Response to Non-Compliance

CoA	Requirement	Details of non-compliance	Proponent Response Akaysha Actions (After Audit)	Action Status
A2	The development may only be carried out: (a) in compliance with the conditions of this approval;	(a) the audit found two non-compliances (excluding this condition) therefore the development was not being carried out in compliance with the conditions of this approval. Recommendation: refer below for B22	Akaysha acknowledges the A2 non-compliance identified during the audit. The non-compliance was triggered as a consequence of the B22 non-compliance identified during the same inspection. As A2 is directly linked to compliance with all approval conditions, the B22 issue resulted in a temporary breach of Condition A2. Following rectification of the B22 non-compliance, the development is now being carried out in full compliance with the conditions of approval. No further issues relating to Condition A2 remain outstanding.	Completed
B22	The Proponent must store and handle all chemicals, fuels and oils used on-site in accordance with: (a) the requirements of all relevant Australian Standards; and (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 (a) and (b) above, the most stringent requirement must prevail to the extent of the inconsistency.	The fifth audit inspection included the warehouse associated with the O&M building. The auditor observed Class 2 flammable aerosols appropriately stored in an aerated Class 2 cabinet. The Class 2 cabinet was however located directly on top of a Class 3 flammable cabinet. In addition to the Class 3 flammable liquid containers stored in the Class 3 cabinet, some Class 2 aerosols were also in the Class 3 cabinet. The relevant Australian Standard (AS 1940:2017) requires Class 2 flammable gases and Class 3 flammable liquids to be segregated. Recommendation: Ensure all dangerous goods are stored in appropriate cabinets with adequate segregation.	Akaysha acknowledges the B22 non-compliance identified during the audit, relating to the segregation and storage of Class 2 flammable aerosols and Class 3 flammable liquids within the O&M warehouse. The non-compliance was rectified the following day after the site audit. Rectification actions included: Removal of Class 2 flammable aerosols from the Class 3 flammable liquids cabinet. Correct segregation of C2 and C3 chemicals in accordance with AS 1940:2017. Verification of appropriate cabinet use and storage locations. Consultation with Akaysha SQE to confirm compliance with Australian Standards and site procedures. All chemicals are now stored in appropriate cabinets with correct segregation. This has addressed the non-compliance and aligns with the auditor's recommendation.	Completed