

Condition	Ministers Condition of Consent	Comment	C/NV//N C/ANC/N T/O	Recommendations & Risk Ranking for non-compliance	Actions taken by Lindt
SCHEDULE B- ADMINISTRATIVE CONDITONS					
SCHEDULE C – ENVIRONMENTAL PERFORMANCE CONDITIONS					
14	<p>NOISE</p> <p>Noise Limits</p> <p>The Applicant shall ensure that the noise generated by the operations of the facility does not exceed the limits in Table 1. Table 5: Noise impact assessment criteria dB(A)</p>	<p>by Acoustic Logic and dated 14 July 2014.</p> <ul style="list-style-type: none"> • Noise and Vibration Control outlined in Section 10 of EMP. • Noise mitigation measures included ‘Appendix 2- Summary of Mitigation Measures’ within this table. <p>Internal noise checks (WHS) completed by Rodney Stevens Acoustics.</p> <p>There is no mechanism in place to check that the operation of the facility complies with the noise criteria for</p>	NC	<p>It is recommended operational noise is monitored for compliance with the limits set in the EIS.</p>	<p>An Independent noise assessment was carried out on 22nd January 2021 and the report received in March 21. The report shows that Lindt & Sprüngli meet all requirements with the NSW EPA Noise Policy for Industry 2017. This report was uploaded onto the Major Project website on 8th March 2021</p>
SCHEDULE C – ENVIRONMENTAL PERFORMANCE CONDITIONS					
APPENDIX 2- SUMMARY OF MITIGATION MEASURES					

7	<p>Noise and Air Quality; Construction and operation of the Lindt Facility would be managed in accordance with the relevant noise criteria under the:</p> <ul style="list-style-type: none"> • Industrial Noise Policy (INP); • Interim Construction Noise Guideline; and • Road Noise Policy. 	<p>No noise or air quality complaints have been received since the site has been operational. Please also refer to the findings of Schedule C CoA 14 relating to operational noise.</p> <p>No noise monitoring undertaken as outlined in the Non compliance raised against Schedule C CoA 14. The department has recently released an updated Noise Policy for Industry. Section 6 of the Policy outlines the requirements for existing industrial facilities.</p>	NC	<p>This Non-Compliance is linked to the NC in Schedule C CoA 14. A review of the Noise Policy for industry should be undertaken to check compliance requirements. Section 6 of the policy relates specifically to existing industrial premises. This was raised as an NC in the previous audit and has yet to be actioned.</p>	<p>An Independent noise assessment was carried out on 22nd January 2021 and the report received in March 21. The report shows that Lindt & Sprüngli meet all requirements with the NSW EPA Noise Policy for Industry 2017. This report was uploaded onto the Major Project website on 8th March 2021</p>
D5	<p>Environmental documentation to be stored on company website in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent.</p>	<p>email from DPIE dated 26/10/2020</p>	NC	<p>Regular reporting has not occurred to date for operation. Lindt & Sprüngli have registered to upload documents to the major project planning portal</p>	<p>The Independent Environmental audit report and the Independent noise report have been uploaded onto the Lindt external website and also on the major project website. APC waste report also uploaded on to the Lindt Website</p>

D6	Within two years of the commencement of operations of the Development, and every three (3) years thereafter if requested by the Secretary, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the Development.	Approval for this Independent Environmental Audit was received in an email dated 10/10/ 2017. The audit was undertaken and completed in March 2018. The audit noted that the compliance unit of DPIE contacted Lindt& Sprüngli noting that the first operational audit had not been received. The audit noted that the operational audit prepared by NGH in March 2018 was submitted to DPIE on the 19th March 2018 (email evidence).	NC	The first operational audit of the project was not undertaken within two years of operation. The second audit was undertaken less than three years from the first audit.	The last audit was completed in Nov 2020. These audits have now been placed on our Internal audit schedule. The next audit is due in Nov 2023
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Additional request for information by NSW Planning Industry & Environment (Letter dated 14/5/21)

Point 1	Adequacy of management plans: In accordance with Condition Schedule D, Condition D6 the IEA must assess the adequacy of plans or programs required under this consent. The audit report has not assessed the adequacy of the facilities management plans including Traffic Management Plan, Stormwater Management Plan, Drainage Plan, Waste Management Plan, Landscaping and Vegetation Management Plan, and Environmental Management Plan. Please update the IEA Report with an assessment of adequacy of these plans.		19/5/21-The independent auditor has amended the IEA report to include assessment of all management plans. This amended report was sent to NSW Planning, Industry & Environment on 1/6/21
Point 2	Trade Waste Permit: In accordance with correspondence from the Department provided prior to the commencement of the audit (email dated 21 October 2020), the audit report was required to provide details of the Trade Waste Permit amendment approval by Sydney Water. Please update the IEA Report to provide this detail.		19/5/21-The independent auditor has amended the IEA report to include Trade waste permit information. This amended report and the Trade Waste permit was sent to NSW Planning, Industry & Environment on 1/6/21.

<p>Point 3</p>	<p>Response to Audit Recommendations: The department notes that two actions from the previous audit period are still outstanding.</p> <p>* The Department request that a date for update of the Environmental Policy be provided within an updated Response to Audit Recommendations.</p> <p>*The noise monitoring action has been restated in this November 2020 audit report. The response to the audit findings is not considered adequate in providing a suitable due date for the external noise assessment to be completed. The Department requests an update on progress on the external noise assessment or provide an updated Response to Audit Recommendations which provides a suitable date.</p>	<p>19/5/21- The Environmental Policy has been updated and signed by the Lindt CEO. Next review is due on 14/5/23. The Environmental Policy has been sent to NSW Planning, Industry & Environment on 1/6/21.</p> <p>An Independent noise assessment was carried out on 22nd January 2021 and the report received in March 21.</p> <p>The report shows that Lindt & Sprüngli meet all requirements with the NSW EPA Noise Policy for Industry 2017.</p> <p>This report was uploaded onto the Major Project website on 8th March 2021 (Email evidence)</p> <p>The Independent noise assessment report has been sent to NSW Planning, Industry & Environment on 1/6/21</p>
<p>Point 4</p>	<p>The Department acknowledge that the 2018 Independent Environmental Audit Report has been uploaded to the Lindt website. In accordance with Schedule D, Condition D5 regular reporting of environmental performance in accordance with the consent must be provided on the company website, including:</p> <p>*waste management and minimisation in accordance with Schedule C, Condition C23;</p> <p>*the future external noise assessment in accordance with Schedule C, Condition C14 when conducted; and</p> <p>*the Independent Environmental Audit, and Response to Audit Recommendations, in accordance with Schedule D, Condition D6 following completion of updates as required by this letter.</p>	<p>The IEA 2020 report and the Independent noise report were uploaded onto the Lindt Website on 23/3/21.</p> <p>Lindt have included the APC annual report outlining the waste streams at the Lindt site.</p> <p>Lindt Australia are currently updating the website to include all documents outlined in Schedule C. The update should be completed by 2nd June 2021.</p> <p>This audit responses spreadsheet will be uploaded on to the Lindt Website once the design is completed</p>