>Caltex Kurnell Refinery Demolition Works</i> (HRA), prepared by Planager Pty Ltd and enclosed in Appendix B of the SEE.	Sighted tracking and completion of recommendations in Section 6 i.e. the 5 scenarios. Submitted to DPE (Submission Letter July 2016) and DPE approval letter (December 2016).	Compliant																
<b>Demolition</b>																			
C1B	The Applicant shall ensure that relevant demolition work associated with the development is carried out in accordance with Australian Standard AS 2601:2001: The Demolition of Structures, or its latest version and the requirements of the <i>Work Health and safety Regulation 2011</i> .	Sighted Kurnell Demolition Work Agreement (July 2015) that requires compliance to relevant Australian Standards (ASs) and the Caltex Safety Management Plan section 3.5 refers to the SafeWork Demolition requirements.). IDES SEMP refers to compliance with WHS Regulations and section 24 refers to compliance to AS 2601 and other applicable ASs.	Compliant																
C1C	The Applicant shall ensure that major demolition works as defined under the <i>Work Health and safety Regulation 2011</i> are undertaken by licensed demolition experts.	Sighted SafeWork NSW Demolition License (May 2017) for IDES including list of approved supervisors (confirmed applicable supervisor on site).	Compliant																
<b>Commissioning</b>																			
C2	The Applicant shall commission the development in accordance with Table 1 below: <table border="1" data-bbox="212 1212 907 1412"> <thead> <tr> <th>System Description</th> <th>Estimated Commencement of Commissioning</th> <th>Estimated Commencement of Operation of System</th> </tr> </thead> <tbody> <tr> <td>Jet</td> <td>1 March 2014</td> <td>1 June 2014</td> </tr> <tr> <td>Diesel</td> <td>1 April 2014</td> <td>1 July 2014</td> </tr> <tr> <td>Gasoline</td> <td>1 May 2014</td> <td>1 August 2014</td> </tr> <tr> <td>Slop</td> <td>1 May 2014</td> <td>1 August 2014</td> </tr> </tbody> </table>	System Description	Estimated Commencement of Commissioning	Estimated Commencement of Operation of System	Jet	1 March 2014	1 June 2014	Diesel	1 April 2014	1 July 2014	Gasoline	1 May 2014	1 August 2014	Slop	1 May 2014	1 August 2014	All four systems were operational December 2015.	Compliant	
System Description	Estimated Commencement of Commissioning	Estimated Commencement of Operation of System																	
Jet	1 March 2014	1 June 2014																	
Diesel	1 April 2014	1 July 2014																	
Gasoline	1 May 2014	1 August 2014																	
Slop	1 May 2014	1 August 2014																	

	<b>Pre-construction</b>		
C3	<p>At least one month prior to the commencement of construction of the proposed Development (except for construction of those preliminary works that are outside the scope of the hazard studies), or within such further period as the Secretary may agree, the Applicant shall prepare, in consultation with WorkCover NSW, and submit for the approval of the Secretary, the studies set out under subsections (a) to (d) (the pre-construction studies) of this Condition. Construction, other than for preliminary works, shall not commence until approval has been given by the Secretary and, with respect to the Fire Safety Study, approval has also been given by Fire and Rescue NSW.</p> <p>(a) <u>Construction Safety Study</u> A Construction Safety Study, consistent with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 7, 'Construction Safety'. For developments in which the construction period exceeds six (6) months, the commissioning portion of the Construction Safety Study may be submitted two months prior to the commencement of commissioning.</p> <p>(b) <u>Fire Safety Study</u> A Fire Safety Study for the proposed Development. This study shall cover the relevant aspects of the Department of Planning's Hazardous Industry Planning Advisory Paper No. 2, 'Fire Safety Study Guidelines' and the New South Wales Government's 'Best Practice Guidelines for Contaminated Water Retention and Treatment Systems'. The study shall also be submitted for approval to Fire and Rescue NSW.</p> <p>(c) <u>Hazard and Operability Study</u> A Hazard and Operability Study for the proposed Development, chaired by an independent qualified person. The study shall be consistent with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 8, 'HAZOP Guidelines'. The study report must be accompanied by a program for the implementation of all recommendations made in the report. If the Applicant intends to defer the implementation of a recommendation, reasons must be documented.</p> <p>(d) <u>Final Hazard Analysis</u> A Final Hazard Analysis of the proposed Development, consistent with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 6, 'Hazard Analysis'. The FHA shall re-evaluate and confirm all relevant data and assumptions from the Preliminary Hazard Analysis."</p>	Verified last IEA LRQA MEL4000225/2 (April 2016).	Compliant
	<b>Pre-Demolition</b>		

C3A	<p>At least one month prior to the commencement of demolition works (except for those preliminary works that are outside the scope of the hazard studies), or within such further period as the Secretary may agree, the Applicant shall prepare and submit for the approval of the Secretary the studies set out under subsections (a) to (b). Demolition, other than of preliminary works, shall not commence until approval has been given by the Secretary.</p> <p>(a) <u>FIRE WATER SYSTEM REVIEW</u> A review of the Firewater System to detail which parts of the system will be removed and/or retained. This review shall include a list of measures that will be implemented to ensure that the firefighting capabilities of the Caltex Terminal will not be compromised during or as a result of the demolition works.</p> <p>(b) <u>DEMOLITION SAFETY STUDY</u> The study shall report on the status of implementation of the recommendation outlined in the HRA for the demolition works, enclosed as Appendix B of the SEE. The study shall include examples of the hazards control plans developed for high risk activities and task based risk assessments of the process safety related hazards.</p>	<p>Sighted submission and DPE approval (December 2016) of:</p> <ul style="list-style-type: none"> <li>• Fire Water System Review</li> <li>• Demolition Safety Study</li> </ul> <p>Fire Water System maintained by Chubb as part of the Terminal OEMP (sighted evidence). Other recommendation as per C1A – sighted meeting minutes and scenario records.</p> <p><b>Note: demolition had already started prior to submission and approval. Thus non-compliant with the timeframe required; all plans subsequently approved.</b></p>	<p><b>Non-compliant</b> <b>Administrative</b></p>	<p>No further recommendation as subsequent submissions of management plans has been within timeframes.</p>
<b>Pre-commissioning</b>				
C4	<p>The Applicant shall develop, in consultation with WorkCover NSW, and implement the plans and systems set out under subsections (a) to (b) of this Condition. No later than two months prior to the commencement of commissioning of the proposed Development, or within such further period as the Secretary may agree, the Applicant shall submit, for the approval of the Secretary, documentation describing those plans and systems. Commissioning shall not commence until approval has been given by the Secretary.</p> <p>(a) <u>Emergency Plan</u> A comprehensive Emergency Plan and detailed emergency procedures for the proposed Development. This plan shall include consideration of the safety of all people outside of the Development who may be at risk from the Development. The plan shall be consistent with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning'.</p> <p>(b) <u>Safety Management System</u> A document setting out a comprehensive Safety Management System, covering all on-site operations and associated transport activities involving hazardous materials. The document shall clearly specify all safety related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to the procedures. Records shall be kept on-site and shall be available for inspection by the Secretary upon request. The Safety Management System shall be consistent with the</p>	<p>Verified last IEA LRQA MEL4000225/2 (April 2016).</p>	<p>Compliant</p>	

	<p>Department of Planning's Hazardous Industry Planning Advisory Paper No. 9, 'Safety Management'.</p> <p>An inspection, testing and preventive maintenance program should be developed, implemented and maintained to ensure the reliability and availability of the key safety critical equipment is, at a minimum, consistent with the data estimated in the PHA.</p>			
C4A	<p>No later than one month prior to the commencement of the demolition works, or within such a further period as the Secretary may agree, the Applicant shall submit for the approval of the Secretary an updated Emergency Plan and detailed emergency procedures. The plan shall be in accordance with the Department of Planning's Hazardous Industry Planning Advisory Paper No.1 'Industry Emergency Planning Guidelines' and shall provide information of the emergency arrangements during the demolition works.</p>	<p>Sighted updated Kurnell Terminal Transition Emergency Response Plan (November 2014) and approval by DPE (October 2015).</p>	Compliant	
C5	<p>Prior to the Commencement of commissioning the first asset within each system (see Condition C2), the Applicant shall submit a Pre-Commissioning Plan and Pre-Startup Safety Review Checklists to the Secretary.</p>	<p>Verified last IEA LRQA MEL4000225/2 (April 2016).</p>	Compliant	
	<b>Pre-Startup</b>			
C6	<p><u>Pre-Startup Compliance Report</u> One month prior to the commencement of operation of the first asset in each of the four systems (see Condition C2), the Applicant shall submit to the Secretary, a report detailing compliance with Conditions C3, C4 and C5 of this consent. The report shall be prepared in consultation with WorkCover NSW, and shall include:</p> <p>(a) dates of study/plan/system submission, approval, commencement of construction and commissioning;</p> <p>(b) actions taken or proposed, to implement the recommendations and safety-related control measures in the studies/plans/systems; and</p> <p>(c) responses to each requirement imposed by the Secretary under Condition C7 of this consent.</p> <p><i>Note: Compliance with Condition C4 may not be achievable until after such time as the documentation describing the plans and systems required under that condition have been developed. A subsequent report may therefore be required to be prepared and submitted after the documentation required by Condition C4 has been developed.</i></p>	<p>Verified last IEA LRQA MEL4000225/2 (April 2016).</p>	Compliant	
	<b>Post-Startup</b>			
C7	<p><u>Post-Startup Compliance Report</u> Three months after the refinery process units shut down, the Applicant shall submit to the Secretary, a report that has been prepared in consultation with WorkCover NSW verifying that:</p> <p>(a) the Emergency Plan required under Condition C4(a) is effectively in</p>	<p>Sighted evidence of a report submitted to the DPE (March 2015) that included evidence of:</p> <ul style="list-style-type: none"> <li>• Kurnell Transition Emergency Response Plan) approved by Fire and Rescue (FRNSW) and the NSW Rural Fire Service (NSW RFS).</li> </ul>	Compliant	

	<p>place and that at least one emergency exercise has been conducted; and (b) the Safety Management System required under Condition C4 (b) has been fully implemented and that records required by the system are being kept.</p> <p>The report shall be prepared in consultation with WorkCover NSW.</p>	<ul style="list-style-type: none"> <li>• Desktop exercise involving FRNSW and NSW RFS on 21<sup>st</sup> January 2016.</li> <li>• Meetings with WorkCover MHF team on the Safety management System.</li> </ul>		
C7A	<p><u>Fire Safety Study Review</u></p> <p>One month prior to the completion of demolition works, or within such further period as the Secretary may agree, the Applicant shall submit for the approval of the Secretary, a revised Fire Safety Study for the Caltex Terminal. This study shall cover the relevant aspects of the Department's <i>Hazardous Industry Planning Advisory Paper No. 2, 'Fire Safety Study Guidelines'</i> and the <i>New South Wales Government's Best Practice Guidelines for Contaminated Water Retention and Treatment Systems.</i> The study shall also be submitted to NSW Fire and Rescue for approval.</p>	Demolition still in progress. Has been scheduled for May 2018.	Not triggered.	
C8	<p><u>Hazard Audit</u></p> <p>Twelve months after all four systems being fully operational and every three years thereafter, or at such intervals as the Secretary may agree, the Applicant shall carry out a comprehensive Hazard Audit of the proposed Development and within one month of each audit submit a report to the Secretary.</p> <p>The audits shall be carried out at the Applicant's expense by a qualified person or team, independent of the Development, approved by the Secretary prior to commencement of each audit. Hazard Audits shall be consistent with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 5, 'Hazard Audit Guidelines' (HIPAP No. 5).</p> <p>The audit reports shall, in addition to the requirements provided in HIPAP No 5:</p> <p>(a) verify implementation of all actions proposed by Caltex in response to the recommendations from the Buncefield incident investigation report (Kurnell Buncefield Review - Final, submitted to the Department May 2013).</p> <p>(b) verify implementation of all actions listed in Caltex's response to the Department's requests for additional information and clarifications (Caltex Response to DP&amp;I Queries of Caltex Submitted QRA - August 2013)</p> <p>(c) confirm that the throughput and storage quantities of potentially hazardous materials are consistent with the PHA.</p> <p>(d) verify that an inspection, testing and preventative maintenance program has been developed, implemented and maintained to ensure the reliability and availability of the key safety critical equipment.</p> <p>(e) verify implementation of any measures arising from the reports submitted in respect of Conditions C2 to C5 of this consent.</p>	<p>Sighted evidence of Hazard Audit (October 2015) and subsequent tracking of recommendations / actions in Cintellate. Scope of audit and objectives applicable.</p> <p>Approval of auditor letter sighted from DPE. Audit report and proposed actions submitted to DPE and DPE Response (Jan. 2016).</p>	Compliant	

	The audit report must be accompanied by a program for the implementation of all recommendations made in the audit report. If the Applicant intends to defer the implementation of a recommendation, reasons must be documented.			
C9	<p><u>Further Requirements</u></p> <p>The Applicant shall comply with all reasonable requirements of the Secretary in respect of the implementation of any measures arising from the reports submitted in respect of Conditions C2 to C8 of this consent inclusive, within such time as the Secretary may agree.</p>	No issues observed with respect to this; sampled DPE correspondence and approvals.	Compliant	
	<b>Fire Risk Management During Demolition</b>			
C9A	<p>The Applicant shall:</p> <ol style="list-style-type: none"> <li>ensure the emergency procedures detailed in condition 9A, address and mitigate, as far as reasonably practical, the consequences of potential fire and hazmat incidents during demolition works and the potential health risks to firefighters undertaking emergency operations in relation to foreseeable fire/hazmat scenarios;</li> <li>ensure two copies of the emergency procedures detailed in condition a) above are located in demolition areas;</li> <li>ensure appropriate first aid firefighting equipment is provided on site;</li> <li>ensure that plant operators and demolition contractors are trained to undertake first aid firefighting in the event of an incident; and</li> <li>ensure that comprehensive and specific risk control measures are developed and implemented for Scenario 5 detailed in Table 3, Section 4 of the HAZDEM. The control measures developed must incorporate comprehensive training of demolition contractors in regard to the requirements for the control of ignition sources at the site.</li> </ol>	<p>Sighted latest Kurnell Terminal Transition Emergency Response Plan (August 2016).</p> <p>Sighted two copies in the demolition area. Sighted first aid firefighting equipment on site.</p> <p>First aid firefighting is covered within the Kurnell site induction that all operators and contractors must complete to work on site. Verified this is included. Access to site is controlled at gatehouse and also in demolition area by IDES.</p> <p>Training on ignition sources is covered in both Caltex induction material and IDES contractor induction material.</p>	Compliant	
	<b>SOIL AND WATER</b>			
	<b>Discharge of Water</b>			
C10	The Development shall comply with section 120 of the Protection of the Environment Operations Act 1997, which prohibits the pollution of waters, except as expressly provided in an EPL.	Reviewed EPA Annual Returns and Annual Review Environmental Performance SSD 5544 (December 2016) and Caltex Incident Reports relating to aqueous effluent discharges and stormwater releases. None were associated with demolition activities described in this Consent.	Compliant	
	<b>Erosion and Sediment Control</b>			
C11	During the construction and demolition works associated with the Development, the Applicant shall implement suitable erosion and sediment control measures on-site, in accordance with the relevant	Sighted Soil & Water Management Plan (September 2015). Covers excavation, stockpiling, backfilling and rehabilitation, groundwater, asbestos in soil, contaminants	Compliant	

	requirements in the latest version of the Managing Urban Stormwater: Soils and Construction Guideline and the relevant Management and Mitigation measures contained within Appendix C of this consent.	in soil including acid sulfate soils (if applicable). Compliance to the plan is monitored via: <ul style="list-style-type: none"> <li>• Daily excavation check sheets</li> <li>• Monthly environmental inspection checksheets</li> <li>• Caltex internal audits (approx.. bi-monthly for each plan)</li> <li>• IDES weekly site inspection checksheets</li> <li>• IDES OHSE monthly reports</li> </ul> Sampled records of all above items August 2016 - August 2017.		
	<b>Imported Soil</b>			
C11A	The Applicant shall: <ol style="list-style-type: none"> <li>ensure that only VENM or any other material approved in writing by the EPA issued as fill in the Eastern ROW and Western ROW;</li> <li>ensure that the material used as backfill for Solver Beach is of similar grain size and colour characteristics;</li> <li>be permitted to use only VENM or any other material that meets all of the conditions of a Resource Recovery Order issued by the EPA under the <i>Protection of the Environment Operations (Waste) Regulation 2014</i> for use in the Caltex Terminal.</li> <li>ensure that any VENM or other materials used by the Applicant are fit for purpose and are only used as specified by the relevant Resource Recovery Exemption issued by the EPA.</li> <li>keep accurate records of the volume and type of fill to be used; and</li> <li>make these records available to the Department upon request.</li> </ol>	Sighted following evidence: <ul style="list-style-type: none"> <li>• listing of all VENM deliveries (source address, loads, traceability to soil certificates)</li> <li>• MANNNS Earthmoving EMP for Supply 40,000m<sup>3</sup> VENM material to CLOR stockpile area -Civil Works (January 2017)</li> </ul> Sampled loads back to source and soil certificate.	Compliant	
C11B	During demolition works, the Applicant shall implement erosion and sediment control measures for managing temporary stockpiles, in accordance with the relevant requirements in the latest version of the <i>Managing Urban Stormwater: Soils and Construction - Volume 1</i> and the relevant Management and Mitigation measures contained within Appendix C of this consent.	Sighted Soil & Water Management Plan (September 2015) and covers temporary stockpiles. Compliance to the plan is monitored via: <ul style="list-style-type: none"> <li>• Daily excavation check sheets</li> <li>• Excavation certificates (IDES)</li> <li>• Monthly environmental inspection check sheets</li> <li>• Caltex internal audits (approx.. bi-monthly for each plan)</li> <li>• IDES weekly site inspection check sheets</li> <li>• IDES OHSE monthly reports</li> </ul> Sampled records of all above items August 2016 - August 2017. Site tour at time of this audit + site tours at time LRQA ISO 14001 audits (June 2017, September 2016). Apart from some minor house=keeping items, no	Compliant	

		significant issues of concern observed or recorded in the audits and inspections.		
	<b>Water Management Plan</b>			
C12	<p>The Applicant shall prepare and implement a Water Management Plan for the Development to the satisfaction of the Secretary. This plan must:</p> <ul style="list-style-type: none"> <li>(a) be prepared in consultation with the EPA;</li> <li>(b) be approved by the Secretary (refer to Conditions D1 and D2 for timing);</li> <li>(c) In addition to the standard requirements for management plans (see Condition D3), this plan must include a Surface Water Management Plan, that: <ul style="list-style-type: none"> <li>· includes a description of the water management system on site, including the: <ul style="list-style-type: none"> <li>• stormwater system; and,</li> <li>• oily water / wastewater system.</li> <li>• includes plans for the above two components of the systems:</li> <li>• demonstrates compliance with any requirements of the EPL and/or the EPA.</li> </ul> </li> </ul> </li> </ul>	Verified last IEA LRQA MEL4000225/2 (April 2016).	Compliant	
C12A	<p>The Applicant shall update and implement the Soil and Water Management Plan for demolition works to the satisfaction of the Secretary. This plan is to update the plan approved under condition C12 and shall also:</p> <ul style="list-style-type: none"> <li>(a) be submitted to the Secretary for approval (See condition D1A for timing);</li> <li>(b) include a description of soil and water issues associated with the demolition works;</li> <li>(c) include measures for managing soils that are excavated and stockpiled on site including erosion and sediment control measures for stockpiles and disturbed areas;</li> <li>(d) include details of water management and monitoring requirements during demolition works; and</li> <li>(e) include procedures for corrective action in the event that potential contaminants of concern are identified in the groundwater from the quarterly groundwater monitoring program.</li> </ul>	<p>Soil and Water Management Plan (S&amp;WMP) updated for demolition works (September 2015) and approved by DPE September 2015 (sighted DPE Letter).</p> <p>Sighted Soil &amp; Water Management Plan (September 2015). Covers excavation, stockpiling, backfilling and rehabilitation, surface water management, existing stormwater, groundwater, asbestos in soil, contaminants in soil including acid sulfate soils (if applicable). Includes corrective action protocols.</p> <p>Reviewed groundwater monitoring (quarterly) May 2016, November 2016, May 2017 - no impacts from demolition requiring corrective actions.</p>	Compliant	
	<b>Groundwater</b>			
C13	<p>In the event that groundwater is intersected during construction and demolition works the Applicant shall:</p> <ul style="list-style-type: none"> <li>(a) obtain the necessary water related approvals from NOW;</li> <li>(b) develop a Groundwater Management Plan for the testing, dewatering, storage, movement and treatment of any groundwater in consultation with the NOW, to the satisfaction</li> </ul>	<p>S&amp;WMP section 5.3 describes actions required.</p> <p>Groundwater was intersected (February 2017) but there was no extraction and / or disposal.</p> <p>The groundwater was analysed and no contamination identified. Sighted laboratory result.</p>	Compliant	

	of the Secretary.			
	<b>Acid Sulphate Soils (ASS) Management Plan</b>			
C14	<p>If Acid Sulfate Soils (ASS) are encountered during construction and demolition works, the Applicant shall take steps to prevent further oxidation of exposed ASS and will cease all work until an ASS Management Plan is prepared for the Development to the satisfaction of the Secretary. This Plan must:</p> <ul style="list-style-type: none"> <li>(a) be prepared in consultation with the EPA and Council by a suitably qualified and experienced expert;</li> <li>(b) be approved by the Secretary prior to the continuation of any excavation works;</li> <li>(c) outline the investigations that have been undertaken to test for the presence of ASS in accordance with the NSW State Government's Acid Sulphate Soils Manual (ASSMAC 1998);</li> <li>(d) detail the protocols to be put in place and followed;</li> <li>(e) detail how the ASS will be tested, handled and stockpiled;</li> <li>(f) detail measures to prevent erosion and sedimentation of ASS; and, if necessary</li> <li>(g) outline how the ASS will be disposed of off-site (e.g. at a licensed facility).</li> </ul>	Advised by Caltex that no Acid Sulfate Soils have been encountered. There was no evidence sighted to indicate otherwise.	Not triggered.	
	<b>Contamination Management</b>			
C15	<p>The Applicant shall prepare and implement a Contamination Management Plan for the Development prior to commencement of construction. The Plan shall:</p> <ul style="list-style-type: none"> <li>(a) be prepared in consultation with the EPA and NSW Health;</li> <li>(b) be to the satisfaction of the Secretary (refer to Condition D1 for timing);</li> <li>(c) outline measures for managing potentially contaminated soil and groundwater, including soil testing, classification, handling, storing and disposal;</li> <li>(d) detail the measures that will be employed to prevent erosion and sedimentation of contaminated soil;</li> <li>(e) detail measures for periodically testing surface water run-off that may accumulate during excavation works for elevated levels of contamination, with any water that is found to have elevated levels of contaminants being disposed of via the on-site Wastewater Treatment Plant.</li> <li>(f) detail measures for managing asbestos encountered during works, including disturbances of soil and release of asbestos into the air;</li> <li>(g) outline how contaminated soil and water would be classified and disposed of in accordance with the <i>Protection of the Environment Operations Act 1997</i> and associated regulations and characterised in accordance with the <i>EPA's Waste Classification</i></li> </ul>	Verified last IEA LRQA MEL4000225/2 (April 2016).	Compliant	

	<p><i>Guidelines.</i></p> <p>g) Detail how the storage ,disposal and transport of asbestos waste would be undertaken in with the Protection of the Environment Operations (Waste) regulations ; and</p> <p>h) assess any likely impact on existing remediation projects and, if any impacts are identified, provide details as to the measure that shall be taken to reduce or avoid that impact.</p>															
C15A	<p>The Applicant shall update and implement the Contamination Management Plan for the demolition works to the satisfaction of the Secretary. This plan is to update the plan approved under condition C15 and shall also:</p> <p>a) be submitted to the Secretary for approval (See condition D1A for timing);</p> <p>b) detail measures for the identification and monitoring of potentially contaminated soils and groundwater including the use of excavation visual and olfactory indicators; and</p> <p>c) include measures for managing potentially contaminated soils and groundwater during ground disturbance and excavation works.</p>	<p>The updated demolition S&amp;WMP incorporated the Contamination Management Plan, Acid Sulfate Solid Management Plan and Groundwater Management Plan. Approved by DPE (sighted approval letter September 2015). S&amp;WMP covers applicable measures referenced.</p>	Compliant													
<b>Asbestos Management</b>																
C15B	<p>The Applicant shall ensure that any asbestos encountered during the demolition works is monitored, handled, transported and disposed of by appropriately qualified and licensed contractors in accordance with requirements of Workcover and relevant guidelines, including:</p> <p>a) <i>Work Health and Safety Regulation 2011;</i></p> <p>b) <i>Model Code of Practice – How to Manage and Control Asbestos in the Workplace, 2011 Safe Work Australia</i></p> <p>c) <i>Model Code of Practice – How to Safely Remove Asbestos, 2011 Safe Work Australia; and</i></p> <p>d) <i>Protection of the Environment (Waste) Regulation 2005.</i></p>	<p>S&amp;WMP section 5.4 covers asbestos in soil.</p> <p>Sampled following records of implementation:</p> <ul style="list-style-type: none"> <li>• Asbestos register for the demolition project</li> <li>• ACM surveys</li> <li>• EPA waste transport certificates / evidence of restricted waste disposal</li> <li>• Asbestos clearance certificates (after removal)</li> <li>• Certificates of analysis</li> <li>• Licensed asbestos removalist (sighted license of Giovenco)</li> </ul>	Compliant													
<b>NOISE AND VIBRATION</b>																
<b>Construction Noise Limits</b>																
C16	<p>The Applicant shall ensure that the construction noise generated by the development does not exceed the criteria in Table 2 below.</p> <p><i>Table 2: Construction Noise Criteria (dB(A))</i></p> <table border="1" data-bbox="212 1252 913 1441"> <thead> <tr> <th>Location</th> <th>Day LA<sub>eq</sub> (15min)</th> <th>Evening LA<sub>eq</sub> (15 min)</th> </tr> </thead> <tbody> <tr> <td>R2-30D Cook Street</td> <td>46</td> <td>40</td> </tr> <tr> <td>At any other residence or other noise sensitive receiver</td> <td>50</td> <td>45</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Location	Day LA <sub>eq</sub> (15min)	Evening LA <sub>eq</sub> (15 min)	R2-30D Cook Street	46	40	At any other residence or other noise sensitive receiver	50	45				<p>Verified last IEA LRQA MEL4000225/2 (April 2016). Conversion completed May 2016.</p>	Compliant	
Location	Day LA <sub>eq</sub> (15min)	Evening LA <sub>eq</sub> (15 min)														
R2-30D Cook Street	46	40														
At any other residence or other noise sensitive receiver	50	45														

	<b>Operational Noise Limits</b>															
C17	<p>The Applicant shall ensure that the operational noise generated by the Development does not exceed the Criteria for residential receivers are summarised in Table 3 below:</p> <p><i>Table 3: Operational Noise Limits dB(A)</i></p> <table border="1"> <thead> <tr> <th>Location</th> <th>Day L<sub>Aeq</sub>(15min)</th> <th>Evening L<sub>Aeq</sub>(15min)</th> <th>Night L<sub>Aeq</sub>(15min)</th> <th>Night L<sub>Amax</sub></th> </tr> </thead> <tbody> <tr> <td>At any private residential receiver</td> <td>60</td> <td>50</td> <td>50</td> <td>55</td> </tr> </tbody> </table> <p>Notes:</p> <ul style="list-style-type: none"> <li>To identify a residential receiver location, refer to Appendix F of the EIS</li> <li>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</li> <li>These criteria have been developed for this specific Development, however it is recognised that the site is zoned for heavy industrial purpose and that ultimately the amenity of the area should be controlled by the criteria contained in Table 2.1 of the Industrial Noise Policy.</li> </ul>	Location	Day L <sub>Aeq</sub> (15min)	Evening L <sub>Aeq</sub> (15min)	Night L <sub>Aeq</sub> (15min)	Night L <sub>Amax</sub>	At any private residential receiver	60	50	50	55	<p>The IEA team were not able to collect sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied / or nor complied with within the scope of the audit. The data available is supportive of compliance (external expert opinion) but not conclusive.</p> <p>Sighted noise monitoring data (Noise Monitoring Log including extraneous noise at the time) for 2016 / 2017 ytd. It is noted that the L<sub>Aeq</sub>(15 min) levels are regularly recorded as above the Limits specified in this Condition. This also applies to background levels where no demolition works are active (readings sighted for June 2016 as background data).</p> <p>An external noise consultant (Wilkinson Murray Pty Ltd) was engaged to undertake attended noise measurements during demolition works and evaluate compliance with the approved noise limits. The conclusion in the report (March 2017) was that, in most instances, levels were controlled by extraneous noise sources and "therefore these levels do not represent noise generated by the Caltex demolition activities".</p> <p>It is also noted that no community noise complaints have been attributed to the demolition activities - all were allocated otherwise by the Terminal Operations.</p>	Not verified			
Location	Day L <sub>Aeq</sub> (15min)	Evening L <sub>Aeq</sub> (15min)	Night L <sub>Aeq</sub> (15min)	Night L <sub>Amax</sub>												
At any private residential receiver	60	50	50	55												
	<b>Hours of Construction and Operation</b>															
C18	<p>With exception of the works identified in conditions C19 and C20, the Applicant shall comply with the hours detailed in table 4.</p> <p><i>Table 4: Construction, Demolition &amp; Operation Hours</i></p> <table border="1"> <thead> <tr> <th>Activity</th> <th>Day</th> <th>Time</th> </tr> </thead> <tbody> <tr> <td>Construction</td> <td>Monday - Sunday</td> <td>7.00am - 10.00pm</td> </tr> <tr> <td>Demolition</td> <td>Monday - Sunday</td> <td>7.00am - 10.00pm</td> </tr> <tr> <td>Operation</td> <td>Monday - Sunday</td> <td>7.00am - 10.00pm</td> </tr> </tbody> </table>	Activity	Day	Time	Construction	Monday - Sunday	7.00am - 10.00pm	Demolition	Monday - Sunday	7.00am - 10.00pm	Operation	Monday - Sunday	7.00am - 10.00pm	<p>Specified in the DEMP and also the Noise and Vibration Management Plan. Communicated via induction (Caltex and IDES), notice boards and also by the permit to work system. Sighted supporting evidence.</p> <p>No evidence to indicate that working hours were not adhered to; no community complaints recorded that related to this issue for this development.</p>	Compliant.	
Activity	Day	Time														
Construction	Monday - Sunday	7.00am - 10.00pm														
Demolition	Monday - Sunday	7.00am - 10.00pm														
Operation	Monday - Sunday	7.00am - 10.00pm														

C19	High noise generating construction and demolition works, including the pipeline removal works within the Eastern and Western Right of Ways, shall be confined to less sensitive times of the day, and shall not be undertaken on Sundays or public holidays or outside of the hours 7.00am and 6.00pm Monday to Saturday.	Communicated as above.  Caltex Support Operations staff issue work permits for high noise generating works and this ensures hours of work are complied with. Sighted evidence of such permits for collapse of F10 (2.9.17) , operation of concrete crusher (1.9.17)	Compliant	
C20	Construction works outside of the work hours identified in condition C18 above may be undertaken in the following circumstances: (a) works that are inaudible at nearest sensitive land receivers; (b) works that are consistent with Caltex's existing maintenance procedures and are in accordance with the existing EPL; (c) works agreed to in writing by the EPA or the Department; (d) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or (e) where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm.	Caltex advised that no work was conducted outside the hours specified. There was no evidence observed to indicate otherwise.	Compliant	
	<b>Operating Conditions</b>			
C21	The Applicant shall: (a) implement best management practice, including all reasonable and feasible noise management and mitigation measures to prevent and minimise operational, low frequency and traffic noise generated by the proposal; (b) minimise the noise impacts of the development during adverse meteorological conditions when noise criteria do not apply; (c) maintain the effectiveness of any noise suppression equipment on plant at all times and ensure defective plant is not used operationally until fully repaired; and (d) regularly assess noise monitoring data and relocate, modify and/or stop operations to ensure compliance with the relevant conditions of this consent.	Covered in Demolition Noise and Vibration Management Plan. Sighted evidence of equipment inspections (IDES weekly inspections, Caltex inspections), noise monitoring log.	Compliant	
	<b>Noise Management Plan</b>			
C22	The Applicant shall prepare and implement a Noise Management Plan for construction works and site operations. The plan (s) shall: (a) be prepared and implemented by a suitably qualified and experienced person, in consultation with the EPA; (b) be approved by the Secretary (refer to Conditions D1 and D2 for timing); (c) describe the measures that will be implemented to minimise noise from the construction and operation of the development including: · all reasonable and feasible measures being employed on site; · maintain equipment to ensure that it is in good order; · traffic noise is effectively managed; and	Verified last IEA LRQA MEL4000225/2 (April 2016).	Compliant	

	<ul style="list-style-type: none"> <li>· the noise impacts of the development are minimised during any meteorological conditions when the noise criteria in this consent do not apply;</li> <li>· identification of high noise generating construction activities, including proposed times when these works will be carried out (including respite periods if required) and mitigation measures to minimise adverse impacts from these activities;</li> <li>· compliance with the relevant conditions of this consent.</li> </ul> <p>(d) includes a noise monitoring program that:</p> <ul style="list-style-type: none"> <li>· shall be carried out until otherwise agreed to in writing by the Secretary;</li> <li>· is capable of evaluating the performance of the Development; and</li> <li>· includes a protocol for determining exceedances of the relevant conditions of this consent and responding to complaints.</li> </ul>			
C22A	<p>The Applicant shall update and implement the Noise Management Plan for the demolition works to the satisfaction of the Secretary. This plan is to update the plan approved under condition C22 and shall also:</p> <ol style="list-style-type: none"> <li>a) be approved by the Secretary (refer to conditions D1A and D2 for timing);</li> <li>b) outline the procedures for the notification of all potentially affected persons at least one week prior to and during high noise generating works;</li> <li>c) implement reasonable and feasible noise and vibration management and mitigation measures during demolition activities within the Caltex Terminal;</li> <li>d) implement reasonable and feasible noise and vibration monitoring and management measures during removal of pipelines from the Eastern and Western ROW to minimise noise and vibration impacts generated by the pipeline removal works; and</li> <li>e) include strategies for monitoring vibration impacts on buildings with medium to high heritage significance proposed to be retained within the Caltex Terminal.</li> </ol>	<p>Sighted updated Demolition Noise and Vibration Management Plan (September 2015) and DPE Letter of Approval (September 2015).</p> <p>The plan includes:</p> <ul style="list-style-type: none"> <li>• approved noise and vibration monitoring and management measures during removal of specified pipelines</li> <li>• strategy for monitoring vibration on buildings with medium to high heritage significance proposed to be retained.</li> </ul> <p>Terminal share the Plan as an interim measure but have an extra sub-plan for shipping noise management.</p>	Compliant	
	<b>Construction Vibration</b>			
C23	<p>The Applicant shall aim to achieve the following construction and demolition vibration goals:</p> <ol style="list-style-type: none"> <li>(a) for structural damage, the vibration limits set out in the <i>German Standard DIN 4150-3: Structural Vibration - effects of vibration on structures</i>; and</li> <li>(b) for human exposure, the acceptable vibration values set out in the <i>Environmental Noise Management Assessing Vibration: A Technical Guideline (Department of Environment and Conservation, 2006)</i>.</li> </ol>	<p>Vibration mitigation and monitoring described in the Demolition Noise and Vibration Management Plan.</p> <p>Sighted vibration monitoring data and final reports for:</p> <ul style="list-style-type: none"> <li>• CWO Pipeline Removal Works (June 2017) – concluded low risk of structural damage, no significant ground movement.</li> <li>• Controlled Collapse 4C-1 &amp; 2C-1 (January 2016) – measured vibration levels were at magnitudes</li> </ul>	Compliant	

		below or around the thresholds presenting 5% risk of cosmetic damage to adjacent sensitive structures, let alone structural damage. Note: there was one community complaint on vibration for the cooling water line removal. Accepted by Caltex (LPS system) and repairs undertaken.		
	<b>AIR QUALITY MANAGEMENT</b>			
	<b>Dust Generation During Construction</b>			
C24	The Applicant shall carry out all reasonable and feasible measures to minimise dust generated during construction works and demolition works.	Demolition dust mitigation measures are included in the AQMP. These are monitored via IDES weekly site inspections, Caltex monthly Environmental Inspections and Caltex bi-monthly internal audits of the AQMP (sighted records of all of the above).  Sighted responses (LPS INC-0010955, INC 0010775, INC 0010954) to community dust complaints associated with ROW works. Where applicable, actions taken / outcome recorded. No repeat complaints at this stage.	Compliant	
C25	During construction and demolition works, the Applicant shall ensure that: (a) all trucks entering or leaving the site have their loads covered; (b) trucks associated with the Development do not track dirt onto the public road network; and (c) any dirt on public roads as a result of the development is promptly removed.	Requirements covered in AQMP, inductions, toolbox talks (e.g. June 2016) and one page reminders / refreshers on noticeboards (sighted at time of this audit). Also monitored during IDES and Caltex site inspections and Caltex AQMP internal audits.	Compliant	
	<b>Offensive Odour</b>			
C26	The Applicant shall not cause or permit the emission of offensive odours from the site, as defined under Section 129 of the POEO Act.	Whilst there have been odour complaints for the Terminal operations, none have been attributed to the Development activities within the demolition site. The odour complaints have been otherwise attributed.	Compliant	
	<b>Operating Conditions</b>			
C27	The Applicant shall: (a) implement all reasonable and feasible dust and odour mitigation measures to prevent and minimise odour and dust emissions from operations; (b) prevent and minimise the air quality impacts of the development during adverse meteorological conditions and extraordinary events; (c) minimise any visible off-site air pollution; and (d) minimise surface disturbance of the site, other than as permitted under this consent.	Sighted following evidence: <ul style="list-style-type: none"> <li>mitigation methods – use of water sprays, postpone dust generating activities during high wind events, covering of odorous stockpiles, monitoring wind conditions, concrete crushing dust suppression measures (dust curtains, watering of stockpiles).</li> <li>inspection of demolition site</li> <li>excavation permits / odour screening of excavated material (sighted records for 2016 / 2017 ytd)</li> </ul>	Compliant	

		<ul style="list-style-type: none"> <li>air quality monitoring program in AQMP</li> </ul> Refer Condition 28A comments also.		
	<b>Air Quality Management Plan</b>			
C28	<p>The Applicant shall prepare and implement an Air Quality Management Plan for the proposed construction works. The plan shall:</p> <ul style="list-style-type: none"> <li>(a) be prepared and implemented by a suitably qualified and experienced expert in consultation with the EPA and NSW Health;</li> <li>(b) be approved by the Secretary (refer to Condition D1 for timing);</li> <li>(c) describe the measures that would be implemented on site to ensure:               <ul style="list-style-type: none"> <li>i. the control of air quality and odour impacts of the Development;</li> <li>ii. that these controls remain effective over time;</li> <li>iii. that all reasonable and feasible air quality management practices is employed;</li> <li>iv. the air quality impacts are minimised during adverse meteorological conditions and extraordinary events; and</li> <li>v. compliance with the relevant conditions of this consent.                   <ul style="list-style-type: none"> <li>(d) describes the air quality &amp; odour management system;</li> <li>(e) includes an air quality monitoring program that:                       <ul style="list-style-type: none"> <li>i. is capable of evaluating the performance of the proposal;</li> <li>ii. includes a protocol for determining any exceedances of the relevant conditions of consent and responding to complaints;</li> <li>iii. adequately supports the air quality management system; and</li> <li>iv. evaluates and reports on the effectiveness of the air quality management system.</li> </ul> </li> </ul> </li> </ul> </li> </ul>	<p>Verified last IEA LRQA MEL4000225/2 (April 2016). Terminal share the Plan as an interim measure.</p>	Compliant	
28A	<p>The Applicant shall update and implement the Air Quality Management Plan for the demolition works to the satisfaction of the Secretary. This plan is to update the plan approved under condition C28 and shall also:</p> <ul style="list-style-type: none"> <li>(a) be approved by the Secretary (refer to conditions D1a and D2 for timing);</li> <li>(b) outline procedures for VOC, odour and dust deposition monitoring and suppression methods during excavation works and where potential hydrocarbon contamination is present; and</li> <li>(c) include dust suppression measures and procedures for dust monitoring during operation of the concrete crusher.</li> </ul>	<p>Sighted updated Demolition Air Quality Management Plan (AQMP) September 2015 and DPE Letter of Approval (September 2015). Covered the specified item in this Condition.</p> <p>Sighted following air quality monitoring data:</p> <ul style="list-style-type: none"> <li>Monthly Validated Data Reports (by Ecotech) for RPIP Ambient Air Quality Monitoring Station - no exceedances reported for Aug 2016 – Aug 2017.</li> <li>Dust Deposition Gauges – sighted spreadsheet with monthly data.</li> </ul> <p>AQMP states that dust monitoring for this activity will be via real time monitoring using the DustTrak device with an alarm or message generated if an hourly average of 80 ug/ m<sup>3</sup> is exceeded. At the time of the audit the alarm was not set at this value (sitting on 150).</p>	Complaint	<p>Review AQMP requirement for the DustTrak meter to generate and alarm or message when hourly dust average exceeds 80 um/ m<sup>3</sup>. Either comply or establish alternative and update AQMP as applicable.</p>

		<p>Noted that readings recorded thus far are below this limit and stated that manual checking is done hourly when concrete crushing active (no records of this checking available).</p> <p>There was a dust reading &gt;4g/m<sup>2</sup>/month in September 2016 attributed to demolition activities. This was entered into LPS and handled as per the AQMP (for readings .4 where no baseline data exists. Other readings &gt;4 were attributed to bird droppings, lawn mowing etc.</p> <p>Three community complaints were received during the ROW works (July 2017). These were entered into LPS (INC 0010775,0010955,0010954) - actions and responses recorded. At this stage, no repeat complaints after Caltex response and action.</p> <p>Actions taken as per requirements in the AQMP.</p> <p>No other air quality complaints attributed to the demolition development.</p> <p>Terminal share the plan as an interim measure.</p>		
	<b>Air Quality Verification</b>			
C29	<p>The Applicant shall carry out an air quality verification study for the development. The study shall:</p> <ul style="list-style-type: none"> <li>(a) be prepared by a suitably qualified expert;</li> <li>(b) be completed within 24 months of the commencement of operations or as otherwise agreed to by the Secretary;</li> <li>(c) be based on the average of emissions over a continuous 12 month period after commencement of operations, taking into account the throughput and type of fuel;</li> <li>(d) include a validation of the accuracy of the modelling predictions in the EIS;</li> <li>(e) verify that compliance with any limits or conditions in the EPL are achieved;</li> <li>(f) verify, using reasonable means, the effectiveness of any emission control measures that have been implemented to minimise air quality impacts; and</li> <li>(g) demonstrate compliance with the relevant regulatory criteria.</li> </ul>	<p>The 24 month trigger point has been taken as after the removal of crude oil (related to refinery activities and included in NPI calculations for air emissions) in May 2016.</p> <p>Caltex has requested AECOMs assistance in this task. The scope of works has been defined to suit the Condition and scheduled prior to the 24 month period specified expires.</p>	Not triggered	
	<b>HERITAGE MANAGEMENT</b>			
	<b>Archival Record</b>			
C30	<p>The Applicant shall commission an appropriately qualified heritage expert to undertake an archival photographic recording of the existing fabric and operation of the Kurnell Refinery while the plant is still operational and during the decommissioning process. The recording</p>	Verified last IEA LRQA MEL4000225/2 (April 2016).	Compliant	

	<p>should include a range of media and shall be undertaken in accordance with the current Heritage Council Guidelines on Photographic Recording of Heritage Items Using Film or Digital Capture (2006).</p> <p>The archival recording shall be submitted to the Heritage Council of NSW, Sutherland Shire Library and the NSW State Library within 12 months of the closure of the refinery and prior to the removal or demolition of any existing elements.</p>			
	<b>Heritage Management Strategy</b>			
C31	<p>The Applicant shall prepare and implement a Heritage Management Strategy for the Australian Oil Refinery site prior to shut-down of the refinery plant. The Strategy must:</p> <ul style="list-style-type: none"> <li>(a) be prepared by a suitably qualified person in consultation with Council and the Heritage Council of NSW;</li> <li>(b) be submitted to the Secretary for approval at least 2 months prior to the shut-down of the refinery plant;</li> <li>(c) review the heritage significance of the Australian Oil Refinery site; and</li> <li>(d) set out a framework to minimise or mitigate the loss of heritage value during the decommissioning process, and for the ongoing management of the Site's heritage during present and future works.</li> </ul>	Verified last IEA LRQA MEL4000225/2 (April 2016).	Compliant	
31A	<p>The Applicant shall:</p> <ul style="list-style-type: none"> <li>(a) continue to implement the Heritage Management Strategy prior to and during the demolition works; and</li> <li>(b) implement the recommendations stated in Chapter 4 and 5 of the document titled: <i>Caltex Kurnell Refinery Demolition: Heritage Impact Statement by Australian Museum Consulting for URS Australia Pty Ltd, October 2014.</i></li> </ul>	Evidence sighted of continued implementation of the HMS including recommendations in Chapter 4 & 5; used the Demolition Heritage Impact Assessment (October 2015) recommendations. See Conditions 32A - 32C below.	Compliant	
	<b>Other Heritage Management and Mitigation Measures</b>			
32	<p>The Applicant shall, prior to shut-down of the refinery:</p> <ul style="list-style-type: none"> <li>(a) form an in-house team to manage documentation and interpretation of the history of the refinery, including the production of a colour book;</li> <li>(b) liaise with the Mitchell Library to prepare a photographic record of the site and people associated with the refinery for inclusion in the library's archives; and</li> <li>(c) engage a professional photographer to prepare a photographic exhibition of the refinery. The location(s) and duration of the exhibition shall be to the satisfaction of Council and the NSW Heritage Council.</li> </ul>	Verified last IEA LRQA MEL4000225/2 (April 2016).	Compliant	
32A	<p>Within two months of its scheduled demolition, the Applicant shall undertake a final review of the adaptive reuse capabilities of highly significant buildings which are proposed to be demolished as per the</p>	<p>There were 7 buildings identified in this category (Demolition Heritage Impact Assessment pg. 105). Sighted evidence of applicable reviews (amendment to the</p>	Compliant	

	recommendations of the Heritage Management Strategy.	Heritage Management Strategy with justifications) for: <ul style="list-style-type: none"> <li>• change rooms Jan 2016</li> <li>• old garage (PR Room) Jan. 2016</li> <li>• storehouse April 2017</li> </ul> Decommissioning to Demolition Asset Handover Checklist (MOC) includes a Building Assessment Reuse check item / question with link to original assessment.		
32B	Within two months of its scheduled demolition, the Applicant shall complete appropriate archival records of items to be demolished as per the recommendations of the Heritage Management Strategy and other initiatives supported by the Heritage Division of the OEH.	Verified last IEA LRQA MEL4000225/2 (April 2016).	Compliant	
32C	The Applicant shall implement the recommendations in section 5.2 of the document titled Caltex Kurnell Refinery Demolition: Heritage Impact Assessment, prepared by Australian Museum Consulting and enclosed in Appendix F of the SEE, for the pipeline removal works on Silver Beach to the satisfaction of Council.	Actions applicable to demolition: <ul style="list-style-type: none"> <li>• remained with original plan in terms of adaptive reuse of redundant buildings</li> <li>• conserved Flugelman panels and donated to Gynea TAFE (sighted photographs and email correspondence)</li> <li>• sighted vibrational monitoring data to ensure no damage to the fabric or structural integrity of significant heritage buildings</li> <li>• recommendations 7&amp;8 yet to commence; sighted Cooling Water MP preliminary drafts (section 5.2) to incorporate these.</li> </ul>	Compliant	
	<b>Potential for Discovery of Aboriginal and Non-Aboriginal Heritage Objects</b>			
C33	If during the course of construction and demolition the Applicant becomes aware of any previously unidentified heritage object(s), all work likely to affect the object(s) shall cease immediately and the Heritage Council of New South Wales shall be notified immediately in accordance with section 146 of the Heritage Act 1977. Relevant works shall not recommence until written authorisation from the Heritage Council of NSW is received by the Applicant.	Continued with Conversion Project MP for Aboriginal and Non-Aboriginal Heritage Objects (January 2014). Included in annual return to work session on Environmental Management. Also covered in the inductions. Reporting is by exception - no such objects have been reported during the course of this development.	Compliant	
C34	If during the course of construction and demolition the Applicant becomes aware of any previously unidentified Aboriginal object(s), all work likely to affect the object(s) shall cease immediately and the OEH informed in accordance with section 89A of the National Parks and Wildlife Act 1974. Relevant works shall not recommence until written authorisation from OEH is received by the Applicant.	As above. Reporting is by exception - no such objects have been reported during the course of this development.	Compliant	
	<b>ENERGY EFFICIENCY AND GREENHOUSE GAS EMISSIONS</b>			
	<b>Managing Energy Efficiency &amp; Greenhouse Gas</b>			

	<b>Emissions</b>			
C35	The Applicant shall implement all reasonable and feasible measures to minimise: (a) energy use; and (b) greenhouse gas emissions, throughout the life of the development, to the satisfaction of the Secretary.	EPL Pollution Reduction Programs includes reduction of emissions from gasoline storage i.e. tank sleeve program	Compliant	
	<b>TRANSPORT AND ACCESS</b>			
	<b>Traffic Management Plan</b>			
C36	The Applicant shall prepare and implement a Traffic Management Plan for the Development, to the satisfaction of the Secretary. The plan must: (a) be prepared and implemented by a suitably qualified and experienced person; (b) be approved by the Secretary (refer to Conditions D1 and D2 for timing); (c) detail the measures that would be implemented to ensure road safety and network efficiency during construction and operation including (but not limited to): · installation of signage and implementation of maximum speeds limits on internal roads; and · final details of the proposed traffic control measures. · details for rationalisation of the entry and exit to the site, particularly if the weigh bridge is no longer required, to improve the management of traffic and parking for members of the general public in this area (d) include a plan showing the route to be used by heavy vehicles during construction and operation; (e) detail the access and parking arrangements for the site during construction and operation; (f) include a Driver Code of Conduct that details the traffic management measures to be implemented during construction and operation to: · minimise the impacts of the development on the local and regional road network; · minimise conflicts with other road users; and · ensure truck drivers use specified routes. (g) describe the measures that will be implemented to ensure: · the nominated heavy vehicle route is used; · drivers adhere to the code of conduct; and · compliance with the relevant conditions of this consent. (h) include a program to monitor the effectiveness of these measures; and (i) (i) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.	Verified last IEA LRQA MEL4000225/2 (April 2016). Terminal share the Plan as an interim measure.	Compliant	

C36A	The Applicant shall update and implement the Traffic Management Plan for the demolition works to the satisfaction of the Secretary. This plan is to update the plan approved under condition C36 and shall also: <ul style="list-style-type: none"> <li>(a) be prepared in consultation with Council;</li> <li>(b) be approved by the Secretary (refer to conditions D1A for timing);</li> <li>(c) include the designated routes for demolition traffic to the demolition areas within the site;</li> <li>(d) include details of traffic management arrangements for the cooling water outlet and intake pipeline removal works within the road reserves; and</li> <li>(e) outline the procedures for the notification of all potentially affected persons prior to and during the pipeline removal works within the road reserves.</li> </ul>	Sighted Demolition Project Traffic Management Plan (September 2015) and DPE Approval Letter (September 2015). Covers required items.	Compliant	
C36B	The Applicant shall ensure that the pipeline removal works along the road reserves on Captain Cook Drive, Prince Charles Parade and Cook Street are undertaken in consultation with Council and do not take place during public events or public holidays in Kurnell.	These works are yet commence; scheduled for November 2017. Sighted preliminary traffic management investigation (May 2017).	Not triggered	
	<b>Car Parking</b>			
C37	The Applicant shall provide sufficient parking facilities on-site for construction, demolition and operational personnel, and heavy vehicles, to ensure that construction and operational traffic associated with the Development do not utilise public and residential streets or public parking facilities for parking.	Existing car parking facilities have been adequate for the life of this development thus far – car park from previous refinery operation still available for use. No evidence of other external parking.	Compliant	
C37A	Within 18 months after commencement of the demolition works, the Applicant shall: (a) complete a review, in consultation with Council, of the Cook Street approach to the Caltex Terminal site considering issues relating to signage, car parking arrangements, vehicle flows and the future of the weighbridge; and (b) include a timetable of implementation of the findings of this review. Note: The implementations of the findings of this review may require further approval under the EP&A Act.	Sighted Letter from DPE (3.7.2017) approving a staged submission of revised traffic management plans until after completion of demolition works in mid-2018.	Not triggered	
	<b>WASTE MANAGEMENT</b>			
	<b>Waste Management On-Site</b>			
C38	The Applicant shall <ul style="list-style-type: none"> <li>(a) minimise the waste generated on site; and</li> <li>(b) ensure that the waste generated by the development is appropriately stored, handled and disposed of, to the satisfaction of the Secretary.</li> </ul>	Sighted Demolition Waste and Resource Management (WRM) Plan (September 2015); approved by DPE September 2015. Covers requirements listed. Sampled implementation – refer other Conditions for evidence. Terminals share the Plan.	Compliant	
C39	The Applicant shall ensure that any waste generated on the site during construction and demolition is classified in accordance with the EPA's Waste Classification Guidelines and disposed of to a facility that may lawfully accept the waste.	Covered in WRM. Includes general, recycled and restricted & controlled wastes. Sampled waste classification of excavated soil (asbestos / hydrocarbons / other contaminants, tank sludges, refractory materials and other waste streams (sighted COAs).	Compliant	

		<p>Sampled items from the Sample Register → classification → consignment authorisation → waste transport certificates → disposal option / location. Sighted waste disposal register as a summary of all disposal.</p> <p>Noted that asbestos containing soil is being stored on site (in asbestos rated bulki-bags, secure area) awaiting approval of an asbestos cell (MOD 2 application to DPE). For asbestos waste disposed off-site, sighted use of WasteLocate (EPA system).</p>		
C39A	The Applicant shall ensure that all hazardous materials identified in the structures to be demolished are removed prior to demolition where it is safe and practical to do so.	<p>Covered in WRM Plan. Sighted examples:</p> <ul style="list-style-type: none"> <li>• J Store Building removal of asbestos bonded roof June 2016</li> <li>• Plant 11 External Boilers (2016 / 2017 ytd)</li> </ul> <p>Sighted records with applicable safe work practices (for asbestos removal)</p>	Compliant	
C39B	The Applicant shall ensure that the reuse of any materials (including soil, scrap metal or building materials) on site must be fit for purpose and must not result in any adverse impacts to the environment.	<p>WRM Plan section 4.5 covers this.</p> <p>Sighted reuse of refractory material in bund walls – sighted EPA approval (email 5.7.2016) and subsequent tracking of quantities and locations (waste data base).</p> <p>Reuse of crushed concrete to be investigated as per section 4.5 – not triggered as yet.</p>	Compliant	
C39C	Where it is safe and practical to do so, the Applicant should as far as practicable sort all waste materials generated during demolition works to maximise opportunities for the beneficial reuse and recycling of such waste materials.	Covered in WRM Plan. Sighted examples of recycling activities e.g. scrap metal, fluorescent lights, reused material (see above conditions), tanks etc.	Compliant	
	<b>Waste Management Plan</b>			
C40	The Applicant shall prepare and implement a Waste Management Plan for the development to the satisfaction of the Secretary. This Plan shall: <ul style="list-style-type: none"> <li>(a) be prepared in consultation with the EPA;</li> <li>(b) be approved by the Secretary (refer to timing in Conditions D1 and D2)</li> <li>(c) detail the type and quantity of waste to be generated by construction and operational phases of the development;</li> <li>(d) detail the materials to be reused or recycled, either on or off site; and</li> <li>(e) detail the procedures for handling, storage, collection of recycling and disposal of waste."</li> </ul>	<p>Verified last IEA LRQA MEL4000225/2 (April 2016).</p> <p>Terminal share the Plan as an interim measure.</p>	Compliant	
	<b>Demolition Waste and Resource Management Plan</b>			
C40A	The Applicant shall prepare and implement a Demolition Waste and Resource Management Plan for the demolition works to the satisfaction of the Secretary. This plan is to update the plan approved under condition C40 and shall also:	Sighted Demolition Waste and Resource Management Plan (September 2015) and Letter of Approval from DPE (September 2015).	Compliant	

	<ul style="list-style-type: none"> <li>(a) be prepared in consultation with the EPA;</li> <li>(b) be approved by the Secretary (refer to condition D1a for timing);</li> <li>(c) outline the measures for the removal, storage and disposal of all waste materials generated during the demolition works; and</li> <li>(d) outline the waste reuse and recovery strategy for the demolition works.</li> </ul>			
	<b>Waste Received from Off-Site</b>			
C41	The Applicant shall not cause, permit or allow any waste generated outside the site to be received at the site for storage, treatment, processing, reprocessing, or disposal on the site, except as expressly permitted by a licence under the Protection of the Environment Operations Act 1997, if such a licence is required in relation to that waste.	Site activities include a Soil Regeneration Facility for contaminated soils which is licensed within the EPL variation (March 2017). Note this facility is covered by the site ISO 14001:2015 certification and was specifically covered in LRQA assessment reports (June 2017 and September 2016). It was also sampled this audit (refer in EPL compliance checklist). No other waste received from off-site.	Compliant	
C41A	The Applicant shall ensure that the removal of the cooling water outlet pipeline 20 metres seaward from the low tide mark in Botany Bay is carried out in a manner that minimises the potential for disturbance and/or spread of <i>Caulerpa taxifolia</i> .	Sighted draft Stage 2 Cooling Water Outlet Management Plan (yet to be approved by DPE) July 2017; section 5.4 marine ecology management covers this.	Not triggered	
	<b>BIODIVERSITY &amp; ECOLOGY</b>			
	<b>Biodiversity Management Plan</b>			
C42	The Applicant shall prepare and implement a Biodiversity Management Plan for the development to the satisfaction of the Secretary. This plan must: <ul style="list-style-type: none"> <li>(a) be prepared in consultation with the EPA;</li> <li>(b) be approved by the Secretary (refer to Conditions D1 and D2 for timing);;</li> <li>(c) include measures to be taken to minimise impacts on flora and fauna;</li> <li>(d) include a program with timeframes for implementation of the relevant recommendations contained in the Ecology Impact Assessment in Appendix I of the EIS, and the Management and Mitigation Measures contained in Chapter 19 of the EIS to minimise impacts on flora and fauna and maintain the biodiversity value of the site and surrounding environment.</li> </ul>	Consolidated into Condition C43A Terminals have the Plan as an interim measure.	Compliant	
	<b>Pest, Vermin &amp; Noxious Weed Management</b>			
C43	The Applicant shall: <ul style="list-style-type: none"> <li>(a) implement suitable measures to manage pests, vermin and declared noxious weeds on site;</li> <li>(b) measures to be taken to prevent the spread of any identified noxious/exotic weeds off site; and</li> <li>(c) inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or noxious</li> </ul>	Consolidated into Condition C43A	Compliant	

	<p>weeds are not present on site in sufficient numbers to pose an environmental hazard, or cause the loss of amenity in surrounding area.</p> <p><i>Note: For the purposes of this condition, noxious weeds are those species subject to an order declared under the Noxious Weed Act 1993.</i></p>			
C43A	<p>The Applicant shall update and implement the Biodiversity and Weed Management Plan for the demolition works to the satisfaction of the Secretary. This plan is to consolidate the plans approved under conditions C42 and C43 and shall also:</p> <ul style="list-style-type: none"> <li>(a) be prepared in consultation with the OEH;</li> <li>(b) be approved by the Secretary (Refer to condition D1A for timing); and NSW Government 9 Department of Planning and Environment</li> <li>(c) include details of pre-clearing inspections and frog exclusion measures to be undertaken prior to excavation along the Continental Carbon Pipeway Right of Way.</li> </ul>	<p>Sighted updated Demolition Biodiversity and Weed Management Plan (September 2015) and DPE Letter of Approval (September 2015). Item (c) in section 4.1 Mitigation measures:</p> <ul style="list-style-type: none"> <li>• fauna – threatened frogs</li> <li>• removal of perching and nesting habitats for large birds</li> <li>• temporary impacts to the Silver Beach Foreshore</li> <li>• further spread of existing noxious weed infestations (weed management plan, wash down facilities, stockpile management)</li> </ul> <p>Demolition Environmental Inspection Checklist covers this on a monthly basis. Site tour during this audit to inspect the mitigation measures (as applicable at the time).</p> <p>Sighted Tool Box Talks on noxious weeds, fauna and excavations (2016 / 2017 ytd). Also covered in annual return to work environmental sessions. No biodiversity incidents reported.</p>	Compliant	
<b>Continental Carbon Pipeline</b>				
C43B	<p>Within three months after the removal of the Continental Carbon Pipeline, the Applicant shall prepare a strategy, in consultation with the OEH, for the active management of the former pipeline route including a program for weed management and removal as outlined in Management and Mitigation Measure K6 in Appendix C of this consent. The Applicant shall have commenced implementation of this strategy six months after the removal of the Continental Carbon Pipeline.</p>	<p>Sighted pre-clearance survey (Biosis July 2016). Evidence sighted of implementation of recommendations included:</p> <ul style="list-style-type: none"> <li>• daily pre-start inspections (sighted on work permits for excavation specific to Conc. Carbon Line area)</li> <li>• threatened frog species information sheets / toolbox talks</li> <li>• vehicle wash-down procedures / toolbox talks</li> <li>• temporary erosion and sediment control measures (on inspection checklists / photographs of silt fencing)</li> <li>• stop work procedures should threatened frogs be encountered – none recorded as encountered</li> <li>• green waste disposal</li> <li>• noxious weed removal – quotes received but yet to occur</li> </ul>	Compliant	

		Sighted Vegetation Rehabilitation Management Plan for Continental Carbon pipeline ROW Kurnell (UBM Ecological August 2017). Sent to DPE (September 2017) and NSW OEH.		
	<b>Cooling Water Outlet Management Plan</b>			
C43C	<p>The Applicant shall prepare and implement a Cooling Water Outlet Management Plan for the demolition works. The plan must:</p> <ul style="list-style-type: none"> <li>(a) be prepared in consultation with Council;</li> <li>(b) be approved by the Secretary (see condition D1A for timing);</li> <li>(c) include details of the timing and excavation program for pipeline removal, demolition methods, details of stockpiling, removal or reuse of excavated materials and the use of imported soils;</li> <li>(d) outline the measures to be taken to minimise potential marine ecology impacts including measures to: <ul style="list-style-type: none"> <li>• minimise sediment plumes particularly during backfilling activities;</li> <li>• minimise the potential for hydrocarbon contamination from the pipeline;</li> <li>• minimise disturbance and impact on any seagrass communities; and</li> <li>• maintain machinery and equipment; and</li> </ul> </li> <li>• exclude people and animals from the works both landward and seaward;</li> <li>(e) include details of the odour suppression measures during the pipeline removal works; and</li> <li>(f) include details of the works on Silver Beach including: <ul style="list-style-type: none"> <li>• measures to minimise impacts to the affected sand dunes on Silver Beach including dune erosion and damage to vegetation; and</li> <li>• strategies for stabilising and restoring the affected sand dunes including exclusion measures and revegetation strategies.</li> </ul> </li> </ul>	<p>Submitted staged management plan to DPE - refer Condition B19 Approval for Staged Submission of Management Plans (DPE Letter September 2015).</p> <p>Cooling Water Line Removal (B16A) proposed via a staged process:</p> <ul style="list-style-type: none"> <li>• Stage 1: pipeline through Caltex property (approved June 2017 and completed)</li> <li>• Stage II: from final pit over the beach and into the bay (underwater): plan in development</li> <li>• Stage III: remove under-road section of pipeline (submitted to Council under review)</li> </ul> <p>Sighted DPE Approval of staged approach (March 2017)</p>	Compliant	
	<b>Protection of Marton Park Wetlands</b>			
C44	<p>To ensure that the measures implemented to protect Marton Park Wetland from sedimentation, erosion and possible contaminants related to the stormwater drainage upgrade works approved by Sutherland Shire Council (DA 13/0195) are successful, monitoring of Marton park Wetland must be undertaken after completion of the stormwater upgrade works, until otherwise agreed with Council, to ensure there are no detrimental impacts on the wetland. Caltex is to prepare a monitoring plan and submit it to Council for approval prior to completion of stormwater drainage upgrade works.</p>	<p>Sighted following evidence:</p> <ul style="list-style-type: none"> <li>• Wetland Monitoring Program (July 2015) and submission to Council</li> <li>• Final Report on Ecological Monitoring Program: flora and fauna populations in the Marton Park Wetlands</li> </ul> <p>Caltex has since surrendered the DA (March 2016).</p>	Compliant	
	<b>VISUAL</b>			
	<b>Lighting</b>			
C45	The Applicant shall ensure that the lighting associated with the	Demolition works scheduled only for daylight hours; no	Compliant	

	development: (a) complies with the latest version of AS 4282(INT) – <i>Control of Obtrusive Effects of Outdoor Lighting</i> ; and (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.	use of additional or portable lighting. Demolition has not required installation of additional lighting. Post-demolition security proposal includes additional boundary lighting but not yet applicable. No community complaints over lighting.		
	<b>Signage and Fencing</b>			
C46	The Applicant shall not install any advertising on site without the written approval of the Secretary.	No advertising on site. Only signage is to identify occupants / principal contractor (person conducting a business or undertaking PCBU) in various zones in accordance with SafeWork Australia code of practice for demolition.	Compliant	
	<b>SITE SECURITY</b>			
	<b>Site Security</b>			
C47	The Applicant shall ensure that: (a) site fencing and security gates are installed to the satisfaction of the Secretary; and (b) the security gates on site are locked whenever the site is unattended.	Sighted Security Management Plan Kurnell Terminal KNT-SMP (April 2015). 24 hour security with site entrance gates and surrounding fences, site is always attended.	Compliant	
	<b>ENVIRONMENTAL MANAGEMENT</b>			
	<b>Construction Environment Management Plan</b>			
D1	The Applicant shall prepare and implement a Construction Environmental Management Plan for the Development to the satisfaction of the Secretary. The Plan must: (a) be prepared in consultation with Sutherland Shire Council and the EPA; (b) be submitted to the Secretary for approval no later than four (4) weeks prior to the commencement of construction or demolition, or within such period otherwise agreed by the Secretary; (c) identify the statutory Consents that apply to the Development; (d) consolidate all relevant management plans and monitoring programs required in the conditions of this Consent; (e) outline all environmental management practices and procedures to be followed during construction and demolition works associated with the Development; (f) describe all activities to be undertaken on the site during construction of the Development, including a clear indication of construction stages; (g) incorporate all relevant management and mitigation measures contained in the EIS and RTS;	Verified last IEA LRQA MEL4000225/2 (April 2016).	Compliant	

<p>(h) detail how the environmental performance of the construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts. In particular, the following environmental performance issues shall be addressed in the Plan:</p> <p>(i) Human Health and Ecological Risk management - which shall be mitigated and managed in accordance with Section 6.2 of the "Human Health and Ecological Qualitative Risk Assessment" report prepared by URS, dated 28 February 2013 and the relevant Management and Mitigation Measures contained in Appendix C of this consent;</p> <p>(ii) Biodiversity and Weed management;</p> <p>(iii) Soils and Erosion management;</p> <p>(iv) Contamination management;</p> <p>(v) Noise and Vibration management;</p> <p>(vi) Air Quality management;</p> <p>(vii) Stormwater and Wastewater management;</p> <p>(viii) Traffic management;</p> <p>(ix) Heritage management (Aboriginal and non-Aboriginal);</p> <p>(x) Waste and Resource management;</p> <p>(xi) Groundwater management;</p> <p>(xii) Acid Sulfate Soils management - if required;</p> <p>(xiii) Emergency (including spill) management;</p> <p>(xiv) means for assessing (and where identified) for managing interactions and cumulative impacts from the concurrent construction of other development works in the area should these coincide with the Development (e.g. the Caltex Ports and Berthing upgrade, remediation projects);</p> <p>(i) describe the roles and responsibilities for all relevant employees involved in construction and demolition works associated with the Development;</p> <p>(j) include arrangements for community consultation, including consultation with the NSW Department of Education and local schools at key stages of the development that may affect school operations, to identify issues and mitigate impacts throughout the course of the Development.</p> <p>(k) Include a complaints handling procedure during construction and demolition and operation; and,</p> <p>(l) include appropriate procedures to allow the regular review of the requirements of each plan to ensure that they are effective and allow for adaptive management to address contingencies that may arise over the life of the development.</p> <p>The approval of a Construction Environmental Management Plan does not relieve the Applicant of any requirement associated with this</p>			
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	<p>development consent. If there is an inconsistency with an approved Construction Environmental Management Plan and the conditions of this development consent, the requirements of this development consent prevail.</p> <p>Construction of the development shall not commence until written consent of this plan has been received from the Secretary.</p>			
	<p><b>Demolition Environmental Management Plan</b></p>			
D1A	<p>The Applicant shall prepare and implement a Demolition Environmental Management Plan for the demolition works to the satisfaction of the Secretary. This plan must:</p> <ul style="list-style-type: none"> <li>(a) be prepared in consultation with Council, EPA and NSW Health;</li> <li>(b) be submitted to the Secretary for approval no later than four (4) weeks prior to the commencement of the demolition works, or within such period otherwise agreed by the Secretary;</li> <li>(c) identify the statutory approvals and consents that apply to the development; NSW Government 10 Department of Planning and Environment</li> <li>(d) consolidate all relevant management plans and monitoring programs required in the conditions of this Consent;</li> <li>(e) outline all environmental management practices and procedures to be followed during demolition works associated with the development;</li> <li>(f) describe all activities to be undertaken on the site during demolition works associated with the development, including a clear indication of demolition stages;</li> <li>(g) incorporate all relevant management and mitigation measures contained in the SEE;</li> <li>(h) detail how the environmental performance of the demolition works will be monitored, and what actions will be taken to address potentially adverse environmental impacts. In particular, the following environmental performance issues shall be addressed in the Plan: <ul style="list-style-type: none"> <li>i. Biodiversity and weed management(See Condition C43A);</li> <li>ii. Soils and water management (See Condition C12A);</li> <li>iii. Contamination management (See Condition C15A);</li> <li>iv. Noise and vibration management (See Condition C22A);</li> <li>v. Air quality management (See Condition C28A);</li> <li>vi. Stormwater and wastewater management (See Condition C12A);</li> <li>vii. Traffic management (See Condition C36A);</li> <li>viii. Demolition waste and resource management (See Condition C40A);</li> <li>ix. Groundwater management, including measures which are consistent with the relevant Management and Mitigation Measures contained in Appendix C of this consent;</li> </ul> </li> </ul>	<p>Sighted Demolition Environmental Management Plan (DEMP) September 2015 and Letter of Approval from DPE September 2015. Covers the required items; implementation has been the subject of this IEA.</p>	Compliant	

	<p>x. Acid sulfate soils management (See Condition C14);  xi. Heritage management strategy (See Condition C31);  xii. Cooling water outlet management (see Condition C42B);  xiii. pipeline removal works on Kurnell Wharf, including details of the timing and program of works, demolition and removal techniques, and the measures to manage traffic and access to the wharf.  xiv. means for assessing (and where identified) for managing interactions and cumulative impacts from the concurrent construction of other development works within the site should these coincide with the Development (e.g. the Caltex Ports and Berthing upgrade, remediation projects).</p> <p>(i) describe the roles and responsibilities for all relevant employees involved in the demolition works associated with the Development;</p> <p>(j) include details of a community notification protocol to notify potentially affected persons (including the local community and surrounding industries) of works which are likely to cause significant adverse impacts to the environment;</p> <p>(k) include a complaints handling procedure; and</p> <p>(l) include appropriate procedures to allow the regular review of the requirements of each plan to ensure that they are effective and allow for adaptive management to address issues that may arise over the life of the development.</p> <p>The approval of a Demolition Environmental Management Plan does not relieve the Applicant of any requirement associated with this development consent. If there is an inconsistency with an approved Demolition Environmental Management Plan and the conditions of this development consent, the requirements of this development consent prevail.</p> <p>Demolition works shall not commence until written approval of this plan has been received from the Secretary.</p>			
	<p><b>Operational Environmental Management Plan</b></p>			
<p>D2</p>	<p>The Applicant shall prepare and implement an Operational Environmental Management Plan for the project to the satisfaction of the Secretary. This Plan must:</p> <p>(a) be approved by the Secretary prior to the completion of the Development;</p> <p>(b) provide the strategic framework for environmental management of the project;</p> <p>(c) identify the statutory approvals that apply to the project;</p> <p>(d) include a copy of all relevant management plans and monitoring programs relevant under this consent;</p> <p>(e) outline all environmental management practices and</p>	<p>ISO 14001:2015 Audit (full re-certification audit May 2017 (LRQA)  The OEMP is reviewed by the operational excellence team last reviewed 5/4/17  The monitoring data is included on the web site</p> <p>Maintenance  Sampled following items:</p> <ul style="list-style-type: none"> <li>• No overdue M7s or M8s</li> <li>• M7 scheduled maintenance reports</li> <li>• M8s unplanned maintenance reports.</li> </ul>	<p>Noise requirements  Not Verified</p> <p>Odour  Not Compliant  LOW</p> <p>Other EPL conditions  Not Compliant</p>	

	<p>procedures to be followed during operation;</p> <p>(f) describe all activities to be undertaken on the site during operation;</p> <p>(g) detail how the environmental performance of the operation of the project will be monitored, and what actions will be taken to address identified adverse environmental impacts;</p> <p>(h) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the project;</p> <p>(i) describe the procedures that will be implemented to:</p> <ul style="list-style-type: none"> <li>· keep the local community and relevant agencies informed about the operation and environmental performance of the project;</li> <li>· receive, handle, respond to, and record complaints;</li> <li>· resolve any disputes that may arise during the course of the project;</li> <li>· respond to any non-compliance; and</li> <li>· respond to emergencies; and</li> </ul> <p>(j) include:</p> <ul style="list-style-type: none"> <li>· copies of any strategies, plans and programs approved under the conditions of this consent; and</li> <li>· a clear plan depicting all the monitoring required to be carried out under the conditions of this consent.</li> </ul>	<ul style="list-style-type: none"> <li>• Sign off processes for M7 closure.</li> <li>• Sighted actions arising from M7 into M8s</li> <li>• Bund Assessment</li> <li>• Monthly Tank Inspections as M7</li> <li>• High Tank Level testing</li> <li>• PSVs</li> <li>• Cathodic protection monitoring of pipelines</li> <li>• Pressure testing monitoring of pipelines to AS2885</li> </ul> <p>Contractor management</p> <ul style="list-style-type: none"> <li>• Sighted contractor reviews. Contractors rated on quality and EMS.</li> </ul> <p>Tank Programme</p> <p>Sampled following records</p> <ul style="list-style-type: none"> <li>• T&amp;I spreadsheet 10 yr plan</li> <li>• Tracking of inspections and records in Capstone</li> </ul> <p>Wharf</p> <p>Sampled the following elements</p> <ul style="list-style-type: none"> <li>• Oil spill boxes,</li> <li>• Emergency response procedures are available and tested</li> <li>• Remote firefighting systems tested, fire monitors</li> <li>• Wharf slops system monitored</li> <li>• Checks done for alarms, fire systems. Weekly firefighting checklist, weekly high level alarm checklist</li> <li>• Divers sub berth inspection and maintenance completed</li> <li>• Reliability / inspection - line inspections, hydrostatic testing</li> </ul> <p>Environmental Monitoring - refer EPL compliance table below.</p>	<p>LOW</p>	
	<p><b>Management Plan Requirements</b></p>			
<p>D3</p>	<p>The Applicant shall ensure that the Management Plans required under this consent are prepared in accordance with any relevant guidelines, and include:</p> <p>(a) detailed baseline data;</p> <p>(b) a description of:</p>	<p>DEMP and sub-plans all submitted September 2015 and Letter of Approval from DPE (September 2015). Covers listed requirements and implementation sampled during this audit.</p> <p>No plans have been amended since initial approval; staged</p>	<p>Compliant</p>	

	<ul style="list-style-type: none"> <li>· the relevant statutory requirements (including any relevant approval, licence or lease conditions);</li> <li>· any relevant limits or performance measures/criteria; and</li> <li>· 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; <ul style="list-style-type: none"> <li>(c) a description of the measures that will be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;</li> <li>(d) a program to monitor and report on the: <ul style="list-style-type: none"> <li>· impacts and environmental performance of the development; and</li> <li>· effectiveness of any management measures (see (c) above);</li> </ul> </li> <li>(e) a contingency plan to manage any unpredicted impacts and their consequences;</li> <li>(f) a program to investigate and implement ways to improve the environmental performance of the development over time;</li> <li>(g) a protocol for managing and reporting any: <ul style="list-style-type: none"> <li>· incidents;</li> <li>· complaints;</li> <li>· non-compliances with statutory requirements; and</li> <li>· exceedances of the impact assessment criteria and/or performance criteria; and</li> </ul> </li> <li>(h) a protocol for periodic review of the plan.</li> </ul> </li> </ul> <p><i>Note: The Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.</i></p>	<p>proposal (DPE Approval for staging September 2015) for new cooling water management plans in progress with only Stage I approved (June 2017) thus far. Also staged approach for the OEMP has been approved - Stage I approved.</p>		
	<p><b>Annual Review</b></p>			
<p>D4</p>	<p>By 31 December 2014, or as otherwise agreed in writing by the Secretary, the Applicant shall review the environmental performance of the Development to the satisfaction of the Secretary. This review must:</p> <ul style="list-style-type: none"> <li>(a) describe the development that was carried out in the previous calendar year, and the development that is proposed to be carried out over the current calendar year;</li> <li>(b) 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: <ul style="list-style-type: none"> <li>· the relevant statutory requirements, limits or performance measures/criteria;</li> <li>· the monitoring results of previous years; and</li> <li>· the relevant predictions in the EIS;</li> </ul> </li> <li>(c) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance;</li> <li>(d) identify any trends in the monitoring data over the life of the Development;</li> </ul>	<p>Sighted following annual reviews:</p> <ul style="list-style-type: none"> <li>• December 2016 reporting period (amendment pending)</li> <li>• December 2015 reporting period, amended March 2016</li> <li>• December 2014 reporting period</li> </ul> <p>2015, 2015 reports have been accepted by DPE and on the Caltex public website</p>	<p>Compliant</p>	

	<p>(e) identify any discrepancies between the predicted and actual impacts of the Development, and analyse the potential cause of any significant discrepancies; and</p> <p>(f) describe what measures will be implemented over the current calendar year to improve the environmental performance of the Development.</p>			
<b>Revision of Strategies, Plans &amp; Programs</b>				
D5	<p>Within 3 months of the submission of an:</p> <p>(a) annual review under Condition D4 of this schedule;</p> <p>(b) incident report under Condition D6 of this schedule;</p> <p>(c) audit report under Condition D8 of this schedule; and</p> <p>(d) any modifications to this consent,</p> <p>the Applicant shall review, and if necessary revise, the strategies, plans, and programs required under this consent to the satisfaction of the Secretary.</p> <p><i>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.</i></p>	<p>No revisions of strategies, plans and programs have been determined as required after annual review, review of incidents (nil in this case) and the previous IEAs. No management plans needed updating in the review period.</p>	Compliant	
<b>REPORTING</b>				
<b>Incident Reporting</b>				
D6	<p>The Applicant shall 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 as soon as practicable after the Applicant becomes aware of the incident. Within 7 days of the date of this incident, the Applicant shall provide the Secretary and any relevant agencies with a detailed report on the incident.</p>	<p>Loss of containment incident reported to DPE (Annual Review December 2016).</p> <p>No other incidents reported to the DPE. No evidence of reportable incidents (reviewed Caltex LPS entries) attributable to <u>demolition</u> activities was observed during this audit period.</p> <p>Note: incidents related to Terminal Operations have been reported to the NSW EPA (Annual Return).</p>	Compliant	
<b>INDEPENDENT ENVIRONMENTAL AUDIT</b>				
D7	<p>Within a year of the date of this consent, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the development. This audit must:</p> <p>(a) be conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;</p> <p>(b) include consultation with the relevant agencies;</p> <p>(c) assess the environmental performance of the development and whether it is complying with the relevant requirements in this consent and any relevant EPL and/or Water License (including any assessment, plan or program required under these approvals);</p>	<p>Last IEA for this Consent was April 2016. Report is on the Caltex public website with Caltex responses.</p>	Complaint	

	<p>(d) review the adequacy of any approved strategy, plan or program required under these approvals; and</p> <p>(e) recommend measures or actions to improve the environmental performance of the development, and/or any assessment, plan or program required under these approvals.</p> <p><i>Note: This audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Secretary.</i></p>			
D8	<p>Within 3 months of commissioning this audit, or as otherwise agreed by the Secretary, the Applicant shall submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report.</p>	Needs to be done within 3 months of this audit (22 <sup>nd</sup> September 2017)	Not triggered	
	<b>ACCESS TO INFORMATION</b>			
D9	<p>The Applicant shall, to the satisfaction of the Secretary:</p> <p>(a) make the following information publicly available on its website:</p> <ul style="list-style-type: none"> <li>· the EIS; SEE and MOD 1;</li> <li>· current statutory approvals for the Development;</li> <li>· approved strategies, plans or programs;</li> <li>· a summary of the monitoring results of the Development, which have been reported in accordance with the various plans and programs approved under the conditions of this consent;</li> <li>· a complaints register, updated on a quarterly basis;</li> <li>· copies of any annual reviews (over the last 5 years);</li> <li>· any independent environmental audit, and the Applicant's response to the recommendations in any audit; and</li> <li>· any other matter required by the Secretary; and</li> </ul> <p>(b) keep this information up-to-date,</p> <p><i>Note: This requirement does not require any confidential information to be made available to the public</i></p>	<p>Accessed public website and sighted:</p> <ul style="list-style-type: none"> <li>• EIS, SEE and MOD 1</li> <li>• Management plans</li> <li>• Complaints Register</li> <li>• Annual Review (2014 -2016)</li> <li>• IEA reports (2016)</li> <li>• Environmental monitoring data</li> <li>• Demolition progress</li> </ul>	Compliant	

## 10. EPL 837 Compliance Checklist

Note: the compliance table covers the Terminal as an integrated facility and compliance evaluation is as such i.e. findings are not specifically segregated into wharf or land activities (the License does not do this, thus the IEA audit team has stayed consistent with this). This will mean that there are findings duplicated in the IEA Report for Development Consent 5353

License Conditions	Evidence Sighted	Compliance
1. Administrative Condition <ul style="list-style-type: none"> <li>A1 What the license authorises and regulates</li> <li>A2 Premises or plant to which this license applies</li> <li>A3 Other activities</li> <li>A4 Information supplied to the EPA</li> </ul>	EPA Annual return 2016 / 2017. ISO Audit (full re-certification audit May 2017 (LRQA) EPA signing request 16/6/17, certifying that the information in the return is true and correct. 16/5/16 email to the environmental specialist by Caltex legal department approving the non-conformances content of the annual return	Compliant
2. Discharges to Air and Water and applications to Land <ul style="list-style-type: none"> <li>P1 Location of monitoring / discharge points and areas</li> </ul>	EPA Annual return 2016 / 2017. ISO Audit (full re-certification audit May 2017 (LRQA) Drawing 18588 as referenced in the EPA Annual return 2016 / 2017 Monitoring point 1 is decommissioned Sighted monitoring results for points 15, 16 and 27	Compliant
3. Limit Conditions <ul style="list-style-type: none"> <li>L1 pollution of Waters</li> <li>L2 Load Limits</li> <li>L3 Concentration Limits</li> </ul>	EPA Annual return 2016 / 2017. ISO Audit (full re-certification audit May 2017 (LRQA) Sighted monitoring results for points 15, 16 and 27	<ul style="list-style-type: none"> <li>L1 pollution of Waters, Compliant</li> <li>L2 Load Limits, Compliant</li> <li>L3 Concentration Limits, Compliant</li> <li>L4 Volume and Mass limits, Compliant</li> </ul>

<ul style="list-style-type: none"> <li>• L4 Volume and Mass limits</li> <li>• L5 Waste</li> <li>• L6 Noise Limits</li> <li>• L7 Potentially Offensive Odour</li> <li>• L8 Other Limit Conditions</li> </ul>	<p>Reviewed complaint and LPS records between Aug 2016 to Aug 2017;</p> <p>8/5/17 Shipping noise 23:45. Records indicated that actions were taken to monitor and respond to issues. Caltex investigation showed levels of 55-56dB</p> <p>30/7/17 Noise complaint from shipping 12:08am No ships at berth.</p> <p>25/7/17 Noise complaint 22:45 regarding shipping. Noise investigation measurement showed mid 40dB reading which was within limits.</p> <p>19/4/17 Noise complaint 16:19. Decommissioning and demolition related noise.</p> <p>17/12/17 Noise complaint 15:00 regarding shipping. No noise measurements were taken but observations were made by Caltex.</p> <p>16/12/16 Noise complaint 23:30 regarding shipping. No noise measurements were taken but observations were made by Caltex.</p> <p>13/11/16 12:30am terminal noise. No noise measurements were taken but observations were made by Caltex.</p> <p>30/7/17 Odour. Strong gasoline smell at the recreation club. The incident was investigated and no odour detected by Caltex. A potential source was identified as the WWTP.</p> <p>15/6/17 Odour. Resident complained about odour. Investigated with no odour detected by Caltex.</p> <p>For the year Aug 2016 to Aug 2017 there were 17 Odour complaints by different complainants. Caltex investigations generally did not determine an odour.</p> <p>For the year Aug 2016 to Aug 2017 there were 25 noise complaints. There were 6 complainants with most complaints by one person.</p> <p>Noise assessment Wilkinson and Murray 1/7/16. The assessment indicated that shipping noise was generally within limits, however there were instances where there were exceedances of noise levels and the report stated that the rare and marginal nature of the exceedance found in these measurements would generally indicate that overall compliance with noise level criteria has been achieved".</p> <p>6 months continuous ship noise monitoring is due to commence after this audit.</p>	<ul style="list-style-type: none"> <li>• L5 Waste, Compliant</li> <li>• L6 Noise Limits Not verified</li> <li>• L7 Potentially Offensive Odour, Not compliant</li> <li>• L8 Other Limit Conditions, Not compliant</li> </ul>
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	<p>25/6/17 sighted show cause letter from EPA regarding ship noise. 7/8/17 Caltex reply to EPA</p> <p>It is not verified that Caltex has complied with noise level requirement</p> <p>EPA Annual return 2016 / 2017. Includes reference to noncompliance for L7 odour and Other licence limit conditions L1, O1</p>	
<p>4. Operating Conditions</p> <ul style="list-style-type: none"> <li>• O1 Activities must be carried out in a competent manner</li> <li>• O2 Maintenance of plant and equipment</li> <li>• O3 Dust</li> <li>• O4 Emergency Response</li> <li>• O5 Processes and equipment</li> <li>• O6 other operating conditions</li> </ul>	<p>EPA Annual return 2016 / 2017. ISO Audit (full re-certification audit May 2017 (LRQA) Sampled records between Aug 2016 to Aug 2017</p> <p><b>Maintenance :</b> Sampled following items:</p> <ul style="list-style-type: none"> <li>• No overdue M7s or M8s</li> <li>• M7 scheduled maintenance reports</li> <li>• M8s unplanned maintenance reports.</li> <li>• Sign off processes for M7 closure.</li> <li>• Sighted actions arising from M7 into M8s</li> <li>• Bund Assessment</li> <li>• Monthly Tank Inspections as M7</li> <li>• High Tank Level testing</li> <li>• PSVs</li> <li>• Cathodic protection monitoring of pipelines</li> <li>• Pressure testing monitoring of pipelines to AS2885</li> </ul> <p><b>Contractor management</b></p> <ul style="list-style-type: none"> <li>• Sighted contractor reviews. Contractors rated on quality and EMS.</li> </ul> <p><b>Dust</b> No dust complaints in relation to terminal operations.</p> <p><b>Emergency response</b> Sighted emergency response planning table PIRMP Emergency response drill was completed 7 March 2017 PIRMP last updated 10/5/17.</p>	Compliant
<p>5. Monitoring and Recording Conditions</p> <ul style="list-style-type: none"> <li>• M1 Monitoring records</li> <li>• M2 Requirement to monitor concentration of pollutants discharged</li> </ul>	<p>EPA Annual return 2016 / 2017. ISO Audit (full re-certification audit May 2017 (LRQA)</p>	Compliant

<ul style="list-style-type: none"> <li>• M3 Testing methods – concentration limits</li> <li>• M4 Testing methods – load limits</li> <li>• M5 recording of pollution complaints</li> <li>• M6 Telephone complaints line</li> <li>• M7 requirement to monitor volume or mass</li> </ul>	<p>Reviewed monitoring results for points 15, 16 and 27</p> <p>Sampled records of management of complaint calls to the Kurnell Terminal Community Hotline Jan 2015. Tested the complaints hotline is effective. Initial response is applied by operations control room staff and LPS issue is recorded. Issues are evaluation by management to determine whether further investigation is required. Complaints are being reported to the management team for further investigation and action if required.</p> <p>Sampled complaint records between Aug 2016 to Aug 2017</p>	
<p>6. Reporting Conditions</p> <ul style="list-style-type: none"> <li>• R1 Annual return documents</li> <li>• R2 Notification of environmental harm</li> <li>• R3 Written report</li> <li>• R4 Other reporting conditions</li> </ul>	<p>EPA Annual return 2016 / 2017. ISO Audit (full re-certification audit May 2017 (LRQA)</p> <p>Reviewed complaint and LPS records between Aug 2016 to Aug 2017</p> <p>Verbal reports using the EPA hotline have been made where there has been non-compliance incidents (except for odour complaints)</p> <p>Written reports have been provided where required. Sighted written reports to EPA and DPE</p>	Compliant
<p>7. General Conditions</p> <ul style="list-style-type: none"> <li>• Copy of license kept at premises or plant</li> <li>• Signage</li> <li>• Other general conditions</li> </ul>	<p>Sighted EPA Licence 837 18/7/17</p> <p>Signage is in place</p>	Compliant
<p>8. Pollution Studies and Reduction Programs</p> <ul style="list-style-type: none"> <li>• U1 PRP U16: VOC Emissions from Petroleum Storages</li> <li>• U2 PRP U18: Threatened Species Management Plan</li> <li>• U3 PRP U20: Soil / Groundwater Risk Reduction Program</li> <li>• U4 PRP U21 Landfarm Management Plan</li> </ul>	<p><b>U16: VOC Emissions from Petroleum Storages</b> Report 28/11/14. Sighted records indicating 4 tanks have been upgraded or decommissioned as planned since 2014.</p> <p><b>U18: Threatened Species Management Plan. Completed</b> 14/12/15</p> <p><b>U20: Soil / Groundwater Risk Reduction Program.</b> Removed from Licence 15/1/15</p> <p><b>U21 Land farm Management Plan</b></p>	Compliant

	<p>The completion and implementation of the Land Farm Management Plan has been deferred as agreed with the EPA to differ</p> <p><b>U25 Terminal Operations Waste Water Characterisation</b> 8/2/17 Waste Water study by AECOM 7/7/17 Waste Water Plant study by AECOM</p>	
9. Special Conditions	<p><b>E8: Bio-Pile Pilot Trial. Completed 18/12/15</b></p> <p><b>E9 Data Gap Investigation</b> 22/8/16 report ESA CLOR regarding soil sampling and well installation. EPA response to this repose requires a remediation action plan to be completed.</p> <p><b>E10 Soil Regeneration Facility</b> Covered in ISO 14001:2015 LRQA audit (May 2017). - sampled subsequent activities since May 2017 e.g. Material Classification / Approval / Compliance Certificates; reports to EPA; stockpile Mud-Map / Stockpile Lifetime Summary / Master Stockpile Generator / Additives Tracking Register / soil sampling tracking / Quarantine Soil Register / Daily monitoring records (VOC, odours, carbon bed monitoring, calibration of PID monitor; EMP &amp; relevant procedures. Progress report 4 10/4/17 by WSP Progress report 5 11/7/17 Caltex response to EPA comments on report number</p> <p><b>SC E11 PFAS</b> 29/3/17 PFAS Assessment by WPS Sighted communications and reporting to NSW EPA. - Action Plan (August 2017); response to Action Plan 9 September 2017). Thus far meeting timelines for action. Noted that License condition needs to be updated to reflect action plan and development.</p> <p><b>SC E12 Continuous noise monitoring Kurnell Wharf</b> Monitoring equipment yet to be deployed.</p>	Compliant