

Our Ref: SO32-T00009

09 April 2026

Ben Harrison

Director Compliance

Department of Planning, Housing and Infrastructure

Locked Bag 5022

Parramatta NSW 2124

Dear Mr Harrison,

Eurobodalla Southern Storage SSD 7089 – Independent Environment Audit

Council is notifying the Department of a non-compliance. This is in reference to C10 of development consent where upon the Department must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliances. These non-compliances can be observed within the final Independent Environment Audit (IEA) #6 for the Eurobodalla Southern Storage, undertaken by Onwards Consulting which is attached to this email.

Please be advised that Council accepts the audit report provided by Onwards and the identified non-compliances and recommended actions included within this report, as summarised below.

CoA	Requirement	Details of non-compliance	Proposed action
A2	The development may only be carried out: a) In compliance with the conditions of this consent;	(a) The audit found 4 non-compliances (5 including against A2).	Recommended actions are listed against each specific non-compliance finding below.
B16	The applicant must store all chemicals, fuels and oils used on site in accordance with: (a) The requirements of all relevant Australian Standards; and (b) The NSW EPAs <i>Storing and Handling of Liquids: Environmental Protection – Participants Manual</i> , if the chemicals are liquids.	During site inspection weed killer, cleaning chemicals and various containers were identified around the location of the previous site office. These items were stored haphazardly on grass or bare soil adjacent to vegetation, indicating the contractor had not completed the clean-up of the site.	After the site inspection, ESC provided photographic evidence that the chemicals and various containers had been removed from site and the areas was now bare ground. As the storage of the chemicals and waste has been amended, no CA or OFI has been deemed relevant. identified.

B30	The applicant must ensure that public access is managed to prevent erosion or damage to native vegetation by restricting access through site fencing pedestrians	A member of the community raised a complaint to ESC after they were asked to leave site during construction hours. ESC identified that after temporary site fencing was replaced with permanent fencing, the contractor did not put the construction signage back up or install a lock on the gate. As a result, the member of the community assumed the site was accessible to the public.	Signage has been reinstated and a lock installed on the gate. Therefore, no CA or OFI has been deemed relevant.
B35	<p>The applicant must:</p> <p>(a) Not commence construction of any relevant stage until the Construction Noise and Vibration Management Plan is prepared in accordance with Condition B 34; and</p> <p>(b) Implement the most recent version of the Construction Noise and Vibration management Plan for the duration of construction.</p>	<p>The audit identified noise monitoring was undertaken at the following locations on 22 October 2025:</p> <ul style="list-style-type: none"> • 198 Waincourt Road (Resident) • 530 Eurobodalla Road (site boundary) <p>No exceedances of limits in the NVMP were identified from the data provided.</p> <p>The noise monitoring requirements of the project are identified in Table 9.2 of the NVMP, two aspects of this monitoring project have not been complied with:</p> <ul style="list-style-type: none"> • Quarterly monitoring at the site boundary and closest residents are required to be undertaken on separate days. As both monitoring samples provided were completed on 22 October 2025, this has been identified as non-compliant • Bi-annual noise level check on all critical items of plant and cross check with Table 6-2 of the NVMP. This requirement was not satisfied by quarterly, as monitoring has to be taken at an appropriate distance, nominally 7m. This was not undertaken during 	Contractor has been advised it is their responsibility to comply with the CNVMP.

		<p>the audit period, or the previous reporting period, noting the noise monitoring equipment was missing during #5. This was noted as completed in Audit #4.</p> <p>As monitoring was not undertaken in accordance with the noise and vibration management plan (NVMP) an administrative non-compliance (ANC) non-compliance has been determined and CA01 identified.</p>	
C15	<p>At least 48 hours before the commencement of construction until the completion of all works under this consent, including rehabilitation, the Applicant must:</p> <p>(a) Make the following information and documents publicly available on its website:</p> <p>(i) The documents referred to in Condition A2 of this consent and the final layout plans for the development;</p> <p>(ii) All current statutory approvals for the development;</p> <p>(iii) All strategies, plans and programs required under the conditions of this consent;</p> <p>(iv) Regular reporting on the environmental performance of the development</p>	<p>Review of the Project website indicates monitoring data available on the website only spans a portion of the life of the Project.</p> <p>Therefore, an ANC non-compliance finding has been determined and CA02 identified.</p>	<p>Council website will be updated to include:</p> <ul style="list-style-type: none"> ● Most recent monitoring data

	<p>in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent;</p> <p>(v) A comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;</p> <p>(vi) Contact details to enquire about the development or to make a complaint;</p> <p>(vii) The Compliance Reporting of the development; and</p> <p>(viii) Any other matter required by the Planning Secretary; and</p> <p>(b) keep such information up to date, to the satisfaction of the Planning Secretary.</p>		
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Following up, the final IEA, along with this correspondence will be uploaded to the Planning Portal.

If you have any questions or queries, please don't hesitate to contact me on 0476 963 400.

Yours sincerely,



Josh Aschmann

Water & Sewer Environmental Engineer

cc. Lloyd Eley-Smith – Team Leader – Transport & Water Assessment

Katrina O'Reilly – Manager - Department Housing Planning & Infrastructure

Mr Mark Wisely – Senior Planning Officer – Transport and Water Assessments