

Visy Dry Recyclables Facility Alexandria

Annual Environmental Performance Review – 2023 (Operational Compliance Report v1)

Site and Review Details

Development Consent: SSD-10364

Site Address: 112-120 Euston Road,
Alexandria NSW 2015
(Lot 2 DP709175)

Calendar Year Reviewed: 2023

Date Completed: 27/03/2023

Completed By: Jake Luschwitz – Visy Recycling NSW
Eastern Area Operations Manager

This review has been prepared to satisfy condition C15 of the development consent by responding directly to the requirements listed in the consent document.

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1. Introduction

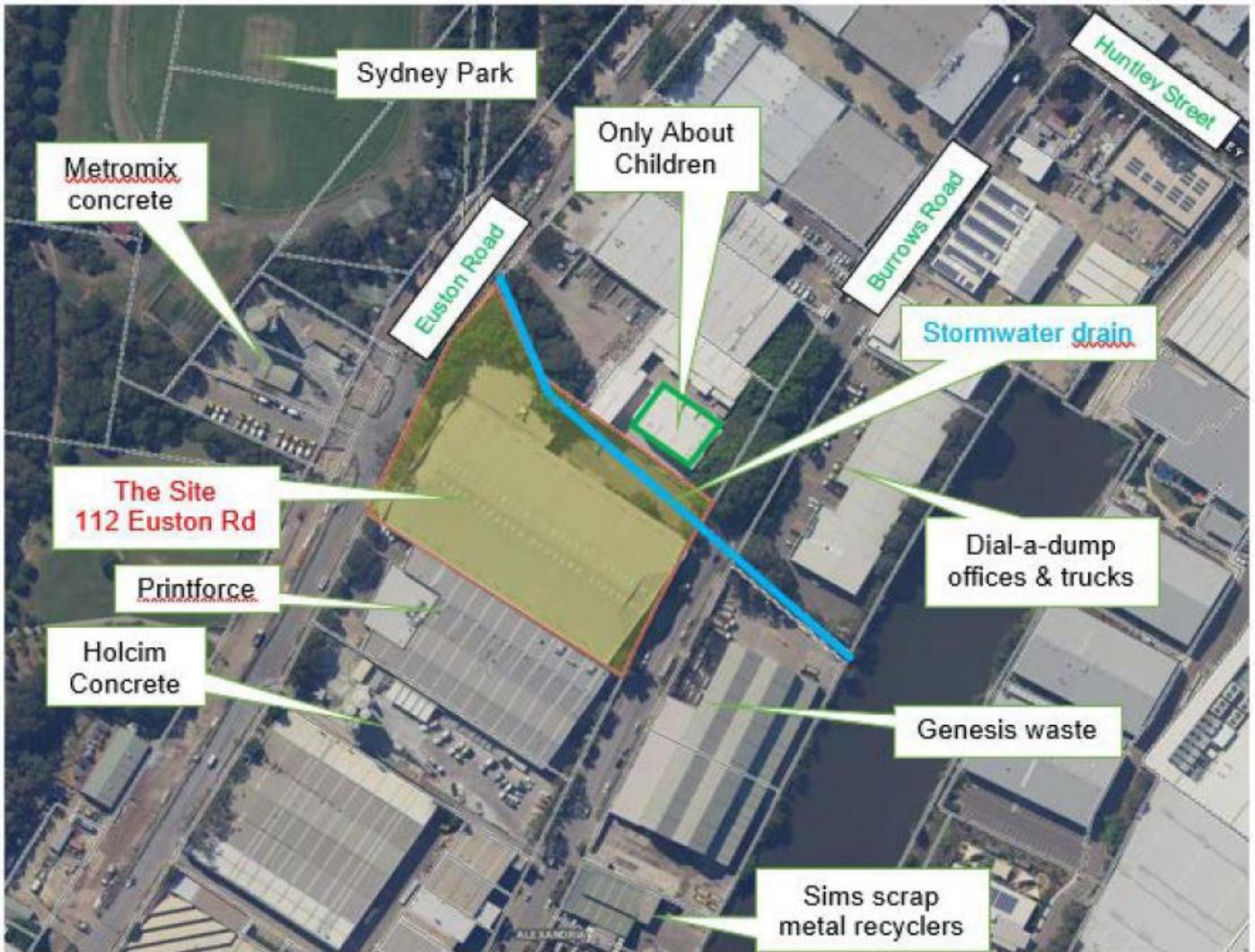
Site Address:

112-120 Euston Road,
Alexandria NSW 2015
(Lot 2 DP709175)

Reporting Period Project Activities Summary:

Nil

Site Footprint



Source: Six Maps

Figure 1 - The site location, neighbouring premises and key features.

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Environmental Compliance Contacts

| Name | Position | Email | Phone |
|------------------|--|------------------------------|--------------|
| Jake Luschwitz | Visy Recycling – NSW Eastern Area Operations Manager | jake.luschwitz@visy.com.au | 0499 986 272 |
| Catherine Warren | Visy Recycling – State Operations Manager NSW | catherine.warren@visy.com.au | 0447 228 101 |
| Ben Casuria | Visy – National Environment Manager | ben.casuria@visy.com.au | 0418 503 715 |
| Roslyn Herron | Visy – NSW HSE Manager | roslyn.herron@visy.com | 0499 986 861 |

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2. Previous report actions

| Source of action | Reference | Proposed Completion Date | Status | Action completed |
|---|---|--------------------------|----------|---|
| In order to ensure compliance with C11 & C12 of the DC, include in the incident reporting protocol (including the PIRMP), a requirement to notify the DPE in writing immediately after an incident, and within seven days after a non-compliance. Within thirty days after the incident, provide a detailed written report of the incident in accordance with Appendix 4 of the DC to DPE and any relevant public authorities (as determined by DPE). | Auditor Recommendations from Section 14.2 of the IEA Report | | Complete | Site has added the DC Clauses to the Emergency Response Plan (which contains the PIRMP). |
| To ensure compliance with Clause 140, POEO (General) Regulation 2022, include in the incident reporting protocol (including the PIRMP), a requirement to provide a notification in writing, following an initial verbal notification, to relevant authorities within seven days after an incident. | Auditor Recommendations from Section 14.2 of the IEA Report | | Complete | Assumed to reference Clause 137, POEO (General) Regulation 2022 (17 Feb 23). Site has added the POEO Clauses to the PIRMP. |
| Routine site inspections for odour and dust should be documented, including recording information on the observation of visible dust emissions, increased dust deposition and presence of odour. | Auditor Recommendations from Section 14.2 of the IEA Report | | Complete | External odour inspections have been added to the daily housekeeping checklist. Site has implemented and is recording observations. |
| It is also recommended that the OEMP be updated to specify that records of any environmental performance be retained at the site for at least 4 years. This is in accordance with requirements for record retention as per conditions R1.6, M1.2 (b) and M2.3 of the EPL that the annual returns, any record of complaints and monitoring records to be kept for at least 4 years. | Auditor Recommendations from Section 14.2 of the IEA Report | | Complete | OEMP Updated as recommended. |

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| Source of action | Reference | Proposed Completion Date | Status | Action completed |
|--|---|----------------------------------|----------|--|
| Within three months of submission of this audit report, revision of strategies, plans and programs should be performed as per requirements of C8-C10 of DC. | Auditor Recommendations from Section 14.2 of the IEA Report | | Complete | Review of Plans was performed and copies of the updated ERP and OEMP submitted to DPE through the portal. |
| The content of the induction program does not include all elements relating to air quality management as specified in the OAQMP, however some of these appear unnecessary and not relevant for all employees and contractors. It is recommended that the OAQMP be updated to remove the following extraneous requirements from the induction program: – Relevant legislation and consent conditions; and – Locations of sensitive receptors. | Auditor Recommendations from Section 14.2 of the IEA Report | | Complete | OAQMP updated as suggested after correspondence with DPE. Site induction program updated to include elements of air quality as recommended by updated OAQMP. |
| DPE letter dated 18/05/2023 “Visy Dry Recyclables Facility – SSD 10364 2021 and 2022 Annual Reviews” | Use the format and reporting guidelines provided in Section 3 and the appendices of the Compliance Reporting Post Approval Requirements (Department 2020) (CRPAR) in addition to the specific requirements of Condition C15 of the consent. | Each Annual Environmental Return | Ongoing | CRPAR 2020 (SF20/40224) referenced and used to produce Annual Environmental Performance Review template. Template used for this year’s Review document. |

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3. Compliance status summary

| Condition | Non-Compliance Details | Reported to | Regulator enforcement action | Response |
|---|--|---------------------------|------------------------------|---|
| <p>C15. Within three months after the first year of commencement of operation, and in the same month each subsequent year (or such other timing as may be agreed by the Planning Secretary), the Applicant must submit a report to the Department reviewing the environmental performance of the development to the satisfaction of the Planning Secretary. The review must:</p> <ul style="list-style-type: none"> (a) describe the development that was carried out in the previous year, and the development that is proposed to be carried out in the current year; (a) include a comprehensive review of the monitoring results and complaints records from the previous year, including a comparison of these against the: <ul style="list-style-type: none"> (i) relevant statutory requirements, limits or performance measures/criteria; (i) requirements of any plan or program required under this consent; (ii) monitoring results of previous years; and (iii) the relevant predictions in the EIS or Response to Submissions; (b) identify any non-compliances and any incidents which occurred over in the previous year, and describe what actions were (or are being) taken to rectify the non-compliance or incident and avoid recurrence; (c) identify any trends in the monitoring data over the life of the development; (d) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and (e) describe what measures will be implemented over the next year to improve the environmental performance of the development. | <p>This annual review for 2023 was not submitted to the department before EoM March 2024</p> | <p>DPE 23/12/2025</p> | <p>Nil as yet</p> | <p>Submission to occur 23/12/2025</p> |
| <p>Independent Environmental Audit C17. Within one year of the commencement of operation, and every three years after, unless the Planning Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit (audit) of the development. Audits must:</p> <ul style="list-style-type: none"> (a) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Planning Secretary; (b) be carried out in consultation with the relevant agencies and the CCC; (c) assess the environmental performance of the development and assess whether it is complying with the requirements in this consent, and any strategy, plan or program required under this consent; | <p>IEA was not commenced within one year of commencement of operations nor was the IEA report and RAR submitted within 3 months of commencement of the audit</p> | <p>DPE</p> | <p>No further action</p> | <p>N/A</p> |

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| | | | | |
|--|--|--|--|--|
| <p>(d) review the adequacy of any approved strategy, plan or program required under this consent; and (e) recommend measures or actions to improve the environmental performance of the development, and any strategy, plan or program required under this consent. C18. Within three months of commissioning an Independent Environmental Audit, or within another timeframe agreed by the Planning Secretary, a copy of the audit report must be submitted to the Planning Secretary and any other NSW agency that requests it, together with a response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations. The recommendations must be implemented to the satisfaction of the Planning Secretary.</p> | | | | |
| | | | | |

4. Incidents

No incidents have occurred in this reporting period. This is in line with the trend from previous years.

5. Complaints

| Complaint Number | Number of Complainants | Location | Nature of Complaint |
|------------------|------------------------|----------|---------------------|
| NIL | N/A | N/A | N/A |

6. Appendices

| | |
|------------|------------------------------------|
| Appendix A | Condition 15 and 16 Review Details |
| Appendix B | Compliance Table |
| Appendix C | Compliance Report Declaration Form |

Appendix A. Condition 15 and 16 Review Details

C15. *Within three months after the first year of commencement of operation, and in the same month each subsequent year (or such other timing as may be agreed by the Planning Secretary), the Applicant must submit a report to the Department reviewing the environmental performance of the development to the satisfaction of the Planning Secretary. The review must:*

- a) *describe the development that was carried out in the previous year, and the development that is proposed to be carried out in the current year;*

No development was carried out in the reporting period. Operations were in line with this Development Consent

No development is planned for the next reporting period.

- b) *include a comprehensive review of the monitoring results and complaints records from the previous year, including a comparison of these against the:*

- (i) relevant statutory requirements, limits or performance measures/criteria;*
- (ii) requirements of any plan or program required under this consent;*
- (iii) monitoring results of previous years; and*
- (iv) the relevant predictions in the EIS or Response to Submissions;*

- c) *No continuous monitoring data is required to be recorded or kept for this development and no complaints have been received for this site in the reporting period.*

- d) *identify any non-compliances and any incidents which occurred over in the previous year, and describe what actions were (or are being) taken to rectify the non-compliance or incident and avoid recurrence;*

No non-compliances occurred over the previous year.

- e) *identify any trends in the monitoring data over the life of the development;*

No continuous monitoring data is required to be recorded or kept for this development.

- f) *identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and*

In line with predictions, there have been no major impacts of the development.

- g) *describe what measures will be implemented over the next year to improve the environmental performance of the development.*

Visy are always seeking opportunities to improve environmental performance, though no specific measures are planned for the next reporting period.

C16. *Copies of the Annual Review must be submitted to Council and made available to the CCC and any interested person upon request.*

Copies will be sent to:

DPIE – Samuel Condon - Senior Compliance Officer - samuel.condon@planning.nsw.gov.au

DPIE – Gil Bloxham - Senior Compliance Officer - giles.bloxham@dpie.nsw.gov.au

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Appendix B. Compliance Table

| Condition | Development Phase | Evidence and Comments | Compliance Status |
|--|-------------------|------------------------------|-------------------|
| PART A ADMINISTRATIVE CONDITIONS | | | |
| OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT | | | |
| A1. In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development, and any rehabilitation required under this consent. | At all times | | Compliant |
| TERMS OF CONSENT | | | |
| A2. The development may only be carried out: (f) in compliance with the conditions of this consent; (g) in accordance with all written directions of the Planning Secretary; (h) in accordance with the EIS and Response to Submissions; (i) in accordance with the Development Layout in Appendix 1; and (j) in accordance with the management and mitigation measures in Appendix 3. | At all times | | Compliant |
| A3. Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to: (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and (b) the implementation of any actions or measures contained in any such document referred to in condition A3(a). | When directed | | Not triggered |
| A4. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c) – (e). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) – (e) the most recent document prevails to the extent of the inconsistency, ambiguity or conflict. | At all times | See section 2 of this review | Compliant |

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| Condition | Development Phase | Evidence and Comments | Compliance Status |
|---|---|------------------------------------|-------------------|
| LIMITS OF CONSENT | | | |
| A5. This consent lapses five years after the date from which it operates, unless the development has physically commenced on the land to which the consent applies before that date. | 5 years after operations cease | | Not triggered |
| A6. The only type of waste permitted to be received or processed at the site is waste classified as paper, cardboard, plastics, glass, and metal in accordance with the EPL. | At all times | | Compliant |
| A7. The Applicant must not receive or process more than 155,000 tonnes of paper, cardboard, plastics, glass, and metal per year. | At all times | | Compliant |
| A8. Stockpiles of processed and/or unprocessed waste on site must not be more than 5 metres in height when measured from the finished ground level of the site. | At all times | | Compliant |
| NOTIFICATION OF COMMENCEMENT | | | |
| A9. The date of commencement of each of the following phases of the development must be notified to the Department in writing, at least one month before that date: (a) construction; (b) operation; (c) cessation of operations; and (d) decommissioning. | 1 month before commencement of any of the listed phases | Last triggered in 2020 (Compliant) | Not triggered |
| A10. If the construction, operation or decommissioning of the development is to be staged, the Department must be notified in writing at least one month before the commencement of each stage, of the date of commencement and the development to be carried out in that stage. | 1 month before commencement of any of the listed stages | Last triggered in 2020 (Compliant) | Not triggered |
| EVIDENCE OF CONSULTATION | | | |
| A11. Where conditions of this consent require consultation with an identified party, the Applicant must: (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and (b) provide details of the consultation undertaken including: (iv) the outcome of that consultation, matters resolved and unresolved; and (v) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved. | Planning | | Not triggered |

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| Condition | Development Phase | Evidence and Comments | Compliance Status |
|--|-------------------|------------------------------------|-------------------|
| REQUEST FOR INFORMATION | | | |
| A12. The Applicant must record the amount of waste (in tonnes) received at the site on a daily basis. | At all times | | Compliant |
| A13. The Applicant must retain all weighbridge records as required by the POEO (Waste) Regulation and for the life of the development. The weighbridge records must be made immediately available on request by the Planning Secretary and/or EPA. | At all times | | Compliant |
| A14. The Applicant must retain waste classification records for all wastes received on the site and waste disposed from the site for the life of the development. The waste classification records must be made immediately available on request by the EPA and/or the Planning Secretary. | At all times | | Compliant |
| STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS | | | |
| A15. With the approval of the Planning Secretary, the Applicant may: <ul style="list-style-type: none"> (a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program); (b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and (c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development). | Planning | Last triggered in 2020 (Compliant) | Not Triggered |
| A16. If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent. | Planning | Last triggered in 2020 (Compliant) | Not Triggered |
| A17. If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program. | Planning | Last triggered in 2020 (Compliant) | Not Triggered |
| PROTECTION OF PUBLIC INFRASTRUCTURE | | | |
| A18. Before the commencement of construction, the Applicant must: <ul style="list-style-type: none"> (a) consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure; (b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and | Construction | Last triggered in 2020 (Compliant) | Not Triggered |

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| Condition | Development Phase | Evidence and Comments | Compliance Status |
|--|-------------------|---|-------------------|
| (c) submit a copy of the dilapidation report to the Planning Secretary and Council. | | | |
| A19. Unless the Applicant and the applicable authority agree otherwise, the Applicant must: (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development. | Construction | Last triggered in 2020 (Compliant) | Not Triggered |
| DEMOLITION | | | |
| A20. All demolition must be carried out in accordance with <i>Australian Standard AS 2601-2001 The Demolition of Structures</i> (Standards Australia, 2001). | Demolition | Last triggered in 2020 (Compliant) | Not Triggered |
| STRUCTURAL ADEQUACY | | | |
| A21. All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA; <i>Note:</i> <ul style="list-style-type: none"> Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works. Part 8 of the EP&A Regulation sets out the requirements for the certification of the development. Under section 21 of the Coal Mine Subsidence Compensation Act 2017, the Applicant is required to obtain the Chief Executive of Subsidence Advisory NSW's approval before carrying out certain development in a Mine Subsidence District. | Construction | Last triggered in 2020 (Compliant) | Not Triggered |
| COMPLIANCE | | | |
| A22. The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development. | At all times | All operational procedures and training associated with the development have been developed to ensure compliance with the conditions of this consent. | Compliant |
| OPERATION OF PLANT AND EQUIPMENT | | | |
| A23. All plant and equipment used on site, or to monitor the performance of the development must be: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner. | At all times | | Compliant |

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| Condition | Development Phase | Evidence and Comments | Compliance Status |
|--|-------------------|------------------------------------|-------------------|
| EXTERNAL WALLS AND CLADDING | | | |
| A24. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA. | Construction | Last triggered in 2020 (Compliant) | Not triggered |
| A25. Before the issue of a Construction Certificate and an Occupation Certificate, the Applicant must provide the Certifying Authority with documented evidence that the products and systems proposed for use or used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the BCA. | Construction | Last triggered in 2020 (Compliant) | Not triggered |
| A26. The Applicant must provide a copy of the documentation given to the Certifying Authority under condition A25 to the Planning Secretary within seven days after the Certifying Authority accepts it. | Construction | Last triggered in 2020 (Compliant) | Not triggered |
| UTILITIES AND SERVICES | | | |
| A27. Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers. | Construction | Last triggered in 2020 (Compliant) | Not triggered |
| A28. Before the commencement of operation of the development, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the <i>Sydney Water Act 1994</i> . | Construction | Last triggered in 2020 (Compliant) | Not triggered |
| WORKS AS EXECUTED PLANS | | | |
| A29. Before the issue of the final Occupation Certificate for Stage 1, works-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the PCA. | Construction | Last triggered in 2020 (Compliant) | Not triggered |
| APPLICABILITY OF GUIDELINES | | | |
| A30. References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent. | Construction | | Not Applicable |
| A31. However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, | Construction | | Not Applicable |

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| Condition | Development Phase | Evidence and Comments | Compliance Status |
|---|---------------------|---|----------------------|
| require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them. | | | |
| ADVISORY NOTES | | | |
| AN1. All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents. | At all times | EPL 21359 Issued 20 October 2020 | Compliant |
| PART B SPECIFIC ENVIRONMENTAL CONDITIONS | | | |
| WASTE MANAGEMENT | | | |
| Waste Storage and Processing | | | |
| B1. Waste must be secured and maintained within designated waste storage areas at all times and must not leave the site onto neighbouring public or private properties. | At all times | | Compliant |
| Construction Waste Management Plan | | | |
| B2. Prior to the commencement of construction, the Applicant must prepare a Construction Waste Management Plan (CWMP) for the development to the satisfaction of the Planning Secretary. The CWMP must form part of the CEMP and be prepared in accordance with condition C2 and must: <ul style="list-style-type: none"> (a) detail the type and quantity of waste to be generated during construction of the development; (b) describe the handling, storage and disposal of all waste streams generated on site, consistent with the Protection of the Environment Operations Act 1997, Protection of the Environment Operations (Waste) (c) Regulation 2014 and the Waste Classification Guideline (Department of Environment, Climate Change and Water, 2009); detail the materials to be reused or recycled, either on or off site; and (d) include the Management and Mitigation Measures in Appendix 3. | Construction | Last triggered in 2020 (Compliant) | Not triggered |
| B3. The Applicant must: <ul style="list-style-type: none"> (a) not commence construction until the CWMP is approved by the Planning Secretary; (b) implement the most recent version of the CWMP approved by the Planning Secretary for the duration of construction. | Construction | Last triggered in 2020 (Compliant) | Not triggered |

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| Condition | Development Phase | Evidence and Comments | Compliance Status |
|--|-------------------|---|-------------------|
| Operational Waste Management Plan | | | |
| B4. Prior to the commencement of operation, the Applicant must prepare an Operational Waste Management Plan (OWMP) for the development to the satisfaction of the Planning Secretary. The OWMP must form part of the OEMP and be prepared in accordance with condition C5. The OWMP must: <ul style="list-style-type: none"> (a) detail the type and quantity of waste to be generated during operation of the development; (b) describe the handling, storage and disposal of all waste streams generated on site, consistent with the Protection of the Environment Operations Act 1997, Protection of the Environment Operations (Waste) (c) Regulation 2014 and the Waste Classification Guideline (Department of Environment, Climate Change and Water, 2009); (d) detail the materials to be reused or recycled, either on or off site; (e) include a Contingency Waste Management Plan that details procedures in the event of machinery breakdown or processing downtime; (f) include a Litter Management Plan; and (g) include the Management and Mitigation Measures in Appendix 3. | Operation | V1 Issued 01 October 2020 | Compliant |
| B5. The Applicant must: <ul style="list-style-type: none"> (a) not commence operation until the OWMP is approved by the Planning Secretary; (b) implement the most recent version of the OWMP approved by the Planning Secretary for the duration of operation. | Operation | V1 is still current - Issued 01 October 2020 | Compliant |
| Statutory Requirements | | | |
| B6. All waste materials removed from the site must only be directed to a waste management facility or premises lawfully permitted to accept the materials. | At all times | | Compliant |
| B7. The Applicant must assess and classify all liquid and non-liquid wastes to be taken off site in accordance with the latest version of EPA's Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014) and dispose of all wastes to a facility that may lawfully accept the waste. | At all times | | Compliant |
| B8. The Applicant must retain all sampling and waste classification data for the life of the development in accordance with the requirements of EPA. | At all times | Records kept in line with EPA requirements | Compliant |
| Pests, Vermin and Noxious Weed Management | | | |
| B9. The Applicant must: <ul style="list-style-type: none"> (a) implement suitable measures to manage pests, vermin and declared noxious weeds on the site; and | At all times | Licensed pest management and landscaping contractors attend the | Compliant |

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| Condition | Development Phase | Evidence and Comments | Compliance Status |
|--|-------------------|---|-------------------|
| <p>(b) inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or noxious weeds are not present on site in sufficient numbers to pose an environmental hazard, or cause the loss of amenity in the 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> | | <p>site on a monthly basis (at minimum) to manage pests, vermin and noxious weeds.</p> | |
| TRAFFIC AND ACCESS | | | |
| Parking | | | |
| B10. The Applicant must provide sufficient parking facilities on-site, including for heavy vehicles and for site personnel, to ensure that traffic associated with the development does not utilise public and residential streets or public parking facilities. | At all times | Site has maintained parking and truck staging provisions as per the approved site plans submitted in 2020 | Compliant |
| Operating Conditions | | | |
| <p>B11. The Applicant must ensure:</p> <ul style="list-style-type: none"> (a) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the development are constructed and maintained in accordance with the latest version of AS 2890.1:2004 Parking facilities Off-street car parking (Standards Australia, 2004) and AS 2890.2:2002 Parking facilities Off-street commercial vehicle facilities (Standards Australia, 2002); (b) the swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, is in accordance with the relevant AUSTROADS guidelines; (c) the development does not result in any vehicles queuing on the public road network; (d) heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site; (e) all vehicles are wholly contained on site before being required to stop; (f) all loading and unloading of materials is carried out on site; (g) all trucks entering or leaving the site with loads have their loads covered and do not track dirt onto the public road network; and (h) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times. | At all times | Site has maintained parking, truck staging, truck path and internal loading/unloading provisions as per the traffic management plan and approved site plans submitted in 2020 | Compliant |
| B12. All demolition and construction vehicles must be contained wholly within the site and vehicles must enter the site before stopping. No works zone(s) will be permitted on Euston Road. A Road Occupancy Licence (ROL) should be obtained from Transport Management Centre for any works that may impact on traffic flows on Euston Road during construction activities. | Construction | Last triggered in 2020 (Compliant) | Not triggered |

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| Condition | Development Phase | Evidence and Comments | Compliance Status |
|---|-------------------|---|-------------------|
| Construction Traffic Management Plan | | | |
| <p>B13. Prior to the commencement of construction, the Applicant must prepare a Construction Traffic Management Plan (CTMP) for the development to the satisfaction of the Planning Secretary. The CTMP must form part of the CEMP required by Condition C2 and must:</p> <ul style="list-style-type: none"> (a) be prepared by a suitably qualified and experienced person(s); (b) be prepared in consultation with TfNSW (including former RMS); (c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction, including: <ul style="list-style-type: none"> (i) details of heavy vehicle routes, access and parking arrangements; (ii) measures to minimise conflicts with other road users; (iii) measures to avoid impacts on the local traffic network; (iv) compliance with the relevant conditions of this consent; and (d) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes. | Construction | Last triggered in 2020 (Compliant) | Not triggered |
| <p>B14. The Applicant must:</p> <ul style="list-style-type: none"> (a) not commence construction until the CTMP required by condition B13 is approved by the Planning Secretary; and (b) implement the most recent version of the CTMP approved by the Planning Secretary for the duration of construction. | Construction | Last triggered in 2020 (Compliant) | Not triggered |
| Operation Traffic Management Plan | | | |
| <p>B15. Prior to the commencement of operation, the Applicant must prepare an Operational Traffic Management Plan (OTMP) for the development to the satisfaction of the Planning Secretary. The OTMP must form part of the OEMP required by Condition C5 and must:</p> <ul style="list-style-type: none"> (a) be prepared by a suitably qualified and experienced person(s); (b) include a Driver Code of Conduct consistent with the Applicant’s Management and Mitigation Measures at Appendix 3. (c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction and operation, including: <ul style="list-style-type: none"> (i) details of heavy vehicle routes, access and parking arrangements; (ii) measures to minimise conflicts with other road users; (iii) measures to avoid impacts on the local traffic network; (iv) measures to ensure drivers adhere to the code of conduct; (v) compliance with the relevant conditions of this consent; (d) include a program to monitor the effectiveness of these measures; (e) include an active transport plan in accordance with the Applicant’s response to submissions; and | Operation | V1 is still current - Issued 03 December 2020 | Compliant |

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|---|-------------------|--|-------------------|
| (f) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes. | | | |
| B16. The Applicant must: (a) not commence operation until the OTMP required by condition B15 is approved by the Planning Secretary; and (b) implement the most recent version of the OTMP approved by the Planning Secretary for the duration of operation. | Operation | V1 is still current - Issued 03 December 2020 | Compliant |
| AIR QUALITY | | | |
| Dust Minimisation | | | |
| B17. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent. | At all times | All operations are performed inside the building – Activities occurring at the premises are carried out in a manner that minimise emissions of dust from the premises. The premises is maintained in a condition which prevents the emission of dust from the premises. | Compliant |
| B18. During construction, the Applicant must ensure that: (a) exposed surfaces and stockpiles are suppressed by regular watering; (b) all trucks entering or leaving the site with loads have their loads covered; (c) trucks associated with the development do not track dirt onto the public road network; (d) public roads used by these trucks are kept clean; and (e) land stabilisation works are carried out progressively on site to minimise exposed surfaces. | Construction | Last triggered in 2020 (Compliant) | Not triggered |
| Air Quality Discharges | | | |
| B19. The Applicant must install and operate equipment in line with best practice to ensure that the development complies with all load limits, air quality criteria/air emission limits and air quality monitoring requirements as specified in the EPL applicable to the site. | At all times | None specified | Compliant |

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|--|-------------------|--|-------------------|
| Construction Air Quality Management Plan | | | |
| B20. Prior to the commencement of construction, the Applicant must prepare a Construction Air Quality Management Plan (CAQMP) to the satisfaction of the Planning Secretary. The CAQMP must form part of the CEMP required by Condition C2 and must: <ul style="list-style-type: none"> (a) include an air quality and odour mitigation strategy which: <ul style="list-style-type: none"> (i) details proactive measures to minimise odour and air quality impacts; (ii) identifies trigger levels for remedial action; (iii) details the remedial action that will be taken if trigger levels are exceeded; (b) describe protocols for record keeping and compliance reporting; and (c) describe protocols for the review and revision of the plan to ensure any controls remain effective over time | Construction | Last triggered in 2020 (Compliant) | Not triggered |
| B21. The Applicant must: <ul style="list-style-type: none"> (a) not commence construction until the CAQMP required by condition B20 is approved by the Planning Secretary; and (b) implement the most recent version of the CAQMP approved by the Planning Secretary for the duration of construction. | Construction | Last triggered in 2020 (Compliant) | Not triggered |
| Operational Air Quality Management Plan | | | |
| B22. Prior to the commencement of operation, the Applicant must prepare an Operational Air Quality Management Plan (OAQMP) to the satisfaction of the Planning Secretary. The OAQMP must form part of the OEMP required by Condition C5 and must: <ul style="list-style-type: none"> (a) be prepared in consultation with the EPA and by a suitably qualified, experienced and independent expert whose appointment has been endorsed by the Planning Secretary; (b) include an air quality and odour monitoring program, which details: <ul style="list-style-type: none"> (i) the location, frequency and duration of monitoring which adequately represents the sensitive receptors; (ii) the provision for appropriate monitoring; and (iii) key performance indicators for monitoring; (c) include an air quality and odour mitigation strategy which: <ul style="list-style-type: none"> (i) details proactive measures to minimise odour and air quality impacts; (ii) identifies trigger levels for remedial action; (iii) details the remedial action that will be taken if trigger levels are exceeded; (d) describe protocols for record keeping and compliance reporting; and (e) describe protocols for the review and revision of the plan to ensure any controls remain effective over time. | Operation | Version C.2 is still current - Issued May 2023 | Compliant |
| B23. The Applicant must: <ul style="list-style-type: none"> (a) not commence operation until the OAQMP required by condition B22 is approved by the Planning Secretary; and (b) implement the most recent version of the OAQMP approved by the Planning Secretary for the duration of operation. | Operation | Version C.2 is still current - Issued May 2023 | Compliant |

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| Condition | Development Phase | Evidence and Comments | Compliance Status | | | | | | | | | | | | | |
|--|---------------------|-----------------------|-------------------|-----------------------------|-----------------|--------------|---------------------|--------------|-----------------|----------|-----------|-----------------|----------|--|--|--|
| Odour Management | | | | | | | | | | | | | | | | |
| B24. The Applicant must ensure the development does not cause or permit the emission of any offensive odour (as defined in the POEO Act). | At all times | | Compliant | | | | | | | | | | | | | |
| NOISE | | | | | | | | | | | | | | | | |
| Hours of Work | | | | | | | | | | | | | | | | |
| B25. The Applicant must comply with the hours detailed in Table 1, unless otherwise agreed in writing by the Planning Secretary. | At all times | | Compliant | | | | | | | | | | | | | |
| <p>Table 1 Hours of Work</p> <table border="1"> <thead> <tr> <th>Activity</th> <th>Day</th> <th>Time</th> </tr> </thead> <tbody> <tr> <td rowspan="3">Earthworks and construction</td> <td>Monday – Friday</td> <td>6 am to 6 pm</td> </tr> <tr> <td>Saturday and Sunday</td> <td>7 am to 5 pm</td> </tr> <tr> <td>Public Holidays</td> <td>No works</td> </tr> <tr> <td>Operation</td> <td>Monday – Sunday</td> <td>24 hours</td> </tr> </tbody> </table> | Activity | Day | Time | Earthworks and construction | Monday – Friday | 6 am to 6 pm | Saturday and Sunday | 7 am to 5 pm | Public Holidays | No works | Operation | Monday – Sunday | 24 hours | | | |
| Activity | Day | Time | | | | | | | | | | | | | | |
| Earthworks and construction | Monday – Friday | 6 am to 6 pm | | | | | | | | | | | | | | |
| | Saturday and Sunday | 7 am to 5 pm | | | | | | | | | | | | | | |
| | Public Holidays | No works | | | | | | | | | | | | | | |
| Operation | Monday – Sunday | 24 hours | | | | | | | | | | | | | | |
| B26. Works outside of the hours identified in condition B25 may be undertaken in the following circumstances: <ul style="list-style-type: none"> (a) works that are inaudible at the nearest sensitive receivers; (b) works agreed to in writing by Council and the Planning Secretary; (c) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or (d) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm. | Construction | | Not triggered | | | | | | | | | | | | | |
| Construction Noise Limits | | | | | | | | | | | | | | | | |
| B27. The development must be constructed to achieve the construction noise management levels detailed in the Interim Construction Noise Guideline (DECC, 2009) (as may be updated or replaced from time to time). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures in Appendix 3. | Construction | | Not triggered | | | | | | | | | | | | | |

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|---|--|--|---|---|---------------------------------------|---------------------------|----|----|----|----|-----------------------------|---|----|---|---|--------------|---|-----------|
| Operational Noise Limits | | | | | | | | | | | | | | | | | | |
| <p>B28. The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in Table 2.</p> <p>Table 2 Noise Limits dB(A)</p> <table border="1" data-bbox="210 533 1290 820"> <thead> <tr> <th data-bbox="210 533 439 632">Location</th> <th data-bbox="439 533 651 632">Morning Shoulder L_{Aeq}(15 minute)</th> <th data-bbox="651 533 864 632">Day L_{Aeq}(15 minute)</th> <th data-bbox="864 533 1077 632">Evening L_{Aeq}(15 minute)</th> <th data-bbox="1077 533 1290 632">Night L_{Aeq}(15 minute)</th> </tr> </thead> <tbody> <tr> <td data-bbox="210 632 439 719">All residential receivers</td> <td data-bbox="439 632 651 719">51</td> <td data-bbox="651 632 864 719">58</td> <td data-bbox="864 632 1077 719">48</td> <td data-bbox="1077 632 1290 719">43</td> </tr> <tr> <td data-bbox="210 719 439 820">95 Burrows Road (Childcare)</td> <td data-bbox="439 719 651 820">-</td> <td data-bbox="651 719 864 820">54</td> <td data-bbox="864 719 1077 820">-</td> <td data-bbox="1077 719 1290 820">-</td> </tr> </tbody> </table> <p><i>Note</i> 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 (EPA, 1999) (as may be updated or replaced from time to time). Refer to the plan in Appendix 2 for the location of residential sensitive receivers.</p> | Location | Morning Shoulder L _{Aeq} (15 minute) | Day L _{Aeq} (15 minute) | Evening L _{Aeq} (15 minute) | Night L _{Aeq} (15 minute) | All residential receivers | 51 | 58 | 48 | 43 | 95 Burrows Road (Childcare) | - | 54 | - | - | Construction | <p>All noise controls have continuously been in place and operational. Noise from the development is generally drowned out by background noise from road traffic in the area.</p> <p>No noise complaints were received during the reporting period and daily housekeeping checks noted no excessive noise from the development.</p> | Compliant |
| Location | Morning Shoulder L _{Aeq} (15 minute) | Day L _{Aeq} (15 minute) | Evening L _{Aeq} (15 minute) | Night L _{Aeq} (15 minute) | | | | | | | | | | | | | | |
| All residential receivers | 51 | 58 | 48 | 43 | | | | | | | | | | | | | | |
| 95 Burrows Road (Childcare) | - | 54 | - | - | | | | | | | | | | | | | | |
| Construction Noise and Vibration Management Plan | | | | | | | | | | | | | | | | | | |
| <p>B29. Prior to the commencement of construction, the Applicant must prepare a Construction Noise and Vibration Management Plan (CNVMP) for the development to the satisfaction of the Planning Secretary. The CNVMP must form part of the CEMP required by Condition C2 and must:</p> <ul style="list-style-type: none"> (a) be prepared by a suitably qualified and experienced noise expert; (b) describe procedures for achieving the noise management levels in EPA's <i>Interim Construction Noise Guideline</i> (DECC, 2009) (as may be updated or replaced from time to time); (c) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers; (d) include strategies that have been developed with the community for managing high noise generating works; (e) describe the community consultation undertaken to develop the strategies in condition B29(d); and (f) include a complaints management system that would be implemented for the duration of the development. | Construction | Last triggered in 2020 (Compliant) | Not triggered | | | | | | | | | | | | | | | |
| B30. The Applicant must: | Construction | Last triggered in 2020 (Compliant) | Not triggered | | | | | | | | | | | | | | | |

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| (a) not commence construction of any relevant stage until the CNVMP required by condition B29 is approved by the Planning Secretary; and (b) implement the most recent version of the CNVMP approved by the Planning Secretary for the duration of construction. | | | |
| Operational Noise and Vibration Management Plan | | | |
| B31. Prior to the commencement of operation, the Applicant must prepare an Operational Noise and Vibration Management Plan (ONVMP) for the development to the satisfaction of the Planning Secretary. The ONVMP must form part of the OEMP required by Condition C5 and must: <ul style="list-style-type: none"> (a) be prepared by a suitably qualified and experienced noise expert; (b) include strategies that have been developed with the community for managing high noise generating activities; (c) describe the community consultation undertaken to develop the strategies in condition B31(b); and (d) include a complaints management system that would be implemented for the duration of the development. | Operation | V1 Final is still current - Issued November 2020 | Compliant |
| B32. The Applicant must: <ul style="list-style-type: none"> (a) not commence operation until the ONVMP required by condition B31 is approved by the Planning Secretary; and (b) implement the most recent version of the ONVMP approved by the Planning Secretary for the duration of operation. | Operation | V1 Final is still current - Issued November 2020 | Compliant |
| Road Traffic Noise | | | |
| B33. Prior to the commencement of operation, the Applicant must prepare a Driver Code of Conduct and induction training for the development to minimise road traffic noise. The Applicant must update the Driver Code of Conduct and induction training for construction and operation and must implement the Code of Conduct for the life of the development. | Operation | To satisfy this condition, relevant sections of the driver induction and code of conduct are included in the TMP. Drivers are required to reinduct to the development every 12 months. Records are maintained through Visy's online learning system (VPC) V1 is still current - Issued December 2020 | Compliant |
| VIBRATION | | | |
| Vibration Criteria | | | |
| B34. Vibration caused by construction at any residence or structure outside the site must be limited to: | Construction | Last triggered in 2020 (Compliant) | Not triggered |

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| <ul style="list-style-type: none"> (a) for structural damage, the latest version of DIN 4150-3 (1992-02) Structural vibration - Effects of vibration on structures (German Institute for Standardisation, 1999); and (b) for human exposure, the acceptable vibration values set out in the Environmental Noise Management Assessing Vibration: a technical guideline (DEC, 2006) (as may be updated or replaced from time to time). | | | |
| SOILS, WATER QUALITY AND HYDROLOGY | | | |
| Imported Soil | | | |
| B35. The Applicant must: <ul style="list-style-type: none"> (a) ensure that only VENM, ENM, or other material approved in writing by EPA is brought onto the site; (b) keep accurate records of the volume and type of fill to be used; and (c) make these records available to the Department upon request | Construction | | Not triggered |
| Erosion and Sediment Control | | | |
| B36. Prior to the commencement of any construction or other surface disturbance the Applicant must install and maintain suitable erosion and sediment control measures on-site, in accordance with the relevant requirements of the Managing Urban Stormwater: Soils and Construction - Volume 1: Blue Book (Landcom, 2004) guideline and the Erosion and Sediment Control Plan included in the CEMP required by condition C2. | Construction | Last triggered in 2020 (Compliant) | Not triggered |
| Acid Sulphate Soils | | | |
| B37. Prior to the commencement of Stage 1 construction, the Applicant must prepare an Acid Sulphate Soil Management Plan (ASSMP). The ASSMP must form part of the CEMP required by condition C2. The ASSMP must: <ul style="list-style-type: none"> (a) be prepared by a suitably qualified and experienced person(s); (b) be prepared in accordance with the Acid Sulphate Soils Manual (Acid Sulphate Soils Management Advisory Committee, 1998); and (c) include specific measures to manage acid sulphate soils if excavation depths are to be within 0.5 m of the measured water table. | Construction | Last triggered in 2020 (Compliant) | Not triggered |
| Discharge Limits | | | |
| B38. The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided for in an EPL. | At all times | | Compliant |

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| Flood Management | | | |
| B39. Prior to the commencement of construction, the Applicant must ensure the Flood Emergency Response Plan submitted as part of the EIS forms part of the CEMP required by Condition C2. | Construction | Last triggered in 2020 (Compliant) | Not triggered |
| B40. Prior to the commencement of operation, the Applicant must ensure the Flood Emergency Response Plan submitted as part of the EIS forms part of the OEMP required by Condition C5. | Operation | Final OE is still current - Issued April 2020 | Compliant |
| B41. The Applicant must implement the most recent version of the Flood Emergency Response Plan for the duration of the development. | Operation | Final OE is still current - Issued April 2020 | Compliant |
| B42. Any risk and hazard areas or hazardous materials stored on site must be raised above the 1% AEP flood level plus 0.5m freeboard or have a bunding system that is no lower than the 1% AEP flood level; | Operation | The site is bunded and hazardous materials are stored on pallet racking 0.5 above the 1% AEP level | Compliant |
| ABORIGINAL HERITAGE | | | |
| Unexpected Finds Protocol | | | |
| B43. If any item or object of Aboriginal heritage significance is identified on site: (a) all work in the immediate vicinity of the suspected Aboriginal item or object must cease immediately; (b) a 10 m wide buffer area around the suspected item or object must be cordoned off; and (c) the EES must be contacted immediately. | At all times | | Not triggered |
| B44. Work in the immediate vicinity of the Aboriginal item or object may only recommence in accordance with the provisions of Part 6 of the <i>National Parks and Wildlife Act 1974</i> . | At all times | | Not triggered |
| HAZARDS AND RISK | | | |
| Hazardous Waste | | | |
| B45. The Applicant must implement auditable procedures to handle and dispose of hazardous waste materials such as asbestos, sharps and chemical/biological materials that have been received on site. | Operation | Procedures for the handling and disposal of hazardous waste materials are in use on site. These cover the identification, handling and isolation of asbestos, sharps and | Compliant |

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| | | chemical or biological materials, with disposal undertaken by licensed contractors. | |
| Dangerous Goods | | | |
| B46. The quantities of dangerous goods stored and handled at the site must be below the threshold quantities listed in the Department of <i>Planning's Hazardous and Offensive Development Application Guidelines – Applying SEPP 33</i> at all times. | At all times | Dangerous goods stored and handled on site remain well below threshold quantities. | Compliant |
| B47. Dangerous goods, as defined by the Australian Dangerous Goods Code, must be stored and handled strictly in accordance with: (a) all relevant Australian Standards; (b) the NSW EPA's Storing and Handling of Liquids: Environmental Protection – Participants Handbook if the chemicals are liquids. In the event of an inconsistency between the requirements listed above, the most stringent requirement must prevail to the extent of the inconsistency. | At all times | Only low quantities (<20 L) of dangerous goods are stored and used for maintenance purposes on site. | Compliant |
| Fire Safety System | | | |
| B48. The Applicant must ensure that sufficient provisions are made for the containment of contaminated fire-fighting water in accordance with the requirements in Sections 2.8 and 3.13 of the Department's Hazardous Industry Planning Advisory Paper No. 2, 'Fire Safety Study' and the New South Wales Government's Best Practice Guidelines for Contaminated Water Retention and Treatment Systems. | At all times | The development incorporates maintenance free bunding around the building extremity to contain firefighting water in the event of a fire. | Compliant |
| B49. The Applicant must consult with FRNSW during detailed design of fire safety measures to ensure the fire systems and strategies are adequate and meet FRNSW operational requirements. | Construction | FRNSW was consulted during the planning and construction phase in 2020 | Not triggered |
| CONTAMINATION | | | |
| B50. Prior to the commencement of earthworks, the Applicant must prepare an unexpected contamination procedure to ensure that potentially contaminated material is appropriately managed. The procedure must form part of the of the CEMP in accordance with condition C2 and must ensure any material identified as contaminated must be disposed off-site, with the disposal location and results of testing submitted to the Planning Secretary, prior to its removal from the site. | Construction | Last triggered in 2020 (Compliant) | Not triggered |

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| VISUAL AMENITY | | | |
| Lighting | | | |
| B51. The Applicant must ensure the lighting associated with the development: <ul style="list-style-type: none"> (a) complies with the latest version of AS 4282-1997 - <i>Control of the obtrusive effects of outdoor lighting</i> (Standards Australia, 1997); 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. | At all times | | Compliant |
| Signage and Fencing | | | |
| B52. All signage and fencing must be erected in accordance with the development plans included in the [EIS/RTS]. <i>Note: This condition does not apply to temporary construction and safety related signage and fencing.</i> | At all times | | Compliant |
| COMMUNITY ENGAGEMENT | | | |
| B53. The Applicant must consult with the community regularly throughout the development, including consultation with the nearby sensitive receivers identified in Appendix 2, relevant regulatory authorities, Registered Aboriginal Parties and other interested stakeholders. | Construction | Last triggered in 2020 (Compliant) However, the development's site manager maintains regular casual correspondence with the childcare centre next door. | Not triggered |
| PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING | | | |
| ENVIRONMENTAL MANAGEMENT | | | |
| Management Plan Requirements | | | |
| C1. Management plans required under this consent must be prepared in accordance with relevant guidelines, and include: <ul style="list-style-type: none"> (a) detailed baseline data; (b) details of: <ul style="list-style-type: none"> (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions); (ii) any relevant limits or performance measures and criteria; and (iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures; (c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria; | At all times | | Compliant |

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| <p>(d) a program to monitor and report on the:</p> <ul style="list-style-type: none"> (i) impacts and environmental performance of the development; (ii) effectiveness of the management measures set out pursuant to paragraph (c) above; <p>(e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;</p> <p>(f) a program to investigate and implement ways to improve the environmental performance of the development over time;</p> <p>(g) a protocol for managing and reporting any:</p> <ul style="list-style-type: none"> (i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria); (ii) complaint; (iii) failure to comply with statutory requirements; and <p>(h) a protocol for periodic review of the plan.</p> <p><i>Note: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans</i></p> | | | |
| CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN | | | |
| <p>C2. The Applicant must prepare a Construction Environmental Management Plan (CEMP) in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.</p> | Construction | Last triggered in 2020 (Compliant) | Not triggered |
| <p>C3. As part of the CEMP required under Condition C2 of this consent, the Applicant must include the following:</p> <ul style="list-style-type: none"> (a) Construction Waste Management Plan (see Condition B2); (b) Construction Traffic Management Plan (see Condition B13); (c) Construction Air Quality Management Plan (see Condition B22); (d) Construction Noise and Vibration Management Plan (see Condition B29); (e) Erosion and Sediment Control Plan (see Condition B36); (f) Acid Sulphate Soils Management Plan (Condition B37); (g) Flood Emergency Response (see Condition B39); (h) Aboriginal Cultural Heritage (see Condition B43); and (i) Community Consultation and Complaints Handling. | Construction | Last triggered in 2020 (Compliant) | Not triggered |
| <p>C4. The Applicant must:</p> <ul style="list-style-type: none"> (a) not commence construction of the development until the CEMP is approved by the Planning Secretary; and (b) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time. | Construction | Last triggered in 2020 (Compliant) | Not triggered |

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| OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN | | | |
| <p>C5. The Applicant must prepare an Operational Environmental Management Plan (OEMP) in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.</p> | <p>Operation</p> | <p>Current Management Plans satisfy this condition:</p> <p>Operational Environmental Management Plan (OEMP) – issued March 2023</p> | <p>Compliant</p> |
| <p>C6. As part of the OEMP required under Condition C5 of this consent, the Applicant must include the following:</p> <ul style="list-style-type: none"> (a) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development; (b) describe the procedures that would be implemented to: <ul style="list-style-type: none"> (i) keep the local community and relevant agencies informed about the operation and environmental performance of the development; (ii) receive, handle, respond to, and record complaints; (iii) resolve any disputes that may arise; (iv) respond to any non-compliance; (v) respond to emergencies; and (c) include the following environmental management plans: <ul style="list-style-type: none"> (i) Operational Waste Management Plan (see Condition B4); (ii) Operational Traffic Management Plan (see Condition B15); (iii) Operational Air Quality Management Plan (see Condition B22); (iv) Operational Noise and Vibration Management Plan (see Condition B32); (v) Flood Emergency Response (see Condition B40); and (vi) Community Consultation and Complaints Handling. | <p>Operation</p> | <p>Current Management Plans satisfy this condition:</p> <p>Operational Environmental Management Plan (OEMP) – issued March 2023</p> <p>Waste Management Plan (WMP) – issued October 2020</p> <p>Traffic Management Plan (TMP) – issued December 2020</p> <p>Air Quality Management Plan (AQMP) – issued May 2023</p> <p>Noise Management Plan (NMP) – issued November 2020</p> <p>Flood Risk Management and Emergency Response Plan, including Flood Evacuation and Emergency Response Plan (FEERP) – issued April 2020</p> | <p>Compliant</p> |
| <p>C7. The Applicant must:</p> <ul style="list-style-type: none"> (a) not commence operation until the OEMP is approved by the Planning Secretary; and | <p>At all times</p> | | <p>Compliant</p> |

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| (b) operate the development in accordance with the OEMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time). | | | |
| REVISION OF STRATEGIES, PLANS AND PROGRAMS | | | |
| C8. Within three months of: (a) the submission of an incident report under condition C11; (b) the submission of an Independent Environmental Audit under condition C17; (c) the approval of any modification of the conditions of this consent; or (d) the issue of a direction of the Planning Secretary under condition A2(b) which requires a review, | When triggered | Management plans were reviewed upon submission of the IEA in December 2022 | Compliant |
| C9. If the strategies, plans and programs required under this consent must be reviewed, and the Department must be notified in writing that a review is being carried out. | When triggered | Management plans were reviewed upon submission of the IEA in December 2022 with a revised copy of the OEMP issued to the department in February 2023 | Compliant |
| C10. If necessary, to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review. <i>Note: This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.:</i> | When triggered | Correspondence regarding IEA recommendations were exchanged in February 2023 | Compliant |
| REPORTING AND AUDITING | | | |
| Incident Notification, Reporting and Response | | | |
| C11. The Department must be notified in writing to compliance@planning.nsw.gov.au immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 4. | At all times | No notifiable incidents occurred in the reporting period | Compliant |
| Non-Compliance Notification | | | |
| C12. The Department must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance. | At all times | Non-compliance to C15 has been submitted on 23/12/2025 | Compliant |

Annual Environmental Performance Review – 2023



| Condition | Development Phase | Evidence and Comments | Compliance Status |
|---|-------------------|--|-------------------|
| C13. A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance. | At all times | Non-compliance to C15 has been submitted on 23/12/2025 | Compliant |
| C14. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance. | At all times | | Compliant |
| Annual Review | | | |
| C15. Within three months after the first year of commencement of operation, and in the same month each subsequent year (or such other timing as may be agreed by the Planning Secretary), the Applicant must submit a report to the Department reviewing the environmental performance of the development to the satisfaction of the Planning Secretary. The review must: <ul style="list-style-type: none"> (e) describe the development that was carried out in the previous year, and the development that is proposed to be carried out in the current year; (f) include a comprehensive review of the monitoring results and complaints records from the previous year, including a comparison of these against the: <ul style="list-style-type: none"> (vii) relevant statutory requirements, limits or performance measures/criteria; (viii) requirements of any plan or program required under this consent; (ix) monitoring results of previous years; and (x) the relevant predictions in the EIS or Response to Submissions; (g) identify any non-compliances and any incidents which occurred over in the previous year, and describe what actions were (or are being) taken to rectify the non-compliance or incident and avoid recurrence; (h) identify any trends in the monitoring data over the life of the development; (i) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and (j) describe what measures will be implemented over the next year to improve the environmental performance of the development. | March each year | | |
| C16. Copies of the Annual Review must be submitted to Council and made available to the CCC and any interested person upon request. | At all times | Copies will be sent to: City of Sydney | Compliant |

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| Condition | Development Phase | Evidence and Comments | Compliance Status |
|--|-------------------|---|-------------------|
| Independent Environmental Audit | | | |
| <p>C17. Within one year of the commencement of operation, and every three years after, unless the Planning Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit (audit) of the development. Audits must:</p> <ul style="list-style-type: none"> (a) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Planning Secretary; (b) be carried out in consultation with the relevant agencies and the CCC; (c) assess the environmental performance of the development and assess whether it is complying with the requirements in this consent, and any strategy, plan or program required under this consent; (d) review the adequacy of any approved strategy, plan or program required under this consent; and (e) recommend measures or actions to improve the environmental performance of the development, and any strategy, plan or program required under this consent. | 2025 | Most recent IEA was completed in December 2022 | Not triggered |
| <p>C18. Within three months of commissioning an Independent Environmental Audit, or within another timeframe agreed by the Planning Secretary, a copy of the audit report must be submitted to the Planning Secretary and any other NSW agency that requests it, together with a response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations. The recommendations must be implemented to the satisfaction of the Planning Secretary.</p> <p><i>Note: The audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Planning Secretary.</i></p> | When triggered | Audit report issued to department in 2022, with correspondence with the department regarding response to and implementation of the recommendations occurring in February 2023 | Compliant |
| Monitoring and Environmental Audits | | | |
| <p>C19. Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification and independent environmental auditing.</p> <p><i>Note: For the purposes of this condition, as set out in the EP&A Act, “monitoring” is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an “environmental audit” is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.</i></p> | At all times | Understood | Not applicable |

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| Condition | Development Phase | Evidence and Comments | Compliance Status |
|---|----------------------------|---|-------------------------|
| ACCESS TO INFORMATION | | | |
| <p>C20. At least 48 hours before the commencement of construction until the completion of all works under this consent, the Applicant must:</p> <p>(f) make the following information and documents (as they are obtained or approved) publicly available on its website:</p> <ul style="list-style-type: none"> (xi) the documents referred to in condition A2 of this consent and the final layout plans for the development; (xii) all current statutory approvals for the development; (xiii) all approved strategies, plans and programs required under the conditions of this consent; (xiv) the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged; (xv) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent; (xvi) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs; (xvii) a summary of the current stage and progress of the development; (xviii) contact details to enquire about the development or to make a complaint; (xix) a complaint register, updated monthly; (xx) the Compliance Reporting of the development; (xxi) audit reports prepared as part of any independent audit of the development and the Applicant’s response to the recommendations in any audit report; (xxii) any other matter required by the Planning Secretary; and <p>(g) keep such information up to date, to the satisfaction of the Planning Secretary.</p> | <p>At all times</p> | <p>Up-to-date relevant information can be publicly found at visy.com.au</p> | <p>Compliant</p> |

[compliance-reporting-par-202005.pdf \(nsw.gov.au\)](https://www.nsw.gov.au/compliance-reporting-par-202005.pdf)

Annual Environmental Performance Review – 2023



Appendix C. Compliance Report Declaration Form

Project Name: **Visy Dry Recyclables Facility**

Project Application Number: **SSD-10364**

Description of Project:

The Visy Alexandria Dry Recyclables Transfer Facility is currently operating under Stage 1 of two approved stages:

- Stage 1 - recyclable material transfer facility which receives:
 - Up to 110,000 tonnes per annum (tpa) of fully commingled recyclable material (FCM) from kerbside collections for consolidation and transfer to Visy's network of material recovery facilities (MRFs); and
 - Up to 45,000 tpa of source-separated paper and cardboard (P&C) from commercial businesses and compacts the loose material into bales (baling operation) for transfer to Visy's network of recycled paper machines; and
- Stage 2 - addition of a MRF to separate FCM into various recyclable material streams such as paper/cardboard, plastics, glass, steel and aluminium.

The facility was granted development approval SSD-10364 on 22 April 2020.

The facility operates under Environmental Protection Licence (EPL) 21359 issued on 20 October 2020.

Project Address: **85 Burrows Road Alexandria NSW 2015**

Proponent: **Visy Paper Pty Ltd trading as Visy Recycling Pty Ltd**

Title of Compliance Report: **Annual Environmental Performance Review – 2023 (Operational Compliance Report v1)**

Date: **23/12/2025**

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

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

Notes:

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

Name of Authorised Reporting Officer: **Jake Luschwitz**

Title: **Visy Recycling – NSW Eastern Area Operations Manager**

Signature: 

Qualification: **BE (Mech), Visy Recycling Alexandria Site Manager**

Company: **Visy Recycling**

Company Address: **85 Burrows Road Alexandria NSW 2015**