



## NSW Site Auditors' Meeting – March 2025

<b>Meeting:</b>	NSW Accredited Site Auditor Scheme – Auditors' Meeting	<b>Date:</b>	28 March 2025
<b>Location:</b>	Vibe Hotel, Sydney	<b>Time:</b>	9.15am-12.45pm
<b>Last Meeting:</b>	25 October 2024	<b>Next Meeting:</b>	TBC
<b>Present:</b>	<p><b>Auditors –</b>  Lange Jorstad, Amanda Lee, Stephan Pawelczyk, Peter Beck, Tim Chambers, Jason Clay, James Davis, Chris Duesterberg, Michael Dunbavan, Brad Eismen, Julie Evans, Ian Gregson, Cheryl Halim, Adrian Hall, Rebeka Hall, Jonathan Ho, Chris Jewell, Andrew Kohlrusch, Andrew Lau, Peter Lavelle, Kylie Lloyd, Alyson Macdonald, Kevin Masterton, Ross McFarland, Colin McKay, Graeme Miller, Philip Mulvey, Loek Munnichs, Tom Onus, Tony Scott, Andre Smit, Paul Steinwede, Ian Swane, Caroline Vernon, Ben Wackett, Louise Walkden, Andrei Woinarski, Edward Wu</p> <p><b>Auditor Apologies –</b>  Charlie Barber; David Gregory; Brad May; Paul Moritz; Mike Nash; Fiona Robinson; Mark Stuckey; Marc Salmon; Frank Mohen, Melissa Porter</p> <p><b>Proxies –</b>  Gurdeep Khosa (Charlie Barber); Jenna Maltman (David Gregory); Nerilee Edwards (Paul Moritz); Geoff Fletcher (Fiona Robinson)</p> <p><b>NSW EPA –</b>  Steve Beaman, Lesley Corkill, Jacqueline Ingham, Peter Stuart, Deepti Eyunni, Helen Prifti, Anthea White, Brenda Ioffrida, James Green, Rose Cocks, Sam Waskett</p> <p><b>Auditor panel –</b>  Damien Davidson; Lousie Cartwright</p> <p><b>Auditor panel apologies –</b>  Carolyn Brumley; Wendy Boyce; Fouad Abo; Karen Marler; Jo Graham</p> <p><b>Guests / Speakers</b>  Barbara Company (Barbara Company &amp; Associates)</p> <p>Janina Beyer; Armin Kavehei; Cameron Jennings (NSW Department of Climate Change, Energy, the Environment and Water, Environment Protection Science Branch)</p>		

## Agenda items:

### 1. Acknowledgment of Country and meeting objectives – Stephen Beaman (SB), NSW EPA

- SB explained the current EPA regulatory approach for NSW is based around three main themes: being outcome focussed; being collaborative; and being empathetic.
- SB discussed the PFAS National Environmental Management Plan (NEMP); regulation and management of PFAS by the EPA; the Office of the Chief Scientist and Engineer (OCSE) report into the management of asbestos in recovered fines and recovered materials for beneficial reuse in NSW; the EPA's role in emergency response; and challenges with waste infrastructure.
- SB thanked the auditors for their ongoing contribution to the management of contamination in NSW. SB stated he wanted auditors to keep reaching out to us, and questioning us at times, as it makes the EPA a better regulator.

### 2. Audit Unit Update – Brenda Ioffrida, NSW EPA

Refer to presentation attached. The following items were discussed:

- National harmonisation of the auditor accreditation process
  - The EPA has been working on the national harmonisation of the auditor accreditation scheme with the other jurisdictions which have auditor schemes.
  - It is planned that the next auditor accreditation round in NSW will be harmonised with other jurisdictions.
  - There is no date for the harmonised accreditation round yet, but the EPA will advise once this is confirmed.
- The Environmental Management Plan (EMP) survey from the previous auditor meeting
  - After the last auditor meeting auditors were asked to complete a survey on consultants being unwilling to update EMPs prepared by other consultants.
  - The survey results suggested that this is not a widespread issue. If issue comes up, auditors were advised they should address this directly with the consultant.
- Updates to the EPA website
  - The EPA is only keeping the minutes and slides from the two most recent auditor meetings available online.

Questions / comments from auditors	Response
Are there any plans to harmonise the auditor schemes across Australia rather than just the accreditation process?	No, each jurisdiction with an auditor scheme has their own legislation, regulations, guidelines and other requirements. Only the accreditation process is being harmonised.
It is noted that with the website update a lot of the past auditor meeting minutes are no longer available online. There is a lot of wisdom and knowledge in the past minutes.  Can previous minutes be made available to auditors, perhaps as part of an auditor portal?	The EPA is only keeping the minutes and slides from the two most recent meetings available online because information can become out of date over time.  The other minutes and slides could be made available upon request.

### 3. Contaminated Land Policy – Lesley Corkill, NSW EPA

Refer to presentation attached. The following items were discussed:

- Underground Petroleum Storage System (UPSS) Regulations
  - The [UPSS Regulation](#) is being re-made to prevent its staged statutory repeal. Regulations automatically repeal after 5 years, and the UPSS Regulation was due for repeal in September 2025. However, this is likely to be postponed to September 2026.
  - We are still progressing the review of the regulation this year – but exhibition of the Regulatory Impact Statement and draft regulation will be delayed until the second half of 2025. An issue that the EPA is focussing on is the timely decommissioning of UPSS that are no longer in use.
  - EPA plans to engage with auditors later this year, but auditors are encouraged to provide feedback at any time.
- OSCE asbestos report
  - The report contains nine recommendations, two of which are directed at the EPA.
  - The NSW Government is carefully considering the report and will publicly release its response soon. Stakeholders will be communicated with as part of that response.
- Asbestos contaminated sites - survey feedback
  - We are continuing to explore possible changes to NSW regulations to clarify the permissibility of certain remedial approaches for asbestos-contaminated sites.
  - After the last auditor meeting, auditors were asked to respond to survey questions about category 2 remediation works for asbestos-contaminated sites. We received a good response with useful feedback. The survey results indicated that audits involving category 2 remediation work were relatively uncommon. There were mixed responses on the regulatory oversight of asbestos remediation sites. The EPA thanked auditors for feedback.
  - The EPA's web page [managing asbestos in and on land](#) is the best place to keep up to date on the EPA's position on asbestos. The EPA is continually exploring ways to update the regulatory approach.
  - Auditors were reminded that the EPA considers that the remediation of asbestos-contaminated soils carried out in accordance with Chapter 4 of the [State Environmental Planning Policy \(Resilience and Hazards\) 2021](#), including remediation required or approved under the *Contaminated Land Management Act 1997*, would not constitute land pollution or the re-use or recycling of asbestos waste.
- Environmental Management Plans
  - The EPA is aware of ongoing auditor concerns about transparency and accountability for EMPs, particularly where required as a condition of a site audit. Later this year, the EPA will consider recent examples to see if there are any other mechanisms available to enforce EMPs based for inclusion in the [practice note](#). We are also exploring policy options to improve transparency of EMPs associated with statutory site audits.
- Planning Guidelines
  - The Managing Land Contamination [planning guidelines](#) were first released in 1998 and it is acknowledged that an update would be beneficial. Local councils still find the guidelines useful because they outline the contamination investigation and assessment processes for planning matters.
  - Department of Planning, Housing and Infrastructure (DPHI) are leading on the project to update the guidelines. The EPA has provided extensive comments and met with DPHI several times this year. There are no further updates at this stage.

Questions / comments from auditors	Response
Does the EPA plan to update the groundwater guidelines?	Yes, this work is planned to start soon subject to approval.

#### 4. Site Auditor eConnect Portal – Peter Stuart, NSW EPA

Refer to presentation attached. The following items were discussed:

- As part of the EPA's move to a new data management system, a site auditor portal is being developed. It is hoped this will make life easier for auditors when submitting information to the EPA.
- Key features of the portal will include:
  - ability to submit site audit notifications, site audit statements, annual returns, renewal applications
  - secure payment for fees
  - applications for accreditation
- The wider system will also include submission of online s60 notifications as well.
- The next steps will include:
  - development of user guides,
  - training for auditors before system goes live,
  - testing
- The EPA put out a call for auditors to volunteer to test the system. The EPA is hoping for feedback on how it works, any bugs, any ways that it doesn't work well or ways it could work better.
- It is hoped the portal will go live from 1 July 2025. There is still some work to do, but the work is on track.

Questions / comments from auditors	Response
When auditors submit something into the system will we get anything back?	Yes, you will get a PDF summary of what you have submitted.
What security measures will be in place to protect the system from a data breach?	Multi-factor security measures are in place. The system has been rigorously tested and passed requirements.
Will older site audit notifications and statements be available on the portal?	No. The EPA are not retrospectively uploading older documents. Only new site audit notifications and statements from 1 July 2025 will be available.

#### 5. Waste Update – Q&A Session – Helen Prifti, NSW EPA

Refer to presentation attached. The following items were discussed:

- Consultations
 

The EPA is currently consulting on the following. Auditors are encouraged to provide feedback.

  - [Resource Recovery Policy and Guidelines](#). The current framework is 10 years old. Kathy Wilkinson did a review of the Resource Recovery framework. The first outputs of that review are starting to come out now.
  - [Innovation pathway](#). This consultation covers the regulatory pathway to support applications for innovation. The regulatory framework for those wanting to do environmental innovation can be quite rigid. The proposed pathway would be for those people who are not yet at

planning stage, who want to explore to doing pilots and trials to support future planning applications.

- [Energy from waste framework review](#). The EPA progressed a review of the energy from waste framework for the NSW Government and identified potential changes to the framework. Feedback is now sought on three key areas, being:
  1. Changes to the precincts and associated risks
  2. Changes to the definition of thermal treatment
  3. Changes to the exception relating to powering industrial or manufacturing processes on site
- [Protection of the Environment Policy](#). The EPA is seeking feedback on the establishment of a monitoring and reporting framework for carbon impacts and recycled materials use in public infrastructure projects

- Key work in progress

There is lots of work being progressed by the EPA in the waste management space. A couple of the main ones are:

- Review of waste classification guidelines (WCGs)
  - The revision of technical information contained within the WCGs has started. The EPA sees this an opportunity to fix a few things, for example the disposal position on organotin, and update and streamline the WCGs.
  - The EPA will shortly be seeking an initial round of input from selected external stakeholders in April 2025.
  - By September 2025, it is envisaged that a draft of the revised WCGs will be ready for consultation. There will be a dedicated “Have Your Say” webpage where feedback will be encouraged. The EPA will consider and where appropriate incorporate stakeholder feedback into the updated guidelines. The final WCGs will be finalised thereafter.
- Waste classifiers accreditation
  - The EPA is considering means of strengthening the waste classification and reporting process, including potentially through the use of a waste classifier accreditation scheme. How such a scheme will be implemented is yet to be determined, but this could involve using existing schemes or the EPA developing their own.

- Auditor questions provided before meeting

Before the meeting auditors were asked if there were any specific waste topics that they wanted discussed today. The following matters submitted were considered useful for the whole group:

- PFAS Waste Code
  - The EPA has not implemented the use of waste code M270 and associated description as yet. Formally this change requires an amendment to the Protection of the Environment Operations Waste Regulation 2014 which is currently being reviewed.
  - The EPA notes that existing waste codes are suitable to be used to characterise PFAS waste for the purpose of waste transport (such as M250 – Surfactants, M160 – Organo halogen compounds, N120 – Contaminated soils etc). Contaminant information can and should also be included in the tracking documentation, so it is clear the waste contains PFAS.
- Integrated Waste Tracking Solution (IWTS)
  - Industry appears to have settled into using the IWTS without any major issues. Some adjustments have been made by industry, for example recording the pickup and drop off using the web optimised version of the IWTS, rather than scanning the QR Code at receiving facilities.
  - There have been some minor changes to the IWTS to better facilitate waste tracking.

- PFAS in resource recovery waste streams
  - The EPA is considering PFAS requirements in certain resource recovery waste streams in light of the release of PFAS NEMP 3.0. Our position on the limit of reporting being the criteria to assess against will be revised, but any updated limits will need to consider the new Health Investigation Levels outlined in the updated PFAS NEMP.
  - In the interim, if PFAS is detected, a risk-based approach guided by the NEMP.
- Updates to the resource recovery orders and exemptions policy
  - The EPA is currently undertaking work looking at the overarching recovery orders and exemptions policy, as well as chemical limits and sampling.
  - Once this work is completed, the EPA will undertake a period of review of the general resource recovery orders and exemptions and considered where updates are required.
- Industrial Chemicals Environmental Management Standard (IChEMS)
  - The EPA is still working through the implications of IChEMS and how this relates to waste. Once our position is finalised, we will advise industry.

Questions / comments from auditors	Response
Will contaminated land consultants be consulted on the proposed waste classifier accreditation?	Yes. Once decisions are made on a way forward there will be industry wide consultation.

## 6. Living with contamination – Barbara Campany, Barbara Campany & Associates

Barbara Campany discussed stakeholder engagement for contaminated sites.

## 7. PFAS NEMP 3.0: What Has Changed? – Janina Beyer (JB), National Chemicals Working Group (NCWG)

Refer to presentation attached. The following items were discussed:

- JB advised that bioaccumulation is still a key component to the updated PFAS NEMP 3.0. Bioaccumulation runs through the whole NEMP, not just a single section within it.
- Human health water guidelines currently remain the same, but the NEMP was released before National Health and Medical Research Council finalised the updated drinking water guidelines so things may change
- Human health soil criteria has changed because of additional work done considering PFOA in soils. The NEMP 3.0 includes a new supporting document that supports the soils Health Investigation Level A criteria. This supporting document includes calculations. If you are assessing PFAS and thinking about a site-specific assessment, this document may be the go to for you.
- NEMP 3.0 now includes leachate considerations. This is covered in section 18.3 and Appendix H. There is no one size fits all; it is about selecting the right method for your site. Appendix H provides more explanation around this.
- Chapter 8 covers Ecosystems. The updated ecological guideline values for soil reflect considerations around Australian reptiles being a sensitive receptor.
- The biota guideline values now include criteria for PFOA. The supporting document includes explanations around how the most sensitive receptor was chosen and why the Canadian approach was adopted for the Australian context.
- There is a new chapter covering biosolids. An enormous amount of consultation was undertaken on this issue. The work started with NSW risk assessment on PFAS in biosolids and it was then developed further by the NCWG. There have been some changes from the consultation. The supporting document includes detail on how/when it may be appropriate to use the biosolid guidelines.

- There is a section on organic waste and resource recovery materials. While no guideline values have been developed, a literature review undertaken has provided a hierarchy around the types of wastes that could be an issue with PFAS.
- Other updated areas include:
  - Details of an ambient monitoring program carried out in Victoria.
  - Alternative approaches to risk assessment and environmental management of PFAS compounds and mixtures.
  - PFAS site remediation and management.

Questions / comments from auditors	Response
Are there scenarios where reptiles/indirect exposure don't have to be considered?	For almost all sites there will be indirect exposure or reptiles present. The supporting document includes explanations around the derivation and reason for including reptiles.  Where one is not sure, discuss this with the EPA and any deviation from this would need justification.
Will the updates mentioned to PFAS NEMP 3.0 after the drinking water update is known just consider water guideline updates?	This depends on what the drinking water update says and whether this changes other things.  There is a need to wait and see whether tolerable daily intakes for other criteria need to be adjusted as a result of the drinking water guidelines.
There is no inclusion of direct criteria for groundwater.	The ambient monitoring supporting document contains more discussion around groundwater. Direct measurement of groundwater is important where the exposure route exists.

## 8. Other Business

None raised.

**Meeting end.**