



Ampol Australia Petroleum Pty Ltd (Ampol Refineries - NSW - Pty Ltd) - Kurnell Terminal Response to the Feb 2026 Audit Non-Compliant Findings

Ampol has reviewed the auditor's findings and associated recommendations arising from the 2026 Independent Environmental Audit (IEA) pertaining to SSD5544 (covering the period February 2021 to end February 2026). In the following three tables, Ampol provides responses to the audit findings and recommendations. The details of all proposed Ampol actions are provided, as well as their assigned due dates.

Table 1. SSD5544 Conditions Assessed as Non-compliant (Incorporating Table 11. IEA Recommendations where listed)

Applicable Consent Condition:	Compliance Requirement	Independent Audit Findings	Recommendations	Proponent's Proposed Action/Action taken/Response (as applicable)	Proposed Action Due Date
C10	The Development shall comply with section 120 of the Protection of the Environment Operations Act 1997, which prohibits the pollution of waters, except as expressly provided in an EPL	<p>Ampol reported it was non-compliant against this condition in its 2021-2022 Annual Return and its 2022 Annual Review based on an oily-water overflow incident that occurred on 7/04/2022 that impacted waterways, wetlands, and surrounding land in Kurnell.</p> <p>The EPA issued Ampol with a Clean Up Notice on 8/04/2022 specifying immediate clean up actions. These were completed by Ampol and the Clean Up Notice considered closed by the EPA by letter dated 8/08/2022. Ampol also entered into an Enforceable Undertaking with the EPA which required it to fund four community projects to a total of \$700,000. Ampol provided the required funding, and three of the four projects were completed and final reports provided to the EPA. The NPWS project to regenerate Kamay Botany National Park was ongoing with a variation to the Enforceable Undertaking approving an extension of the timeframe for completion to 31/12/2026.</p> <p>A further Clean Up Notice was issued by the EPA on 16/08/2023 on the suspicions that the oily water incident polluted the Mangrove Area potentially causing the observed mangrove dieback. This Clean-Up Notice required Ampol to engage an ecologist to monitor and assess the impact of the incident on mangrove health in the Mangrove Area. This was undertaken by environmental consultants WSP and a report submitted to the EPA on 23/05/2024. The EPA stated by letter dated 30/04/2025 that it reviewed the report and additional information requested and concluded that Ampol complied with the Clean Up Notice.</p> <p>The EPA requested continued monitoring of the Mangrove Area, Ampol agreed to conduct a limited follow up assessment of the impacted area in the mangroves.</p> <p>A further incident was reported to the EPA relating to an oily sheen emanating from a ship (POLAR BRIGHT) berthed at the Kurnell Wharf. This incident could be considered to have caused pollution of waters; however, the source of the pollution was the ship and not Ampol infrastructure. Following submission of the incident report to the EPA, no further requests / actions were taken.</p> <p>Ampol demonstrated its LPS system to the auditors. The LPS is used for the recording and tracking of incidents. An extract was provided of loss and near loss incidents for the Kurnell Terminal for the period. A review of this extract did not identify other incidents that may have caused pollution of waters. Refer to this IEA report Section 3.1.2 for further discussion of incidents.</p> <p>A review of the EPA Annual Returns and the Annual Reviews did not identify any exceedances of the limits specified in the EPL for discharges to water at the licensed discharge point. Refer to EPL Condition L3.4.</p> <p>Based on the incident which occurred on 7/04/2022 and caused the pollution of waters, this condition has been assessed as non-compliant. However, as clean-up actions have been completed and further improvements made to the wastewater treatment system, no recommendations are made.</p>	No recommendations are made.	<p>The various non-compliances mentioned in the report were reported to the relevant authorities at the time the non-compliance occurred and have been reported by Ampol in accordance with the reporting requirements under the environment protection licence, any development approvals and the environment protection legislation.</p> <p>Following notification, Ampol worked closely and collaboratively with the regulators in addressing their questions and concerns till a final outcome was reached.</p> <p>In all instances actions were taken to eliminate or minimise the impact that the non-compliance might have caused. All non-compliances were investigated, and actions were carried out to prevent the non-compliance from re-occurring. Therefore, no further actions need to be taken</p>	N/A

Applicable Consent Condition:	Compliance Requirement	Independent Audit Findings	Recommendations	Proponent's Proposed Action/Action taken/Response (as applicable)	Proposed Action Due Date										
C17	<p>The Applicant shall ensure that the operational noise generated by the Development does not exceed the Criteria for residential receivers are summarised in Table 3 below:</p> <p>Table 3: Operational Noise Limits dB(A)</p> <table border="1" data-bbox="290 527 875 768"> <thead> <tr> <th>Location</th> <th>Day L_{Aeq} (15min)</th> <th>Evening L_{Aeq} (15min)</th> <th>Night L_{Aeq} (15min)</th> <th>Night L_{Amax}</th> </tr> </thead> <tbody> <tr> <td>At any private residential receiver</td> <td>60</td> <td>50</td> <td>50</td> <td>55</td> </tr> </tbody> </table> <p>Notes:</p> <ul style="list-style-type: none"> To identify a residential receiver location, refer to Appendix F of the EIS 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 <p>These criteria have been developed for this specific Development; however, it is recognised that the site is zoned for heavy industrial purpose and that ultimately the amenity of the area should be controlled by the criteria contained in Table 2.1 of the Industrial Noise Policy.</p>	Location	Day L _{Aeq} (15min)	Evening L _{Aeq} (15min)	Night L _{Aeq} (15min)	Night L _{Amax}	At any private residential receiver	60	50	50	55	<p>Noise exceedances are identified through the SoundScience 'SmartaData' monitoring system installed at the wharf which continuously monitors and records noise levels, audio and coinciding meteorological data. The system uses the measured wharf noise levels and meteorological conditions to predict real-time noise levels at the six residential receivers located on Prince Charise Parade, Kurnell. The SoundScience system was observed during the audit site inspection, and the Shore Officer explained how the system is used.</p> <p>Ampol reported exceedances of the night-time noise limits due to shipping noise in its Annual Reviews and Annual Returns to the EPA. The following exceedances were reported:</p> <ul style="list-style-type: none"> 2 occasions in 2021 4 occasions in 2022 5 occasions in 2023 6 occasions in 2024 7 occasions in 2025 <p>In addition, exceedances have been recorded on two occasions in 2026 (January and February).</p> <p>The noise exceedances were reported to the EPA via email. Ampol reported that it ceased notifying DPHI of noise exceedances in 2022 following correspondence from DPHI that notification was no longer required.</p> <p>The exceedances reported in 2025 coincided with a large number of community complaints that related to excessive noise from two sister ships that were berthed one after the other at the Kurnell Wharf in July 2025. In response to the complaints, the EPA included a special condition which requires the review of shipping noise protocols. Refer to EPL Condition E4 (SC E21: Review of Shipping Noise Protocols) for further details.</p> <p>Ampol has implemented a range of measures to reduce impacts from shipping noise (discussed in this IEA report Section 3.1) and is complying with the requirements of the EPA to review shipping noise.</p> <p>Based on the exceedances recorded, this condition has been assessed as non-compliant, however given the measures implemented by Ampol and that the EPA is reviewing the issue and may implement further licence conditions regarding noise management, no recommendations are made.</p>	No recommendations are made.	<p>Ampol has implemented a range of measures to reduce impacts from shipping noise and is complying with the requirements of the EPA to review shipping noise protocols.</p> <p>The details of the measures implemented by Ampol have been described succinctly by the IEA Auditor in Section 3.1 of the IEA report. Ampol submitted, in accordance SC E 21 of the EPL a report reviewing Ampol's Shipping Noise Protocols. Ampol will continue to work with NSW EPA to address shipping noise concerns effectively and work through any further actions, as required.</p>	N/A
Location	Day L _{Aeq} (15min)	Evening L _{Aeq} (15min)	Night L _{Aeq} (15min)	Night L _{Amax}											
At any private residential receiver	60	50	50	55											
C26	The Applicant shall not cause or permit the emission of offensive odours from the site, as defined under Section 129 of the POEO Act.	<p>Ampol received 151 complaints relating to odour during the audit period (these are discussed further in this IEA report Section 3.1). Based on the number of complaints received, Ampol reported it was non-compliant with this requirement in its Annual Returns to the EPA in 2021-2022, 2022-2023, 2023-2024 and 2024-2025.</p> <p>In response, Ampol implemented a number of measures to reduce odour impacts from its operations. This included implementing a Wastewater Treatment Plant Odour Abatement Program included as EPL Special Condition (SC E19) which was considered completed and removed from the EPL by the EPA in November 2025. The EPA noted that it may revisit SC E19 should further works be required to limit odours.</p> <p>Based on the measures implemented by Ampol to address odour in consultation with the EPA, no recommendations are made as part of this audit.</p> <p>Refer to this IEA report Section 3.1 for further discussion of odour and complaints.</p>	No recommendations are made.	<p>Ampol implemented a number of measures to reduce odour impacts from its operations. This included implementing a Wastewater Treatment Plant Odour Abatement Program included as EPL Special Condition (SC E19) which was considered completed and removed from the EPL by the EPA in November 2025.</p> <p>Ampol will continue to carefully review any significant odours observed by our operations team and any community odour complaints, as per existing practices. Further mitigation actions will be taken where warranted.</p>	N/A										



Applicable Consent Condition:	Compliance Requirement	Independent Audit Findings	Recommendations	Proponent's Proposed Action/Action taken/Response (as applicable)	Proposed Action Due Date
D5	<p>Within three months of:</p> <p>(a) an approval of a modification;</p> <p>(b) a submission of an incident report under Condition D6;</p> <p>(c) an approval of an Annual Review under Condition D4; or</p> <p>(d) a completion of an audit under Condition D7</p> <p>the Applicant shall review, and if necessary, revise the strategies, plans, and programs required under this consent to the satisfaction of the Planning Secretary.</p> <p>Note: This is to ensure the strategies, plans and programs are updated on a regular basis and incorporate any recommended measures to improve the environmental performance of the development.</p>	<p>Section 7.7 of the OEMP sets out the requirements for review of the OEMP and also references Section 4.4 (note should be 4.3, Review and Update of Environmental Risk Register). These two sections include triggers for OEMP reviews including changes to operational and/ or environmental controls, major changes in legislative requirements, audit report outcomes and incident, significant near miss and non-conformance investigation reports or if not triggered by the above, every five years. Whilst some of the triggers for OEMP review in Condition D5 are captured in the OEMP, the OEMP does not specifically address the requirement of Condition D5 that plans and programs are reviewed following the Annual Review.</p> <p>The OEMP was revised in 2020 and 2026. Ampol reported that following the significant incident in April 2022, a number of upgrades were agreed with the EPA that took time to implement. Following completion of the works in 2024, the OEMP was reviewed in 2025 and completed in 2026. It is acknowledged that the OEMP is a large and comprehensive document and that reviews of the OEMP and attached sub-plans take considerable time. However, it is considered that to comply with this requirement, Ampol are required to review the OEMP and sub plans if the triggers outlined in Condition D5 are met, which includes annually following approval of the Annual Review.</p>	<p>2026 IEA REC 01</p> <p>Update Section 7.7 of the OEMP to specifically address the requirements of Development Consent Condition D5 for review of management plans and programs; and implement.</p>	<p>Ampol has reviewed relevant documents and programs pertaining to the Kurnell site following any of the triggers mentioned in D5. Since no record was created of any of these reviews, Ampol was not able to provide appropriate evidence of these reviews.</p> <p>Therefore, a record will be created to document a review of Environment Management System documents, such as the Kurnell OEMP and associated Management Sub Plans once the triggers mentioned in D5 have been met.</p>	<p>Within 3 months of any of the D5 triggers.</p>



Applicable Consent Condition:	Compliance Requirement	Independent Audit Findings	Recommendations	Proponent's Proposed Action/Action taken/Response (as applicable)	Proposed Action Due Date
D6	<p>The Applicant shall notify the Secretary and any other relevant agencies of any incident or potential incident with actual or potential significant off-site impacts on people or the biophysical environment associated with the development as soon as practicable after the Applicant becomes aware of the incident. Within 7 days of the date of this incident, the Applicant shall provide the Secretary and any relevant agencies with a detailed report on the incident.</p>	<p>There were five incidents which occurred during the audit period that were notified to the EPA as causing or threatening material harm to the environment. The Ampol PIRMP, and <i>Guideline - Pollution Incident Response Management Plans (EPA, 2022)</i> does not include a requirement to notify DPHI.</p> <p>Ampol assessed that of the 5 incidents that were notified to the EPA, only the following incident triggered notification to DPHI:</p> <ul style="list-style-type: none"> • WWTP overflow incident on 7 April 2022 following heavy rainfall. The incident resulted in hydrocarbon-impacted floodwaters overflowing from the WWTP and the site into the surrounding environment and residential areas of Kurnell. The incident was reported to DPHI by letter dated 9 April 2022 via the Major Projects Portal. There was no evidence to confirm that an incident report was provided to DPHI. <p>Ampol assessed that the other four incidents that were notified to the EPA, did not trigger notification to DPHI, i.e.:</p> <ul style="list-style-type: none"> • A pipeline rupture on 22 March 2024 caused the release of up to 5,500 L of gasoline. The gasoline did not escape from the premises and was captured on site and directed to the WWTP. This incident resulted in a Show Cause letter and Official Caution being issued by the EPA, however as the incident did not cause off-site impacts, it was not reported to DPHI. A number of odour complaints were received by Ampol and the EPA. Although gasoline did not escape from the premises, the loss of containment of gasoline on-site had potential to cause off-site impacts to the environment and people. • A significant number of noise complaints were received over the period 6-13 July 2025 relating to the two sister ships the HAFNIA LARVIK and HAFNIA LILLESAND berthed at the Kurnell Wharf. This issue was discussed with the EPA and an Advisory Letter issued by the EPA dated 17/07/2027. Follow up actions were managed through Special Conditions included on the EPL (refer EPL Condition E4). Ampol reported that in 2022 DPHI confirmed that exceedances of noise limits are not considered notifiable incidents under Condition D6. On this basis, Ampol did not notify DPHI of the complaints received relating to the noise from these ships. • A ship berthed at Kurnell Wharf emitted black smoke on 27 September 2025. This was reported to the EPA and an incident report provided. No further requests / actions were taken by the EPA. A number of complaints were received by Ampol and the EPA regarding the smoke. • A ship berthed at Kurnell Wharf (POLAR BRIGHT) released an oily sheen into the water on 5 December 2024. This was reported to the EPA and an incident report provided. No further requests / actions were taken by the EPA. <p>As the April 2022 WWTP overflow event was not reported to DPHI as soon as practicable after becoming aware of the incident and an incident report was not provided to DPHI, this condition has been assessed as non-compliant.</p> <p>There is an opportunity for improvement for Ampol to consider reporting incidents that trigger reporting under the PIRMP to also be reported to DPHI.</p>	<p>2026 IEA REC 02</p> <p>Notify DPHI as soon as practicable after an incident with the potential to cause significant off - site impacts on people or the biophysical environment and follow up with an incident report.</p> <p>2026 IEA OFI 20</p> <p>Consider reporting incidents that trigger reporting under the PIRMP, to also be reported to DPHI.</p>	<p>2026 IEA REC 02</p> <p>Following every incident, Ampol assesses, in line with its internal guidelines and reporting requirements under pertaining consent conditions, the reporting and notifications that need to be made to relevant regulators.</p> <p>For the incidents mentioned in the Auditor's findings, Ampol did review its reporting requirements and reported/notified accordingly.</p> <p>Regarding the April 2022 WWTP overflow event, Ampol is of the view that it reported this incident as soon as practicable. Following the incident, Ampol's focus was on clean-up in the Kurnell Community and addressing the Community concerns. As Ampol's response of making safe and clean-up was rolled out, the various regulators and authorities were notified in waves. Two days might seem a long time but given the enormity of the response required for this incident and the fact that it occurred during a period when a large number of Ampol employees were on sick-leave due to COVID, this timeframe should be considered to be as soon as practicable.</p> <p>REC 02 will be considered, and changes will be made to the Kurnell OEMP as deemed necessary.</p> <p>2026 IEA OFI 20</p> <p>The Kurnell Terminal PIRMP already listed the DPHI as a relevant Government Agency in Table 9-1 Key External Contact Information in the full version of the document published in Ampol Doco.</p> <p>Therefore, no further edits to the PIRMP will be required.</p>	<p>31 December 2026</p> <p>As required</p>



Applicable Consent Condition:	Compliance Requirement	Independent Audit Findings	Recommendations	Proponent's Proposed Action/Action taken/Response (as applicable)	Proposed Action Due Date
D7	<p>Within a year of the date of this consent, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the development. This audit must:</p> <ul style="list-style-type: none"> (a) be conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary; (b) include consultation with the relevant agencies; (c) assess the environmental performance of the development and whether it is complying with the relevant requirements in this consent and any relevant EPL and/or Water License (including any assessment, plan or program required under these approvals); (d) review the adequacy of any approved strategy, plan or program required under these approvals; and (e) recommend measures or actions to improve the environmental performance of the development, and/or any assessment, plan or program required under these approvals. <p><i>Note: This audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Secretary.</i></p>	<p>The third IEA was conducted in 2021 by an auditor from Lloyd's Register Quality Assurance Limited that was approved by DPHI.</p> <p>The 2021 IEA covered the audit period 2017 – 2021. DPHI approval was obtained to defer the audit from September 2020 to May 2021 due to operational restrictions arising from the COVID-19 pandemic. The 2021 IEA was submitted to DPHI via the Major Projects portal on 29/04/2021. Comments were received from DPHI and the IEA amended and resubmitted on 30/08/2021. Email correspondence was received from DPHI noting that the Department had finalised its review of the 2021 IEA and closed the matter out.</p> <p>The fourth IEA was due for completion in August 2024. Ampol requested that DPHI extend the IEA period from every three years to every four years. DPHI approved a one-off extension of the 2024 IEA to be completed by 30/08/2025. The original auditor that was approved by DPHI was unable to undertake the audit. DPHI was informed of this and an alternate auditor proposed who was not approved by DPHI. The current 2025 IEA audit team was approved by DPHI on 11/09/2025. DPHI was informed via email that the lead auditor would not be able to be complete the audit in October as originally planned due to personal health issues. The audit was rescheduled for the first quarter of 2026 with the audit site inspection taking place on 16/02/2026. DPHI notified Ampol by email dated 20/11/2025 that it considered this a breach of Condition D7.</p> <p>The auditor considers that Ampol commenced the process of planning and commissioning the 2024 IEA with sufficient time to meet the extended deadline and that the reasons for the delay were outside of Ampol's control.</p> <p>This condition has been assessed as non-compliant as the timing for the fourth IEA was not met however; no recommendations are made.</p> <p>The 2025 IEA addresses the requirements of this condition. Refer to this IEA report Section 1.2 Audit Scope for details of where each item is addressed.</p>	No recommendations are made.	Ampol will engage with potential IEA auditor/s at least 8 months prior to the next scheduled (3 yearly) IEA date to ensure adequate time is available to select alternate auditors if the initial IEA approved auditor is no longer available.	8 months prior to Feb 2029

Table 2. EPL837 Conditions Assessed as Non-compliant

Reference No.	Condition	Independent Audit Findings and Recommendations	Audit Recommendations	Proponent's Proposed Action/Action taken/Response (as applicable)	Proposed Action Due Date
L1.1	Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997	Ampol reported it was non-compliant against this condition in its 2021-2022 Annual Return and its 2022 Annual Review based on an oily-water overflow incident that occurred on 7/04/2022 that impacted waterways, wetlands and surrounding land in Kurnell. Refer to Development Consent Condition C10 for further details; and this IEA report Section 3.1.2 for further discussion of incidents.	No recommendations are made.	The various non-compliances mentioned in the report were reported to the relevant authorities at the time the non-compliance occurred and have been reported by Ampol in accordance with the reporting requirements under the environment protection licence, any development approvals and the environment protection legislation. Following notification, Ampol worked closely and collaboratively with the regulators in addressing their questions and concerns till a final outcome was reached. In all instances actions were taken to eliminate or minimise the impact that the non-compliance might have caused. All non-compliances were investigated, and actions were carried out to prevent the non-compliance from re-occurring. Therefore, no further actions need to be taken.	N/A
L5.1	Noise from the premises must not exceed: a) An LAeq(15 minute) noise emission criterion of 60dB(A) (7:00am to 6:00pm) seven days a week; and b) An LAeq(15 minute) noise emission criterion of 50dB(A) at all other times, and c) An LAmx noise emission criterion of 55dB(A) (10:00pm to 7:00am) except as expressly provided by this licence.	Ampol reported exceedances of the night-time noise limits due to shipping noise in its Annual Returns. Refer to C17 for further discussion.	No recommendations are made.	Ampol will continue to report noise exceedances to the NSW EPA at the time of the exceedance, in its annual return and in accordance with specific noise reporting requirements agreed with NSW EPA. No further actions will be taken.	N/A
L5.2	Noise from the premises is to be measured or computed at any point within one metre of any affected residence to determine compliance with condition L5.1. 5dB(A) must be added if the noise is tonal or impulsive in character	Noise from the premises is measured at the Wharf using the SoundScience SmartaData noise monitoring system which was developed by noise consultants Wilkinson Murray. This system continuously records noise levels, audio and meteorological data and predicts real-time noise levels at the six identified residential receivers. The Review of Shipping Noise Protocols required by EPL Condition E4 and undertaken by acoustic consultants RWDI, reported that the system does not apply a modifying factor correction for tonal noise, only low-frequency noise as informed by the 2018 study. As a correction factor for tonal noise was not included in the SoundScience Smart Data noise monitoring system, this condition was assessed as non-compliant. The Review of Shipping Noise Protocols required by EPL Condition E4 and undertaken by acoustic consultants RWDI was submitted to the EPA on 13/02/2026. Feedback on the report by the EPA had not been received in the period of this IEA. Following review of the report, the EPA may implement further EPL conditions, consequently a recommendation to implement corrective actions in response to EPA feedback on the RWDI Review of Shipping Noise Protocols report has been included.	2026 IEA REC 03 Review if a modifying factor is required for the tonal noise recently experienced from some ships, in consultation with acoustic consultants and the EPA.	2026 IEA REC 03 Ampol is working closely and collaboratively with the NSW EPA. The assessment report required under SC E21 has recently been submitted to the NSW EPA. Ampol will work with the EPA and the acoustic consultant on any agreed changes required to the SoundScience "SmartaData shipping noise monitoring system protocols.	To be determined following feedback from the NSW EPA on the SC E21 report.
L5.4	For the purposes of determining the noise generated at the premises the modification factors in Section 4 of the NSW Industrial Noise Policy must be applied, as appropriate, to the noise levels measured by the noise monitoring equipment.	Section 4 of the NSW Industrial Noise Policy includes that modifying factors should be applied for tonal noise characteristics. As reported in EPL L5.2, modification factors for tonal noise are not applied by the SoundScience Smart Data noise monitoring system.	No recommendations are made.	Ampol is working closely and collaboratively with the NSW EPA. The assessment report required under SC E21 has recently been submitted to the NSW EPA. Ampol will work with the EPA and the acoustic consultant on any agreed changes required to the protocols.	To be determined following feedback from the NSW EPA on the SC E21 report.



Reference No.	Condition	Independent Audit Findings and Recommendations	Audit Recommendations	Proponent's Proposed Action/Action taken/Response (as applicable)	Proposed Action Due Date
L6.1	The licensee must not cause or permit the emission of offensive odour beyond the boundary of the premises.	Based on the number of complaints received, Ampol reported it was non-compliant with this condition in its Annual Returns to the EPA in 2021-2022, 2022-2023, 2023-2024 and 2024-2025. Refer Development Consent Condition C26.	No recommendations are made.	As mentioned in the auditor's report, Ampol has made a number of improvements during the audit period to address odours, and it is considered that this issue is being managed in consultation with the EPA. Ampol will continue to report community odour complaints in its annual return and will work closely and collaboratively with the NSW EPA in addressing any future odours concerns.	N/A
R2	Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.	The Guideline - Pollution Incident Response Management Plans (EPA, 2022) identifies the dictionary meaning of immediately is promptly and without delay. As the Enforceable Undertaking for the oily-water overflow incident on 7/04/2022 stated that "Ampol did not immediately notify the EPA, Fire and Rescue NSW, SafeWork NSW, Sutherland Shire Council or NSW Health of the Incident", this condition was assessed as non-compliant. The auditor did not assess whether relevant authorities were notified immediately of incidents causing or threatening material harm to the environment.	2026 IEA REC 05 Review incident notification requirements triggered by Condition D6 and EPL R2 and revise incident management processes, implement and train employees, as required.	2026 IEA REC 05 Despite what is mentioned in the EU, the relevant authorities (EPA, DPFI, Fire and Rescue NSW, SafeWork NSW, Sutherland Shire Council or NSW Health) were notified of the incident as soon as practicable once the presenting emergency conditions were deemed safe for the Ampol workers on shift, the immediate community and emergency services attending the site. A review of the existing incident notification requirements would therefore conclude that Ampol has the right protocols in place to ensure that appropriate and timely notification is carried out. No further action required.	N/A

Table 3. Summary of Opportunities for Improvement (Source: IEA Table 12 – Summary of Opportunities for Improvement (OFI))

Source	Opportunity for Improvement (OFI)	Proponent's Proposed Action/Action taken/Response (as applicable)	Proposed Action Due Date
Development Consent Condition D2 and OEMP review	2026 IEA OFI 01: Update the OEMP to include the role of the Community Engagement Manager. This includes Section 5.3 Environmental Roles and Responsibilities and Section 5.6 Community Concerns and Complaints.	The latest version (V3.0) of the OEMP (currently with the DPHI) will be further amended to include the role of the Community Engagement Manager.	By end June 2026
Development Consent Condition D2 and OEMP review	2026 IEA OFI 02: Update site figure in Appendix A of the OEMP 'Caltex Terminal Operational Boundary' to reflect that the Western ROW is no longer owned by Ampol and within its operational control.	Appendix A of the OEMP, specially Figure 0535-154100 will be updated to remove the (visual) reference to the recently sold section of Ampol land (the Western ROW).	By end June 2026
Development Consent Condition C22 and NMP review	2026 IEA OFI 03: Update NMP to include measures for the minimisation of tonal noise from ship systems and specifically the Inert Gas system.	As part of the Ampol response to EPL837 - Special Condition E21 <i>Review of Shipping Protocols</i> , the development of a specific <i>Tonal Noise Management Plan</i> that was adopted by Terminal Operations Team, in their capacity as Shore Officers (SO). This management plan provides guidance to the SO in the event that a vessel exhibits tonal noise and how this is best managed.	The <i>Tonal Noise Management Plan</i> is already in place. The NSW EPA are currently reviewing Ampol's report. Further changes will be made to this plan and the protocols, if and when the EPA provides further directives and/or guidance.
Development Consent Condition C22 and NMP review	2026 IEA OFI 04: Update the NMP to clearly describe how to assess compliance with noise limits for non-shipping relating activities (for example during the day). The Annual Review states that "During the initial stage of undertaking any high noise generating activities, and during where needed e.g. grit blasting (paint removal) in proximity (100m) to a specified residential receiver (R1-R8), noise measurement and monitoring will be carried out." This information is missing from the NMP.	The Kurnell Noise Management Sub Plan will be updated to include details of how proposed land based high noise generating activities will be noise assessed and managed, particularly if the activity needs to be undertaken within the proximity (100m) of a specified residential receiver (R1-R8).	By end June 2026
Development Consent Condition C22 and NMP review	2026 IEA OFI 05: The NMP states that reporting to the EPA and DPHI will occur via email when ship noise output is assessed via SoundScience to exceed noise limits and when complaints are received relating to shipping activities. It is understood that DPHI confirmed that it no longer requires Ampol to notify it of ship night-time noise exceedances. Update the NMP to reflect current practices of notifying the EPA only.	The Kurnell Noise Management Sub Plan will be updated to remove reference to the DPHI.	By end June 2026
Development Consent Condition C22 and NMP review	2026 IEA OFI 06: The NMP discusses incident management and states that noise complaints will be logged and tracked in the LPS, however it is not clear whether exceedances of noise limits are also logged in the LPS. Update the NMP to describe how noise exceedances will be recorded.	The Kurnell Noise Management Sub Plan will be updated to detail how exceedances of noise limits (in the absence of accompanying community complaints logged in LPS) will be recorded.	By end June 2026
Development Consent Condition C35 and AQMP review	2026 IEA OFI 07: Identify measures to minimise energy use and greenhouse gas emissions at the Kurnell Terminal in alignment with the broader Ampol sustainability goals and document within the OEMP / AQMP. Include discussion of implementation of these measures within Annual Reviews submitted to DPHI.	The Kurnell OEMP will be updated on the general Ampol strategy to reduce emissions. Details of the implemented measures will be discussed in the Annual Review.	By end June 2026 By end December each year for the Annual Review
Development Consent Condition C27 and AQMP review	2026 IEA OFI 08: Update the AQMP to include control measures relating to odour from the WWTP including the odour abatement systems implemented by Ampol in 2024 / 2025.	While Section 2.5.7 Stormwater and Oily Water Management of the 2026 (V3.0) Kurnell Operational Environmental Management Plan (OEMP) included a full description of the specific odour abatement systems at the 100 Series Tank Bunds and WWTP i.e. the Vaporgard Odour Abatement System, the revised AQMP does not include these details. This is an oversight and the Sub Management Plan will be revised to include these details as well.	By end June 2026
Development Consent Condition C40 and WMP review	2026 IEA OFI 09: Update the WMP to include the following waste streams, their classification and management strategies: activated carbon filters from WWTP, waste sand, salt and clay from the Jet Fuel Treating Unit, fire-fighting foam (PFAS and non-PFAS).	A summary of the Kurnell common waste streams, sources on site and the waste classification (if already determined) already exists. This document will be considered for inclusion in the Waste Management Sub-Plan after consultation with the Kurnell Remediation Manager.	By end June 2026

Source	Opportunity for Improvement (OFI)	Proponent's Proposed Action/Action taken/Response (as applicable)	Proposed Action Due Date
Development Consent Condition C42 and BWPMP review	2026 IEA OFI 10: Include within the BWPMP the program for undertaking weed management across the site. Pesticide application and pesticide use training and record keeping is discussed but not the timing, frequency, location, and type of weed management activities. The weed program can be a separate document that is referred to in the BWPMP.	While a broad weed management plan exists, this OFI will be discussed with the Kurnell Maintenance Team and the SAP M7 Master Scheduler. If agreed, a separate Work Instruction (WI) will be developed. If and when a new WI is developed, the BWPMP will be revised to reference the WI	By end June 2026
Development Consent Condition C42 and BWPMP review	2026 IEA OFI 11: Update the BWPMP to include the measures implemented by Ampol for managing feral animals and pests.	In relation to mice and rats, specific baits are managed by the Kurnell Maintenance team and a specialist Pest Management contractor. Rabbit and Fox are known to exist at the site by Ampol does NOT set baits. This remains the responsible of Sutherland Shire Council.	N/A
Development Consent Condition C42 and BWPMP review	2026 IEA OFI 12: Include within the BWPMP the requirement for trimming vegetation along the Yena Gap pipeline in Kamay Botany Bay National Park and the approvals and requirements for undertaking this clearing work.	As explained to the IEA Lead Auditor, this activity is already covered by an SAP M7 Task (includes a written instruction). A SAP M7 is a preventative maintenance activity. The approvals and requirements for undertaking this clearing work in the Kamay Botany Bay National Park are detailed in TC-TERM-VG12 (CD18614). Consideration will be given to referencing the SAP M7 Task Title and reference in future revisions of the BWPMP.	By end June 2026
Development Consent Condition B2	2026 IEA OFI 13: Update the approved plans within SSD 5544 to remove the Western ROW as this land is no longer owned by Ampol and under its operational control.	The historic SSD5544 Approval and associated documents cannot be updated. The change of land ownership of the Western ROW has been included in the most recent modification of SSD5544 (MOD 7). No further action required.	N/A
Development Consent Condition B16 and EPL Condition O2.1	2026 IEA OFI 14: Implement weed management inside Tank 512 and Tanks 102 -105 bunds.	The bund areas referred to on pages 20-21 of the IEA Report has since been treated with a spray application of Ampol approved herbicide (Roundup) by the Grounds Maintenance contractor team. Bund areas are regularly inspected and treated for weeds under the existing Grounds Maintenance contract. No further action required.	N/A
Development Consent Condition B16 and EPL Condition O2.1	2026 IEA OFI 15: Prior to filling the 1& Solberg tank on the Wharf, assess adequacy of spill containment at tank fill point.	As part of the he newly installed Solberg 1% Fluorine Free foam tank at the Kurnell wharf will be filled in accordance with the Kurnell Wharf Foam Transition MOC. A SWMS will be developed to detail how the new tank will be filled and include all spill prevention controls in place. The work will be completed permit conditions.	In accordance with Wharf Foam system Commissioning timelines.
Development Consent Condition B21	2026 IEA OFI 16: Include a brief overview of the legislative requirements including the Development Consent and EPL in the Kurnell Terminal Site Specific Induction.	The OFI will be discussed with the Kurnell Operations Manager and if agreed, the Kurnell Induction presentation will include an additional slide providing a brief overview of the legislative requirements including the Development Consent and EPL.	By end June 2026
Development Consent Condition C40	2026 IEA OFI 17: For waste that has been classified by environmental consultants (e.g. excavated material from remediation projects) attach the waste classification reports to the corresponding entry in the Waste Log.	The OFI will be discussed with the Kurnell Remediation Manager and if agreed, waste classification reports will be attached to future Waste Log entries. This new requirement will also be communicated to other Engineering project teams. The Environmental Waste Log National Work Instruction (CD3144) will also be updated to include this requirement.	By end September 2026



Source	Opportunity for Improvement (OFI)	Proponent's Proposed Action/Action taken/Response (as applicable)	Proposed Action Due Date
Development Consent Condition C40	2026 IEA OFI 18: Investigate opportunities for recycling of cardboard, paper and comingled waste.	Based on historical discussion with waste service providers, it has become evident that the cost of collecting these small (in volume) waste streams, segregated at source, outweighs the sustainability benefits. Ampol will continue to review opportunities to reduce waste to landfill, in line with its Sustainability Strategy. No addition actions required.	N/A
Development Consent Condition D4	2026 IEA OFI 19: For future Annual Reviews, update Table 2A, Section 2.3 Environmental Monitoring Performance to include the EPL limits for all pollutants.	Table 2A – Point 27: Normal Operation Conditions will be updated to include any missing EPL limits in future Annual Reviews.	By 31 December 2026
Development Consent Condition D6	2026 IEA OFI 20: Consider reporting incidents that trigger reporting under the PIRMP, to also be reported to DPHI.	The Kurnell PIRMP already lists the DPHI as a key external "Relevant Government Agency" – refer to Table 9-1. Reporting will continue to be in line with the reporting requirements obligations under D7 of the Consent.	N/A
EPL Condition O6.4	2026 IEA OFI 21: Consult with the EPA regarding EPL conditions O6.3 and O6.4 given the length of time the wastewater treatment plant has been bypassing the Biotreater and that bypassing the Biotreater was intended to be a back-up system.	The NSW EPA is aware of the fact that the Biotreater is offline and that the WWTP is running in bypass mode when discharging. Ampol has informed the NSW EPA that it is reviewing the operations of the WWTP and will propose a modification in due cause. Because of the current good performance (close to non-bypass conditions) of the WWTP, it has been agreed with NSW EPA that Ampol will apply to run this WWTP in bypass mode till the unit is modified.	Formalise agreement with NSW EPA by end of May 2026.