

# Annual Environmental Management Report 2020

InfraBuild Recycling, Hexham

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Client: InfraBuild Recycling

Prepared by

**AECOM Australia Pty Ltd**

17 Warabrook Boulevard, Warabrook NSW 2304, PO Box 73, Hunter Region MC NSW 2310, Australia  
T +61 2 4911 4900 F +61 2 4911 4999 www.aecom.com

ABN 20 093 846 925

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## Glossary of Terms

AEMR	Annual Environmental Management Report
ANZG	Australian and New Zealand Governments and Australian State and territory Governments
DA	Development Application
DC	Development Consent
DIPNR	Department of Infrastructure Planning and Natural Resources
DPIE	Department of Planning, Industry and Environment (previously DIPNR, DP&E)
EIS	Environmental Impact Statement
EPA	Environmental Protection Authority
EPL	Environmental Protection Licence
INP	Industrial Noise Policy
LOR	Limit of Reporting
OEMP	Operation Environmental Management Plan

## 1.0 Introduction

The 2020 Annual Environmental Management Report (AEMR) has been prepared by AECOM Australia Pty Ltd (AECOM) on behalf of InfraBuild Recycling (trading name for OneSteel Recycling Pty Ltd, formally Smorgon Steel Recycling) for the metal recycling facility located at 14 Sparke Street, Hexham NSW.

InfraBuild Recycling is required under Schedule 2, Condition 8.3 of the Development Consent (Integrated Development Application No.345-7-2003-i MOD-49-3-2005-i) to prepare an AEMR each year throughout the life of the project. Each report must outline the environmental compliance and performance of the metal recycling facility in relation to the conditions of the Development Consent (DC) and other licences and approvals issued for the facility.

Specifically, this AEMR provides details as required under Schedule 2, Condition 8.3 of the DC, which states:

*The Applicant shall, throughout the life of the development, prepare and submit for the approval of the Director-General, an Annual Environmental Management Report (AEMR). The AEMR shall review the performance of the development against the Operation Environmental Management Plan (refer to Condition 7.4 of this consent), the conditions of this consent and other licences and approvals relating to the development. The AEMR shall include, but not necessarily be limited to:*

- a. details of compliance with the conditions of this consent;*
- b. a comparison of the environmental impacts and performance predicted in those documents listed under condition 1.2 of this consent;*
- c. details of any complaints received in relation to the operation, an overview of how these complaints were handled, and the results of any actions taken by the Applicant to address the complaint;*
- d. results of all environmental monitoring required under this consent and other approvals, including interpretations and discussion by a suitably qualified person; and*
- e. a list of all occasions in the preceding twelve-month period when environmental performance goals for the development have not been achieved, indicating the reason for failure to meet goals and the action taken to prevent recurrence of that type of incident.*

The period of reporting covered by this AEMR is between 19 December 2019 and 18 December 2020, which corresponds to the reporting period for the Environment Protection Licence (EPL 5345) issued by the NSW EPA. It is noted that several EPL variations are relevant to this 12 month reporting period and these are detailed in **Section 1.2**.

This report also contains details of potential environmental targets and strategies for the following 12-month period, which take into account monitoring trends observed to date.

The AEMR also includes the additional information requested by NSW Department of Planning, Industry and Environment (DPIE) in letter reference DA 345-7-2003-i dated 12<sup>th</sup> August 2019 (provided in **Appendix A**). **Table 1** details the sections of this report containing the requested additional information.



**Table 1 Additional Items Requested to be Included in the AEMR**

DPIE Request	Request	AEMR Section
1.	a. Include a Statement of Compliance Table to identify any conditions of the consent that were not complied with during the reporting period to satisfy Schedule 2, Condition 8.3 of the Consent.	Section 1.4
	Include a figure in the Introduction section of the report showing the location of the site, the development consent boundary and disturbance footprint.	Section 1.1.2
2.	In the Statement of Compliance table, also include commitments of the Operational Environment Management Plan (OEMP) and sub-plans that were not complied with during the reporting period.	Section 1.4
3.	Include a discussion on complaints trends and a comparison of the number and type of complaints received in the previous five years.	Section 3.0
4.	Update the Corrective Action Plan to include: <ul style="list-style-type: none"> <li>a. The additional dust and sediment control actions as per correspondence to the Department dated 9 January 2019;</li> <li>b. The agreed due date for each action listed;</li> <li>c. The actual completion date for all completed items; and</li> <li>d. Details on how the completion of actions was achieved.</li> </ul>	Appendix E

## 1.1 Facility Background

### 1.1.1 Overview of Operations

InfraBuild Recycling recycles ferrous and non-ferrous metals via shredding, separation and collection. The shredder process currently comprises a LYNXS 4900 kW TMR 270 \* 270 Heavy Duty Scrap Shredder that includes an in-feed conveyor, entry conveyor, entry chute, shredder (hammer mill), discharge conveyor, drum magnet ferrous separator, picking conveyors, non-ferrous enrichment and separator. The shredder operates up to 11 hours per day (7am to 6pm) and on Saturdays when required. The shredder produced 268,038 tonnes of shred during the 2020 Calendar year, which is indicative of this reporting period.

### 1.1.2 Site Location and Development Consent Boundary

The InfraBuild recycling Hexham facility is located at 14 Sparke St Hexham as shown in **Figure 1**. The site is located in approximately 10 kilometres northwest of Newcastle bounded by the Main Northern Railway line to the west, Maitland Road (the Pacific Highway) and the Hunter River to the east and Ironbark Creek to the south. The residential areas of St Joseph's Retirement Community and Shamrock Street Hexham are located approximately 500 metres southeast and north respectively from the site.

**Figure 2** shows the extent of the Development Consent boundary which is also the extent of the disturbance footprint.



Figure 1 Site Location



Figure 2 Development Consent Boundary (Disturbance Footprint)

## 1.2 Scope of Annual Environmental Management Report

The AEMR describes the environmental compliance and performance of InfraBuild Recycling compared to DC conditions, predicted outcomes in the DA process, the EPL, the OEMP and, where conditions are not specified, appropriate NSW or national guidelines. The documents of reference are as follows:

- SMEC Australia Ltd, July 2003, Metal Shredding Facility at Hexham NSW - Environmental Impact Statement (Volumes 1, 2 and 3) (“the EIS”);
- Smorgon Steel Recycling, 2005, *Operational Environmental Management Plan Shredder Plant Operation*, Smorgon Steel Recycling, NSW;
- NSW Government, Department of Infrastructure, Planning and Natural Resources, *The conditions of Development Consent* (File No. S03/00986), NSW Government, Sydney; and
- NSW Environment Protection Authority, OneSteel Recycling Pty Limited, *Hexham NSW, Environment Protection License* No. 5345, Licence Variation Notice numbers:
  - Variation 1583567 (7 August 2019);
  - Variation 1589850 (6 March 2020);
  - Variation 1595084 (27 May 2020); and
  - Variation 1600771 (27 November 2020).

## 1.3 Environmental Management Plans

In 2005, an Operational Environmental Management Plan (OEMP) for the operation of the shredder plant was developed and approved by the Director-General of the Department of Infrastructure, Planning and Natural Resources (DIPNR) now Department of Industry, Planning and Environment (DPIE). This OEMP was required under Section 7 of the DC conditions and has been incorporated into the management of the site at Hexham.

The OEMP was reviewed and updated (Version 3) in November 2019.

## 1.4 Corrective Action Plan Summary

Actions from the 2017 audit were closed out by InfraBuild when the Action Plan was updated on 23 November 2020 (Provided in **Appendix E**).

A recent Independent Environmental Audit was performed by AQUAS and was submitted to InfraBuild on 17 December 2020, one day before the end of this reporting period. As such an updated Corrective Action Plan is under development and will be reported against in the 2021 AEMR.

**Table 2** provides a summary of the conditions of consent and commitments of the OEMP and sub plans identified in the recent IEA to be included in the corrective action plan.

**Table 2 Statement of Compliance Summary (December 2020)**

Consent Condition	Consent Condition Requirements
1.2	The Applicant shall carry out the development generally in accordance with the Development Application documentation and conditions of this consent.
2.5	The Applicant shall meet the requirements of the Director-General in respect of the implementation of any measure necessary to ensure compliance with the conditions of this consent, and general consistency with the documents listed under condition 1.2 of this consent.
4.3	The applicant shall design, construct, operate and maintain the development to ensure that noise generated does not exceed the specified limits.
4.8E	The applicant shall install and operate continuous noise monitoring at the St Josephs Catholic Care Aged facility to the satisfaction of the Director-General.
4.46	All chemicals, fuels and oils shall be stored in appropriately bunded areas.
7.1	The Applicant shall nominate a suitably qualified and experienced Environmental Representative(s).
7.4	The Applicant shall prepare and implement an Operation Environmental Management Plan to detail an environmental management framework, practices and procedures to be followed during the operation of the development.
7.5	As part of the Operation Environmental Management Plan for the development, required under condition 7.4 of this consent, the Applicant shall prepare and implement the following Management Plans: Noise, Transport, Flood Emergency, Stormwater, Landscape and Waste.
8.3	The Applicant shall, throughout the life of the development, prepare and submit for the approval of the Director-General, an Annual Environmental Management Report (AEMR). The AEMR shall review the performance of the development against the Operation Environmental Management Plan (refer to condition 7.4 of this consent), the conditions of this consent and other licences and approvals relating to the development.
EPL M6.4	The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.
EPL M6.4	The licensee must nominate to the EPA a representative of the company that is available at all times and is capable of providing immediate assistance or response during emergencies or any other incidents at the premises.



## 2.0 Compliance Review

A copy of the Development Consent (DC) is provided in **Appendix B**. A copy of the Environment Protection Licence (EPL) issued 27 November 2020 is provided in **Appendix C**.

A detailed assessment of the compliance of the facility in relation to the conditions of the DC and the EPL was undertaken during the 2017 Independent Environmental Audit (Coffey Corporate Services Pty Ltd - 6 June 2017).

A detailed assessment of the compliance of the facility in relation to the Environmental Impact Statement (EIS) was also undertaken during the 2017 Independent Environmental Audit (Coffey 2017).

Actions from the 2017 audit were closed out by InfraBuild when the Action Plan was updated on 23 November 2020 (Provided in **Appendix E**).

A detailed assessment of the compliance of the facility in relation to the conditions of the DC and the EPL was undertaken during the most recent Independent Environmental Audit (AQUAS Pty Ltd - 17 December 2020).

The AQUAS 2020 Audit report detailing compliance is provided as **Appendix D** with a list of associated actions to form a new Action Plan currently being developed (outside of this reporting period).

*It is noted that this appraisal of compliance with regulatory requirements relates only to environmental performance.*

### 3.0 Complaints

In accordance with Schedule 2, condition 6.3 of the DC, InfraBuild Recycling maintained a Complaints Register throughout the reporting period to record details of all complaints received regarding the Hexham facility. There were no complaints recorded in the register over the reporting period 19 December 2019 to 18 December 2020.

A summary of complaints with a breakdown by type for the current year and the previous five years is provided in **Table 3**.

**Table 3 Complaints Summary**

Year	Total Number	Air Quality	Noise	Odour	Stormwater
2015	4	1	2	1	-
2016	3	-	1	-	2
2017	2	-	1	-	1
2018	0	-	-	-	-
2019	3**	3	-	2	-
2020	0	-	-	-	-

\*All odour complaints from same complainant

\*\* Total of 3 complaints

During 2019 the complaints related to air quality and odour whereas historical (2015 to 2017) complaints were in regard to noise and/or stormwater. Overall the total number of complaints each year has been relatively low with complaints generally trending lower since 2015, with no complaints recorded during 2020.

## 4.0 Monitoring Results

InfraBuild Recycling conducts a comprehensive environmental monitoring program consisting of water, noise, air quality and meteorological monitoring. The following parameters were monitored over the reporting period for the facility in accordance with the conditions of the DC, the site EPL or for InfraBuild Recycling's corporate due diligence purposes.

- EPL 5345 compliance noise emissions monitoring (any residence in Shamrock Street, St. Joseph's Retirement Village and any associated residence in Old Maitland Road, and any operating industrial premises affected by noise):
  - $L_{Aeq(15 \text{ minute})}$  noise.
- EPL 5345 compliance stack emission testing (one location; shredder bag house):
  - lead;
  - mercury;
  - total solid particulate; and
  - fine particulate ( $PM_{10}$ ).
- EPL 5345 compliance meteorological monitoring (one location; InfraBuild Recycling Hexham facility):
  - Rainfall;
  - wind speed at 10 metres;
  - wind direction at 10 metres;
  - temperature at 10 metres;
  - temperature at 2 metres; and
  - sigma theta at 10 metres.
- Due diligence ambient air quality performed monthly at six locations (five locations; DG1-4 and DG6 within InfraBuild Recycling facility boundary and DG5 located near residences at 37 Old Maitland Road, Hexham):
  - total insoluble matter;
  - combustible matter; and
  - ash content.

## 4.1 Noise and Overpressure/Vibration Monitoring

### 4.1.1 Noise Monitoring

Under the EPL 5345, Condition M7.2, InfraBuild Recycling is required to conduct quarterly noise compliance assessments.

Noise assessment criteria are detailed in EPL Condition L4 and are presented in **Table 4**.

**Table 4 EPL Noise Limits for InfraBuild Recycling**

Location	Noise Limit dB(A)			
	Day	Evening	Night	
	L <sub>Aeq</sub> (15min)	L <sub>Aeq</sub> (15min)	L <sub>Aeq</sub> (15min)	L <sub>A1</sub> (1min)
Any residence in Shamrock Street, Hexham, affected by noise from the premises	47	48	45	55
St Joseph's Retirement Village and any associated residence in Old Maitland Road, Hexham, affected by noise from the premises	53	42	41	56
Any operating industrial premises affected by noise from the premises	70	70	70	N/A

Attended surveys conducted to assess the noise impact of operations from the InfraBuild Recycling, Hexham facility were performed by AECOM for the quarter 1, 2, 3 and 4 monitoring periods.

The results of these surveys were consistently influenced by extraneous noise, predominately consisting of:

- Freight and passenger trains;
- Heavy trucks and traffic on Maitland Road; and
- Birds and crickets.

Where direct measurement of noise contribution from an industrial facility is not possible due to persistent extraneous noise sources, the Environment Protection Authority's NSW Industrial Noise Policy (INP) makes an allowance for assessment by other methods. Section 11.1.2 of the policy states:

*"When compliance is being measured it may be found that, in many cases, existing noise levels are higher than noise level from the source, making it difficult to separate out the source noise level. When this happens, it may not be feasible to measure compliance at the specified location, and other methods will be needed. In these cases, measurements may be taken closer to the source and then calculated back to the specified location."*

Therefore, for each quarter as per L4.2 of InfraBuild Recycling's EPL and Section 11.1.2 *Notes on noise monitoring* of the Environment Protection Authority's NSW Industrial Noise Policy (INP); attended noise monitoring at the northwest and southeast boundaries of the InfraBuild Recycling site was conducted in order for results to be calculated at the Shamrock St and Calvary St Joseph's Retirement Community locations.

Measurements were conducted during daytime operation of the site, with trucks, excavators and the shredder operating on site along with monitoring of noise levels during evening and night times.

For each receiver location the predicted noise levels from the InfraBuild Recycling facility were estimated using a 'flat ground' model based on hemispherical spreading, conservatively assuming no topographical shielding, ground or air absorption, directivity or meteorological effects.



Quarterly monitoring was conducted on the following dates:

- 24 March representing quarter 1;
- 26 and 29 June representing quarter 2;
- 17, 22 and 28 September representing quarter 3; and
- 3 December representing quarter 4.

Predicted noise levels for the receiver locations are presented in **Table 5** and **Table 6**.

**Table 5** Calculated Noise Levels at R1 Shamrock Street Hexham

Time	Calculated noise level dB(A)				EPL noise limit, dB(A)
	Q1	Q2	Q3	Q4	
Day	43	<b>53*</b>	44	49**	47
Evening	41	29	39	27	48
Night	34	27	27	27	45

**Bold** values indicate measured noise level above EPL criteria

\* Result not deemed to be representative. See discussion in **Section 5.2** below.

\*\* Measured result of 49 dB(A) at the receiver location is compliant with (within 2 dB) the EPL criterion.

**Table 6** Calculated Noise Levels at R2 - Calvary St Joseph's Retirement Community

Time	Calculated noise level dB(A)				EPL noise limit, dB(A)
	Q1	Q2	Q3	Q4	
Day	44	37	47	42	53
Evening	38	40	32	37	42
Night	38	31	29	27	41

A review of the InfraBuild Recycling noise monitoring data reveals the following:

- Ambient noise levels above the EPL  $L_{Aeq}$  limits were measured at the majority of the designated EPL receptors during the daytime, evening and night periods.
- It was noted that extraneous noise sources such vehicle traffic (including heavy trucks) along Maitland Road as well as freight and passenger train noise from the nearby Hunter Railway Line contributed significantly to these noise levels.
- Calculated and/or measured receiver noise levels were within relevant EPL criteria at all sites and times except for daytime at Shamrock Street Hexham during Quarter 2.

Further review of noise monitoring is given in **Section 5.2**.

#### 4.1.2 Overpressure and Vibration Monitoring

Under the EPL No. 5345, Condition M7.1, InfraBuild Recycling is required to ensure that suitable instrumentation is maintained and operated in compliance with *AS 2187.2(1993)* (superseded in 2006), to monitor overpressure and vibration caused by explosions on the premises.

Monitoring of overpressure & vibration is conducted to determine the impact of operations at the InfraBuild Recycling Hexham facility. There were no blasts measured during the time periods that the monitoring equipment was operational for the 2020 reporting period.

## 4.2 Stack Emissions

Under EPL 5345, InfraBuild Recycling is required to conduct quarterly monitoring of emissions from the Baghouse Stack as per Condition M2.2 of EPL 5345.

Stack emissions testing during 2020 was performed by AECOM Australia (NATA accreditation No. 2778 (14391)). Samples were analysed by Steel River Testing (NATA Accreditation number 18079) and SGS (NATA accreditation number 14429).

Quarterly monitoring was conducted on the following dates:

- 27 March representing quarter 1;
- 22 June representing quarter 2;
- 3 September representing quarter 3; and
- 4 December representing quarter 4.

Results are detailed in **Table 7**.

**Table 7 Emission Measurement Results**

Parameter	Emission Concentration (mg/m <sup>3</sup> )				Regulatory Limit (mg/m <sup>3</sup> )
	Q1	Q2	Q3	Q4	
Total Particulate (TP)	27	6.6	1.8	6.0	100
Fine Particulate (PM <sub>10</sub> )	4.0	3.3	0.28	0.52	NA
Lead	0.0156	0.0025	0.0025	0.0045	5.0
Mercury	0.000165	0.0017	0.00016	0.00026	1.0
Total Hazardous Substances (Metals)	0.034	0.015	0.0091	0.092	NA

The InfraBuild Recycling stack emission monitoring results for 2020 indicate the following:

- Total Particulate, Lead and Mercury concentrations were below their respective regulatory limits as stipulated in the site's EPL for each sampling event.

Further review of air emission performance is given in **Section 5.3**.

## 4.3 Ambient Air

As part of InfraBuild Recycling's due diligence program, an ambient air quality monitoring network has been established. The network consists of five dust deposition gauges (DG1 to DG5) positioned to enable an evaluation of air quality along the dominant northwest-southeast wind axis. Dust deposition gauges were installed in accordance with *AS 3580.1.1 (2007)* with monitoring performed on a monthly basis from April 2020 onwards. The location of dust deposition gauges is shown in **Figure 3** below.



**Figure 3 InfraBuild Recycling Depositional Dust Gauge Sampling Locations**

The purpose of this monitoring program is to assess the air quality at residences and compare the results to ambient air quality at the facility. It is also designed to characterise the dust fallout in the vicinity of the plant. Monitoring is conducted in accordance with *AS 3580.10.1(2014)*. Samples were collected over an exposure period of one month (30 ± 2 days) on a monthly basis with monitoring commencing in April 2020.

Samples were analysed by a NATA-certified laboratory (ALS Laboratory Group) for the following parameters:

- Total insoluble matter, ash residue and combustible matter.

Dust deposition monitoring results are detailed below in **Table 8** and **Figure 4**.

**Table 8 Depositional Dust Gauge Insoluble Solids Results**

Month	DG1	DG2	DG3	DG4	DG5	DG6
April 20	7.3	2.8	12.0	3.7	1.1	1.4
May 20	6.2	3.0	11.0	3.9	0.6	0.9
June 20	3.8	2.1	9.6	2.6	1.6	0.5
July 20	12.3	1.9	7.3	2.8	0.7	0.5
August 20	3.9	3.2	9.8	4.8	1.8	0.7
September 20	2.9	4.9	10.3	2.9	1.2	2.1
October 20	7.6	5.1	3.7	2.0	0.9	4.0
November 20	7.3	5.4	6.2	2.6	1.7	1.2
December 20	2.5	3.5	2.7	1.4	1.0	1.2

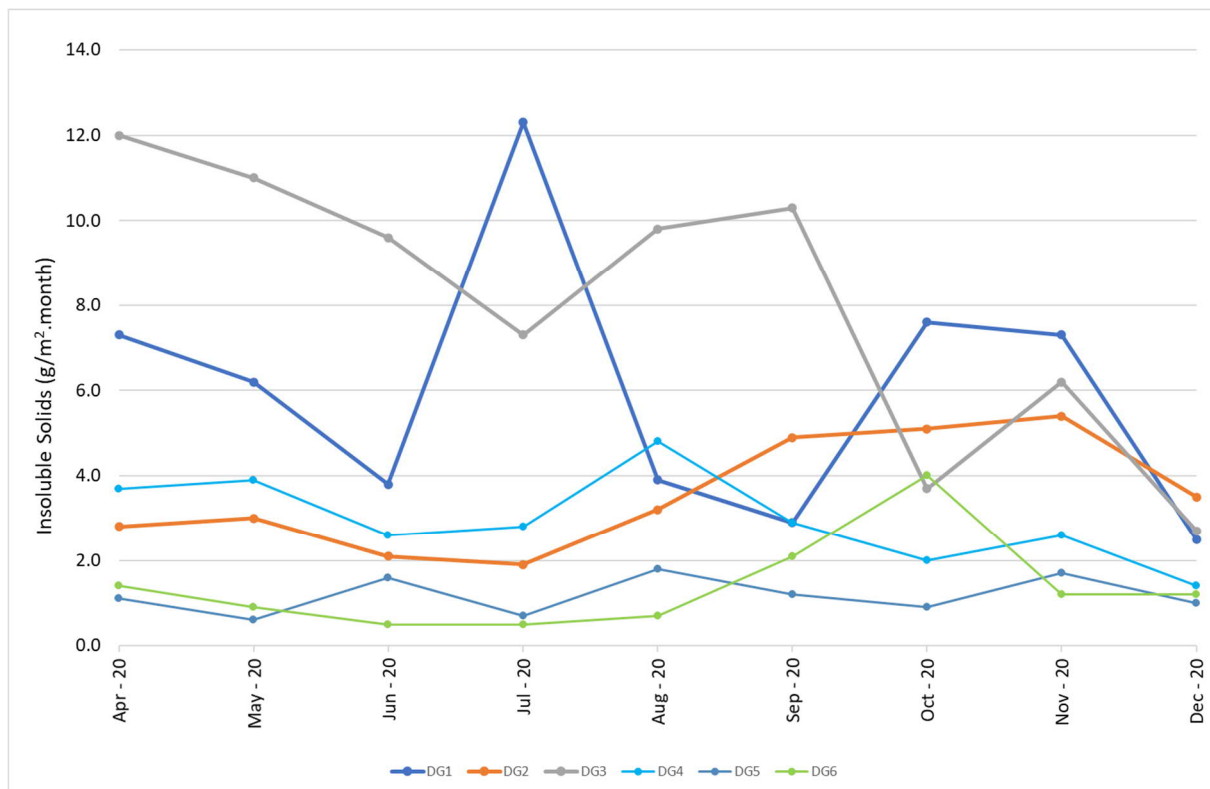
Dust gauges, with the exception of DG5, are located on site (refer **Figure 3**) and provide an indication of on-site dust deposition only. These gauges have the potential to be impacted heavily by on site activities carried out in close proximity to the sampling locations. The results from these gauges therefore do not reflect the impact at the nearest receptor and should not be used as a measure of dust deposition at the nearest offsite receptor.

After previously being undertaken on a quarterly basis (4 x 1 month samples per year), monthly sampling commenced April 2020. Results for the period April 2020 to December 2020 are presented in **Figure 4** below.

The EPA guideline value for insoluble solids of 4 g/m<sup>2</sup>.month is expressed as an annual average and while sampling is now being performed on a monthly basis, 12 months of data are required to make a direct comparison with the criteria. As such, the criteria has not been included in **Figure 4** below.

Dust gauge DG5 is located within the nearest neighbour’s property (St Joseph’s Retirement Village) which is the nearest off-site receptor and is considered to provide a representative background sample. InfraBuild Recycling therefore believes that only results from DG5 should be assessed against the guideline criteria, once 12 months of data has been collected. Monthly results for DG5 are all below the 4 g/m<sup>2</sup>.month criteria with the 9 month average to December 2020 being 1.2 g/m<sup>2</sup>.month.

All monitoring locations have shown either a decreasing trend or have remained relatively constant since the commencement of the monthly monitoring program in April 2020.



**Figure 4 Dust Deposition – Monthly Results**

### 4.4 Meteorology

Under EPL 5345, Condition M4.1 specifies requirements for the meteorological monitoring. InfraBuild Recycling conducted meteorological monitoring during the reporting period as required.

Rainfall and temperature (at 10m) data for the 2020 reporting period are provided in **Figure 5**. Monthly wind roses presenting wind speed and wind direction for the reporting period are shown in **Figure 6** to **Figure 12**.

Site data either does not exist or has been deemed to be non-representative for the following periods:

- DPIE Mayfield for Wind Speed and Wind Direction data 19 December 2019 – 4 June 2020
- DPIE Carrington for Rainfall data between 19 December 2019 and 4 June 2020

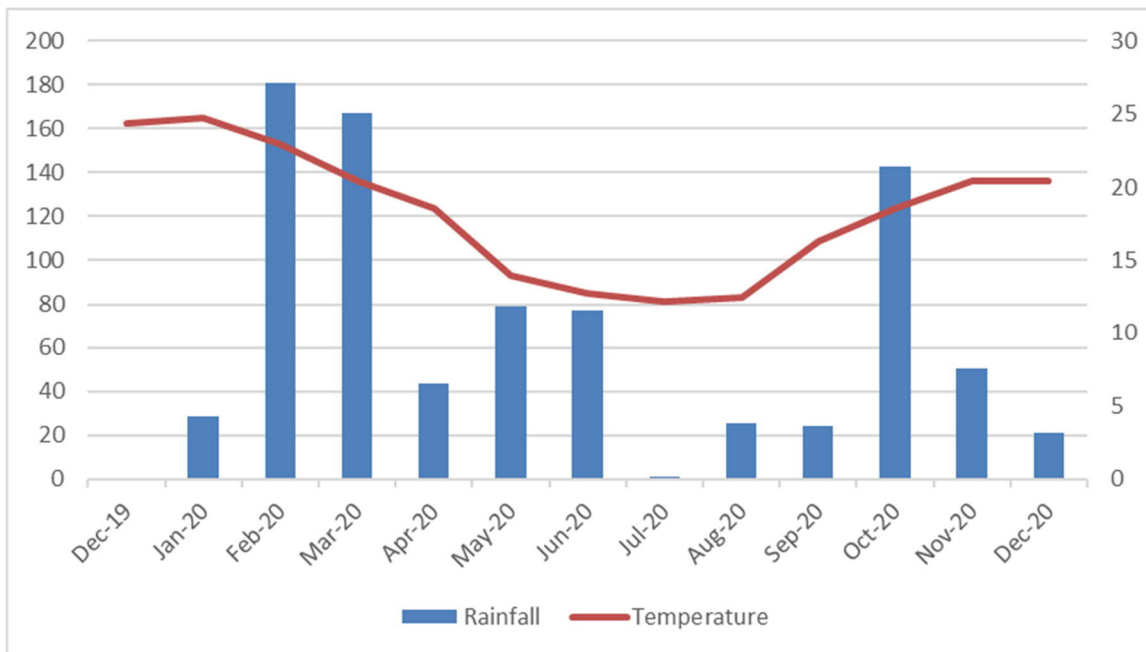


Figure 5 Monthly Rainfall and Temperature Data (19 December 2019 – 18 December 2020)

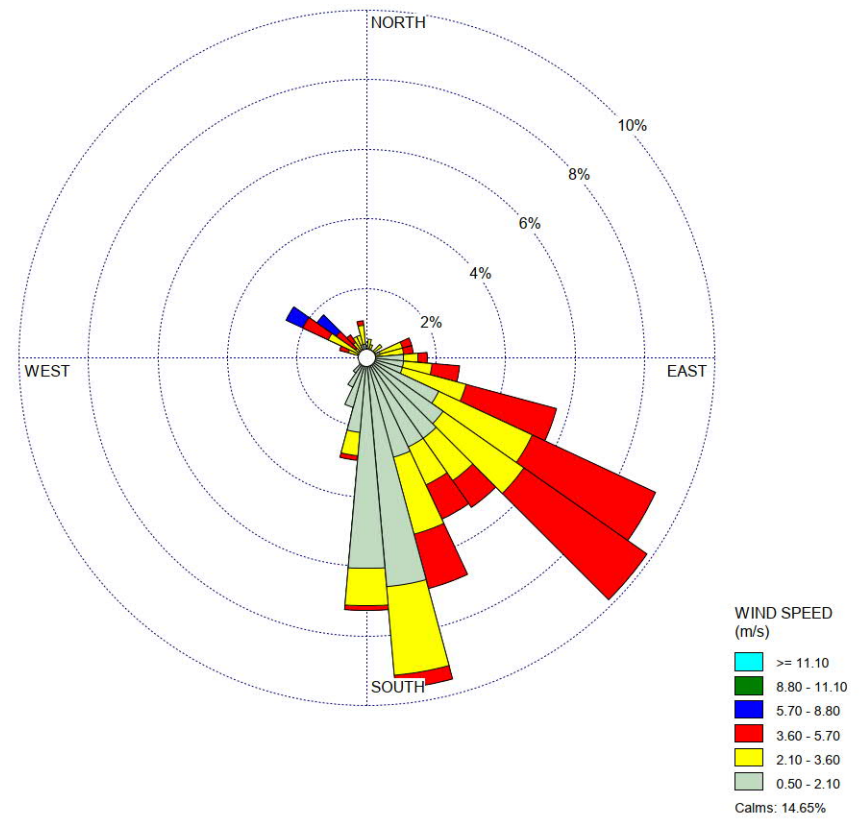
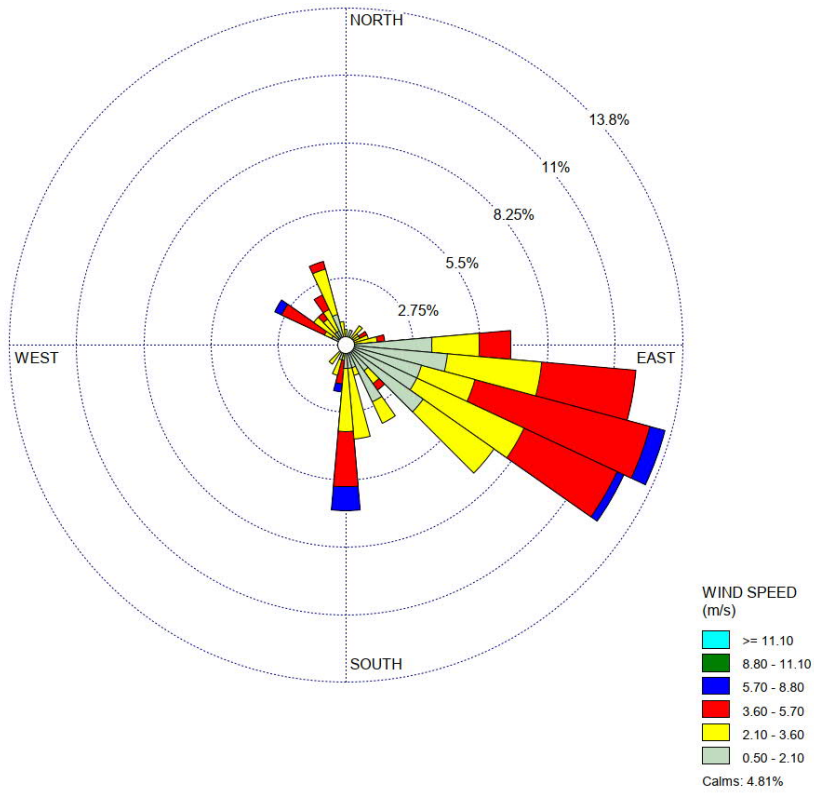


Figure 6 Wind Speed and Wind Direction (December 2019 (19<sup>th</sup> to 31<sup>st</sup>) and January 2020)



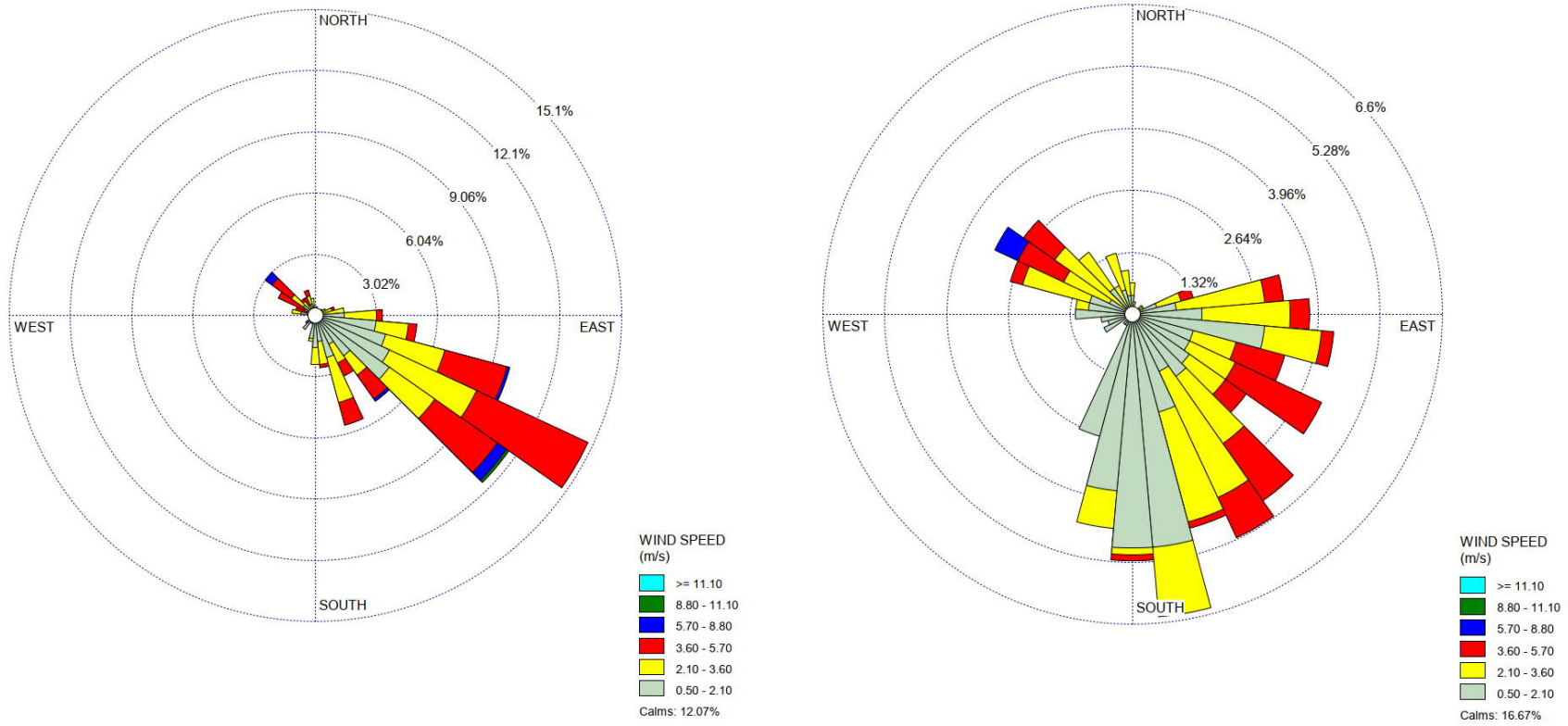


Figure 7 Wind Speed and Wind Direction (February 2020 and March 2020)

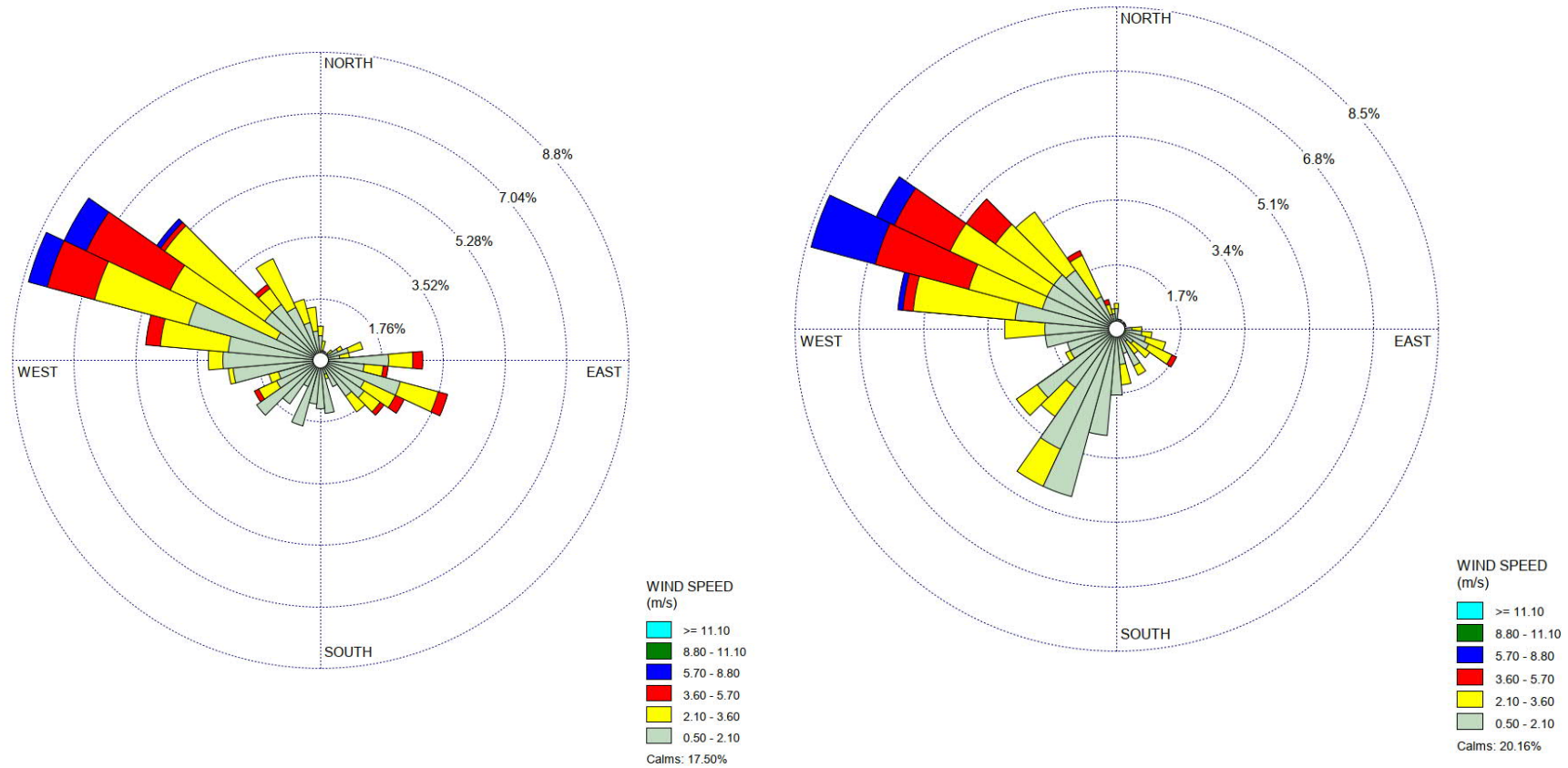


Figure 8 Wind Speed and Wind Direction (April 2020 and May 2020)



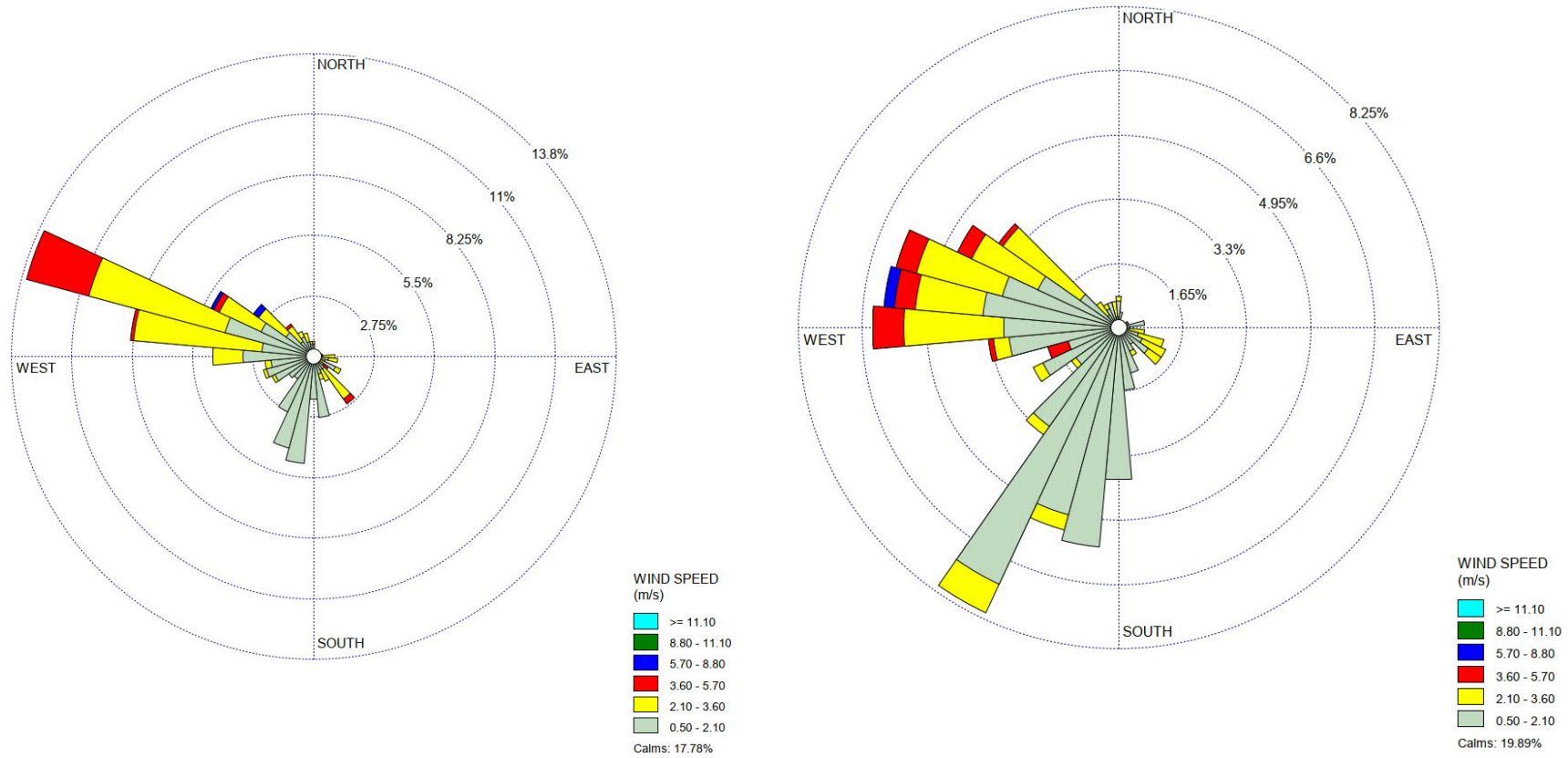


Figure 9 Wind Speed and Wind Direction (June 2020 and July 2020)

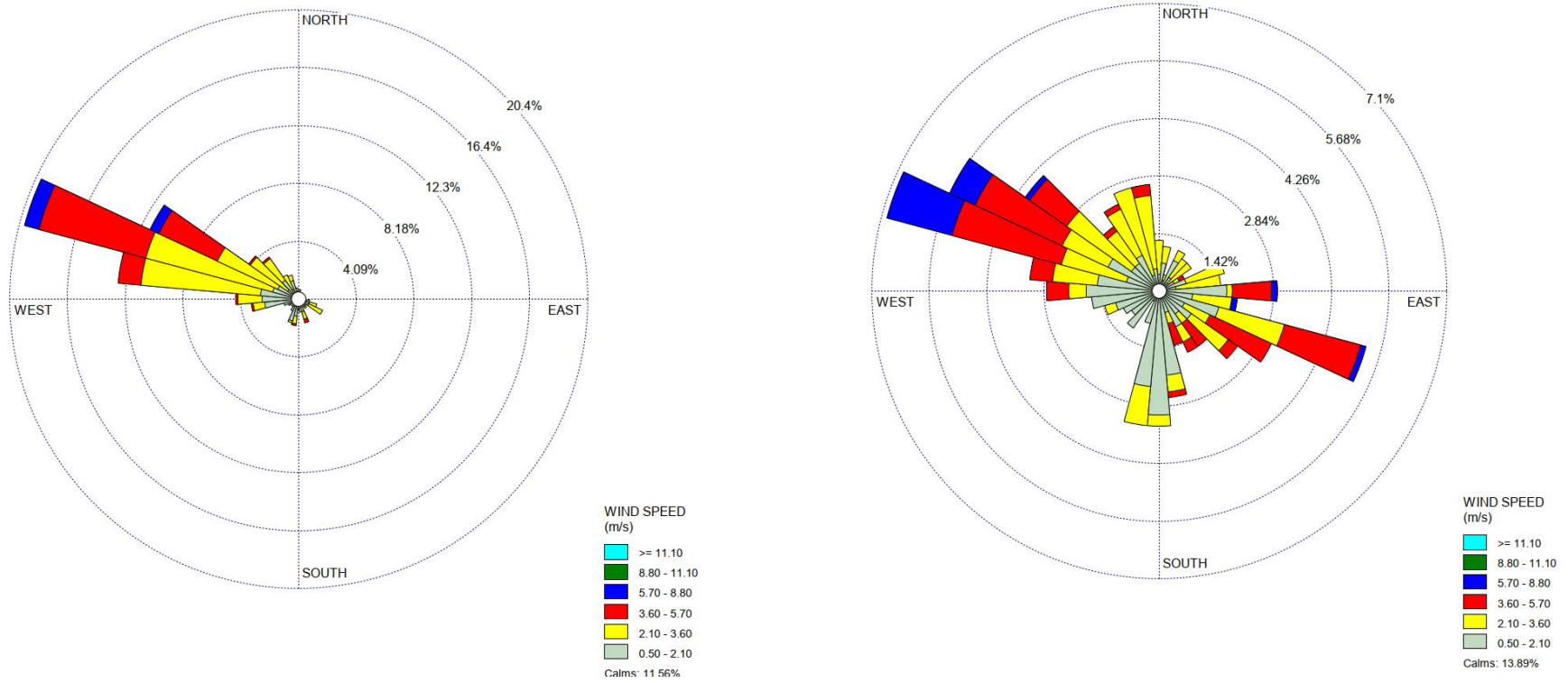


Figure 10 Wind Speed and Wind Direction (August 2020 and September 2020)

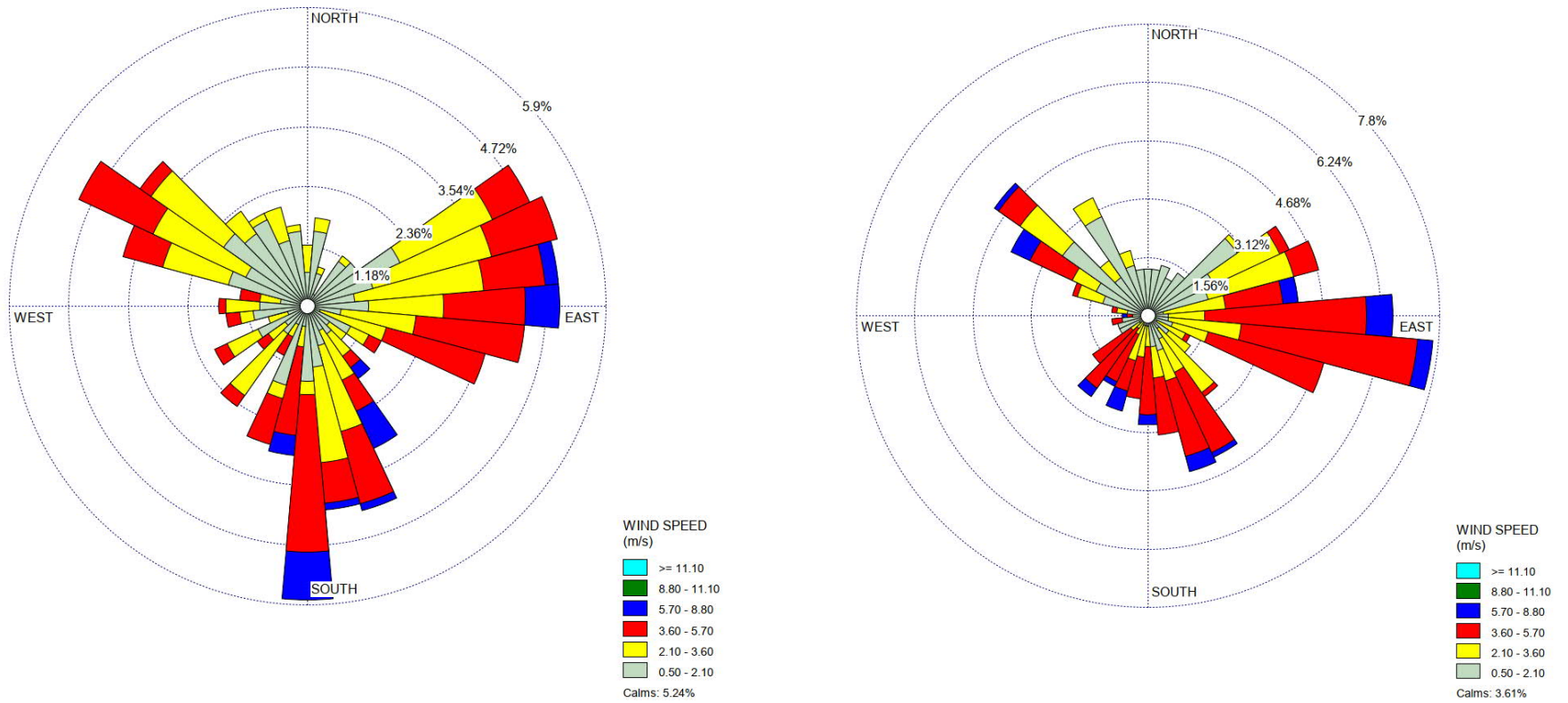


Figure 11 Wind Speed and Wind Direction (October 2020 and November 2020)

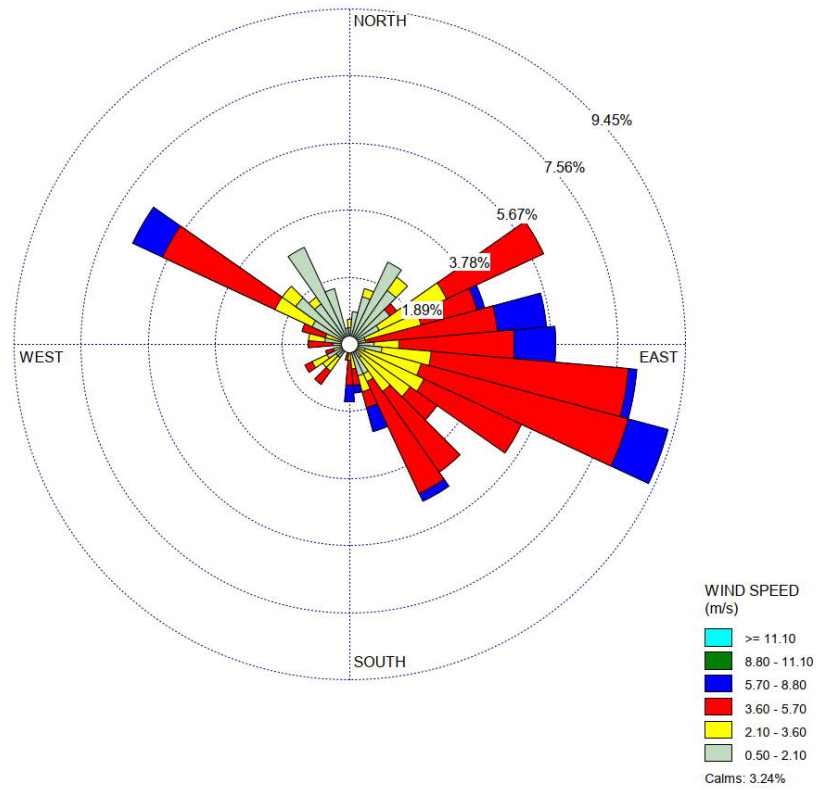


Figure 12 Wind Speed and Wind Direction (December 2020– 1<sup>st</sup> to 18<sup>th</sup>)

Review of the monthly wind roses reveals the following typical seasonal pattern:

- December 2019, January and February are dominated by South Easterly winds
- March winds are predominately from the South East quadrant with a component of north westerly winds.
- Winds from April to September are dominated by North Westerly winds with a South West component in July and South East component in September.
- October and November winds are variable with predominant winds from the East, South and North West.
- December 2020 winds are largely from the South East quadrant.

Further comments regarding meteorological monitoring are made in **Section 5.5**.

## 5.0 Environmental Impacts and Performance

The predicted environmental impacts specified in the EIS were used as a guide for the assessment of environmental impacts and performance of the facility. As such, the assessment is limited to ambient air, stormwater quality, stack emissions and noise performance.

A summary of conformance with predictions made in approval documents is provided in **Appendix D**.

### 5.1 Stormwater

InfraBuild Recycling Environmental Protection Licence (EPL) no. 5345 does not contain assessment criteria for discharges to water and consequently, as stated in the licence, InfraBuild Recycling must comply with Section 120 of the Protection of the Environment Operations Act 1997 (POEO Act) for any water discharge.

Under PRP U1 (EPL 5345) InfraBuild were required to undertake a Surface Water Characterisation program which includes a Water Balance model, Water Characterisation, Sampling Plan, Discharge Characterisation, Discharge Impact Assessment and a Surface Water Mitigation & Monitoring Plan.

Work required under condition U1 was undertaken during 2019 and 2020 with the final report issued December 2020 and submitted to the EPA for approval.

InfraBuild has undertaken due-diligence water sampling in October 2020 in general accordance with the proposed monitoring plan. Result of this sampling are provided in **Appendix F**.

### 5.2 Noise and Overpressure/Vibration Monitoring

The InfraBuild Recycling EPL Condition M7.2 specifies that quarterly noise monitoring is required to ensure compliance with condition L4.1 regarding noise limits around the site. InfraBuild Recycling is required to supply a quarterly noise compliance assessment report to be submitted in conjunction with the annual return document, in compliance with EPL condition R3.5. Quarterly monitoring was performed by AECOM in March, June, September and December 2020, representing the first, second, third and fourth quarters respectively. Monitoring was conducted at St. Joseph's Retirement Village and Shamrock St. during daytime, evening and night time periods as per EPL requirements.

Ambient noise levels at the two EPL receptors, for the majority of the time, have been found to be dominated by sources external to site operations. Major external noise contributions which have been recorded include:

- Light and heavy vehicles travelling along Maitland Road;
- Passenger and freight trains travelling along the Main Northern Railway line; and
- Noise from the natural environment, predominantly from crickets, frogs and birds.

The impact from these external sources makes it difficult to directly measure the noise contribution of the facility at the nominated monitoring locations. An alternative method of determining compliance, in accordance with the NSW EPA Industrial Noise Policy (INP), was conducted during each quarter. This alternate method utilises site boundary measurements to predict noise levels at each receptor location. The resulting predicted noise levels indicated compliance with the EPA noise limits at both EPL locations, demonstrating compliance with EPL conditions for all quarter periods.

In regard to the reported exceedance of daytime noise limit at the Shamrock Street Hexham location, the Quarter 2 Noise Monitoring Report states:

*While both the measured and calculated Day time results at the Shamrock Street location (52 dB and 53 dB respectively) are above the EPA criteria (47 dB) there are several factors to consider. The measured result is significantly impacted by local extraneous sources, in this case particularly highway and local road traffic. It is not unreasonable to assume this alone could add 5 dB to the measured result. The measured LA90 (The sound pressure level exceeded for 90% of the measurement period) of 47dB indicates any continuous noise sources (e.g. the mill) are compliant with the EPA criteria.*

*The calculated result of 53 dB is based on a very conservative flat ground formula, where in reality there is a significant distance of vegetated ground between the site and the receptor, with no direct line of site. Again, it is not unreasonable to assume this could reduce the result by 5 dB. Due to these reasons, it is likely that the site contribution at the Shamrock Street location during the Day period would at least be within 2 dB of the EPL criteria and be considered compliant under the INP.*

It should also be considered that the Q3 and Q4 results for this location for the day period comply, demonstrating that any anomalous site activity present during the Q2 measurements did not continue into Q3 and Q4.

InfraBuild Recycling Hexham provided suitable instrumentation that was maintained and operated in compliance with AS 2187.2 (1993) (superseded in 2006) to monitor overpressure & vibration caused by explosions on the premises. No blasts were recorded during this reporting period.

### 5.3 Stack Emissions

Condition M2.2 of the InfraBuild Recycling EPL specifies that stack emissions for key pollutants be monitored on a quarterly basis. Monitoring during the 2020 period was performed by AECOM and samples were analysed by Steel River Testing and SGS Leeder Consulting.

Quarterly total particulates, lead and mercury stack emission test results were well below their respective EPL limits.

### 5.4 Ambient Air

The InfraBuild Recycling EIS does not make predictions regarding ambient air quality. It identified traffic and other industrial facilities nearby which may impact on the local ambient air quality.

The 2020 due diligence dust deposition monitoring program was performed on behalf of InfraBuild Recycling by AECOM on a monthly basis beginning in April 2020. The results of the monitoring found elevated levels of insoluble solids in the dust gauges located onsite (DG1 to DG4 and DG6).

Results from dust gauge DG5, located off site at the nearest receptor, show that the individual monthly levels recorded are well below the EPA annual average criteria of 4g/m<sup>2</sup>.month for insoluble solids.

Mitigation strategies identified in the EIS to minimise the dust contribution to ambient air quality include daily road sweeping, water sprays on hardstand areas and the reduction of stored or stockpiled materials.

The Dust Mitigation Study and Report (Condition U3 of the EPL), which assessed site processes and identified existing dust sources, established an emissions inventory, identified and reviewed mitigation options and provided an assessment of the feasibility of these options, were completed and submitted to the EPA in the previous reporting period with a number of these recommendations implemented during the 2020 reporting period.

One of these recommendations was that dust deposition monitoring be conducted on a continuous monthly basis. While less than 12 months of data have been collected through this monthly program, results over this period are generally trending lower (**Figure 4**) suggesting the mitigation measures are effective in reducing dust emissions.

### 5.5 Meteorology

Condition M4 of the InfraBuild Recycling EPL specifies monitoring requirements for meteorological parameters. Monthly trend graphs for rainfall and temperature, along with wind roses depicting wind direction and wind speed are provided in **Section 4.4**, **Figure 5** to **Figure 12**.

Meteorological monitoring is used to assist in assessing other environmental monitoring results. During the 2020 reporting period some meteorological sensors experienced data capture issues. During these periods missing or invalid data has been substituted with meteorological data sourced from local meteorology stations operated by the DPIE.

## 5.6 Soil / Groundwater

The Stage 2 Detailed Soil and Groundwater assessment required under PRP Condition U2 of EPL 5345 has been completed and submitted (Kleinfelder 2020) to the EPA. InfraBuild Recycling is expecting feedback from NSW EPA on the recommendations contained in the report.



## 6.0 Environmental Targets and Strategies

InfraBuild Recycling is committed to further improve its performance in minimising potential pollution impacts and public complaints. In light of this, AECOM recommends the following actions be considered during the next 12 month period as strategies for continuous improvement.

### 6.1 Stormwater

Upon approval by the EPA, implementation of the Surface Water Characterisation program which includes a Water Balance model, Water Characterisation, Discharge Characterisation, Discharge Impact Assessment and a Surface Water Mitigation & Monitoring Plan as specified in condition U1 of the updated (August 2019) EPL.

### 6.2 Noise and Overpressure/Vibration Monitoring

Continuation of the use of the boundary calculation methodology as performed for the 2020 quarterly monitoring program, with monitoring performed at both site boundary and EPL locations each quarter.

Continuation of noise and overpressure / vibration monitoring in accordance with EPL requirements; and operation of plant equipment in accordance with operating conditions outlined in the EPL.

### 6.3 Stack Emissions

Continuation of the EPL quarterly stack emission monitoring program.

### 6.4 Ambient Air

Continuation of the due diligence monthly depositional dust monitoring program is recommended to ascertain the concentration of airborne particulates both onsite and offsite at the nearest receptor and ongoing implementation of the dust mitigation activities identified in the Dust Mitigation Report required under Condition U3 of the EPL.

### 6.5 Meteorology

Continuation of site meteorological monitoring including regular inspection and maintenance of meteorological station sensors to minimise loss of data due to malfunction or obstruction.

### 6.6 Soil / Groundwater

The Kleinfelder DSI (2020) recommended:

- *Continued monitoring of the surface water and groundwater to gather data that would allow further interpretation of longer term trends in CoPC concentrations (specifically identifying stabilised and/or declining historically elevated CoPCs); and*
- *Maintain the current management strategies that are currently in place for the day to day operations of the site.*

InfraBuild is awaiting comment from NSW EPA on the report prior to undertaking any further groundwater investigations.

### 6.7 Corrective Action Plan

InfraBuild Recycling Hexham is establishing a Corrective Action Plan to follow up non-compliances identified in the 2020 Environmental Audit with progress to be reported in the 2021 AEMR.

## 7.0 Conclusion

An assessment of compliance for the 2020 reporting period (19 Dec 2019 to 18 Dec 2020) found that all environmental monitoring results comply with the conditions of the Development Consent (345-7-2003-i MOD-49-3-2005-i) and EPL no. 5345 noting the discussion in **Section 5.2** around the noise results for Q2 at the Shamrock Street location.

InfraBuild Recycling Hexham is establishing a Corrective Action Plan to follow up non-compliances identified in the 2020 Environmental Audit with progress to be reported in the 2021 AEMR.

Environmental impacts are also demonstrated to be generally consistent with meeting the NSW EPA licence conditions. InfraBuild Recycling is committed to further improve its performance in minimising potential pollution impacts and public complaints.

## 8.0 References

- AECOM Australia, 2020a, *1<sup>st</sup> Quarter Emissions Testing Report 2020*, 27 March 2020.
- AECOM Australia, 2020b, *2<sup>nd</sup> Quarter Emissions Testing Report 2020*, 2 July 2020.
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- AECOM Australia, 2020f, *Ambient Air Monitoring Report, May 2020*, 3 July 2020.
- AECOM Australia, 2020g, *Ambient Air Monitoring Report, June 2020*, 10 July 2020.
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- AECOM Australia, 2020q, *Quarterly Noise Monitoring Report Q4 2020*, 15 January 2021.
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- Department of Infrastructure, Planning and Natural Resources, *Determination of a Development Application for State Significant, Designated and Integrated Development under Section 80 of the Environmental Planning and Assessment Act, 1979, prepared for MetalCorp Recyclers Pty Ltd*, 2004.
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- SMEC Australia, *Environmental Impact Statement, Metal Shredding Facility at Hexham NSW*, Volumes 1, 2 and 3, 2003.
- Smorgon Steel Recycling, *Operational Environmental Management Plan Shredder Plant Operation*, 2005.
- Standards Australia, *AS 2187.2:2006 Explosives - Storage and Use – Use of Explosives*.
- Standards Australia, *AS 3580.1.1:2007 Methods for Sampling and Analysis of Ambient Air - Guide to Siting Air Monitoring Equipment*.
- Standards Australia, *AS 3580.10.1:2016 Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter – Deposited Matter – Gravimetric Method*.

# Appendix A

DPIE Letter



Mr Glen Schrader  
Hexham Shredder Manager  
OneSteel Recycling  
PO Box 145  
MAYFIELD NSW 2304

Contact: Heidi Watters  
Phone: 02 6575 3401  
Email: [Heidi.Watters@planning.nsw.gov.au](mailto:Heidi.Watters@planning.nsw.gov.au)  
[compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au)  
Our ref: DA 345-7-2003-i as modified

Email: [glen.schrader@libertygfg.com](mailto:glen.schrader@libertygfg.com)

**Liberty Recycling Hexham (DA 345-7-2003-i)  
2018 Annual Environmental Management Report**

Dear Mr Schrader

Reference is made to the 2018 Annual Environmental Management Report (AEMR) for the Liberty Hexham metal recycling facility, prepared as required by Schedule 2 condition 8.3 of DA 345-7-2003-i as modified (the consent) for the period 19 December 2017 to 18 December 2018 (the reporting period) and submitted to the Department of Planning, Industry and Environment (the Department) on 18 July 2019.

The Department has reviewed the 2018 AEMR and considers further information is required to satisfy the requirements of the consent. Under the provisions of Schedule 2 condition 2.5 of the consent, the Secretary requests to following:

1. Include a table that identifies the requests following the 2017 AEMR, specifically:
  - a. include a Statement of Compliance table to identify any conditions of the consent that were not complied with during the reporting period to satisfy Schedule 2, Condition 8.3 of the consent; and
  - b. include a figure in the Introduction section of the report showing the location of the site, the development consent boundary and disturbance footprint.
2. In the Statement of Compliance table, also include commitments of the Operational Environmental Management Plan (OEMP) and sub-plans that were not complied with during the reporting period;
3. Include a discussion on complaints trends and a comparison of the number and type of complaints received in the preceding five years; and
4. Update the Corrective Action Plan (Appendix D) to include:
  - a. The additional dust and sediment control actions as per correspondence to the Department dated 9 January 2019;
  - b. The agreed due date for each action listed;
  - c. The actual completion date for all completed actions; and
  - d. Details on how the completion of actions was achieved.

Please submit the revised AEMR to [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au) by **COB 6 September 2019**, or as otherwise agreed.

Yours sincerely

12/08/19

Leah Cook  
**Team Leader – Compliance**  
*As Nominee of the Secretary*

# Appendix B

## Development Consent

**DETERMINATION OF A DEVELOPMENT APPLICATION  
FOR STATE SIGNIFICANT, DESIGNATED AND INTEGRATED DEVELOPMENT  
UNDER SECTION 80 OF THE  
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**

I, the Minister for Infrastructure and Planning, under Section 80 of the *Environmental Planning and Assessment Act 1979* ("the Act"), determine the development application ("the Application") referred to in Schedule 1 by granting consent subject to the conditions set out in Schedule 2.

The reason for the imposition of conditions is to:

- i) minimise any adverse environmental impacts associated with the development;
- ii) provide for on-going environmental management of the development; and
- iii) provide for regular monitoring and reporting on the development.

Consolidated consent as modified by:

MOD-32-3-2004-i – approved 24 March 2004

MOD-37-3-2004-i – approved 1 April 2004

MOD-45-4-2004-i – approved 25 June 2004

MOD-111-11-2004-i – approved 16 February 2005

MOD-49-3-2005-i – approved 17 May 2005

Craig Knowles MP

**Minister for Infrastructure and Planning  
Minister for Natural Resources**

Sydney, 2 February 2004

File No. S03/00986

**SCHEDULE 1**

<b>Application made by:</b>	Metalcorp Recyclers Pty Ltd ("the Applicant");
<b>To:</b>	The Minister for Infrastructure and Planning ("the Minister");
<b>In respect of:</b>	Lots 29-31 DP803794 and Lot 1 DP874409, Sparke Street, Hexham
<b>For the following:</b>	Construction and operation of a metal recycling facility ("the development"), as described in <i>Metal Shredding Facility at Hexham - Environmental Impact Statement</i> (three volumes) prepared by SMEC Australia Ltd and dated July 2003;
<b>Development Application:</b>	Integrated DA No. 345-7-2003-i, lodged with the Department of Infrastructure, Planning and Natural Resources on 25 July 2003;
<b>State Significant Development</b>	The proposal is classified as State significant development under section 76A(7)(d) of the <i>Environmental Planning and Assessment Act 1979</i> (the Act).

**Integrated Development**

The proposal requires additional approvals from the Department of Environment and Conservation under the *Protection of the Environment Operations Act 1997*, the Department of Infrastructure, Planning and Natural Resources under the *Rivers and Foreshores Improvement Act 1948*, and the Roads and Traffic Authority and Newcastle City Council under the *Roads Act 1993*. Consequently, the proposal is classified as Integrated Development under Section 91 of the *Environmental Planning and Assessment Act 1979*.

**Designated Development:**

The proposed development satisfies the criteria for mineral processing or metallurgical works under Part 1, Schedule 3 of the *Environmental Planning and Assessment Regulation 2000*, and is therefore classified as Designated Development.

**BCA Classification:**

Class 5, Class 7, Class 8, Class 10

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## SCHEDULE 2

In this consent, except in so far as the context or subject-matter otherwise indicates or requires, the following terms have the meanings indicated:

Act	<i>Environmental Planning and Assessment Act, 1979</i>
AEMR	Annual Environmental Management Report
Applicant	Metalcorp Recyclers Pty Ltd
BCA	Building Code of Australia
construction	any activity requiring a Construction Certificate, any road works, or any construction related activity as described in the application for this development
Council	Newcastle City Council
Department	NSW Department of Infrastructure, Planning and Natural Resources
development	the development to which this consent applies
Director-General	Director-General of the NSW Department of Infrastructure, Planning and Natural Resources, or delegate
dust	any solid material that may become suspended in air
EPA	NSW Department of Environment and Conservation (incorporating the Environment Protection Authority)
Minister	Minister for Infrastructure and Planning, or delegate
operation	the period commenced by the commissioning of any stage of the works as described in the application for this development
Principal Certifying Authority	the Minister or an accredited certifier, appointed under section 109E of the Act, to issue a Part 4A Certificate as provided under section 109C of the Act
Regulation	<i>Environmental Planning and Assessment Regulation, 2000</i>
RIC	Rail Infrastructure Corporation
RTA	NSW Roads and Traffic Authority
POEO Act	<i>Protection of the Environment Operations Act, 1997</i>
site	the land to which this consent applies

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## 1. GENERAL

### Obligation to Minimise Harm to the Environment

- 1.1 The Applicant shall implement all practicable measures to prevent or minimise any harm to the environment that may result from the construction, operation and where relevant, the decommissioning of the development.

### Scope of Development

- 1.2 The Applicant shall carry out the development generally in accordance with:
- a) Development Application No. 345-7-2003-i, lodged with the Department of Infrastructure, Planning and Natural Resources on 25 July 2003, as amended by:
    - i) MOD-32-3-2004-i, in relation to modification of the consent to require the construction of an acoustic barrier, the conditional restriction of activities and deliveries at the site and a requirement to establish a Community Consultative Committee;
    - ii) MOD-37-3-2004-i, in relation to modification of the consent with respect to the timing of approvals for certain pre-construction compliance reports to enable the staged commencement of construction works;
    - iii) MOD-45-4-2004-i in relation to modification of the consent with respect to the timing of approvals for certain pre-construction compliance reports to enable the commencement of construction works, and to provide for an alternative U-Turn facility;
    - iv) MOD-111-11-2004-i, in relation to modification of the development consent with respect to altering the timing for the completion of roadworks;
    - v) MOD-49-3-2005-i, in relation to modification of the consent with respect to removing the requirement to provide an acoustic barrier at St Josephs Catholic Care for the Aged facility;
  - b) *Metal Shredding Facility at Hexham – Environmental Impact Statement* (Volumes 1, 2 and 3), prepared by SMEC Australia Ltd and dated July 2003;
  - c) *Proposed Metal Recycling Facility, Sparke Street, Hexham – Response to DIPNR fax dated 2 October 2003*, prepared by SMEC Australia Pty Ltd and dated 23 October 2003;
  - d) *Traffic Analysis, Intersection of Pacific Highway and Sparke Street, Hexham*, prepared by Terra Consulting Australia Pty Ltd and dated 26 November 2003;
  - e) Correspondence titled *Re: Existing – V – Predicted Noise Levels* from Peter Karantonis of Renzo Tonin and Associates Pty Ltd to Jim Clarence of the EPA and dated 24 September 2003;
  - f) Revised plans accompanying the DA, numbered 0321-03-04A and 0321-03-02;
  - g) correspondence titled *Metalcorp Recyclers DA 345-7-2003-i – Shredder development of Lots 29 & 30 Sparke Street Hexham*, from Smorgon Steel Recycling to the Department, dated 16 March 2004;
  - h) correspondence titled *Metalcorp Recyclers proposed development of Lots 29 & 30 Sparke Street, Hexham, DA 345-7-2003-i Section 96 Modification application* (with addendum) from Smorgon Steel to the Department, dated 23 April 2004;
  - i) correspondence titled *Metalcorp Recyclers Pty Ltd – Applicant for modification of consent DA 345-7-2003-i: Lots 29 & 30 Sparke Street, Hexham* (with attachments) from Smorgon Steel to the Department, dated 15 March 2005;
  - j) the conditions of this consent.

- 1.3 In the event of an inconsistency between:
- a) the conditions of this consent and any document listed from condition 1.2a) to 1.2i) inclusive, the conditions of this consent shall prevail to the extent of the inconsistency; and
  - b) any document listed from condition 1.2a) to 1.2i) inclusive, and any other document listed from condition 1.2a) to 1.2i) inclusive, the most recent document shall prevail to the extent of the inconsistency.
- 1.4 The Applicant shall not concurrently operate the shredder the subject of this development consent, with the existing shredder located and operating on the site (as in existence at the time of granting this consent).

### **Statutory Requirements**

- 1.5 The Applicant shall ensure that all licences, permits and approvals are obtained and kept up-to-date as required throughout the life of the development. No condition of this consent removes the obligation for the Applicant to obtain, renew or comply with such licences, permits or approvals.

**Note:** A Part 3A permit under the *Rivers and Foreshores Improvement Act 1948* must be obtained from the Department (Hunter Region) prior to the commencement of the proposed intersection works on the Pacific Highway and the proposed drainage channel construction works on Lot 1 DP874409.

### **Dispute Resolution**

- 1.6 In the event that a dispute arises between the Applicant and Council or the Applicant and a public authority other than the Department, in relation to a specification or requirement applicable under this consent, the matter shall be referred by either party to the Director-General, or if not resolved, to the Minister, whose determination of the dispute shall be final and binding on all parties. For the purpose of this condition, "public authority" has the same meaning as provided under section 4 of the Act.

**Note:** Section 121 of the *Environmental Planning and Assessment Act 1979* provides mechanisms for resolution of disputes between the Department, the Director-General, Councils and public authorities.

## **2. COMPLIANCE**

- 2.1 The Applicant shall ensure that employees, contractors and sub-contractors are aware of, and comply with, the conditions of this consent relevant to their respective activities.
- 2.2 The Applicant shall be responsible for environmental impacts resulting from the actions of all persons on the site, including contractors, subcontractors and visitors.
- 2.3 Prior to each of the events listed from a) to b) below, or within such period otherwise agreed by the Director-General, the Applicant shall certify in writing to the satisfaction of the Director-General that it has complied with all conditions of this consent applicable prior to that event. Where an event is to be undertaken in stages, the Applicant may, subject to the agreement of the Director-General, stage the submission of compliance certification consistent with the staging of activities relating to that event.
- a) commencement of construction of the development; and
  - b) commencement of operation of the development;

- 2.4 Notwithstanding condition 2.3 of this consent, the Director-General may require an update report on compliance with all, or any part, of the conditions of this consent. Any such update shall meet the requirements of the Director-General and be submitted within such period as the Director-General may agree.
- 2.5 The Applicant shall meet the requirements of the Director-General in respect of the implementation of any measure necessary to ensure compliance with the conditions of this consent, and general consistency with the documents listed under condition 1.2 of this consent. The Director-General may direct that such a measure be implemented in response to the information contained within any report, plan, correspondence or other document submitted in accordance with the conditions of this consent, within such time as the Director-General may agree.

### **3. CONSTRUCTION AND PART 4A CERTIFICATION**

- 3.1 In relation to the construction and occupation of the development, the Applicant shall provide to the Director-General and Council the following:
  - a) written notification of the appointment of a Principal Certifying Authority;
  - b) copies of all Construction Certificates issued for the development;
  - c) written notification of the intention to commence construction work, to be received at least two working days prior to the commencement of construction. In the event that more than one Construction Certificate is issued, notification shall be provided prior to the commencement of construction the subject of each Certificate;
  - d) copies of all Occupation Certificates issued for the development; and
  - e) written notification of the intention to occupy the development, to be received at least two working days prior to occupation. In the event that more than one Occupation Certificate is issued, notification shall be provided prior to the occupation the subject of each Certificate;
- 3.2 Prior to the commencement of any construction activities associated with the development, the Applicant shall erect at least one sign at the construction site and in a prominent position at the site boundary where the sign can be viewed from the nearest public place. The sign(s) shall indicate:
  - (a) the name, address and telephone number of the Principal Certifying Authority;
  - (b) the name of the person in charge of the construction site and telephone number at which that person may be contacted outside working hours; and
  - (c) a statement that unauthorised entry to the construction site is prohibited.

The sign(s) shall be maintained for the duration of construction works, and shall be removed as soon as practicable after the conclusion of the construction works.

## 4. ENVIRONMENTAL PERFORMANCE

### Noise Impacts

#### **Construction Noise**

- 4.1 The Applicant shall ensure that all construction activities associated with the development do not exceed the criteria at the nominated locations specified in Table 1.

**Table 1 – Construction Noise Criteria**

Locations	Day
	<b>L<sub>Aeq</sub>(15 minute) (dB(A))</b>
Shamrock Street (Hexham) residences	47
St. Joseph's Retirement Village (Hexham)	53

- 4.2 Construction activities associated with the development shall only be conducted between 7:00 am and 6:00 pm from Monday to Friday inclusive, and from 8:00 am to 1:00 pm on Saturdays. No construction activity is permitted on a Sunday or a public holiday.

Note: This condition does not apply in the event of a direction from police or other relevant authority for safety reasons, or to avoid the loss of life, property or damage to the environment.

#### **Operation Noise**

- 4.3 <sup>1</sup>The Applicant shall design, construct, operate and maintain the development to ensure that noise generated during the operation of the development does not exceed the noise limits specified in Table 2, at those locations and during those periods indicated. The maximum allowable noise contributions apply under:
- wind speeds up to 3 ms<sup>-1</sup> (measured at 10 metres above ground level); and
  - temperature inversion conditions up to 3°C per 100 metres.

**Table 2 - Operation Noise Limits**

Location	Day	Evening	Night	
	7:00am to 6:00pm Monday to Saturday 8:00am to 6:00pm Sundays and Public Holidays	6:00pm to 10:00pm on any day	10:00pm to 7:00am Monday to Saturday 10:00pm to 8:00am Sundays and Public Holidays	
	<b>L<sub>Aeq</sub> (15 minute)</b>	<b>L<sub>Aeq</sub>(15 minute)</b>	<b>L<sub>Aeq</sub>(15 minute)</b>	<b>L<sub>A1</sub>(1 minute)</b>
Any residence in Shamrock Street, Hexham, affected by noise from the premises	47	48	45	55
St Joseph's Retirement Village and any associated residence in Old Maitland Road, Hexham, affected by noise from the premises	53	42	41	56
Any operating industrial premises affected by noise from the premises	70	70	70	N/A

**Note:** 5dB(A) shall be added to the measured level should the noise be substantially tonal or impulsive in character.

- 4.4 <sup>2</sup>For the purpose of assessment of noise impacts specified under condition 4.3 of this consent, noise from the development shall be measured within one metre of the boundary of any affected residential or industrial premises.

<sup>1</sup> Incorporates a EPA General Term of Approval (L6.1, L6.2 and L6.3)

<sup>2</sup> Incorporates a EPA General Term of Approval (L6.1)

### **Operating Hours**

- 4.5 <sup>3</sup>The Applicant shall only operate the metal shredder between 7:00am and 6:00pm Monday to Saturday, and at no time on Sunday or Public Holidays.
- 4.6 <sup>4</sup>Notwithstanding condition 4.5, the Applicant may operate the metal shredder between the hours of 6:00pm and 10:00pm, Monday to Friday, where the following requirements are complied with:
- a) an unplanned and unforeseeable situation arises at the premise by which the operation of the NSW remelt steel industry is at risk of being negatively impacted by a shortage of shredded scrap;
  - b) the Director-General, EPA and noise receptors within 1.5km radius of the metal shredder are informed, in writing, at least 24 hours prior to commencing outside the permitted hours of operation; and
  - c) that an officer appointed by the Applicant will be on site at all times during the extended hours of operation, solely for the purpose of ensuring compliance with noise limits at various locations.

**Note:** For the purposes of the above condition, 'all noise receptors within a 1.5km radius of the metal shredder' is limited to:

- a) the noticeboards of St Joseph's Retirement Village, Hexham.
- b) the residences on Old Maitland Road, west of St. Joseph's Retirement Village
- c) the residences on Pacific Highway and intersecting streets between Ironbark Creek and No.59 Pacific Highway, Hexham.

- 4.7 <sup>5</sup>The Applicant may seek approval from the EPA to extend the hours of operation for the metal shredder, as specified in condition 4.5, incrementally to 10:00pm Monday to Friday. In seeking this approval, the Applicant shall submit to the EPA the necessary information in order to determine that the activities undertaken during the varied operating hours will not have an adverse impact on the acoustic amenity of receptors within the vicinity of the site. Any request to the EPA to extend the operating hours specified in condition 4.5 shall be accompanied by:
- a) at least six months of noise monitoring data of the shredder plant operating at design capacity and conducted in accordance with the *New South Wales Industrial Noise Policy* guideline (EPA, 2000);
  - b) evidence demonstrating full compliance with all noise limits since commissioning the shredder plant;
  - c) evidence that the plant would be able to comply with the evening noise limits specified in condition 4.3 during the proposed extended hours of operation; and
  - d) demonstration that the potential for explosions can be suitably managed at the site (and the associated potential impacts mitigated) during the proposed extended hours of operation.

Any approval by the EPA in accordance with the above condition shall be forwarded to the Director-General by the Applicant immediately.

- 4.8 <sup>6</sup>Any extension in the shredder plant operating hours granted by the EPA under condition 4.7 shall be on the condition that the Applicant is able to demonstrate on-going compliance with the noise limits specified in condition 4.3. Should the noise limits specified in condition 4.3 be regularly exceeded and/or if explosions become

<sup>3</sup> Incorporates a EPA General Term of Approval (L7.1)

<sup>4</sup> Incorporates a EPA General Term of Approval (L7.1)

<sup>5</sup> Incorporates a EPA General Term of Approval (L7.1)

<sup>6</sup> Incorporates a EPA General Term of Approval (L7.1)

unmanageable at the site, and if the impacts have not been mitigated by the Applicant to the satisfaction of the EPA, the EPA may withdraw its approval under condition 4.7 at any time.

### **Operation Hours – Ancillary Activities**

- 4.8A Further to conditions 4.5 to 4.8 of this consent, the Applicant shall only undertake activities ancillary to the operation of the metal shredder, including the operation of all associated plant, equipment and machinery, loading/unloading of materials, materials handling and ingress/egress of heavy vehicles to/from the site, between 7:00am and 10:00pm Monday to Saturday, and at no time on Sunday or Public Holidays
- 4.8B Notwithstanding condition 4.8A of this consent, the Applicant may seek the Director-General's approval to alter the hours of operation for ancillary activities specified under condition 4.8A. In seeking the Director-General's approval, the Applicant shall provide the following information:
- (a) an appropriate level of noise assessment for activities to be undertaken within extended operation hours, prepared in accordance with the relevant guidance in the *Industrial Noise Policy* (EPA, 2000) and *Environmental Criteria for Road Traffic Noise* (EPA, 1999). The assessment shall also demonstrate compliance and consistency of the proposed extended activities with relevant noise limits and noise management criteria specified under this consent and the Environment Protection Licence for the site;
  - (b) details of consultation(s) with the EPA in relation to the proposed extended operation hours, with a demonstration that EPA requirements have been addressed; and
  - (c) details of community consultation(s) undertaken in relation to the proposed extended operation hours, with a demonstration that issues identified through community consultation have been addressed. Community consultation shall include, but not necessarily be limited to representative(s) of the St Josephs Catholic Care of the Aged facility, and the Shortland and Birmingham Residents' Action Group.

### **Acoustic Barrier**

4.8C Deleted\*

4.8D Deleted.†

- 4.8E The Applicant shall install noise monitoring equipment at the St Josephs Catholic Care of the Aged facility, in consultation with the owners of that property, and to the satisfaction of the Director-General. The Applicant shall operate the noise monitoring equipment on an on-going basis, as may be agreed with the St Josephs Catholic Care of the Aged facility, to monitor noise impacts from the development on that property. All monitoring data shall be made available to the St Josephs Catholic Care of the Aged facility. The Applicant may only cease noise monitoring in accordance with this condition, after having consulted with the St Josephs Catholic Care of the Aged facility, and only with the agreement of the Director-General.



### ***Plant Retrofit***

- 4.9 <sup>7</sup> As may be directed by the EPA to address noise emissions from the development, the Applicant shall undertake the following works:
- a) installation of additional noise controls to the shredder and associated plant;
  - b) installation of noise controls to the scrap loading and unloading facilities;
  - c) implementation of noise controls to ensure compliance with noise limits at adjoining industrial properties when operations on those properties commence; and
  - d) installation of appropriate controls on the shredder stack out conveyor and associated area to reduce noise emissions.

### **Traffic and Transport**

#### ***Sparke Street Intersection***

- 4.10 <sup>8</sup>The Applicant shall construct, and pay the full cost of, traffic control signals at the Sparke Street/Pacific Highway intersection. These traffic signals shall be installed as a two-phase system to control northbound Pacific Highway, right turn in and left turn out movements only. The signals shall be coordinated with Shamrock Street signals and shall prohibit all right-hand turn movements out of Sparke Street. In association with these signals, the Applicant shall also undertake the following works:
- a) relocation of the Sparke Street/Pacific Highway intersection approximately 70-80 metres north of the current intersection and at right angles to the Pacific Highway;
  - b) construction of an indented right turn lane into Sparke Street within the central median that accommodates two B-Double vehicles and a deceleration lane;
  - c) provision of a left turn deceleration lane into Sparke Street;
  - d) provision of a left turn out of Sparke Street under signalisation;
  - e) construction of appropriate physical barriers to prevent right-hand turn movements out of Sparke Street, with suitable signage reinforcing this ban;
  - f) provision of flashing warning lights in advance of the northbound approach to Sparke Street to advise motorists of the traffic control signals;
  - g) construction of a roadway (new Sparke Street alignment) from the Pacific Highway to the existing Sparke Street;
  - h) closure of the median at the existing Sparke Street intersection, including the removal and making good of the obsolete part of Sparke Street;
  - i) <sup>9</sup>removal of vegetation to maintain appropriate sight distances as required by RTA standards.

These roadworks shall be at the full cost of the Applicant and shall be completed to RTA's and Council's satisfaction within three months of the commencement of operations at the site, unless otherwise agreed by the RTA and Council.

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<sup>7</sup> Incorporates a EPA General Term of Approval (E1.8)

<sup>8</sup> Incorporates a RTA General Term of Approval (1)

<sup>9</sup> Incorporates a Newcastle City Council General Term of Approval (1)

- 4.11 <sup>10</sup>The Applicant shall design the work specified in condition 4.10 in accordance with the RTA's *Road Design Guide*, AUSTRROAD guidelines and relevant Australian Standards, as directed by the RTA. This shall include:
- a) construction of auxiliary lanes for the 80 kph speed limit or the 85<sup>th</sup> percentile speed, whichever is the greater;
  - b) provision for B-Doubles vehicle movements and storage;
  - c) provision for on-road cyclists through the realigned Sparke Street intersection; and
  - d) street lighting, sign posting and line marking along the realigned Sparke Street intersection and roadway.

- 4.12 <sup>11</sup>Prior to the commencement of any construction work associated with the development, the Applicant shall obtain the RTA's and Council's approval of the concept design of the road work specified in condition 4.10 and condition 4.11, and shall enter into a Works Authorisation Deed, detailing the timeframe for obtaining a final approval of these works, with the RTA under the section 138 of the *Roads Act 1993*.

The Applicant shall forward the Director-General written evidence demonstrating that an approval of the concept design has been issued by the RTA and Council, and that a Works Authorisation Deed for the development has been accepted by the RTA prior to the commencement of construction work.<sup>‡</sup>

- 4.13 <sup>12</sup>Should the Applicant commence construction activities at the site prior to the completion of the work specified under condition 4.10, the Applicant shall implement measures to the satisfaction of Council and RTA to control traffic movements to and from the site to ensure that the efficiency and safety of the surrounding road network is not affected. The Applicant shall install these measures prior to the commencement of construction works at the development site and shall maintain the measures until the realigned intersection is fully operational.

- 4.13A Should the Applicant intend to commence operation of the development prior to the completion of the road works required under condition 4.10, 4.18 and 4.19 of this consent, the Applicant shall prepare and submit for the approval of the RTA and Council a Traffic Management Protocol. The Protocol shall be submitted to the RTA and Council no later than one month prior to the intended commencement of operation, unless otherwise agreed to by the RTA and Council. The Protocol shall detail measures to manage traffic and potential conflict between roadworks, heavy vehicles associated with the development and existing traffic. The Protocol shall include, but not necessarily be limited to:
- a) procedures, systems and protocols for the management of operational traffic from the development; its interaction with intersection (and any other roadworks) construction; and its interaction with Pacific Highway traffic during all stages of intersection (and any other roadworks) construction;
  - b) details of how Pacific Highway traffic priority will be maintained; and
  - c) details of how operational traffic will be eliminated during peak traffic periods.

The Applicant shall not commence operation of the development until it has received written approval of the Protocol from both the RTA and Council, and shall implement the Protocol to the satisfaction of the RTA and Council until the roadworks required under this consent are completed.

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<sup>10</sup> Incorporates a RTA General Term of Approval (1 & 3) and Newcastle City Council General Term of Approval (1)

<sup>11</sup> Incorporates a RTA General Term of Approval (6)

<sup>12</sup> Incorporates a RTA General Term of Approval (4)

- 4.14 <sup>13</sup>Land occupied by the realigned and widened intersection shall be dedicated as a road reserve at no cost to Council or the RTA prior to the commencement of operations at the site.

#### ***Southbound U-Turn Facility***

- 4.15 <sup>14</sup>All southbound vehicles associated with the development departing the site shall not be permitted to undertake right-hand turn movements onto the Pacific Highway. These vehicles shall only utilise the U-turn facility located on the Applicant's property at the corner of New England Highway and Pacific Highway, Hexham (378 Maitland Road, Hexham). No other U-turn facility shall be used for this purpose, unless otherwise approved by the RTA and Council in accordance with condition 4.15(A).

At no time shall southbound vehicles associated with the development use any street in a residential area for the purpose of conducting a U-turn. This includes Shamrock Street, Hexham.

- 4.15A Should the U-turn facility specified in condition 4.15 become no longer available for the purposes of the condition, the Applicant shall construct an alternative U-turn facility under the Hexham Bridge with access to/from the highway to be provided via the Oak traffic control signals at a location and standard to be determined by the RTA and Council. This U-turn facility shall be constructed at the full cost to the Applicant and to the satisfaction of the RTA and Council.

The alternative facility shall be fully operational prior to any restriction of access to the U-turn facility specified in condition 4.15 (or as otherwise required by the RTA and Council).

- 4.16 <sup>15</sup>B-Doubles shall not utilise the U-turn facility located on Applicant's property at the corner of New England Highway and Pacific Highway, Hexham, without the prior approval of the RTA and Council.

#### ***Northbound Vehicle Movements***

- 4.17 Heavy vehicle movements associated with the development travelling to and from the site to the Sydney Greater Metropolitan area shall only access the F3 via the New England Highway.

#### ***Sparke Street***

- 4.18 <sup>16</sup>Prior to the commencement of any construction work associated with the development, excluding works associated with piling activities at Lots 29-30 DP 803794, the Applicant shall submit for the approval of Council a pavement design report investigating the suitability of the existing road pavement of Sparke Street from the realigned Sparke Street to the north-eastern boundary of Lot 30 DP803794. This report shall:
- (a) be prepared and certified by a suitably qualified geotechnical engineer;
  - (b) be based on the anticipated vehicular traffic volumes and loadings associated with the development; and
  - (c) identify any pavement areas damaged as a result of the Applicant's operations that require rehabilitation to accommodate the increase traffic movements generated by the development.

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<sup>13</sup> Incorporates a RTA General Term of Approval (1) and Newcastle City Council General Term of Approval (1)

<sup>14</sup> Incorporates a RTA General Term of Approval (2 & 4) and Newcastle City Council General Term of Approval (3)

<sup>15</sup> Incorporates a RTA General Term of Approval (2)

<sup>16</sup> Incorporates a Newcastle City Council General Term of Approval (5)

Should any rehabilitation be required, these works shall be at the full cost of the Applicant and shall be completed to the satisfaction of Council within three months of the commencement of operations at the site, or as otherwise agreed to by Council.<sup>§\*\*</sup>

- 4.19 <sup>17</sup>Within three months of the commencement of operations at the site, the Applicant shall reconstruct, to Council's satisfaction and at the full cost of the Applicant, the full width of Sparke Street from the north-eastern boundary of Lot 30 DP803794 to the south-western boundary of Lot 29 DP803794. The design of these works shall meet Council's requirements and shall include:
- (a) road pavement;
  - (b) road shoulder pavement;
  - (c) footway formation;
  - (d) associated drainage works; and
  - (e) reconstruction of the three existing vehicular driveway crossings to the existing operations located at Lot 1 DP874409.

Construction works associated with the development shall not commence until the Applicant has obtained Council's approval of the concept design plans for the above work. A copy of this approval shall be submitted to the Director-General prior to the commencement of any construction work.

Prior to the commencement of the road works specified in the condition, the Applicant shall obtain Council's approval of the final design plans for these works.<sup>†††</sup>

#### ***Site Access, Internal Roads and Parking***

- 4.20 The Applicant shall ensure that all heavy vehicles enter and leave the site in a forward direction.
- 4.21 Vehicles associated with the construction or operation of the development shall be accommodated on site at all times.
- 4.22 Landscaping and any other obstructions to visibility shall not affect driver sight distance for vehicles entering and exiting the site.
- 4.23 Prior to the commencement of any transport to the site involving B-double vehicles, the Applicant shall demonstrate to the satisfaction of the Director-General that the B-double reclassification of Sparke Street has been approved by the RTA in association with Council.
- 4.24 The Applicant shall design and construct all internal road works, including the associated parking facilities, line marking (or similar) and loading bays, in accordance with the relevant RTA and Council standards and codes, including *AS 2890.1-1993* and *AS 2890.2-2002*.
- 4.25 Internal roads, driveways, parking areas, loading bays and vehicular turning areas shall be maintained clear of obstruction and used exclusively for the purposes of parking, vehicle access and loading and unloading respectively. Under no circumstances shall these areas be used for the storage of goods or waste materials or any other purpose.

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<sup>17</sup> Incorporates a Newcastle City Council General Term of Approval (16)

- 4.26 The Applicant shall ensure that there is sufficient carparking facilities provided on site to cater for the maximum number of employees, customers/visitors, service vehicles and heavy vehicles associated with the operation of the development at any one time.
- 4.27 The Applicant shall clearly mark all visitor, disabled, and service vehicle parking areas.
- 4.28 The Applicant shall install signage to demarcate all vehicle movements within and between Lots 29-30 DP803794 and Lot 1 DP874409.

## **Air Quality Impacts**

### ***Dust Emissions***

- 4.29 The Applicant shall design, construct, commission, operate and maintain the development in a manner that minimises dust emissions from the site. All activities undertaken on the site shall be carried out in a manner that minimises the generation of dust, and emission of dust from the site, including wind-blown and traffic-generated dust.

### ***Plant Retrofit***

- 4.30 <sup>18</sup>As may be directed by the EPA to address dust emissions from the development, the Applicant shall undertake the following works:
- installation of appropriate litter controls on the shredder stack out conveyor and associated area to minimise the possibility of dust emissions;
  - installation of dust controls on plant conveyors and floc storage; and
  - implementation of dust and water quality controls at the site and any part of Sparke Street that is under the control of the Applicant.

### ***Shredder***

- 4.31 The Applicant shall design, construct, commission and operate the development to ensure that the concentrations of Total Solid Particles, lead (Pb), and mercury (Hg) discharges from the shredder plant do not exceed the limits specified in Table 3.

**Table 3 – Maximum Allowable Discharge Concentration Limits (Air)**

<b>Pollutant</b>	<b>Maximum Allowable Discharge Concentration Limit</b>	<b>Reference Conditions</b>
Lead (Pb)	5.0mg/m <sup>3</sup>	dry, 273K, 101.3kPa
Mercury (Hg)	1.0mg/m <sup>3</sup>	dry, 273K, 101.3kPa
Total Solid Particles	100/m <sup>3</sup>	dry, 273K, 101.3kPa

- 4.32 <sup>19</sup>The Applicant shall ensure that all process related fabric filters installed on the site are fitted with a bag leak detection and alarm system to the satisfaction of the EPA.

## **Soil and Water Quality Impacts**

- 4.33 The Applicant shall take all reasonable measures to minimise soil erosion and the discharge of sediments and pollutants from the site during construction and operation.

<sup>18</sup> Incorporates a EPA General Term of Approval (E1.8)

<sup>19</sup> Incorporates a EPA General Term of Approval (E1.7)

### **Stormwater**

- 4.34 <sup>20</sup>The stormwater management infrastructure shall be designed, where practicable, to ensure that the time of concentration is limited to 10 minutes in the design storm event. Interception pits shall be installed where required to ensure that contaminated stormwater does not reach the first flush pit once it has reached its maximum capacity.
- 4.35 During the construction and operation of the development, the Applicant shall prevent the discharge of stormwater originating from the site onto the neighbouring railway corridor (unless otherwise approved by State Rail).

### **Acid Sulfate Soils**

- 4.36 Prior to the commencement of construction of the development, the Applicant shall undertake acid sulfate soil testing for areas of the site to be disturbed during site construction. Acid sulfate soil testing shall be consistent with the EPA's Environmental Guideline *Assessing and Managing Acid Sulfate Soil* and the Acid Sulfate Soil Management Advisory Committee (ASSMAC) document *Acid Sulfate Soil Manual*. Should testing indicate that any potential or actual acid sulfate soils may be disturbed during site preparation works or the construction of the facility, the Applicant shall prepare an Acid Sulfate Soil Management Plan (refer to condition 7.3).

### **Waste Management**

- 4.37 The Applicant shall not receive waste at the site for storage, treatment, processing or reprocessing, and shall not dispose of waste generated by the development on the site, except as may be expressly permitted by an Environment Protection Licence for the development under the *Protection of the Environment Operations Act 1997*.
- 4.38 <sup>21</sup>The Applicant shall ensure that uncompact motor vehicles are only received, stored, drained of fluids and decontaminated in a dedicated area that is separately bunded to contain and store liquids drained from vehicles before they are forwarded to the main scrap receipt area.

### **Visual Amenity**

- 4.39 The Applicant shall ensure that all new external lighting associated with the development is mounted, screened, and directed in such a manner so as not to create a nuisance to surrounding land uses. The lighting shall be the minimum level of illumination necessary, and be in general accordance with *AS 4282 – 1997 Control of the Obtrusive Effects of Outdoor Lighting*.
- 4.40 The Applicant shall not utilise Lot 31 DP 803794 for the purposes of temporary or permanent storage of waste material or any item of equipment.
- 4.41 All containers used for the transportation of scrap metal shall be contained on-site at all times.
- 4.42 Nothing in this consent allows the Applicant to erect or display any advertising structure(s) or advertisements associated with the development.

Note: The Applicant must seek development consent from Council for the erection of advertising structures.

<sup>20</sup> Incorporates a EPA General Term of Approval (E1.2)

<sup>21</sup> Incorporates EPA General Term of Approval (E1.5)

### **Landscaping**

- 4.43 Prior to the commencement of operations at the site, where practicable, dense screen planting shall be undertaken by the Applicant at all locations where the works associated with the development will be visible, using native tree and shrub species endemic to the area, suited to local soil conditions and consistent with those in the surrounding landscape.
- 4.44 The Applicant shall landscape the site in accordance with condition 4.43 and the Landscape Management Plan referred to under condition 7.4e) for the development, and maintain this landscaping for the full life of the development. Landscaping works shall not commence until the Director-General has approved the Landscape Management Plan.
- 4.45 Within 90 days of completing the landscape works outlined in the Landscape Management Plan (refer to condition 7.5d)), the Applicant shall submit a Landscape Completion Report to the Director-General, which demonstrates that the landscaping works have been completed in accordance with the approved Plan.

### **Dangerous Goods**

- 4.46 All chemicals, fuels and oils shall be stored in appropriately bunded areas, with impervious flooring and sufficient capacity to contain 110% of the largest container stored within the bund. Bunds shall be designed and installed in accordance the requirements of the EPA's *Environmental Protection Manual Technical Bulletin Bunding and Spill Management*.

### **Flood Work**

- 4.47 Prior to the commencement of any construction work at the site, the Applicant shall obtain necessary approvals from the Department (Hunter Region) under section 256 of the *Water Management Act 2000*.
- 4.48 The development shall be carried out strictly in accordance with the recommendations of the Flood Report, titled *Rationalisation of Floodways connecting Hexham Swamp to the Hunter River (Issue 2)* prepared by Patterson Britton and dated July 2003.

### **Railway Corridor**

- 4.49 Prior to the commencement of any construction work at the site within 50 metres of the neighbouring railway corridor at the site, the Applicant shall submit to RIC a Risk Assessment/Management Plan and detailed Work Method Statement to ensure construction activities do not impact on the integrity of the railway corridor.

The Applicant shall obtain the approval from RIC prior to the commencement of any construction activities within the above 50 metres buffer area and shall implement any conditions imposed by RIC as part of these approvals.

- 4.50 Any use of a crane, plant or machinery on site shall comply with the RIC's *Electrical Safety Manual* and all relevant RIC standards and guidelines. The Applicant shall not operate any crane, plant or machinery within three metres (horizontally) of any electrified infrastructure, or within a distance that has the potential to reach over the rail corridor at any time.
- 4.51 The Applicant shall ensure that no metal ladders, scaffolding, plant/machinery or conductive material is used on site within 6 horizontal metres of any live electrical equipment associated with the rail corridor infrastructure.

- 4.52 The Applicant shall not undertake any work within the rail corridor or its easements at any time unless prior approval has been granted by State Rail or an Access Deed has been entered into between the Applicant and State Rail. Should work be required in these areas, the Applicant shall bear the full cost associated with obtaining the approval or Access Deed and any required supervision, design checks, meetings and/or service searches.

Should the Applicant require access to the rail corridor prior to gaining the above approval or Access Deed, the Applicant shall be required to enter into a Release and Indemnity agreement prior to accessing the rail corridor or associated easements.

- 4.53 Prior to the commencement of operations at the site, the Applicant shall install appropriate fencing along the common boundary of the site and the adjoining railway corridor at Lot 29 DP803794 and lot 1 DP 874409 to the satisfaction of State Rail and at the full cost of the Applicant. The design of the fencing shall be approved by State Rail prior to the installation of the fencing.

## 5. ENVIRONMENTAL MONITORING AND AUDITING

### Noise Monitoring and Auditing

- 5.1 <sup>22</sup>Within 90 days of commencement of operation of the development, and during a period in which the development is operating under design loads and normal operating conditions, the Applicant shall conduct a **Noise Audit** of its operations. This Audit shall:
- (a) be undertaken by a suitability qualified and experienced person;
  - (b) assess whether the development is complying with the intrusive and amenity noise criteria, and the predicted noise levels detailed in documents specified in condition 1.2b) and condition 1.2e) of this consent;
  - (c) identify what additional measures could be implemented to ensure compliance should any non-compliance be detected; and
  - (d) provide details of any complaints received relating to noise generated by the development, and action taken to respond to those complaints.
- 5.2 <sup>23</sup>Within 28 days of conducting the Audit referred to under condition 5.1 of this consent, the Applicant shall provide the Director-General and EPA (Hunter) with a copy of the Noise Audit report. If the Audit identifies any non-compliance with the noise limits imposed under this consent, the Applicant shall detail what additional measures would be implemented to ensure compliance, clearly indicating who would implement these measures, when these measures would be implemented, and how the effectiveness of these measures would be measured and reported to the Director-General and the EPA.

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<sup>22</sup> Incorporates a EPA General Term of Approval (E1.9.1)

<sup>23</sup> Incorporates a EPA General Term of Approval (E1.9.2)



- 5.3 The Applicant shall prepare and implement a **Noise Monitoring Program** to monitor noise impacts associated with the development. The Program shall be consistent with guidelines provided in *New South Wales Industrial Noise Policy* (EPA, 2000) and shall include, but not necessarily be limited to:
- identification of noise monitoring locations, with relevant noise limits for each location provided;
  - noise monitoring frequencies; and
  - methodologies for noise monitoring.

The Noise Monitoring Program shall be submitted for the approval of the Director-General prior to the commencement of operation of the development, or within such period as the Director-General may agree.

#### ***Overpressure and Vibration Monitoring***

- 5.4 <sup>24</sup>The Applicant shall install, maintain and operate suitable instrumentation, in accordance with Australian Standard 2187.2-1993, to monitor overpressure and vibration caused by explosions on the site to the satisfaction of the EPA.

#### **Air Quality Monitoring**

##### ***Shredder Stack Emissions***

- 5.5 <sup>25</sup>All air emission stacks shall be fitted with sampling points which comply with the *Clean Air (Plant and Equipment) Regulation 1997* and Australian Standard 4323.1-1995.
- 5.6 The Applicant shall periodically determine the pollutant concentrations specified in Table 4, as discharged from the shredder plant employing the sampling and analysis method specified and at the frequency indicated in the table. All monitoring shall be carried out strictly in accordance with *Approved Methods for the Sampling and Analysis of Air Pollutants in NSW* (EPA 2001).

**Table 4** – Periodic Pollutant Monitoring (Air)

<b>Pollutant</b>	<b>Method</b>	<b>Frequency</b>
Lead	TM-12, TM-13 & TM-14	Post commissioning, annually
Mercury	TM-12, TM-13 & TM-14	Post commissioning, annually
Total solid particles	TM-15	Post commissioning, annually

- 5.7 The Applicant may seek the approval of the Director-General to alter the frequency of the pollutant/parameter monitoring required under condition 5.6 of this consent. Any request for approval shall only be provided if:
- pollutant/parameter monitoring has been undertaken for a period of no less than 12 months (measures from the commencement of operation of the development);
  - there has been no exceedence of any limit placed on the subject pollutant or parameter through this consent within the preceding 12-month period; and/or
  - if there is a relevant Environment Protection Licence for the development that requires air pollutant monitoring which is inconsistent with the requirements under condition 5.6.

<sup>24</sup> Incorporates a EPA General Term of Approval (M8.1)

<sup>25</sup> Incorporates a EPA General Term of Approval (E1.6)

### **Performance Monitoring**

- 5.8 Within 90 days of commencement of operation of the development, and during a period in which the facility is operating under design loads and normal operating conditions, the Applicant shall undertake an air quality audit for the development and undertake dispersion modelling for all air pollutants identified in condition 4.31 to confirm the air emission performance of the facility.
- 5.9 Within 28 days of conducting the Audit, referred to under condition 5.8 of the consent, the Applicant shall provide the Director-General with a copy of the Air Quality Audit report. If the Audit identifies any non-compliance with the air quality limits or performance measures specified in the EIS, condition 4.31 of this consent, and the EPA's Impact Assessment Criteria described in *Approved Methods and Guidance for the Modelling and Assessment of Air Pollutants in NSW*, then the Applicant shall undertake a Air Quality Mitigation Study to provide details of remedial measures that the Applicant will implement to reduce air quality impacts to the levels required, clearly indicating who would implement these measures, when these measures would be implemented, and how the effectiveness of these measures would be measured and reported to the Director-General.

### **Meteorological Monitoring**

- 5.10 <sup>26</sup>The Applicant shall monitor the parameters specified in Table 5, using the specified units of measure, averaging period, frequency, and sampling method in the table.

**Table 5 – Meteorological monitoring**

<b>Parameter</b>	<b>Units of Measure</b>	<b>Averaging Period</b>	<b>Frequency</b>	<b>Method</b>
Rainfall	mm	1 Day	Daily	AM-4
Wind Speed @ 10m	m/s	15 minute	Continuous	AM-2 and AM-4
Wind Direction @ 10m	°	15 minute	Continuous	AM-2 and AM-4
Temperature @ 10m	°C	15 minute	Continuous	AM-4
Temperature @ 2m	°C	15 minute	Continuous	AM-4
Sigma Theta @ 10m	°	15 minute	Continuous	AM-4
Additional Requirements - Siting - Measurement				AM-1 & Am-4 AM-2 and AM-4

### **Water Quality Monitoring**

- 5.11 Prior to the commencement of operations at the site, the Applicant shall submit for the approval of the Director-General, a Stormwater Quality Monitoring Program. This program shall form part of the Stormwater Operational Environmental Management Plan required by condition 7.5d). The Program shall include but not necessarily be limited to:
- identification of contaminants to be tested;
  - monitoring frequencies; and
  - methodologies for stormwater quality monitoring.

The Stormwater Quality Monitoring Program shall be submitted for the approval of the Director-General prior to the commencement of operation of the development.

<sup>26</sup> Incorporates a EPA General Term of Approval (M7.1)

## **Independent Environmental Auditing**

5.12 Within two years of the commencement of construction of the development, and then as may be directed by the Director-General, the Applicant shall commission an independent person or team to undertake an Environmental Audit of the development. The independent person or team shall be approved by the Director-General prior to the commencement of the Audit. The Audit shall:

- a) be carried out in accordance with *ISO 19011:2002 - Guidelines for Quality and/or Environmental Management Systems Auditing*;
- b) assess compliance with the requirements of this consent, and other licences and approvals that apply to the development;
- c) assess the environmental performance of the development against the predictions made and conclusions drawn in the documents referred to under condition 1.2 of this consent; and
- d) review the effectiveness of the environmental management of the development, including any environmental impact mitigation works.

An **Environmental Audit Report** shall be submitted to the Director-General within two months of the completion of the Audit, detailing the findings and recommendations of the Audit and including a detailed response from the Applicant to any of the recommendations contained in the Report.

## **6. COMMUNITY INFORMATION, CONSULTATION AND INVOLVEMENT**

6.1 Subject to confidentiality, the Applicant shall make all documents required under this consent available for public inspection on request.

### **Complaints Procedure**

6.2 Prior to the commencement of operations at the development site, the Applicant shall ensure that the following are available for community complaints:

- a) a 24-hour, toll-free telephone number on which complaints about the development may be registered;
- b) a postal address to which written complaints may be sent; and
- c) an email address to which electronic complaints may be transmitted.

The telephone number, the postal address and the email address shall be advertised on at least one occasion prior to the commencement of construction of each stage of the development, through a medium approved by the Director-General. These details shall also be provided on the Applicant's internet site, should one exist. The telephone number, the postal address and the email address shall be maintained throughout the life of the development.

6.3 The Applicant shall record details of all complaints received through the means listed under condition 6.2 of this consent in an up-to-date Complaints Register. The Register shall record, but not necessarily be limited to:

- a) the date and time, where relevant, of the complaint;
- b) the means by which the complaint was made (telephone, mail or email);
- c) any personal details of the complainant that were provided, or if no details were provided, a note to that effect;
- d) the nature of the complaint;
- e) any action(s) taken by the Applicant in relation to the complaint, including any follow-up contact with the complainant; and
- f) if no action was taken by the Applicant in relation to the complaint, the reason(s) why no action was taken.

The Complaints Register shall be made available for inspection by the Director-General upon request.

## Community Consultative Committee

6.4 Prior to the commencement of construction of the development, the Applicant shall establish a Community Consultative Committee for the development to provide a forum for the discussion of the environmental performance of the development, provision of relevant data, and the receipt of community complaints and concerns. The Committee shall include, but not necessarily limited to representatives from the St Josephs Catholic Care of the Aged facility and the Shortland and Birmingham Residents' Action Group. The Applicant shall ensure that the Committee meets on at least one occasion prior to the commencement of construction of the development to establish arrangements for the location, timing and operation of the Committee. The Committee shall meet at least monthly during the first six months of operation of the development, after which meeting frequency shall be by agreement between the Applicant and the Committee, and for the approval of the Director-General.

## 7. ENVIRONMENTAL MANAGEMENT

### Environmental Representative

7.1 Prior to the commencement of construction of the development, the Applicant shall nominate a suitably qualified and experienced Environmental Representative(s). The Applicant shall employ the Environmental Representative(s) on a full-time basis during the construction, commissioning and operation of the development. The Environmental Representative shall be:

- a) the primary contact point in relation to the environmental performance of the development;
- b) responsible for all Management Plans and Monitoring Programs required under this consent;
- c) responsible for considering and advising on matters specified in the conditions of this consent, and all other licences and approvals related to the environmental performance and impacts of the development;
- d) responsible for receiving and responding to complaints in accordance with condition 6.2 and condition 6.3 of this consent; and
- e) given the authority and independence to require reasonable steps be taken to avoid or minimise unintended or adverse environmental impacts, and failing the effectiveness of such steps, to direct that relevant actions be ceased immediately should an adverse impact on the environment be likely to occur.

The Applicant shall notify the Director-General of the name and contact details of the Environmental Representative upon appointment, and any changes to that appointment that may occur from time to time.

### Construction Environmental Management Plan

7.2 The Applicant shall prepare and implement a **Construction Environmental Management Plan** to outline environmental management practices and procedures to be followed during the construction of any stage of the development. The Plan shall include, but not necessarily be limited to:

- a) a description of all activities to be undertaken on the site during construction of the development, including an indication of stages of construction, where relevant;
- b) statutory and other obligations that the Applicant is required to fulfil during construction, including all approvals, consultations and agreements required from authorities and other stakeholders, and key legislation and policies;
- c) specific consideration of measures to address any requirements of Council during construction;

- d) details of how the environmental performance of the construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts;
- e) a description of the roles and responsibilities for all relevant employees involved in the construction of the development;
- f) the Management Plans listed under condition 7.3 of this consent;
- g) arrangements for community consultation and complaints handling procedures during construction.

The Plan shall be submitted for the approval of the Director-General prior to the commencement of construction, or within such period otherwise agreed by the Director-General. Construction shall not commence until written approval has been received from the Director-General. Upon receipt of the Director-General's approval, the Applicant shall supply a copy of the Plan to Council, as soon as practicable.

7.3 As part of the Construction Environmental Management Plan for the development, required under condition 7.2 of this consent, the Applicant shall prepare and implement the following Management Plans:

- a) an **Acid Sulfate Soil Management Plan** to detail measures to be implemented in relation to the management and handling of any potential or actual acid sulfate soils identified in accordance with condition 4.36 of this consent. The Plan shall be prepared in accordance with guidance provided in *Acid Sulfate Soil Manual* (Acid Sulfate Soil Management Advisory Committee, 1998) and to meet the requirements of Director-General and Council. The Acid Sulfate Soil Management Plan need only be prepared should potential or actual acid sulfate soils be identified on the site.
- b) <sup>27</sup>an **Erosion and Sedimentation Management Plan** to detail measures to minimise erosion during construction of the development. The Plan shall include, but not necessarily be limited to:
  - i) results of investigations into soils associated with the site, in particular the stability of the soil and its susceptibility to erosion;
  - ii) details of erosion, sediment and pollution control measures and practices to be implemented during construction of the development;
  - iii) demonstration that erosion and sediment control measures will conform with, or exceed, the relevant requirements and guidelines provided in the Department's publication *Urban Erosion and Sedimentation Handbook*, the EPA's publication *Pollution Control Manual for Urban Stormwater* and the Department of Housing's publication *Soil and Water Management for Urban Development*;
  - iv) design specifications for diversionary works, banks and sediment basins;
  - v) an erosion monitoring program during construction of the development; and
  - vi) measures to address erosion, should it occur, and to rehabilitate/stabilise disturbed areas of the site.
- c) a **Noise Management Plan** to outline measures to minimise and mitigate noise impacts on surrounding land uses as a result of the construction of the development in association with the continued operations at the adjacent site. The Plan shall include, but not necessarily be limited to:
  - i) identification of the potential sources of noise during the proposed works;
  - ii) specification of the noise criteria for the proposed works;

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<sup>27</sup> This plan shall be provided when obtaining a Part 3 permit under the *Rivers and Foreshores Improvement Act 1948*.

- iii) a detailed description of what actions and measures would be implemented to ensure that these works would comply with the relevant noise criteria.;
  - iv) a description of how the effectiveness of these actions and measures would be monitored during the proposed works, clearly indicating who would conduct the monitoring, how often this monitoring would be conducted, how the results of this monitoring would be recorded; and, if any non-compliance is detected; and
  - v) a description of what procedures would be followed to ensure compliance;
- d) <sup>28</sup>a **Transport Management Plan** to detail measures to ensure road works and construction activities are undertaken in a manner that does not adversely impact on the performance and safety of the surrounding road network. The Plan shall meet Council and RTA requirements, and shall include, but not necessarily be limited to:
- (i) details of construction and operation traffic volumes and peak delivery times;
  - (ii) measures to be implemented to adequately mitigate the impact on the performance and safety of the surrounding network during the relocation of the Sparke Street and Pacific Highway intersection;
  - (iii) <sup>29</sup>measures to be implemented in accordance with condition 4.13, which shall include the installation of temporary physical barriers to prohibit right-hand turn movements out of Sparke Street; and
  - (iv) provide for the monitoring of the performance of the implemented measures; and
  - (v) details of any additional measures that would be implemented should any non-compliance be detected.

### **Operation Environmental Management Plan**

7.4 The Applicant shall prepare and implement an **Operation Environmental Management Plan** to detail an environmental management framework, practices and procedures to be followed during the operation of the development. The Plan shall include, but not necessarily be limited to:

- i) identification of all statutory and other obligations that the Applicant is required to fulfil in relation to operation of the development, including all consents, licences, approvals and consultations;
- ii) a description of the roles and responsibilities for all relevant employees involved in the operation of the development;
- iii) overall environmental policies and principles to be applied to the operation of the development;
- iv) standards and performance measures to be applied to the development, and a means by which environmental performance can be periodically reviewed and improved, where appropriate;
- v) management policies to ensure that environmental performance goals are met and to comply with the conditions of this consent;
- vi) the Management Plans listed under condition 7.5 of this consent; and
- vii) arrangements for community consultation and complaints handling procedures during construction.

The Plan shall be submitted for the approval of the Director-General no later than one month prior to the commencement of operation of the development, or within such period otherwise agreed by the Director-General. Any stage of the operations

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<sup>28</sup> Incorporates a RTA General Term of Approval (5)

<sup>29</sup> Incorporates a RTA General Term of Approval (4)

shall not be commissioned until the Director-General has approved the OEMP covering the works undertaken in that stage. Upon receipt of the Director-General's approval, the Applicant shall supply a copy of the Plan to Council as soon as practicable.

7.5 As part of the Operation Environmental Management Plan for the development, required under condition 7.4 of this consent, the Applicant shall prepare and implement the following Management Plans:

- a) a **Noise Management Plan** to outline measures to manage noise impacts associated with the operation of the development. The Plan shall include, but not necessarily be limited to:
  - i) identification of the potential sources of noise during the site operations;
  - ii) specification of the noise criteria for these operations;
  - iii) a detailed description of what actions and measures would be implemented to ensure that operations would comply with specified noise criteria. This shall include measures to minimise night-time emissions and stringent screening procedures to minimise the potential for overpressure events at the site; and
  - iv) a description of how the effectiveness of actions and measures would be monitored over time; and if any non-compliance is detected what procedures would be followed to ensure compliance;
- b) a **Transport Management Plan** to outline measures to ensure minimal amenity impacts on the locality through the appropriate management of heavy vehicles accessing and departing the development. The Plan shall be prepared in consultation with Council and shall include, but not necessarily be limited to:
  - i) details of the Transport Code of Conduct for the development that outlines the management of traffic impacts associated with heavy vehicles accessing and departing the site;
  - ii) consideration of all possibilities for reducing the required daily heavy vehicle movements and movements during peak or night-time periods;
  - iii) procedures to ensure the safe and efficient movement of vehicles between Lots 29-30 DP803794 and Lot 1 DP874409;
  - iv) procedures to limit the tracking of mud/dirt on the road way between Lots 29-30 DP803794 and Lot 1 DP874409;
  - v) procedures for monitoring the effectiveness and suitability of these measures; and
  - vi) details of additional measures that would be implemented should be non-compliance be detected.
- c) a **Flood Emergency Management Plan** to outline measures that would be implemented in a time of flood. The Plan shall provide detailed evacuation procedures to interface with the Bureau of Meteorology's flood warning system and the local State Emergency Services plan (where appropriate) and to include provisions for any third parties likely to be involved. The Plan shall also include, but not necessarily be limited to:
  - i) a detailed description of the likely flood behaviour of the area within the vicinity of the site;
  - ii) identification of the flood warning systems that would be utilised by the proposed operations;
  - iii) details of the workforce education awareness program implemented at the site;
  - iv) details of the evacuation and evasion procedures that would be undertaken in a time of an emergency;
  - v) identification of the designated evacuation routes and flood refuges; and
  - vi) details of flood preparedness and awareness procedures for residents and visitors to the site.

- d) a **Stormwater Management Plan** to outline measures to mitigate impacts of stormwater run-off from and within the premises. This plan shall address the requirements of Council and shall include, but not necessarily be limited to:
- i) details of all relevant stormwater control infrastructure;
  - ii) procedures for the installation and maintenance of gross pollutant traps to screen stormwater from the site at all major site discharge points to Ironbark Creek;
  - iii) a demonstration of consistency with the stormwater management plan for the catchment and any relevant stormwater guidelines prepared by Council;
  - iv) details of the monitoring program, as required by condition 5.11, to monitor stormwater flows from the site; and
  - v) details of any contingency measures that would be followed to ensure the protection of neighbouring waterways and wetlands should an accident or emergency occur at the site.
- e) a **Landscape Management Plan** to outline measures to ensure appropriate development and maintenance of landscaping on the site. The Plan shall address the requirements of Council and shall include, but not necessarily be limited to:
- i) details of existing and proposed landscaping to be undertaken on the site with specific reference to the use of vegetation to screen the development from the Pacific Highway, Ironbark Creek, residential receptors and the railway line;
  - ii) details of landscape works to improve the condition of the riparian zone along the boundary of Lot 1 DP 874409 and Ironbark Creek;
  - iii) maximisation of flora species endemic to the locality in landscaping the site;
  - iv) measures to ensure general consistency with the relevant guidance provided in *Planning for Bushfire Protection* (NSW Rural Fire Service and PlanningNSW, 2001);
  - v) a program to ensure that all landscaped areas on the site are maintained in a tidy, healthy state and free of weed species; and
  - vi) a program to ensure that vegetation along the Pacific Highway is appropriately managed to maintain vehicle sight distances in accordance with RTA requirements.
- f) a **Waste Management Plan** to outline measures to minimise the production and impact of wastes generated at the development. The Plan shall include, but not necessarily be limited to:
- i) identification of the types and quantities of waste that would be generated during operations, and the standards and performance measures for dealing with this waste;
  - ii) <sup>30</sup>a description of appropriate procedures that will be implemented to ensure that all scrap, dust and litter is contained within the designated receipt and load out areas;
  - iii) a detailed description of how this waste would be reused, recycled, and if necessary, appropriately treated and disposed of in accordance with the EPA's guidelines on the *Assessment, Classification & Management of Liquid and Non-Liquid Waste*;
  - iv) a description of how the effectiveness of these actions and measures would be monitored over time; and
  - v) a description of what procedures would be followed to ensure compliance if any non-compliance is detected.

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<sup>30</sup> Incorporates a EPA General Term of Approval (E1.3)



## 8. ENVIRONMENTAL REPORTING

### Incident Reporting

- 8.1 The Applicant shall notify the Director-General of any incident with actual or potential significant off-site impacts on people or the biophysical environment as soon as practicable after the occurrence of the incident. The Applicant shall provide written details of the incident to the Director-General within seven days of the date on which the incident occurred.
- 8.2 The Applicant shall meet the requirements of the Director-General to address the cause or impact of any incident, as it relates to this consent, reported in accordance with condition 8.1 of this consent, within such period as the Director-General may agree.

### Annual Performance Reporting

- 8.3 The Applicant shall, throughout the life of the development, prepare and submit for the approval of the Director-General, an **Annual Environmental Management Report** (AEMR). The AEMR shall review the performance of the development against the Operation Environmental Management Plan (refer to condition 7.4 of this consent), the conditions of this consent and other licences and approvals relating to the development. The AEMR shall include, but not necessarily be limited to:
- a) details of compliance with the conditions of this consent;
  - b) a comparison of the environmental impacts and performance of the development against the environmental impacts and performance predicted in those documents listed under condition 1.2 of this consent;
  - c) details of any complaints received in relation to the operation, an overview of how these complaints were handled, and the results of any actions taken by the Applicant to address the complaint;
  - d) results of all environmental monitoring required under this consent and other approvals, including interpretations and discussion by a suitably qualified person; and
  - e) a list of all occasions in the preceding twelve-month period when environmental performance goals for the development have not been achieved, indicating the reason for failure to meet the goals and the action taken to prevent recurrence of that type of incident.

The Applicant shall submit a copy of the AEMR to the Director-General and Council every year, with the first AEMR to be submitted no later than twelve months after the commencement of operation.

- 8.4 The Director-General may require the Applicant to address certain matters in relation to the environmental performance of the development, in response to review of the Annual Environmental Report and any comments received from COUNCIL. Any action required to be undertaken shall be completed within such period as the Director-General may agree.

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\* Condition 4.8C (as deleted by MOD-49-3-2005-i): Prior to the commencement of operation of the development and with the prior agreement of St Josephs Catholic Care of the Aged, the Applicant shall lodge a development application with the relevant consent authority (if development consent is required under the *Environmental Planning and Assessment Act 1979*) for the construction of a sound barrier of at least three metres in height on the St Josephs Catholic Care of the Aged site to mitigate noise impacts from the development on that land. Any such development application shall reflect the results of consultation(s) with representatives of the St Josephs Catholic Care of the Aged facility, in relation to that group's requirements for the barrier (for example, location, appearance, construction or maintenance requirements).

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† Condition 4.8D (as deleted by MOD-49-3-2005-i): The Applicant shall bear the full cost of the sound barrier referred to under condition 4.8C of this consent, and shall commence construction of the sound barrier as soon as practicable after obtaining all relevant and necessary development consents and approvals. The Applicant shall complete construction of the sound barrier within six months of commencement of operation of the development, unless otherwise agreed by the Director-General

‡ Previously modified by MOD-37-3-2004

§ Previously modified by MOD-37-3-2004

\*\* Previously modified by MOD-37-3-2004

†† Previously modified by MOD-37-3-2004

‡‡ Previously modified by MOD-45-4-2004-i

# Appendix C

Environment Protection  
Licence – 27 November  
2020

# Environment Protection Licence

Licence - 5345

<b>Licence Details</b>	
Number:	5345
Anniversary Date:	19-December

<b>Licensee</b>
ONESTEEL RECYCLING PTY LIMITED
PO BOX 329
LIVERPOOL NSW 2170

<b>Premises</b>
ONESTEEL RECYCLING PTY LIMITED
14 SPARKE STREET
HEXHAM NSW 2322

<b>Scheduled Activity</b>
Metallurgical activities
Waste storage

<b>Fee Based Activity</b>	<b>Scale</b>
Metal waste generation	> 100 T annual volume of waste generated or stored
Scrap metal processing	> 100000-500000 T annual production capacity
Waste storage - hazardous, restricted solid, liquid, clinical and related waste and asbestos waste	Any listed waste type stored

<b>Region</b>
Metropolitan North - Newcastle
Ground Floor, NSW Govt Offices, 117 Bull Street
NEWCASTLE WEST NSW 2302
Phone: (02) 4908 6800
Fax: (02) 4908 6810
PO Box 488G
NEWCASTLE NSW 2300



# Environment Protection Licence

Licence - 5345

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# Environment Protection Licence

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Licence - 5345



## Information about this licence

### Dictionary

A definition of terms used in the licence can be found in the dictionary at the end of this licence.

### Responsibilities of licensee

Separate to the requirements of this licence, general obligations of licensees are set out in the Protection of the Environment Operations Act 1997 ("the Act") and the Regulations made under the Act. These include obligations to:

- ensure persons associated with you comply with this licence, as set out in section 64 of the Act;
- control the pollution of waters and the pollution of air (see for example sections 120 - 132 of the Act);
- report incidents causing or threatening material environmental harm to the environment, as set out in Part 5.7 of the Act.

### Variation of licence conditions

The licence holder can apply to vary the conditions of this licence. An application form for this purpose is available from the EPA.

The EPA may also vary the conditions of the licence at any time by written notice without an application being made.

Where a licence has been granted in relation to development which was assessed under the Environmental Planning and Assessment Act 1979 in accordance with the procedures applying to integrated development, the EPA may not impose conditions which are inconsistent with the development consent conditions until the licence is first reviewed under Part 3.6 of the Act.

### Duration of licence

This licence will remain in force until the licence is surrendered by the licence holder or until it is suspended or revoked by the EPA or the Minister. A licence may only be surrendered with the written approval of the EPA.

### Licence review

The Act requires that the EPA review your licence at least every 5 years after the issue of the licence, as set out in Part 3.6 and Schedule 5 of the Act. You will receive advance notice of the licence review.

### Fees and annual return to be sent to the EPA

For each licence fee period you must pay:

- an administrative fee; and
- a load-based fee (if applicable).

# Environment Protection Licence

Licence - 5345



The EPA publication “A Guide to Licensing” contains information about how to calculate your licence fees. The licence requires that an Annual Return, comprising a Statement of Compliance and a summary of any monitoring required by the licence (including the recording of complaints), be submitted to the EPA. The Annual Return must be submitted within 60 days after the end of each reporting period. See condition R1 regarding the Annual Return reporting requirements.

Usually the licence fee period is the same as the reporting period.

## Transfer of licence

The licence holder can apply to transfer the licence to another person. An application form for this purpose is available from the EPA.

## Public register and access to monitoring data

Part 9.5 of the Act requires the EPA to keep a public register of details and decisions of the EPA in relation to, for example:

- licence applications;
- licence conditions and variations;
- statements of compliance;
- load based licensing information; and
- load reduction agreements.

Under s320 of the Act application can be made to the EPA for access to monitoring data which has been submitted to the EPA by licensees.

## This licence is issued to:

<b>ONESTEEL RECYCLING PTY LIMITED</b>
<b>PO BOX 329</b>
<b>LIVERPOOL NSW 2170</b>

subject to the conditions which follow.



# Environment Protection Licence



Licence - 5345

## 1 Administrative Conditions

### A1 What the licence authorises and regulates

A1.1 This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.

Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.

Scheduled Activity	Fee Based Activity	Scale
Metallurgical activities	Metal waste generation	> 100 T annual volume of waste generated or stored
Metallurgical activities	Scrap metal processing	> 100000 - 500000 T annual production capacity
Waste storage	Waste storage - hazardous, restricted solid, liquid, clinical and related waste and asbestos waste	Any listed waste type stored

### A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
ONESTEEL RECYCLING PTY LIMITED
14 SPARKE STREET
HEXHAM
NSW 2322
PREMISES AS SHOWN ON PLAN TITLED "PLAN OF CONSOLIDATION OVER LOT 1 DP 1085880, LOT 11 DP 1169199 & LOT 1 DP 874409" PREPARED BY ADAM ORTIGER, REGISTERED DATE OF 27/9/2012 (EPA FILE DOC13/49448), WHICH COMPRISES LOT 1 DP 1176316.

### A3 Information supplied to the EPA

A3.1 Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.

In this condition the reference to "the licence application" includes a reference to:

a) the applications for any licences (including former pollution control approvals) which this licence

# Environment Protection Licence

Licence - 5345



replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and

b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.

## 2 Discharges to Air and Water and Applications to Land

### P1 Location of monitoring/discharge points and areas

P1.1 The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point.

<i>Air</i>			
EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
1	Discharge to air Discharge quality monitoring	Discharge to air Discharge quality monitoring	Monitoring point located on baghouse stack

## 3 Limit Conditions

### L1 Pollution of waters

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.

### L2 Concentration limits

L2.1 For each monitoring/discharge point or utilisation area specified in the table below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.

L2.2 Air Concentration Limits

#### POINT 1

Pollutant	Units of measure	100 percentile concentration limit	Reference conditions	Oxygen correction	Averaging period
Total Solid Particles	milligrams per cubic metre	100	Dry, 273 K, 101.3 kPa		1 hour

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Mercury	milligrams per cubic metre	1.0	Dry, 273 K, 101.3 kPa	1 hour
Lead	milligrams per cubic metre	5.0	Dry, 273 K, 101.3 kPa	1 hour

## L3 Waste

L3.1 The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled "Waste" and meeting the definition, if any, in the column titled "Description" in the table below.

Any waste received at the premises must only be used for the activities referred to in relation to that waste in the column titled "Activity" in the table below.

Any waste received at the premises is subject to those limits or conditions, if any, referred to in relation to that waste contained in the column titled "Other Limits" in the table below.

This condition does not limit any other conditions in this licence.

Code	Waste	Description	Activity	Other Limits
NA	Scrap metal			
NA	Scrap metal			No more than 500000 Tonnes can be processed per year
J120	Waste oil/hydrocarbons mixtures/emulsions in water			
D220	Lead; lead compounds			

## L4 Noise limits

L4.1 Noise from the premises must not exceed the limits specified in the table below:

Location	Day LAeq(15 minute)	Evening LAeq(15 minu)	Night LAeq(15 minute)	Night LA1(1 minute)
Any residence in Shamrock Street, Hexham, affected by noise from the premises	47	48	45	55

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St Joseph's Retirement Village and any associated residence in Old Maitland Road, Hexham, affected by noise from the premises	53	42	41	56
Any operating industrial premises affected by noise from the premises	70	70	70	N/A

L4.2 The noise limits above comply when measured or computed at any point within one metre of the boundary of any affected residential premises.

5dB(A) must be added to the measured level if the noise is substantially tonal or impulsive in character.

L4.3 Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and Public Holidays.

Evening is defined as the period from 6pm to 10pm.

Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays.

L4.4 The noise emission limits identified in Condition L4.1 apply under the following meteorological conditions;  
 a) Wind speeds up to 3m/s at 10 metres above ground level; and  
 b) Temperature inversion conditions of up to 3oC/100m.

## L5 Hours of operation

L5.1 The shredder must only be operated between the hours of 0700 and 1800 Monday to Saturday, and at no time on Sundays and Public Holidays, except, where the following requirements are complied with the shredder may be operated between the hours of 1800 and 2200, Monday to Friday:  
 a) an unplanned and unforeseeable situation arises at the premises by which the operation of the NSW remelt steel industry is at risk of being negatively impacted by a shortage of shredded scrap, and  
 b) the licensee informs the EPA Hunter Office, and all affected noise receptors within a 1.5Km radius of the LYNX shredder, in writing at least 24 hours prior to commencing out of hours operation, and  
 c) an officer appointed by the licensee is on site, solely for the purpose of ensuring compliance with noise limits at various locations.

Note: (1) This licence does not limit the hours during which any activities, other than shredder operation as above, may be carried out at the premises, provided that full compliance with the noise limits of this licence is maintained.

Note: (2) For the purpose of this licence "All noise receptors within 1.5 Km of the LYNX shredder" is limited to:  
 a) The noticeboards of Saint Joseph's Retirement Village, Hexham.  
 b) The residences on Old Maitland Road, west of Saint Joseph's Retirement Village.

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c) The residences on Pacific Highway and intersecting streets, Hexham between Ironbark Creek and No 59 Pacific Highway, Hexham.

Note: (3) The applicant may seek approval of the EPA to extend the hours of operation of the LYNX shredder by increments up to 22:00.

Any request for approval shall only be made provided:

- a) the application is based on 6 months appropriate and adequate data with the plant operating at design capacity.
- b) full compliance with all noise limits has been achieved since commissioning.
- c) the management of explosions can be demonstrated, and impacts have been mitigated.
- d) the data supplied demonstrates the applicant's ability to comply with the evening noise limits set out in this licence.
- e) that the applicant accepts that any extended hours of operation will be withdrawn should the evening noise criteria be regularly exceeded or explosions become unmanageable, and if the impacts have not been mitigated by the licensee.

## L6 Potentially offensive odour

L6.1 No condition of this licence identifies a potentially offensive odour for the purposes of section 129 of the Protection of the Environment Operations Act 1997.

Note: Section 129 of the Protection of the Environment Operations Act 1997, provides that the licensee must not cause or permit the emission of any offensive odour from the premises but provides a defence if the emission is identified in the relevant environment protection licence as a potentially offensive odour and the odour was emitted in accordance with the conditions of a licence directed at minimising odour.

## 4 Operating Conditions

### O1 Activities must be carried out in a competent manner

O1.1 Licensed activities must be carried out in a competent manner.

This includes:

- a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

### O2 Maintenance of plant and equipment

O2.1 All plant and equipment installed at the premises or used in connection with the licensed activity:

- a) must be maintained in a proper and efficient condition; and
- b) must be operated in a proper and efficient manner.

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## **O3 Dust**

- O3.1 The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.
- O3.2 All operations and activities occurring at the premises must be carried out in a manner that will minimise the emission of dust from the premises.
- O3.3 Trucks entering and leaving the premises that are carrying loads of dust generating materials must have their loads covered at all times, except during loading and unloading.

## **O4 Emergency response**

- O4.1 The licensee must maintain, and implement as necessary, a current emergency response plan for the premises. The licensee must keep the emergency response plan on the premises at all times. The emergency response plan must document systems and procedures to deal with all types of incidents (e.g. spills, explosions or fire) that may occur at the premises or that may be associated with activities that occur at the premises and which are likely to cause harm to the environment. If a current emergency response plan does not exist at the date on which this condition is attached to the licence, the licensee must develop an emergency response plan within three months of that date.

## **O5 Processes and management**

- O5.1 Where practicable, the licensee must implement appropriate procedures to ensure that all scrap, dust and litter is contained within the designated receiving and load out areas.
- O5.2 All above ground tanks containing material that is likely to cause environmental harm must be bunded or have an alternative spill containment system in place.
- O5.3 Bunds must:
  - a) have walls and floors constructed of impervious materials;
  - b) be of sufficient capacity to contain 110% of the volume of the tank (or 110% volume of the largest tank where a group of tanks are installed);
  - c) have floors graded to a collection sump; and
  - d) not have a drain valve incorporated in the bund structure,or be constructed and operated in a manner that achieves the same environmental outcome.

## **O6 Waste management**

- O6.1 The licensee must ensure that any liquid and/or non liquid waste generated and/or stored at the premises is assessed and classified in accordance with the EPA's Waste Classification Guidelines as in force from time to time.
- O6.2 The licensee must ensure that waste identified for recycling is stored separately from other waste.

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## **O7 Other operating conditions**

- O7.1 All process related fabric filters installed on the premises shall be fitted with a bag leak detection and alarm system.
- O7.2 There must be no incineration or open burning of any material(s) on the premises, except as specifically authorised by the EPA.
- O7.3 The licensee must ensure that activities undertaken at the premises do not cause visible emissions of smoke or fume beyond the boundary of the premises.
- O7.4 The licensee must ensure that activities are conducted in an environmentally satisfactory manner. So as to minimise and prevent the pollution of air and water the licensee must:
  - (a) Ensure that vehicles or containers prior to leaving the premises are clean and sealed in a manner that will not cause materials or wastes used in conducting the activities at the premises to be tracked, thrown from, blown, fall, or cast from any vehicle or container onto a public road.
  - (b) The licensee must have in place and implement procedures to ensure that vehicles and containers exiting the premises are in a condition to ensure that materials are not tracked, thrown, blown, fall or cast onto a public road.

## **5 Monitoring and Recording Conditions**

### **M1 Monitoring records**

- M1.1 The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.
- M1.2 All records required to be kept by this licence must be:
  - a) in a legible form, or in a form that can readily be reduced to a legible form;
  - b) kept for at least 4 years after the monitoring or event to which they relate took place; and
  - c) produced in a legible form to any authorised officer of the EPA who asks to see them.
- M1.3 The following records must be kept in respect of any samples required to be collected for the purposes of this licence:
  - a) the date(s) on which the sample was taken;
  - b) the time(s) at which the sample was collected;
  - c) the point at which the sample was taken; and
  - d) the name of the person who collected the sample.

### **M2 Requirement to monitor concentration of pollutants discharged**

- M2.1 For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:

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## M2.2 Air Monitoring Requirements

### POINT 1

Pollutant	Units of measure	Frequency	Sampling Method
Lead	milligrams per cubic metre	Quarterly	TM-12
Mercury	milligrams per cubic metre	Quarterly	TM-14
PM10	micrograms per cubic metre	Quarterly	OM-5
Total Solid Particles	milligrams per cubic metre	Quarterly	TM-15

### M3 Testing methods - concentration limits

M3.1 Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with:

- any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or
- if no such requirement is imposed by or under the Act, any methodology which a condition of this licence requires to be used for that testing; or
- if no such requirement is imposed by or under the Act or by a condition of this licence, any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.

Note: The *Protection of the Environment Operations (Clean Air) Regulation 2010* requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".

### M4 Weather monitoring

M4.1 Suitable instrumentation must be maintained and operated to monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1. The licensee must use the sampling method, units or measure, averaging period and sample at the frequency, specified opposite in the other columns.

PARAMETER	UNITS OF MEASURE	FREQUENCY	AVERAGING PERIOD	SAMPLING METHOD
Rainfall	mm	Daily	1 hour	AM-4
Wind Speed @ 10 metres	m/s	Conitnuous	15 minute	AM-2 & AM-4
Wind Direction @ 10 metres	Degrees	Continuous	15 minutes	AM-2 & AM-4



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Temperature @ 10 metres	Degrees Celcius	Continuous	15 minutes	AM-4
Temperature @ 2 metres	Degrees Celcius	Continuous	15 minutes	AM-4
Sigma theta @ 10 metres	Degrees	Continuous	15 minutes	AM-2 & AM-4

## M5 Recording of pollution complaints

- M5.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.
- M5.2 The record must include details of the following:
- the date and time of the complaint;
  - the method by which the complaint was made;
  - any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
  - the nature of the complaint;
  - the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
  - if no action was taken by the licensee, the reasons why no action was taken.
- M5.3 The record of a complaint must be kept for at least 4 years after the complaint was made.
- M5.4 The record must be produced to any authorised officer of the EPA who asks to see them.

## M6 Telephone complaints line

- M6.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.
- M6.2 The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.
- M6.3 The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.
- M6.4 The licensee must nominate to the EPA a representative of the company that is available at all times and is capable of providing immediate assistance or response during emergencies or any other incidents at the premises. The name of the nominated representative and their contact details, including their telephone number, must be current at all times. The nomination and contact details must be provided to the EPA's Regional Manager- Hunter at PO Box 488G, Newcastle NSW 2300.  
 Note: This condition does not apply until two (2) weeks after the date of issue of the variation notice to include this condition.

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## M7 Other monitoring and recording conditions

- M7.1 Suitable instrumentation must be maintained and operated, in compliance with Australian Standard 2187.2 of 1993, to monitor overpressure and vibration caused by explosions on the premises.
- M7.2 The licensee is required to monitor noise emissions from the premises on a quarterly basis, to demonstrate compliance with the noise limits in Condition L4.1 of this licence.

The licensee must engage a suitably qualified and experienced acoustic consultant to undertake the noise compliance assessments.

## 6 Reporting Conditions

### R1 Annual return documents

- R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:
1. a Statement of Compliance,
  2. a Monitoring and Complaints Summary,
  3. a Statement of Compliance - Licence Conditions,
  4. a Statement of Compliance - Load based Fee,
  5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan,
  6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and
  7. a Statement of Compliance - Environmental Management Systems and Practices.

At the end of each reporting period, the EPA will provide to the licensee notification that the Annual Return is due.

- R1.2 An Annual Return must be prepared in respect of each reporting period, except as provided below.
- R1.3 Where this licence is transferred from the licensee to a new licensee:
- a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
  - b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.
- R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:
- a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
  - b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.
- R1.5 The Annual Return for the reporting period must be supplied to the EPA via eConnect *EPA* or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').

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R1.6 The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.

R1.7 Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:

- a) the licence holder; or
- b) by a person approved in writing by the EPA to sign on behalf of the licence holder.

Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.

Note: An application to transfer a licence must be made in the approved form for this purpose.

## R2 Notification of environmental harm

R2.1 Notifications must be made by telephoning the Environment Line service on 131 555.

R2.2 The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

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.

## R3 Written report

R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:

- a) where this licence applies to premises, an event has occurred at the premises; or
- b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.

R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.

R3.3 The request may require a report which includes any or all of the following information:

- a) the cause, time and duration of the event;
- b) the type, volume and concentration of every pollutant discharged as a result of the event;
- c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;
- d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
- e) action taken by the licensee in relation to the event, including any follow-up contact with any

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complainants;

- f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
- g) any other relevant matters.

R3.4 The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

R3.5 The licensee is required to supply a report to be submitted with the annual return, regarding the quarterly noise compliance assessments referred to in Condition M7.2 of this licence.

## R4 Other reporting conditions

### Waste reporting

R4.1 The Licensee must provide the following information to the EPA via the Waste and Resource Reporting Portal (WARRP) within 26 days after the end of each month:

- a) the quantity and source of the waste received at the Premises during the month to which the report relates;
- b) the quantity of shredder floc transported from the Premises for disposal at a scheduled waste disposal facility during the month to which the report relates;
- c) the waste types (determined in accordance with the Waste Levy Guidelines) of waste received at the Premises during the month to which the report relates;
- d) the waste stream of waste received at the Premises and transported from the Premises during the month to which the report relates;
- e) the destination to which the shredder floc generated during the month to which the report relates is being transported for disposal; and
- f) any waste, including shredder floc, that is being transported off the Premises under a resource recovery order.

### Annual Shredder Floc Performance Report

R4.2 The Licensee must provide an Annual Shredder Floc Performance Report to the EPA within 60 days after the end of the financial year period for the next five years, until 30 June 2024, that details, for the previous financial year period:

- a) performance against the shredder floc benchmark of an annual recovery rate of 77.5% from the facilities scrap metal infeed and a maximum shredder floc generation rate of 22.5% from this same infeed material;
- b) quantity in tonnes of:
  - i. scrap metal infeed processed,
  - ii. shredder floc generated,
  - iii. scrap metal recovered from processing,
  - iv. shredder floc disposed of at a scheduled waste disposal facility; and
- c) measures taken to improve the resource recovery rate of scrap metal and reduce the amount of shredder floc generated and disposed of at scheduled waste disposal facilities.

The Annual Shredder Floc Performance Report must be provided to

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[RegOps.MetroRegulation@epa.nsw.gov.au](mailto:RegOps.MetroRegulation@epa.nsw.gov.au).

- R4.3 The following records must be kept for 6 years and made available to the EPA on request:
- information required to be provided in WARRP within 26 days after the end of each month, as specified in condition R4.1; and
  - information required to compile the Annual Shredder Floc Performance Report, as specified in condition R4.2.
- R4.4 For condition R4.1 to R4.3:
- Shredder floc* means residual waste generated directly from the shredding of scrap metal.
  - WARRP* means the NSW EPA Waste and Resource Reporting Portal at: <http://warrp.epa.nsw.gov.au/default.aspx>.
  - financial year period* means the period of 12 months commencing on 1 July in any year.

## 7 General Conditions

### G1 Copy of licence kept at the premises or plant

- G1.1 A copy of this licence must be kept at the premises to which the licence applies.
- G1.2 The licence must be produced to any authorised officer of the EPA who asks to see it.
- G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.

### G2 Other general conditions

#### G2.1 Completed Programs

Program	Description	Completed Date
PRP 1 - Investigation to Reduce Smoke and Fume	Study smoke and fume reduction techniques when oxyacetylene cutting steel. Reduction of air quality emissions.	21-December-2004
PRP 2 - Investigate alternatives to reduce emissions from premises	Investigate alternatives to reduce emissions from oxy/gas cutting operations to the atmosphere. Prevent smoke and gas emissions into the environment.	01-February-2008
PRP 3 - Noise Reduction Investigation	Licensee to provide details in the form of a report of remediation measures to be implemented to reduce noise impacts to ensure compliance is met. Reduction of noise emissions and compliance with EPL.	02-November-2007
PRP 4 - Stormwater Quality Investigation	Investigation into quality of stormwater discharging the premises to assess compliance with section 120 of the POEO Act.	29-November-2013

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## 8 Pollution Studies and Reduction Programs

### U1 Surface Water Characterisation

#### *Water Balance Model*

- U1.1 The Licensee must engage a suitably qualified professional, such as a hydrological engineer, to prepare an updated water balance to estimate the frequency and volume of discharges from all water storage and stormwater management infrastructure from the Premises.
- U1.2 The water balance must:
1. Use daily time step modelling (based on a suitable climate dataset and the range of weather conditions at the Premises);
  2. Provide the design storm of storm water management system;
  3. Provide justification for key model assumptions (e.g. run-off coefficients and water re-use rates); and
  4. Identify, and where possible, address significant model limitations.
- U1.3 The water balance model must be submitted to the EPA by no later than Wednesday 4 September 2019.

#### **WATER CHARACTERISATION**

- U1.4 The Licensee must engage a suitably qualified professional, with water sampling and characterisation experience, to characterise the quality of water collected on and discharged from the Premises.

#### *Sampling Plan*

- U1.5 The Licensee must prepare a water sampling plan for the water characterisation. The water sampling plan must include:
1. Sampling location(s), including all water storages and discharge points;
  2. The pollutants to be sampled, including all those potentially present at levels that pose a risk of non-trivial harm to human health or the environment ('pollutants of concern') - this must be informed by a risk assessment of the types of materials stored and processed on the Premises;
  3. The number of sampling events/sampling frequency (a sufficient number of events must be sampled to capture the full range of operational conditions and water quality, including average or typical through to worst case scenarios).
- U1.6 Before sampling is commenced, the EPA must approve EPA the proposed pollutants to be sampled.

Note: Sampling and analysis must be consistent with the *Approved Methods for Sampling and Analysis of Water Pollutants in NSW (2004)*.

#### *Discharge Characterisation*

- U1.7 The Licensee must prepare a discharge characterisation based on the results of the sampling undertaken in accordance with condition U1.5. The discharge characterisation must:

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1. Provide a description of the receiving environment, including the environmental values of the receiving waters;
2. Compare results of sampling, to relevant ANZAST (2018) Guidelines for Fresh and Marine Water Quality trigger values. If there are no available trigger values for an analyte then refer any toxicant "technical briefs" in ANZAST (2018) or international water quality guidelines and literature to derive a guideline value; and
3. Specify the analytical limits of reporting used for any data that is assessed:
  - i. compare that limit of reporting to the relevant ANZAST (2018) assessment criteria; and
  - ii. where the limit of reporting does not provide suitable basis for assessing risk of water pollution, propose alternative options to characterise the risk, including more sensitive laboratory testing or risk mitigation options. (The level of reporting should be sensitive enough to detect pollutants at levels related to their environmental risk and ANZAST (2018) toxicant trigger (or relevant guideline value) while having regard to the best available analytical practical quantification limits using available technology.

Note: Alkalinity, hardness and pH may be considered as factors that could potentially modify the toxicity and bioavailability of any relevant metals.

## ***Discharge Impact Assessment***

U1.8 A Discharge Impact Assessment, based on the discharge characterisation, must be prepared by the Licensee. The Discharge Impact Assessment must include, as a minimum:

1. Details of expected pollutant concentrations and loads associated with any discharge.
2. An assessment of the potential impact and risk of discharges on the receiving water body, including:
  - i) reference to the relevant ANZAST (2018) assessment criteria for slightly - to moderately disturbed ecosystems and the NSW Water Quality Objectives (NSW WQOs) for Ironbark Creek;
  - ii) a comparison of pollutant concentrations at the discharge point(s) and the edge of any near-field mixing zone with ANZAST (2018) trigger values;
  - iii) the acute and chronic toxicity of pollutants at the point of discharge and after initial mixing;
  - iv) the fate of the environment of the pollutants contained in the discharge; and
  - v) the fate of pollutants that can bio-accumulate or accumulate in the sediment.
3. The environmental values of the receiving waters and an assessment of the potential impact of any proposed discharge on those values.
4. A description of the effects and significance of any pollutant loads on the receiving environment, including consideration of potential impacts on downstream receiving waters.

U1.9 The Discharge Impact Assessment must be submitted to the EPA by no later than Friday 27 March 2020.

## ***Surface Water Mitigation and Monitoring Plan***

U1.10 The Licensee must prepare a Surface Water Mitigation and Monitoring Plan. The Surface Water Mitigation and Monitoring Plan must include, as a minimum, the following components:

1. An investigation of all practical and reasonable measures that could be taken to avoid or minimise pollution based on the discharge characterisation and discharge impact assessment. Consideration must include, but be not limited to:



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- i) measures to control or contain pollutants at the source on the Premises (i.e. avoiding the generation of contaminated water or reducing the volume of contaminated water run-off;
- ii) sediment and erosion controls;
- iii) contaminated water capture and storage requirements; and/or
- iv) options for the treatment of unavoidable discharges of contaminated water from the Premises to meet specific water quality requirements.

2. Demonstration of how your water storage and stormwater management infrastructures are (or will be) designed and operated to:

- i) protect the NSW Water Quality Objectives (WQO's) for receiving waters where they are currently being achieved; or
- ii) contribute towards achievement of the WQO's over time where they are not currently being achieved.

3. Development of a program of preferred mitigation measures with proposed timeframes for implementation.

4. Justification for rejecting any practical and reasonable measures assessed.

5. Where discharges from the Premises are unavoidable, establish an ongoing discharge monitoring program to validate outcomes of the proposed mitigation measures. The program must include at a minimum:

- i) monitoring of rainfall;
- ii) identification of pollutants to be monitored based on the discharge characterisation, discharge impact assessment and proposed mitigation measures;
- iii) monitoring of discharge frequency and volumes;
- iv) location of monitoring points;
- v) frequency of monitoring;
- vi) method of monitoring;
- vii) performance criteria; and
- viii) proposed actions and mitigation measures for managing pollutants, volume or frequency exceedences.

U1.11 The Surface Water Mitigation and Monitoring Plan must be submitted to the EPA by no later than Friday 24 April 2020.

## U2 Soil and Groundwater Assessment

### *Stage 1 - Preliminary Site Investigation*

- U2.1 The Licensee must prepare a Preliminary Site Investigation (PSI). The PSI must include (but be not limited to);
- i) Review of current and historical site activities, and site and surrounding land use history to identify potential sources of contamination;
  - ii) Identify contaminants of potential concern and potentially affected media (for example soil,



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groundwater, surface water, sediment);

iii) Consider the hydrogeological setting;

iv) Develop an initial conceptual site model for the Premises and identify gaps that need to be addressed to assess the potential risks to Ironbark Creek; and

v) A scope of works to undertake a detailed site investigation.

The Preliminary Site Investigation must be submitted to the EPA for review and comment by no later than Wednesday 14 August 2019.

## **Stage 2 - Detailed Site Investigation and Report**

U2.2 The Licensee must undertake a Detailed Site Investigation (DSI). The DSI must include (but be not limited to);

i) Sampling from appropriate media (as identified by the PSI);

ii) Assessment of the contaminants of potential concern against the Investigation Levels as prescribed by NEPM 2013; and

iii) A Quantitative Risk Assessment (QRA) to assess risks to Ironbark Creek (if required based on the sampling results).

The Licensee must submit to the EPA by Friday 12 June 2020, the following data:

- a site plan showing the final sampling locations;

- borelogs; and

- summary tables of analytical results compared to adopted assessment criteria for all media sampled.

U2.3 The Licensee must prepare a Detailed Site Investigation Report based on the findings of the Detailed Site Investigation Study required by condition U2.2.

The Detailed Site Investigation Report must include (but not be limited to) a conclusion on the potential risks from any identified site contamination to Ironbark Creek.

The Detailed Site Investigation Report must be submitted to the EPA by Friday 24 July 2020.

U2.4 The Preliminary and Detailed Site Investigations must be completed in accordance the requirements of the National Environmental Protection (assessment of contamination) Measures 2013, as amended.

Additional guidance that should be considered (but not limited to) includes:

- NSW EPA Sampling Design Guidelines

- Guidelines for the NSW Site Auditor Scheme (3rd edition) 2017

- Guidelines for Consultants Reporting on Contaminated Sites

U2.5 The Preliminary and Detailed Site Investigation Reports must be prepared, reviewed and approved by a practitioner certified by an EPA-recognised scheme.

## **U3 Dust Mitigation Study**

U3.1 The Licensee must undertake a Dust Mitigation Study. The Dust Mitigation Study must include, at a minimum:

1. A comprehensive process flow diagram, describing the processes, air emission discharge points and

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control technologies used in the scrap metal processing process;

2. A dust emissions inventory of the facility, identifying all significant dust emission sources. Dust sources should indicate (but not necessarily limited to) those involved in the metal processing process, as well as wind blown and wheel generated dust. The emissions inventory should include emissions from both point sources and fugitive sources;

3. A comprehensive review of all practicable dust emission mitigation options, including an evaluation of the potential reduction in dust emissions for each mitigation option; and

4. Identification of the most feasible mitigation measures to ensure compliance with the Act.

U3.2 The Licensee must prepare a Dust Mitigation Report based on the finding of Dust Mitigation Study required by condition U3.1.

The Dust Mitigation Report must include a proposed timetable for the selection and implementation of mitigation measures.

The Dust Mitigation Report must be submitted to the EPA by no later than Friday 30 August 2019.

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## Dictionary

### General Dictionary

<b>3DGM [in relation to a concentration limit]</b>	Means the three day geometric mean, which is calculated by multiplying the results of the analysis of three samples collected on consecutive days and then taking the cubed root of that amount. Where one or more of the samples is zero or below the detection limit for the analysis, then 1 or the detection limit respectively should be used in place of those samples
<b>Act</b>	Means the Protection of the Environment Operations Act 1997
<b>activity</b>	Means a scheduled or non-scheduled activity within the meaning of the Protection of the Environment Operations Act 1997
<b>actual load</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>AM</b>	Together with a number, means an ambient air monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
<b>AMG</b>	Australian Map Grid
<b>anniversary date</b>	The anniversary date is the anniversary each year of the date of issue of the licence. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
<b>annual return</b>	Is defined in R1.1
<b>Approved Methods Publication</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>assessable pollutants</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>BOD</b>	Means biochemical oxygen demand
<b>CEM</b>	Together with a number, means a continuous emission monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
<b>COD</b>	Means chemical oxygen demand
<b>composite sample</b>	Unless otherwise specifically approved in writing by the EPA, a sample consisting of 24 individual samples collected at hourly intervals and each having an equivalent volume.
<b>cond.</b>	Means conductivity
<b>environment</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>environment protection legislation</b>	Has the same meaning as in the Protection of the Environment Administration Act 1991
<b>EPA</b>	Means Environment Protection Authority of New South Wales.
<b>fee-based activity classification</b>	Means the numbered short descriptions in Schedule 1 of the Protection of the Environment Operations (General) Regulation 2009.
<b>general solid waste (non-putrescible)</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997

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<b>flow weighted composite sample</b>	Means a sample whose composites are sized in proportion to the flow at each composites time of collection.
<b>general solid waste (putrescible)</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>grab sample</b>	Means a single sample taken at a point at a single time
<b>hazardous waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>licensee</b>	Means the licence holder described at the front of this licence
<b>load calculation protocol</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>local authority</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>material harm</b>	Has the same meaning as in section 147 Protection of the Environment Operations Act 1997
<b>MBAS</b>	Means methylene blue active substances
<b>Minister</b>	Means the Minister administering the Protection of the Environment Operations Act 1997
<b>mobile plant</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>motor vehicle</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>O&amp;G</b>	Means oil and grease
<b>percentile [in relation to a concentration limit of a sample]</b>	Means that percentage [eg.50%] of the number of samples taken that must meet the concentration limit specified in the licence for that pollutant over a specified period of time. In this licence, the specified period of time is the Reporting Period unless otherwise stated in this licence.
<b>plant</b>	Includes all plant within the meaning of the Protection of the Environment Operations Act 1997 as well as motor vehicles.
<b>pollution of waters [or water pollution]</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>premises</b>	Means the premises described in condition A2.1
<b>public authority</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>regional office</b>	Means the relevant EPA office referred to in the Contacting the EPA document accompanying this licence
<b>reporting period</b>	For the purposes of this licence, the reporting period means the period of 12 months after the issue of the licence, and each subsequent period of 12 months. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
<b>restricted solid waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>scheduled activity</b>	Means an activity listed in Schedule 1 of the Protection of the Environment Operations Act 1997
<b>special waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>TM</b>	Together with a number, means a test method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .

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<b>TSP</b>	Means total suspended particles
<b>TSS</b>	Means total suspended solids
<b>Type 1 substance</b>	Means the elements antimony, arsenic, cadmium, lead or mercury or any compound containing one or more of those elements
<b>Type 2 substance</b>	Means the elements beryllium, chromium, cobalt, manganese, nickel, selenium, tin or vanadium or any compound containing one or more of those elements
<b>utilisation area</b>	Means any area shown as a utilisation area on a map submitted with the application for this licence
<b>waste</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>waste type</b>	Means liquid, restricted solid waste, general solid waste (putrescible), general solid waste (non - putrescible), special waste or hazardous waste

Mr Tim Gilbert

Environment Protection Authority

(By Delegation)

Date of this edition: 31-March-2000

# Environment Protection Licence

Licence - 5345



## End Notes

- 1 Licence transferred through application 140291, approved on 09-Apr-2001, which came into effect on 19-Dec-2000.
- 2 Licence varied by Admin corrections to archived record, issued on 04-Dec-2002, which came into effect on 04-Dec-2002.
- 3 Licence varied by notice 1030201, issued on 31-Aug-2004, which came into effect on 25-Sep-2004.
- 4 Licence varied by notice 1061534, issued on 23-Feb-2007, which came into effect on 23-Feb-2007.
- 5 Licence varied by notice 1071271, issued on 30-Mar-2007, which came into effect on 30-Mar-2007.
- 6 Licence varied by notice 1078548, issued on 06-Nov-2007, which came into effect on 06-Nov-2007.
- 7 Licence varied by notice 1081261, issued on 17-Dec-2007, which came into effect on 17-Dec-2007.
- 8 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 9 Licence varied by notice 1504637 issued on 11-Oct-2013
- 10 Licence varied by notice 1573877 issued on 28-May-2019
- 11 Licence varied by notice 1583567 issued on 07-Aug-2019
- 12 Licence varied by notice 1589850 issued on 06-Mar-2020
- 13 Licence varied by notice 1595084 issued on 27-May-2020
- 14 Licence varied by notice 1600771 issued on 27-Nov-2020

# Appendix D

Independent  
Environmental Audit  
2020

**Independent Environmental Audit:  
Infrabuild Hexham Recycling Facility  
Development Approval DA345-7-2003-i**



**Assessment of Infrabuild Recycling - Hexham  
Against the DA345-7-2003-i Conditions of Consent**

Audit Reference:	<b>AQ1293</b>
Audit Organisation:	<b>Infrabuild Recycling, Hexham</b>
Auditors:	<b>James Hart, Lead Auditor, AQUAS</b>
Date of Audit:	<b>19 November 2020</b>
Draft Report Submitted:	<b>14 December 2020</b>
Final Report Submitted:	<b>17 December 2020</b>



# Amendment, Distribution & Authorisation Record

## Version Control and Distribution

Revision No.	Date	Reasons for Revision	Issued to
Draft	14/12/2020	Draft issued to Infrabuild Recycling for Review	Gregor Riese, Paul Smith
Final	17/12/2020	Final for Issue	Gregor Riese, Paul Smith

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This report has been prepared and reviewed in accordance with our Quality control system.

This report has been prepared by:

**JAMES HART**  
Environmental Auditor

Date: 17/12/2020

Reviewed by:

**ANNABELLE TUNGOL**  
Lead Environmental Auditor

Date: 7/12/2020

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## 1. Executive Summary

This audit was completed to assess the compliance of Infrabuild Recycling with the requirements of Development Approval 345-7-2003-i Condition 5.12. The audit was conducted by AQUAS (James Hart – Lead Auditor) on 19 November 2020.

Overall, the project environmental performance in relation to the Development Approval 345-7-2003-i is satisfactorily met with the following key strengths noted:

- Programs have been developed and implemented for maintenance of plant and equipment;
- Internal and external communication with the community and stakeholders continue to be undertaken;
- Non-conformances raised have been recorded, communicated and corrective actions implemented;
- Environmental controls on site have been implemented, including:
  - erosion and sedimentation i.e. drain/pits covered;
  - dust and vibration monitoring devices were installed around the site and reports have been received periodically;
  - controls had been developed for management of truck movements;
  - noise monitoring had been conducted to assess operational impacts on identified sensitive receivers;
  - waste segregation is in place; and
  - dust controls had been installed and implemented.

### Summary of Audit Findings

Based on the conducted independent environmental audit which comprised of document and records review, interview with key personnel and site inspection there were a total 97 Conditions of Consent that have been reviewed during this audit.

The following are the audit findings raised that need to be addressed by Infrabuild Recycling to attain full compliance with Development Approval 345-7-2003-i and continually improve the environmental performance of the development.

### Non-Compliant

There are 9 non-compliances raised during this audit, however, some of them were immediately closed out after the audit:

- NC-01 Condition 1.2, 2.5 - Non-compliances have been identified as a result of the current Independent Environmental Audit.
- NC-02 – Condition 4.3 – Quarterly noise monitoring conducted for the project reported exceedances of site-specific noise criteria in Quarter 2 of 2020.
- NC-03 - Condition 4.8E - Continuous noise monitoring has not been conducted at St Joseph’s Catholic Care of the Aged facility.
- NC-04 - Condition 4.46 – Chemical containers had not always been stored in bunded areas.
- NC-05 - Condition 7.1 and EPL M6.4 – Evidence that the EPA and DPIE had been formally advised of the change to the environmental representative was not available.
- NC-06 - Condition 7.4 – The Operational Environmental Management Plan (OEMP) did not address all requirements of consent condition 7.4.
- NC-07 – Condition 7.5 - Subplans required under the OEMP do not include all information as required by Condition 7.5.
- NC-08 – Condition 8.3 - No evidence was sighted to demonstrate that the Annual Environmental Management Report was submitted to Council every year.
- NC-09 – EPL 6.2 - The Infrabuild website lists the contact number for the site - 02 4961 9700 which is the Hexham reception and operates during business hours. However, this number is not clearly identified as the complaints line.

## 2. Introduction

### 2.1 Background

InfraBuild Recycling (InfraBuild) operates a metal recycling facility at Hexham, Newcastle, which specialises in the safe handling, collection and processing of ferrous and non-ferrous scrap metal.

In 2003, an application was submitted to the NSW Department of Planning and Infrastructure (now NSW Department of Planning, Industry and Environment - DPIE) for the construction and operation of a metal recycling facility. Approval was granted under Part 1, Schedule 3 of the Environmental Planning and Assessment Regulation 2000 on 2 February 2004 (S03/00986). Five modifications to the project approval have been approved, the latest being 17 May 2005.

The Conditions of Approval require Infrabuild to appoint an independent auditor to assess compliance with the Minister's Conditions of Approval obtained for the metal recycling operations.

Condition 5.12 of the approval requires:

*Within two years of the commencement of construction of the development, and then as may be directed by the Director-General, the Applicant shall commission an independent person or team to undertake an Environmental Audit of the development. The independent person or team shall be approved by the Director-General prior to the commencement of the Audit. The Audit shall:*

- a. be carried out in accordance with ISO 19011:2002 - Guidelines for Quality and/or Environmental Management Systems Auditing;
- b. assess compliance with the requirements of this consent, and other licences and approvals that apply to the development
- c. assess the environmental performance of the development against the predictions made and conclusions drawn in the documents referred to under condition 1.2 of this consent; and
- d. review the effectiveness of the environmental management of the development, including any environmental impact mitigation works.

An Environmental Audit Report shall be submitted to the Director-General within two months of the completion of the Audit, detailing the findings and recommendations of the Audit and including a detailed response from the Applicant to any of the recommendations contained in the Report.

### 2.2 Project Details

Project Name	Infrabuild Recycling Hexham
Project Application Number	345-7-2003-i
Project Address	14 Sparke Street, Hexham NSW
Project Phase	Operation
Project Activity Summary	Metal Recycling.

### 2.3 Audit Team

Details of the AQUAS environmental auditors for this audit were submitted to the Department of Planning, Industry and Environment (DPIE). Endorsement by DPI&E of the following auditors was granted prior to the conduct of the audit Refer to **Appendix A**:

Name	Company	Certification
James Hart	AQUAS	Exemplar Global Principal Environmental Auditor – Certificate No. 12105

### 2.4 Audit Objectives

The objective of this Independent Environmental Audit was to assess the operations at the Hexham Recycling Facility and provide a report in accordance with the requirements of Condition 5.12 of the development approval.

### 2.5 Audit Scope

The scope of this audit was limited to the recycling facility located at 14 Sparke St, Hexham, and the activities and processes carried out by Infrabuild in operating the facility. The audit is the third for the project and covered the period since the previous IEA site inspection on 19 December 2016 and was undertaken with consideration of the Independent Audit – Post Approval Requirements (DPIE 2020).

The scope of the audit is as follows:

- Consultation with agencies and community representatives to obtain feedback and identify any key issues;
- Site inspection of current activities to assess on-site compliance with conditions and commitments;
- Review of records to assess compliance with the:
  - DPIE Conditions of approval;
  - Environmental Protection Licence No 5345;
  - Operational Environmental Management Plan;
  - Air Quality Management Plan;
  - Noise Management Plan;
  - Traffic Management Plan;
  - Acid Sulphate Management Plan;
  - Stormwater Management Plan;
  - Waste Management Plan;
- Organisational units, activities and processes relating to the development that are referred to in the relevant regulatory approval.

### 2.6 Audit Period

This was the third independent environmental audit carried out for the development which covers the review of environmental documentation and records for the operations since the previous site inspection conducted on 19 December 2016.

---

It should be noted that this report is based on the result of sampling and supplied documentation/records, as well as site activities on the day of audit (19 November 2020) and submission of evidence within the Infrabuild's Response dated 8 December 2020.

## 3. Audit Methodology

### 3.1 Approval of Auditors

Letter from the Planning Secretary agreeing to the auditors is attached as **Appendix B**.

### 3.2 Audit scope development

AQUAS developed the audit scope and a checklist based on the Development Approval 345-7-2003-i Requirements. Refer to **Appendix E** of this report.

### 3.3 Audit Process

#### 3.3.1 Opening Meeting

The audit commenced with an Opening Meeting to confirm the scope, purpose, and timeline of the audit. The Opening Meeting was held at 09.00am on 19 November 2020 with Infrabuild representatives and the AQUAS auditor as per the Audit Attendance Sheet. Refer to **Appendix C** of this report.

Key items were discussed, including:

- Confirmation of the purpose and scope of the audit;
- Overview of the operations and status of the works;
- Occurrence of any environmental incidents; and
- Overview of the audit process.

#### 3.3.2 Conduct of Audit

Audit activities included the following:

- Reviewed the project documentation (OEMP and its sub-plans) to verify compliance with the Development Approval Conditions 345-7-2003-i;
- Conducted a site walk to review implementation of mitigation measures and environmental controls;
- Conducted the audit following the checklist that was prepared based on the Development Approval Conditions by interviewing personnel and review of records provided as evidence of compliance; and
- Any identified findings were discussed during closing meeting and any actions noted during site inspection were clearly communicated to the site personnel.

#### 3.3.3 Closing Meeting

The closing meeting was held on 19 November 2020 at 4:30pm with representatives of Infrabuild and AQUAS. General feedback and the findings of the audit were discussed during the closing meeting.

AQUAS auditors acknowledged the cooperation, openness and hospitality of Infrabuild staff during the conduct of this audit.



### 3.4 Interviewed Persons

Name and position of persons interviewed:

Name	Organisation	Position
Gregor Riese	Project Support	Liberty GFG (Infrabuild parent company)
Paul Smith	Site Manager	Infrabuild Recycling
Jamie Vanderlay	Maintenance Planner	Infrabuild Recycling

### 3.5 Details of Site Inspection

A site walk around was conducted with focus on the following controls:

- Erosion and sedimentation controls including sediment fences and controls around pits.
- Traffic management and surroundings dust/mud tracking;
- Stabilised access/egress;
- Dust, noise, vibration and waste management;
- Site fence/screening;
- Chemical storage;
- Site signage; and
- General housekeeping.

Photos taken during site inspection are included in the **Appendix F**.

### 3.6 Consultation

DPIE were consulted and requested that the EPA be consulted to obtain their input into the scope of the audit. Comments provided by the EPA are provided in the table below.

Contact	Agency	Comments
Joel Curran Senior Compliance Officer Compliance   Department of Planning, Industry and Environment	Department of Planning, Industry and Environment	Based on previous IEA and site inspections, I would like to see a focus on an assessment of the adequacy and potential improvements for: <ul style="list-style-type: none"> <li>• Dust management – hardstand areas and crusher facility;</li> <li>• Sediment tracking; and</li> <li>• Surface water management.</li> </ul>
Karen Gallagher Acting Senior Compliance Officer Regulatory & Compliance Support Unit	NSW Environment Protection Authority	Refer to EPA licence, in particular pollution studies required and processes for air quality and surface water management

Refer to **Appendix F** for consultation records.

### 3.7 Audit Compliance Status Descriptors

The following audit criteria were used for the rating of audit findings.

Status	Description
Compliant	The auditor has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with within the scope of the audit.
Non-Compliant	The auditor has determined that one or more specific elements of the conditions or requirements have not been complied with within the scope of the audit.
Not Triggered	A requirement has an activation or timing trigger that has not been met at the time when the audit is undertaken, therefore an assessment of compliance is not relevant.

## 4. Document Review

The following documents were reviewed and/or sighted as part of this audit:

- Consolidated Conditions of Consent Mod-49-3-2005-i-approved 17 May 2005;
- Recycling Environmental Awareness Training, V2.1, 11/02/2015.
- Introduction to Recycling Environment Management System, 9/11/2014.
- OneSteel Recycling Hexham Independent Environmental Compliance Audit Report, 6 June 2017
- Annual Environmental Management Report 2017;
- Annual Environmental Management Report 2018;
- Annual Environmental Management Report 2019;
- InfraBuild Recycling Hexham Quarterly Noise Monitoring Report - Quarter 1 2020;
- InfraBuild Recycling Hexham Quarterly Noise Monitoring Report - Quarter 2 2020;
- InfraBuild Recycling Hexham Quarterly Noise Monitoring Report - Quarter 3 2020;
- Hexham Traffic Management Plan (HEX-OPS-PC-SOP-602);
- Hexham Driver/Contractor Induction Procedure;
- Quarterly Emissions Testing Reports – AECOM;
- Air Quality Impact Assessment - Smorgon Steel Recycling Hexham NSW 2322, 24 November 2005;
- Email correspondence from Murray Cameron 15/09/2005;
- Complaints Register 2017;
- Complaints Register 2018;
- Complaints Register 2019;
- Complaints Register 2020;
- Operation Environmental Management Plan V3, 21/11/2019;
- Letter from DPIE 12/08/2019 - Liberty Recycling Hexham (DA 345-7-2003-i) 2018 Annual Environmental Management Report;
- Letter from DPIE 22/01/2020 - Infrabuild Recycling Hexham (DA 345-7-2003-i) Revised 2018 Annual Environmental Management Report;
- Pollution Incident Response Management Plan, V1 10/08/2020;
- On-site Sewer Permit Issued by Newcastle City Council 2014-2017;
- Civcon Service Maintenance Report Onsite Sewer System, 10/09/2020;
- 2017 Independent Audit Action Plan, updated 23 November 2020;
- Letter to EPA 2/08/2019 - Dust Complaint;
- Letter to EPA 14/06/2019 – Smoke Complaint;
- Stormwater Quality Monitoring Program Metal Shredding Facility, Sparke Street Hexham 23 November 2004;
- Environmental Protection Licence No 5345, 27 May 2020;
- Surface Water Sampling Plan Liberty Recycling Facility - AECOM, Draft 9 August 2019;
- Water Balance Model InfraBuild Recycling Facility - AECOM, 9 September 2019;
- Discharge Characterisation Report, AECOM 27 March 2020;
- Discharge Impact Assessment, AECOM 3 April 2020;
- Surface Water Mitigation and Monitoring Plan, AECOM 29 April 2020;
- Detailed Design Shredder and NF Pit, Ecosol, 17/05/2018;

## 5. Audit Findings

### 5.1 Assessment of Compliance

The audit determined that Infrabuild has generally implemented environmental controls to manage the environmental impacts of its operations. The comparison of audit requirements against the compliance ratings is as follows:

DA Requirements	Requirements	Findings
Part 1 – General	6	Compliant – 2
		Non-Compliant – 1
		Not Triggered – 3
Part 2 – Compliance	5	Compliant – 3
		Non-Compliant – 1
		Not Triggered – 1
Part 3 – Construction and Part 4A Certification	2	Compliant – 0
		Non-Compliant – 0
		Not Triggered – 2
Part 4 – Environmental Performance	59	Compliant – 30
		Non-Compliant – 3
		Not Triggered – 26
Part 5 – Environmental Monitoring and Auditing	12	Compliant – 9
		Non-Compliant – 0
		Not Triggered – 3
Part 6 – Community Information	4	Compliant – 3
		Non-Compliant – 1
		Not Triggered – 0
Part 7 – Environmental Management	5	Compliant – 0
		Non-Compliant – 3
		Not Triggered – 2

Part 8 – Environmental Monitoring	4	Compliant – 1
		Non-Compliant – 2
		Not Triggered – 1
Total DA Requirements Reviewed during this audit (97)	Compliant	48
	Non-Compliant	11
	Not Triggered	38

Note: Part 4 includes 4.8 A-E and 4.15A

## 5.2 Notices, Incidents and Complaints

On 23 June 2020, EPA conducted a site inspection which identified issues related to water discharge and dust emissions. A show cause notice was issued on 14 August 2020 which was responded to on 4 September. Further information was provided by Infrabuild to the EPA on 6 October 2020. EPA issued a Penalty Notice Advice on 30 November 2020.

NSWEPA, had issued 5 variations to the EPL since the previous independent environmental audit. Licence variation 1573877 was issued which required the completion of a Pollution Study and Dust Mitigation Study, and added conditions requiring Surface Water Characterisation study, a Soil and Ground Water Assessment and a Dust Mitigation Study. Five variations were issues which provided extensions of time for the submissions of studies required. Licence variation 1600771 was issued which provided a licence variation with the addition of reporting conditions R1 to R4.

A Complaints Register is available where information about the complaints were recorded. Records for 2017 to November 2020 were reviewed. Four complaints had been received in 2019. Responses to all complaints had been recorded in the register and implemented where applicable.

## 5.3 Previous Audit Recommendations

This is the third independent environmental audit conducted. Audit findings from the previous audit conducted by Coffey in December 2016 were reviewed. Appendix A – Previous Audit Recommendations includes actions identified and implemented by Infrabuild to address the previous audit recommendations and status.

## 5.4 Audit Site Inspection

The site inspection was conducted at 1:00pm on 19 November 2020. AQUAS auditors and Infrabuild representatives walked through the site, where environmental controls were observed, including:

- Stormwater controls;
- Site facilities;
- Waste storage;
- Weather station;
- Chemical storage;
- Site access/egress;
- Dust controls;
- Housekeeping.

Issues raised during the site inspection were addressed immediately during the day of this audit. Please refer to photos of the site inspection in **Appendix F**.

## 5.5 Suitability of Plans and the EMS

Although the OEMP, including sub-plans had been prepared and approved for the operations, review of the documentation found areas where the OEMP and subplans did not meet all requirements of the development approval. A non-compliance was raised in relation to conformance of the OEMP and subplans to the requirements of the development approval. It is recommended that the OEMP and subplans be reviewed and updated to ensure compliance with conditions of consent. The updated OEMP should be submitted to DPIE for review and approval.

## 5.6 Development Past Performance

This is the third audit conducted on the project. Actions had been identified and implemented to address findings from previous audits. Monitoring records show that the operations were generally conducted in accordance with the requirements of the development approval and Environmental Protection Licence.

Stack emission monitoring has been conducted on a quarterly basis. Results of monitoring show that emissions are consistently less than the maximum allowable discharge concentration limits. Infrabuild may consider seeking a review of EPL licence requirements to reduce the frequency of stack emission monitoring undertaken.

Noise monitoring has been conducted in accordance with the requirements of the conditions of consent and the EPL. While general conformance with noise limits has been reported, it is noted that high ambient noise levels has resulted in noise levels at the identified receivers being higher than the noise limits identified in the conditions of consent and EPL. To determine the impact of noise generated by operations on the identified receivers, noise monitoring has been conducted at the site boundary and extrapolated to calculate noise levels. Calculated results show noise limits were generally complied with conditions of consent and EPL requirements. Given the difficulty in determine noise impacts from the operations at the identified receivers due to high background noise levels, Infrabuild may consider seeking an amendment to noise monitoring requirements to require noise monitoring at the boundary.

Two non-compliance were raised in relation to noise monitoring. Noise monitoring results for Quarter 2 in 2020 returned and exceedance of noise criteria at one location during the day period. In addition, consent condition 4.8E requires continuous monitoring to be conducted at the St Joseph's Catholic Care of the Aged facility. However, monitoring has been conducted on a quarterly basis (as required by the EPL).

The NSW Environmental Protection Authority (EPA) issued Infrabuild with a Notice of Variation to their existing EPL on 28/03/2019, which prescribed Pollution Studies and Reduction Programs to be undertaken for surface water, soil and groundwater, and dust mitigation.

Studies required for surface water characterisation have been developed, including a Water Balance Model, Discharge Characterisation Report and Discharge Impact Assessment, Surface Water Sampling Plan, and Surface Water Mitigation and Monitoring plan. Documentation had been provided to the EPA and updated to address comments. Improvements identified in the investigations were being implemented, including the implementation of a quarterly water monitoring program.

A Preliminary Site Investigation was undertaken by AECOM and report submitted to the EPA (Dated 22/08/2019). A Detailed Site Investigation was conducted by Kleinfelder (20/07/2020) and provided to the EPA for comment.

A Dust Mitigation Study was conducted by AECOM and the report submitted to EPA for review, with comments provided by EPA. Subsequently, a Revised Dust Mitigation Report was provided to the EPA on 30/01/2020. Further revision was required with the updated report provided on 24/04/2020. A number of controls identified in the dust mitigation study had been implemented, and it was noted

that dust monitoring results show a decreasing trend in dust levels.

### 5.7 Actual and Predicted Impacts

There are no significant change or additional impacts noted as a result of the operations based on the monitoring results.

### 5.8 Key Strengths

Overall, the project environmental performance in compliance with Development Approval is satisfactorily met with the following key strengths noted:

- Programs have been developed and implemented for maintenance of plant and equipment;
- Internal and external communication with the community and stakeholders continue to be undertaken;
- Non-conformances raised have been recorded, communicated and corrective actions implemented;
- Environmental controls on site have been implemented, including:
  - erosion and sedimentation i.e. drain/pits covered;
  - dust and vibration monitoring devices were installed around the site and reports have been received periodically;
  - controls had been developed for management of truck movements;
  - noise monitoring had been conducted to assess operational impact on identified sensitive receivers;
  - waste segregation in place; and
  - dust controls had been installed and implemented.

## 6. Findings and Recommendations

The following table outlines the identified non-compliances that need to be addressed and the auditor's recommendations. Refer to the attached **Appendix D** for full details of findings including auditor notes.

Issue No.	Condition	Requirement	Issue sighted	Recommendation
NC-01	1.2, 2.5	<p>The Applicant shall carry out the development generally in accordance with:</p> <ul style="list-style-type: none"> <li>a) Development Application No. 345-7-2003-i, lodged with the Department of Infrastructure, Planning and Natural Resources on 25 July 2003, as amended by:               <ul style="list-style-type: none"> <li>i) MOD-32-3-2004-i, in relation to modification of the consent to require the construction of an acoustic barrier, the conditional restriction of activities and deliveries at the site and a requirement to establish a Community Consultative Committee;</li> <li>ii) MOD-37-3-2004-i, in relation to modification of the consent with respect to the timing of approvals for certain pre-construction compliance reports to enable the staged commencement of construction works;</li> <li>iii) MOD-45-4-2004-i in relation to modification of the consent with respect to the timing of approvals for certain pre-construction compliance reports to enable the commencement of construction works, and to provide for an alternative U-Turn facility;</li> <li>iv) MOD-111-11-2004-i, in relation to modification of the development consent with respect to altering the timing for the completion of roadworks;</li> <li>v) MOD-49-3-2005-i, in relation to modification of the consent with respect to removing the requirement to provide an</li> </ul> </li> </ul>	Non-compliances have been identified as a result of the current Independent Environmental Audit.	Infrabuild should ensure that appropriate processes are developed and implemented to ensure compliance with the requirements of the conditions of consent.



Issue No.	Condition	Requirement	Issue sighted	Recommendation
		acoustic barrier at St Joseph’s Catholic Care for the Aged facility; b) Metal Shredding Facility at Hexham – Environmental Impact Statement (Volumes 1, 2 and 3), prepared by SMEC Australia Ltd and dated July 2003;		
NC-01	2.5	The Applicant shall meet the requirements of the Director-General in respect of the implementation of any measure necessary to ensure compliance with the conditions of this consent, and general consistency with the documents listed under condition 1.2 of this consent. The Director-General may direct that such a measure be implemented in response to the information contained within any report, plan, correspondence or other document submitted in accordance with the conditions of this consent, within such time as the Director-General may agree.	Non-compliances have been identified as a result of the current Independent Environmental Audit.	Infrabuild should ensure that appropriate processes are developed and implemented to ensure compliance with the requirements of the conditions of consent.
NC-02	4.3	<b>Operation Noise</b> <sup>1</sup> The Applicant shall design, construct, operate and maintain the development to ensure that noise generated during the operation of the development does not exceed the noise limits specified in Table 2, at those locations and during those periods indicated. The maximum allowable noise contributions apply under: a) wind speeds up to 3 ms-1 (measured at 10 metres above ground level); and b) temperature inversion conditions up to 3oC per 100 metres. <b>Table 1 - Operation Noise Limits</b>	Quarterly noise monitoring conducted for the project reported exceedances of site-specific noise criteria in Quarter 2 of 2020.	It is recommended that Infrabuild review noise monitoring data to determine the cause of the exceedances identified to determine if the exceedances are the result of onsite activities. Where the cause of the exceedances is determined to be on site activities, these activities should be modified to reduce the noise impact and surrounding receivers.

<sup>1</sup> Incorporates an EPA General Term of Approval (L6.1, L6.2 and L6.3)

Issue No.	Condition	Requirement				Issue sighted	Recommendation	
		Location	Day 7:00am to 6:00pm Monday to Saturday 8:00am to 6:00pm Sundays and Public Holidays	Evening 6:00pm to 10:00pm on any day	Night 10:00pm to 7:00am Monday to Saturday 10:00pm to 8:00am Sundays and Public Holidays			
			L <sub>Aeq</sub> (15 minute)	L <sub>Aeq</sub> (15 minute)	L <sub>Aeq</sub> (15 minute)	L <sub>A</sub> (1 minute)		
		Any residence in Shamrock Street, Hexham, affected by noise from the premises	47	48	45	55		
		St Joseph's Retirement Village and any associated residence in Old Maitland Road, Hexham, affected by noise from the premises	53	42	41	56		
		Any operating industrial premises affected by noise from the premises	70	70	70	N/A		
NC-03	4.8E	The Applicant shall install noise monitoring equipment at the St Joseph's Catholic Care of the Aged facility, in consultation with the owners of that property, and to the satisfaction of the Director-General. The Applicant shall operate the noise monitoring equipment on <b>an on-going basis</b> , as may be agreed with the St Joseph's Catholic Care of the Aged facility, to monitor noise impacts from the development on that property. All monitoring data shall be made available to the St Joseph's Catholic Care of the Aged facility. The Applicant may only cease noise monitoring in accordance with this condition, after having consulted with the St Joseph's Catholic Care of the Aged facility, and only with the agreement of the Director-General.					Noise monitoring equipment has not been installed at St Joseph's Catholic Care of the Aged facility to monitor noise on an on-going basis. Quarterly monitoring conducted by AECOM. No record was available to show that changes to the requirement for continuous noise monitoring had been approved by DPIE.	It is recommended that Infrabuild undertake an investigation to determine if the current monitoring program has been approved by DPIE. If no approval has been provided, then Infrabuild should implement noise monitoring in compliance with Condition 4.8E or seek agreement from St Joseph's Catholic Care of the Aged facility, and the Director-General for a modification the requirement for continuous noise monitoring.
NC-04	4.46	All chemicals, fuels and oils shall be stored in appropriately bunded areas, with impervious flooring and sufficient capacity to contain 110% of the largest container stored within the bund. Bunds shall be designed and installed in accordance the requirements of the EPA's <i>Environmental Protection Manual Technical Bulletin Bunding and Spill Management</i> .					During the site inspection, it was found that chemical containers had not always been stored in bunded areas.	All chemicals containers should be stored in bunded areas which comply with the requirements of the EPA's Environmental Protection Manual Technical Bulletin Bunding and Spill Management.
NC-05	7.1	Prior to the commencement of construction of the development, the Applicant shall nominate a suitably qualified and experienced Environmental Representative(s). The Applicant shall employ the Environmental					New site manager who is the environmental representative.	Infrabuild should formally notify DPIE and the EPA of changes to the appointment of the environmental

Issue No.	Condition	Requirement	Issue sighted	Recommendation
		<p>Representative(s) on a full-time basis during the construction, commissioning and operation of the development. The Environmental Representative shall be:</p> <ul style="list-style-type: none"> <li>a. the primary contact point in relation to the environmental performance of the development;</li> <li>b. responsible for all Management Plans and Monitoring Programs required under this consent;</li> <li>c. responsible for considering and advising on matters specified in the conditions of this consent, and all other licences and approvals related to the environmental performance and impacts of the development;</li> <li>d. responsible for receiving and responding to complaints in accordance with condition 0 and condition 0 of this consent; and</li> <li>e. given the authority and independence to require reasonable steps be taken to avoid or minimise unintended or adverse environmental impacts, and failing the effectiveness of such steps, to direct that relevant actions be ceased immediately should an adverse impact on the environment be likely to occur.</li> </ul> <p>The Applicant shall notify the Director-General of the name and contact details of the Environmental Representative upon appointment, and any changes to that appointment that may occur from time to time.</p>	<p>Evidence that the EPA and DPIE had been formally advised of the change to the ER was not available.</p>	<p>representative, including provision of their name and contact details.</p>

Issue No.	Condition	Requirement	Issue sighted	Recommendation
NC-06	7.4	<p>The Applicant shall prepare and implement an Operation Environmental Management Plan to detail an environmental management framework, practices and procedures to be followed during the operation of the development. The Plan shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>i. identification of all statutory and other obligations that the Applicant is required to fulfil in relation to operation of the development, including all consents, licences, approvals and consultations;</li> <li>ii. a description of the roles and responsibilities for all relevant employees involved in the operation of the development;</li> <li>iii. overall environmental policies and principles to be applied to the operation of the development;</li> <li>iv. standards and performance measures to be applied to the development, and a means by which environmental performance can be periodically reviewed and improved, where appropriate;</li> <li>v. management policies to ensure that environmental performance goals are met and to comply with the conditions of this consent;</li> <li>vi. the Management Plans listed under condition 0 of this consent; and</li> <li>vii. arrangements for community consultation and complaints handling procedures during construction.</li> </ul> <p>The Plan shall be submitted for the approval of the Director-General no later than one month prior to the commencement</p>	<p>The following deficiencies were identified in the OEMP:</p> <ul style="list-style-type: none"> <li>• Does not identify all statutory and other obligations required to be fulfilled.</li> <li>• Responsibilities provided for Operations management, operations employees. Responsibilities have not been clearly assigned to individual roles.</li> <li>• Site roles have not been clearly identified.</li> </ul>	<p>The OEMP should be updated to address the deficiencies identified and submitted to DPIE for approval.</p>

Issue No.	Condition	Requirement	Issue sighted	Recommendation
		<p>of operation of the development, or within such period otherwise agreed by the Director-General. Any stage of the operations shall not be commissioned until the Director-General has approved the OEMP covering the works undertaken in that stage. Upon receipt of the Director-General's approval, the Applicant shall supply a copy of the Plan to Council as soon as practicable.</p>		
NC-07	7.5	<p>As part of the Operation Environmental Management Plan for the development, required under condition 0 of this consent, the Applicant shall prepare and implement the following Management Plans:</p> <p>a. a Noise Management Plan to outline measures to manage noise impacts associated with the operation of the development. The Plan shall include, but not necessarily be limited to:</p> <ol style="list-style-type: none"> <li>I. identification of the potential sources of noise during the site operations;</li> <li>II. specification of the noise criteria for these operations;</li> <li>III. a detailed description of what actions and measures would be implemented to ensure that operations would comply with specified noise criteria. This shall include measures to minimise night-time emissions and stringent screening procedures to minimise the potential for overpressure events at the site; and</li> <li>IV. a description of how the effectiveness of actions and measures would be monitored over time; and if any non-compliance is detected what procedures would be followed to ensure compliance;</li> </ol>	<p>Subplans required under the OEMP do not included all information as required by Condition 7.5.</p> <p>Appendix 3 – Transport Management Plan</p> <ul style="list-style-type: none"> <li>• Does not include a Transport Code of Conduct</li> <li>• Does not include possibilities for reducing daily heavy vehicle movements during night-time periods or during morning peak periods.</li> <li>• Does not include procedures to limit the tracking of mud/dirt on the roadway</li> </ul> <p>Appendix 8 - Flood Emergency Management Plan</p> <ul style="list-style-type: none"> <li>• details of the workforce education awareness program implemented at the site;</li> <li>• identification of the designated evacuation routes and flood refuges</li> </ul>	<p>Subplans required under the OEMP should be updated to ensure that they address all the requirements of Consent Condition 7.5.</p>

Issue No.	Condition	Requirement	Issue sighted	Recommendation
		<p>b. a Transport Management Plan to outline measures to ensure minimal amenity impacts on the locality through the appropriate management of heavy vehicles accessing and departing the development. The Plan shall be prepared in consultation with Council and shall include, but not necessarily be limited to:</p> <ol style="list-style-type: none"> <li>I. details of the Transport Code of Conduct for the development that outlines the management of traffic impacts associated with heavy vehicles accessing and departing the site;</li> <li>II. consideration of all possibilities for reducing the required daily heavy vehicle movements and movements during peak or night-time periods;</li> <li>III. procedures to ensure the safe and efficient movement of vehicles between Lots 29-30 DP803794 and Lot 1 DP874409;</li> <li>IV. procedures to limit the tracking of mud/dirt on the roadway between Lots 29-30 DP803794 and Lot 1 DP874409;</li> <li>V. procedures for monitoring the effectiveness and suitability of these measures; and</li> <li>VI. details of additional measures that would be implemented should be non-compliance be detected.</li> </ol> <p>c. a Flood Emergency Management Plan to outline measures that would be implemented in a time of flood. The Plan shall provide detailed evacuation procedures to interface with the Bureau of Meteorology's flood warning system and the local State Emergency Services</p>	<p>Appendix 6 – Stormwater Management Plan</p> <ul style="list-style-type: none"> <li>• details of all relevant stormwater control infrastructure</li> <li>• procedures for the installation and maintenance of gross pollutant traps to screen stormwater from the site at all major site discharge points to Ironbark Creek;</li> <li>• a demonstration of consistency with the stormwater management plan for the catchment and any relevant stormwater guidelines prepared by Council;</li> <li>• details of the monitoring program, as required by condition 5.11, to monitor stormwater flows from the site; and</li> </ul> <p>Appendix 5 – Landscape Management Plan;</p> <ul style="list-style-type: none"> <li>• details of existing and proposed landscaping to be undertaken on the site with specific reference to the use of vegetation to screen the development from the Pacific Highway, Ironbark Creek,</li> </ul>	

Issue No.	Condition	Requirement	Issue sighted	Recommendation
		<p>plan (where appropriate) and to include provisions for any third parties likely to be involved. The Plan shall also include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>I. a detailed description of the likely flood behaviour of the area within the vicinity of the site;</li> <li>II. identification of the flood warning systems that would be utilised by the proposed operations;</li> <li>III. details of the workforce education awareness program implemented at the site;</li> <li>IV. details of the evacuation and evasion procedures that would be undertaken in a time of an emergency;</li> <li>V. identification of the designated evacuation routes and flood refuges; and</li> <li>VI. details of flood preparedness and awareness procedures for residents and visitors to the site.</li> </ul> <p>d. a Stormwater Management Plan to outline measures to mitigate impacts of stormwater run-off from and within the premises. This plan shall address the requirements of Council and shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>I. details of all relevant stormwater control infrastructure;</li> <li>II. procedures for the installation and maintenance of gross pollutant traps to screen stormwater from the site at all major site discharge points to Ironbark Creek;</li> </ul>	<p>residential receptors and the railway line;</p> <ul style="list-style-type: none"> <li>• details of landscape works to improve the condition of the riparian zone along the boundary of Lot 1 DP 874409 and Ironbark Creek;</li> <li>• maximisation of flora species endemic to the locality in landscaping the site;</li> <li>• measures to ensure general consistency with the relevant guidance provided in Planning for Bushfire Protection (NSW Rural Fire Service and Planning NSW, 2001);</li> <li>• a program to ensure that all landscaped areas on the site are maintained in a tidy, healthy state and free of weed species; and</li> <li>• a program to ensure that vegetation along the Pacific Highway is appropriately managed to maintain vehicle sight distances in accordance with RTA requirements</li> </ul> <p>Appendix 4 – Waste Management Plan</p> <ul style="list-style-type: none"> <li>• a description of what procedures would be</li> </ul>	

Issue No.	Condition	Requirement	Issue sighted	Recommendation
		<ul style="list-style-type: none"> <li>III. a demonstration of consistency with the stormwater management plan for the catchment and any relevant stormwater guidelines prepared by Council;</li> <li>IV. details of the monitoring program, as required by condition 0, to monitor stormwater flows from the site; and</li> <li>V. details of any contingency measures that would be followed to ensure the protection of neighbouring waterways and wetlands should an accident or emergency occur at the site.</li> <li>e. a Landscape Management Plan to outline measures to ensure appropriate development and maintenance of landscaping on the site. The Plan shall address the requirements of Council and shall include, but not necessarily be limited to:               <ul style="list-style-type: none"> <li>I. details of existing and proposed landscaping to be undertaken on the site with specific reference to the use of vegetation to screen the development from the Pacific Highway, Ironbark Creek, residential receptors and the railway line;</li> <li>II. details of landscape work to improve the condition of the riparian zone along the boundary of Lot 1 DP 874409 and Ironbark Creek;</li> <li>III. maximisation of flora species endemic to the locality in landscaping the site;</li> <li>IV. measures to ensure general consistency with the relevant guidance provided in <i>Planning for Bushfire</i></li> </ul> </li> </ul>	<p>followed to ensure compliance if any non-compliance is detected.</p>	



Issue No.	Condition	Requirement	Issue sighted	Recommendation
		<p><i>Protection</i> (NSW Rural Fire Service and Planning NSW, 2001);</p> <p>V. a program to ensure that all landscaped areas on the site are maintained in a tidy, healthy state and free of weed species; and</p> <p>VI. a program to ensure that vegetation along the Pacific Highway is appropriately managed to maintain vehicle sight distances in accordance with RTA requirements.</p> <p>f. a Waste Management Plan to outline measures to minimise the production and impact of wastes generated at the development. The Plan shall include, but not necessarily be limited to:</p> <p>I. identification of the types and quantities of waste that would be generated during operations, and the standards and performance measures for dealing with this waste;</p> <p>II. <sup>2</sup>a description of appropriate procedures that will be implemented to ensure that all scrap, dust and litter is contained within the designated receival and load out areas;</p> <p>III. a detailed description of how this waste would be reused, recycled, and if necessary, appropriately treated and disposed of in accordance with the EPA's guidelines on the <i>Assessment, Classification &amp; Management of Liquid and Non-Liquid Waste</i>;</p>		

<sup>2</sup> Incorporates an EPA General Term of Approval (E1.3)

Issue No.	Condition	Requirement	Issue sighted	Recommendation
		IV. a description of how the effectiveness of these actions and measures would be monitored over time; and  a description of what procedures would be followed to ensure compliance if any non-compliance is detected.		
NC-08	8.3	<p>The Applicant shall, throughout the life of the development, prepare and submit for the approval of the Director-General, an Annual Environmental Management Report (AEMR). The AEMR shall review the performance of the development against the Operation Environmental Management Plan (refer to condition 0 of this consent), the conditions of this consent and other licences and approvals relating to the development. The AEMR shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>a. details of compliance with the conditions of this consent;</li> <li>b. a comparison of the environmental impacts and performance of the development against the environmental impacts and performance predicted in those documents listed under condition 0 of this consent;</li> <li>c. details of any complaints received in relation to the operation, an overview of how these complaints were handled, and the results of any actions taken by the Applicant to address the complaint;</li> <li>d. results of all environmental monitoring required under this consent and other approvals, including interpretations and discussion by a suitably qualified person; and</li> </ul>	<p>No evidence was sighted to demonstrate that the Annual Environmental Management Report was submitted to Council every year.</p>	<p>A copy of the Annual Environmental Management Report should be provided to Council in accordance with the requirements of Consent condition 8.3. Records of submission of the Annual Environmental Management Report to DPIE and Council should be maintained.</p>

Issue No.	Condition	Requirement	Issue sighted	Recommendation
		<p>e. a list of all occasions in the preceding twelve-month period when environmental performance goals for the development have not been achieved, indicating the reason for failure to meet the goals and the action taken to prevent recurrence of that type of incident.</p> <p>f. The Applicant shall submit a copy of the AEMR to the Director-General and Council every year, with the first AEMR to be submitted no later than twelve months after the commencement of operation.</p>		
NC-09	EPL M6.4	The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.	The InfraBuild website lists the contact number for the site - 02 4961 9700 which is the Hexham reception and operates during business hours. However, this number is not clearly identified as the complaints line	The complaints line should be clearly identified and communicated to the public. Consider updating the website to clearly identify that the telephone number provided is the complaints line.
NC-10	EPL M6.4	<p>The licensee must nominate to the EPA a representative of the company that is available at all times and is capable of providing immediate assistance or response during emergencies or any other incidents at the premises. The name of the nominated representative and their contact details, including their telephone number, must be current at all times. The nomination and contact details must be provided to the EPA's Regional Manager- Hunter at PO Box 488G, Newcastle NSW 2300.</p> <p>Note: This condition does not apply until two (2) weeks after the date of issue of the variation notice to include this condition.</p>	Where there was a change to the nominated representative, records were not available to show that the name and contact details of the new representative had been provided to the EPA.	Records should be maintained to verify that, when there is a change to the nominated representative, the names and contact details of new representative are provided to the EPA.

## Appendix A. Previous Audit Findings

CoA Ref	NC No.	Corrective Action	Details of corrective action	Target Date	Completion Date	Status	Actions Achieved
1.1	NC01	Implement all practicable measures to prevent or minimise harm to the environment	At the completion of all CAs on this list all practicable measures will have been implemented	22-Oct-17	DSI Submitted 20 July 2020	Closed	During 2019-2020 the business submitted the following reports to the NSW EPA Licence 5345 Section 8 Pollution Studies & Reduction Programs: - Dust Study - AECOM Dust Mitigation Report Oct 2019; IBR Dust Mitigation Report Jan 2020 - Stormwater Studies - AECOM Sampling Plan Aug 2019; Water Balance Model Sept 2019; Discharge Characterisation March 2020; Ecotox Assessment April 2020; Mitigation Report Apr 2020 - Detailed Site Investigation (Soil and Groundwater): Kleinfelder DSI July 2020. All practical recommendations contained in these reports have been implemented by the business.
1.2	NC02	Implement all documentation requirements	At the completion of all CAs on this list all documented requirements will have been implemented	22-Oct-17	Revised OEMP Submitted to DPIE 21 Nov 2019	Closed	The site OEMP was revised in late 2019 to capture these outstanding requirements (refer NC09; NC10; NC11).
2.1	NC03	Review site inductions to ensure consent requirements are included.	Incorporate relevant consent conditions in the site induction. The site induction is a requirement to be completed by all new employees, contractors and sub-contractors performing work on the site.	22-Aug-17	20-Sep-17	Closed	Personal who interact with the Infrabuild Recycling Hexham location are made aware through various methods of the Environmental requirements for the site. For example, new employees are trained in Environmental awareness, Contractors via the Work Safety Permit.
2.5	NC04	Implement all requirements of the Director General	At the completion of all CAs on this list all requirements of the Director-General will have been implemented	22-Oct-17	20-Jul-20	Closed	At the completion of all CAs on this list all requirements of the Director-General will have been implemented. The Hexham DSI was submitted to NSW in July 2020 closing off NC01.
4.3	NC05	A. Create a system to reduce the likelihood of inadvertently	Formalise triggers such as the safety calendar and prompts from the contractors to ensure quarterly monitoring is completed	31-Aug-17	20-Sep-17	Closed	The appointed contractor used to conduct testing has a program to remind the Hexham facility in relation to when such testing is required. The site also captures this via their own site maintenance program

CoA Ref	NC No.	Corrective Action	Details of corrective action	Target Date	Completion Date	Status	Actions Achieved
		missing quarterly noise monitoring					
4.3	NC05	B. Determine the need for a repeat background noise survey	Obtain expert advice on the utility of obtaining such a survey. If it is recommended complete this survey by an assigned due date	31-Aug-17	23-Oct-17	Closed	As per the Noise Management Plan it was agreed with an environmental consultation and management within Infrabuild that a repeat background noise survey would not be required, and the plan now captures the use of boundary measurement algorithm
4.3	NC05	C. Review and revise the noise monitoring program	Review and revise the program with a focus on analysis of historical results, the effect of changes to background levels, the need for change to monitoring methodology, the revised monitoring plan	31-Aug-17	23-Oct-17	Closed	It was agreed with an environmental consultation and management within Infrabuild that a repeat background noise survey would not be required, and the plan now captures the use of boundary measurement algorithm
5.3	NC06	This is the same as NC05 A, B & C above	This is the same as NC05 A, B & C above				
5.11	NC07	A. Review water monitoring history and establish meaningful assessment criteria	Review all historical water monitoring results Determine likely impact of site operations Assess the receiving environment against appropriate guidelines Determine appropriate criteria	30-Sep-17	Monitoring report submitted 29 Apr 2020	Closed	Due to amendments to the EPA Licence 5345, new requirements for the Infrabuild Hexham location is to conduct Surface Water Characterisation program which covers off on a Water Balance model, Water Characterisation, Discharge Characterisation, Discharge Impact Assessment & a Surface Water Mitigation & Monitoring Plan. The new monitoring programme is defined in the AECOM Surface Water Mitigation & Monitoring Plan submitted to NSW EPA on 29 April 2020. The report specifies contaminants to be tested; monitoring frequencies; methodologies for stormwater quality monitoring.
5.11	NC07	B. Revise and implement the Stormwater Management Plan	Revise and implement the Stormwater Management Plan: - Incorporate the criteria based on the history of local results (i.e. taking into account background results) - Decide on appropriateness of local rainfall as the trigger	30-Sep-17	Monitoring report submitted 29 Apr 2020	Closed	The Surface Water Mitigation & Monitoring Plan submitted to NSW EPA meets these requirements.

CoA Ref	NC No.	Corrective Action	Details of corrective action	Target Date	Completion Date	Status	Actions Achieved
			- Formalise the upstream (background) monitoring location				
7.1	NC08	Revise Roles and Responsibilities Matrix with regard to Environmental Representative.	Revise the Responsibilities Matrix and incorporate into a revised Operations Environmental Management Plan (OEMP)	15-Aug-17	31-Jan-20	Closed	This is no longer a separate matrix and has been incorporated into the EMP for the location
7.4	NC09	Review and Update site OEMP and then update induction documents	Update the OEMP and include revised suite of Management Plans as outlined in NC10-15. Changes will then be implemented via updated site induction.	19-Nov-17	21-Nov-19	Closed	The Operational Environmental Management Plan has now been updated and includes the suite of management plans as appendices. Note: The OEMP will need to be updated once the stormwater study has been completed
7.5a	NC10	Review and Update the site Noise Management Plan	Update the Noise Management plan Incorporating findings from NC05 above.	30-Sep-17	21-Nov-19	Closed	The Noise Management Plan has been updated and attached to the OEMP, included in the plan is the items identified from NC05.
7.5b	NC11	Review and Update the site Traffic Management Plan	Update the Traffic Management plan and include latest material from site training documents relating to transport and load restraint.	31-Aug-17	21-Nov-19	Closed	The Traffic Management Plan has been updated and attached to the OEMP. The site holds an independent Traffic Management plan which all employees are trained in and covers Transport as well as load restraint requirements which is Safety focused. The OEMP continues to capture the requirements as a part of the Development Consent and is shared with key contractor transport companies for them to communicate to drivers on the requirements when entering & exiting Sparke Street
7.5c	NC12	Review and Update the site Flood Emergency Management Plan	Flood Emergency Management plan to Include learnings from Jan 2016 1 in 100yr flood event.	22-Aug-17	21-Nov-19	Closed	The Flood Emergency plan has been updated and attached to the OEMP. Learnings from the 2016 Flood at the Hexham facility have not prompted a change to the Flood Management Plan but other areas were identified as maintenance activities now captured within the site's maintenance program. These being the internal inspection of pipes leading from the Shredder First Flush Pit to the Swale discharge point and the pipe from Sparke Street to Ironbark Creek discharge point.

CoA Ref	NC No.	Corrective Action	Details of corrective action	Target Date	Completion Date	Status	Actions Achieved
7.5d	NC13	Review and Update the site Stormwater Management Plan	Update the stormwater Management plan Incorporating findings from NC07 above.	08-Oct-17	Monitoring report submitted 29 Apr 2020	Closed	The Surface Water Mitigation & Monitoring Plan submitted to NSW EPA meets these requirements.
7.5e	NC14	Review and Update the site Landscape Management Plan	Update the Landscape Management plan with focus on noxious weed identification and removal practices.	20-Sep-17	21-Nov-19	Closed	The Landscape Management plan has been updated and attached to the OEMP. The plan covers as a part of the maintenance of landscaping for the site that landscaping will be in a tidy, healthy state and free of weed species
7.5f	NC15	Review and Update the site Waste Management Plan	Update the Waste Management plan. Include a waste stream generation/flow diagram	30-Sep-17	21-Nov-19	Closed	The Waste Management Plan has been updated and attached to the OEMP. Included in the Waste Management Plan is a waste stream diagram as highlighted from the Audit.
-	-	Additional Dust & Sediment control actions as per correspondence to the Department 9th of January 2019	-	09-Jan-19	09-Oct-19	Closed	As part of the EPA Licence 5345 Pollution Studies & Reduction Programs, Infrabuild Recycling Hexham was required to complete a Dust Mitigation Study and Report. This has been completed and submitted for approval to the EPA. The Sediment part of the program is being captured in the Water Characterisation program which is not due for completion until April 2020.



## Appendix B. Auditors Approval



Gregor Riese  
Project Support  
Infrabuild Recycling  
124 Viking Drive  
WACOL QLD, 4076

29/10/2020

Dear Mr Riese

**Infrabuild Recycling Hexham (DA 345-7-2003-i)  
Independent Environmental Audit 2020 – auditor endorsement request**

Reference is made to your request (DA345-7-2003-I-PA-2) for the Secretary's approval of suitably qualified persons to undertake the Independent Environmental Audit (IEA) 2020 for the Infrabuild Recycling Hexham, metal recycling facility, as required by Schedule 2, Condition 5.12 of DA345-7-2003-i as modified (the consent) and submitted to the Department of Planning, Industry and Environment (the Department) on 28 October 2020.

In accordance with Schedule 2, Condition 5.12 of the consent the Secretary has agreed to the following audit team:

- Mr James Hart (lead auditor).

Please ensure this correspondence is appended to the IEA report.

The Independent Audit must be prepared, undertaken and finalised in accordance with the conditions of consent. Further, the Department requests, under Schedule 2, Condition 2.5 of the consent, that the auditor considers the recently released *Independent Audit – Post Approval Requirements* (Department 2020), available on the Department's website, including the use of compliance descriptors "compliant", "non-compliant" or "not triggered" only (<https://www.planning.nsw.gov.au/-/media/Files/DPE/Other/Assess-and-regulate/About-Compliance/independent-audit-post-approval-requirements-2020-05-19.pdf>). Failure to meet these requirements will require revision and resubmission.

In accordance with Schedule 2, Condition 5.12 of the consent, the IEA report is to be submitted to the Department within two months of the completion of the audit, including a detailed response from the Applicant to any of the recommendations contained in the report.

Note that the audit period is to be from the date of the last IEA site inspection (19 December 2016) to the date of the 2020 IEA site inspection.

If you wish to discuss the matter further, please contact Joel Curran, Senior Compliance Officer on (02) 4904 2702 or [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au)

Yours sincerely



Heidi Watters  
Team Leader Northern  
Compliance

As nominee of the Planning Secretary

## Appendix C. Audit Attendance Sheet

## Appendix D. Independent Audit Declaration Form

## Independent Audit Declaration Form

### Declaration of Independence - Auditor

Project Name:	Metal Shredding Facility
Consent Number:	Project Approval Integrated DA No. 345-7-2003-1
Description of Project:	Metal Recycling
Project Address:	Lots 29-31 DP803794 and Lot 1 DP874409, 107 Sparke Street, Hexham
Proponent:	Onesteel Recycling Pty Limited
Date:	13 of October 2020

I declare that:

- i. I am not related to any proponent, owner, operator or other entity involved in the delivery of the project. Such a relationship includes that of employer/employee, a business partnership, sharing a common employer, a contractual arrangement outside an Independent Audit, or that of a spouse, partner, sibling, parent, or child;
- ii. I do not have any pecuniary interest in the project, proponent or related entities. Such an interest includes where there is a reasonable likelihood or expectation of financial gain (other than being reimbursed for performing the audit) or loss to the auditor, or their spouse, partner, sibling, parent, or child;
- iii. I have not provided services (not including independent reviews or auditing) to the project with the result that the audit work performed by themselves or their company, except as otherwise declared to the Department prior to the audit;
- iv. I am not an Environmental Representative for the project; and
- v. I will not accept any inducement, commission, gift or any other benefit from auditee organisations, their employees or any interested party, or knowingly allow colleagues to do so.

Notes:

- a) Under section 10.6 of the *Environmental Planning and Assessment Act 1979* a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and
- b) The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both).

Name of Proposed Auditor: James Hart

Signature: 

Qualification: Lead Environmental Auditor – Exemplar Global Certificate No. 12105

Company: AQUAS Pty Ltd

## **Appendix E.** Audit Checklist and Audit Findings

## Audit Checklist – DA 345-7-2003-i -MOD-49-3-2005-i

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
<b>SCHEDULE 2</b>						
<b>GENERAL</b>						
<b>Obligation to Minimise Harm to the Environment</b>						
1.	1.1	The Applicant shall implement all practicable measures to prevent or minimise any harm to the environment that may result from the construction, operation and where relevant, the decommissioning of the development.		No harm to the environment has resulted from the operation of the development during the period covered by the current audit.	Compliant	
<b>Scope of Development</b>						
2.	1.2	<p>The Applicant shall carry out the development generally in accordance with:</p> <p>a. Development Application No. 345-7-2003-i, lodged with the Department of Infrastructure, Planning and Natural Resources on 25 July 2003, as amended by:</p> <p>i) MOD-32-3-2004-i, in relation to modification of the consent to require the construction of an acoustic barrier, the conditional restriction of activities and deliveries at the site and a requirement to establish a Community Consultative Committee;</p> <p>ii) MOD-37-3-2004-i, in relation to modification of the consent with respect to the timing of approvals for certain pre-construction compliance reports to</p>		<p><b>Non-compliances have been identified as a result of the current IEA.</b></p> <p>Recommendation:</p> <p>Infrabuild should ensure that appropriate processes are developed and implemented to ensure compliance with the requirements of the conditions of consent.</p>	<b>Non-Compliant</b>	<b>01</b>

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
		<p>enable the staged commencement of construction works;</p> <p>iii) MOD-45-4-2004-i in relation to modification of the consent with respect to the timing of approvals for certain pre-construction compliance reports to enable the commencement of construction works, and to provide for an alternative U-Turn facility;</p> <p>iv) MOD-111-11-2004-i, in relation to modification of the development consent with respect to altering the timing for the completion of roadworks;</p> <p>v) MOD-49-3-2005-i, in relation to modification of the consent with respect to removing the requirement to provide an acoustic barrier at St Joseph's Catholic Care for the Aged facility;</p> <p>b. Metal Shredding Facility at Hexham – Environmental Impact Statement (Volumes 1, 2 and 3), prepared by SMEC Australia Ltd and dated July 2003;</p> <p>c. Proposed Metal Recycling Facility, Sparke Street, Hexham – Response to DIPNR fax dated 2 October 2003, prepared by SMEC Australia Pty Ltd and dated 23 October 2003;</p> <p>d. Traffic Analysis, Intersection of Pacific Highway and Sparke Street, Hexham, prepared by Terra Consulting Australia Pty Ltd and dated 26 November 2003;</p> <p>e. Correspondence titled Re: Existing – V – Predicted Noise Levels from Peter Karantonis of Renzo Tonin and Associates Pty Ltd to Jim Clarence of the EPA and dated 24 September 2003;</p>				



AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
		<ul style="list-style-type: none"> <li>f. Revised plans accompanying the DA, numbered 0321-03-04A and 0321-03-02;</li> <li>g. correspondence titled Metalcorp Recyclers DA 345-7-2003-i – Shredder development of Lots 29 &amp; 30 Sparke Street Hexham, from Smorgon Steel Recycling to the Department, dated 16 March 2004;</li> <li>h. correspondence titled Metalcorp Recyclers proposed development of Lots 29 &amp; 30 Sparke Street, Hexham, DA 345-7-2003-i Section 96 Modification application (with addendum) from Smorgon Steel to the Department, dated 23 April 2004;</li> <li>i. correspondence titled Metalcorp Recyclers Pty Ltd – Applicant for modification of consent DA 345-7-2003-i: Lots 29 &amp; 30 Sparke Street, Hexham (with attachments) from Smorgon Steel to the Department, dated 15 March 2005;</li> <li>j. the conditions of this consent.</li> </ul>				
3.	1.3	<p>In the event of an inconsistency between:</p> <ul style="list-style-type: none"> <li>a. the conditions of this consent and any document listed from condition 0a) to 0i inclusive, the conditions of this consent shall prevail to the extent of the inconsistency; and</li> <li>b. any document listed from condition 0a) to 0i inclusive, and any other document listed from condition 0a) to 0i inclusive, the most recent document shall prevail to the extent of the inconsistency.</li> </ul>		No inconsistencies have been identified.	Not triggered	

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
4.	1.4	The Applicant shall not concurrently operate the shredder the subject of this development consent, with the existing shredder located and operating on the site (as in existence at the time of granting this consent).	Annual Environmental Management Report 2019	An Independent Environmental Audit was conducted in 2007 by HLA Envirosciences which stated that the shredders did not operate concurrently.	Not triggered	
<b>Statutory Requirements</b>						
5.	1.5	The Applicant shall ensure that all licences, permits and approvals are obtained and kept up to date as required throughout the life of the development. No condition of this consent removes the obligation for the Applicant to obtain, renew or comply with such licences, permits or approvals.  <b>Note:</b> A Part 3A permit under the <i>Rivers and Foreshores Improvement Act 1948</i> must be obtained from the Department (Hunter Region) prior to the commencement of the proposed intersection works on the Pacific Highway and the proposed drainage channel construction works on Lot 1 DP874409.		Applicable licences and permits had been obtained. E.g.:  EPL 5345  Approval for Onsite Wastewater treatment system.  Dangerous goods licence for storage of flammable gas (Liquid oxygen).	Compliant	
<b>Dispute Resolution</b>						
6.	1.6	In the event that a dispute arises between the Applicant and Council or the Applicant and a public authority other than the Department, in relation to a specification or requirement applicable under this consent, the matter shall be referred by either party to the Director-General, or if not resolved, to the Minister, whose determination of the dispute shall be final and binding on all parties. For the purpose of this condition, "public authority" has the same meaning as provided under section 4 of the Act.		Reported that no disputes have arisen	Not triggered	

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
		<b>Note:</b> Section 121 of the <i>Environmental Planning and Assessment Act 1979</i> provides mechanisms for resolution of disputes between the Department, the Director-General, Councils and public authorities.				
<b>COMPLIANCE</b>						
7.	2.1	The Applicant shall ensure that employees, contractors and sub-contractors are aware of, and comply with, the conditions of this consent relevant to their respective activities.	Recycling Environmental Awareness Training, V2.1, 11/02/2015.  Introduction to Recycling Environment Management System, 9/11/2014.  Training Matrix	Site environmental awareness training required every 2 years. Includes aspects, impacts and controls associated with recycling activities.	Compliant	
8.	2.2	The Applicant shall be responsible for environmental impacts resulting from the actions of all persons on the site, including contractors, subcontractors and visitors.		Infrabuild are aware of their environmental responsibilities relating to the site.	Compliant	
9.	2.3	Prior to each of the events listed from a) to b) below, or within such period otherwise agreed by the Director-General, the Applicant shall certify in writing to the satisfaction of the Director-General that it has complied with all conditions of this consent applicable prior to that event. Where an event is to be undertaken in stages, the Applicant may, subject to the agreement of the Director-General, stage the submission of compliance certification consistent with the staging of activities relating to that event.  commencement of construction of the development; and commencement of operation of the development;	Annual Environmental Management Report 2019 – Appendix B  OneSteel Recycling Hexham Independent Environmental Compliance Audit Report, 6 June 2017	Previously verified	Not triggered	

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
10.	2.4	Notwithstanding condition 2.3 of this consent, the Director-General may require an update report on compliance with all, or any part, of the conditions of this consent. Any such update shall meet the requirements of the Director-General and be submitted within such period as the Director-General may agree.		IEA required to be conducted by December 2020.  No other reports on compliance have been required.	Compliant	
11.	2.5	The Applicant shall meet the requirements of the Director-General in respect of the implementation of any measure necessary to ensure compliance with the conditions of this consent, and general consistency with the documents listed under condition 1.2 of this consent. The Director-General may direct that such a measure be implemented in response to the information contained within any report, plan, correspondence or other document submitted in accordance with the conditions of this consent, within such time as the Director-General may agree.		<b>Non-compliances have been identified as a result of the current IEA, which triggers a non-compliance with this condition of consent.</b>  <b>Recommendation:</b>  Infrabuild should ensure that appropriate processes are developed and implemented to ensure compliance with the requirements of the conditions of consent.	<b>Non-Compliant</b>	<b>01</b>
<b>CONSTRUCTION AND PART 4A CERTIFICATION</b>						
12.	3.1	In relation to the construction and occupation of the development, the Applicant shall provide to the Director-General and Council the following: <ul style="list-style-type: none"> <li>a. written notification of the appointment of a Principal Certifying Authority;</li> <li>b. copies of all Construction Certificates issued for the development;</li> <li>c. written notification of the intention to commence construction work, to be received at least two working days prior to the commencement of</li> </ul>	Annual Environmental Management Report 2019 – Appendix B  OneSteel Recycling Hexham Independent Environmental Compliance Audit Report, 6 June 2017	Previously verified	Not triggered	

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
		<p>construction. In the event that more than one Construction Certificate is issued, notification shall be provided prior to the commencement of construction the subject of each Certificate;</p> <p>d. copies of all Occupation Certificates issued for the development; and</p> <p>e. written notification of the intention to occupy the development, to be received at least two working days prior to occupation. In the event that more than one Occupation Certificate is issued, notification shall be provided prior to the occupation the subject of each Certificate;</p>				
13.	3.2	<p>Prior to the commencement of any construction activities associated with the development, the Applicant shall erect at least one sign at the construction site and in a prominent position at the site boundary where the sign can be viewed from the nearest public place. The sign(s) shall indicate:</p> <p>a. the name, address and telephone number of the Principal Certifying Authority;</p> <p>b. the name of the person in charge of the construction site and telephone number at which that person may be contacted outside working hours; and</p> <p>c. a statement that unauthorised entry to the construction site is prohibited.</p> <p>d. The sign(s) shall be maintained for the duration of construction works, and shall be removed as soon as practicable after the conclusion of the construction works.</p>		<p>Construction completed. Project is in operational phase.</p>	Not triggered	

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #							
<b>ENVIRONMENTAL PERFORMANCE</b>													
<b>Noise Impacts</b>													
14.	4.1	<p><b>Construction Noise</b></p> <p>The Applicant shall ensure that all construction activities associated with the development do not exceed the criteria at the nominated locations specified in Table 1.</p> <p><b>Table 1 – Construction Noise Criteria</b></p> <table border="1"> <thead> <tr> <th rowspan="2">Locations</th> <th>Day</th> </tr> <tr> <th>L<sub>Aeq(15 minute)</sub> (dB(A))</th> </tr> </thead> <tbody> <tr> <td>Shamrock Street (Hexham) residences</td> <td>47</td> </tr> <tr> <td>St. Joseph's Retirement Village (Hexham)</td> <td>53</td> </tr> </tbody> </table>	Locations	Day	L <sub>Aeq(15 minute)</sub> (dB(A))	Shamrock Street (Hexham) residences	47	St. Joseph's Retirement Village (Hexham)	53		No construction work during the period covered by this audit.	Not Triggered	
Locations	Day												
	L <sub>Aeq(15 minute)</sub> (dB(A))												
Shamrock Street (Hexham) residences	47												
St. Joseph's Retirement Village (Hexham)	53												
15.	4.2	<p>Construction activities associated with the development shall only be conducted between 7:00 am and 6:00 pm from Monday to Friday inclusive, and from 8:00 am to 1:00 pm on Saturdays. No construction activity is permitted on a Sunday or a public holiday.</p> <p><b>Note:</b> This condition does not apply in the event of a direction from police or other relevant authority for safety reasons, or to avoid the loss of life, property or damage to the environment.</p>		No construction work during the period covered by this audit.	Not Triggered								
16.	4.3	<p><b>Operation Noise</b></p> <p><sup>3</sup>The Applicant shall design, construct, operate and maintain the development to ensure that noise generated during the operation of the development does not exceed the noise limits specified in Table 2, at those locations and</p>	<p>Annual Environmental Management Report 2017</p> <p>Annual Environmental</p>	<p>Quarterly monitoring was performed by AECOM in quarters 1,2,3 and 4 of each year.</p> <p>2017- Compliant</p>	<b>Non-Compliant</b>	<b>02</b>							

<sup>3</sup> Incorporates an EPA General Term of Approval (L6.1, L6.2 and L6.3)

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #																								
		<p>during those periods indicated. The maximum allowable noise contributions apply under:</p> <ol style="list-style-type: none"> <li>wind speeds up to 3 ms<sup>-1</sup> (measured at 10 metres above ground level); and</li> <li>temperature inversion conditions up to 3oC per 100 metres.</li> </ol> <p><b>Table 2 - Operation Noise Limits</b></p> <table border="1" data-bbox="338 598 981 900"> <thead> <tr> <th rowspan="2">Location</th> <th>Day</th> <th>Evening</th> <th colspan="2">Night</th> </tr> <tr> <th>L<sub>Aeq</sub> (15 minute)</th> <th>L<sub>Aeq</sub> (15 minute)</th> <th>L<sub>Aeq</sub> (15 minute)</th> <th>L<sub>A1</sub> (1 minute)</th> </tr> </thead> <tbody> <tr> <td>Any residence in Shamrock Street, Hexham, affected by noise from the premises</td> <td>47</td> <td>48</td> <td>45</td> <td>55</td> </tr> <tr> <td>St Joseph's Retirement Village and any associated residence in Old Maitland Road, Hexham, affected by noise from the premises</td> <td>53</td> <td>42</td> <td>41</td> <td>56</td> </tr> <tr> <td>Any operating industrial premises affected by noise from the premises</td> <td>70</td> <td>70</td> <td>70</td> <td>N/A</td> </tr> </tbody> </table>	Location	Day	Evening	Night		L <sub>Aeq</sub> (15 minute)	L <sub>Aeq</sub> (15 minute)	L <sub>Aeq</sub> (15 minute)	L <sub>A1</sub> (1 minute)	Any residence in Shamrock Street, Hexham, affected by noise from the premises	47	48	45	55	St Joseph's Retirement Village and any associated residence in Old Maitland Road, Hexham, affected by noise from the premises	53	42	41	56	Any operating industrial premises affected by noise from the premises	70	70	70	N/A	<p>Management Report 2018 Annual Environmental Management Report 2019 InfraBuild Recycling Hexham Quarterly Noise Monitoring Report - Quarter 1 2020 InfraBuild Recycling Hexham Quarterly Noise Monitoring Report - Quarter 2 2020 InfraBuild Recycling Hexham Quarterly Noise Monitoring Report - Quarter 3 2020</p>	<p>2018 – Compliant</p> <p>2019 – Two non-compliances recorded (Q3 and Q4). Noise levels calculated from boundary monitoring (to exclude ambient noise impacts) were below noise limits.</p> <p>2020 Q1- Compliant</p> <p><b>2020 Q2 – Day Noise levels not compliant.</b></p> <p>Evening and night measured noise levels were below criteria.</p> <p>2020 – Q3 – Day noise level at R1 above criteria. Evening and night noise levels above operational noise limits.</p> <p>Site boundary monitoring conducted – predicted noise levels from InfraBuild facility were below operational noise limits.</p> <p>It was noted that ambient noise levels were above the noise limits specified at the majority of the receptors.</p> <p>To assess the sites, impact on the identified receptors, noise monitoring was also conducted at the site boundary from which the noise level from the sites operations at the receivers was calculated. Calculations determined that</p>		
Location	Day	Evening		Night																										
	L <sub>Aeq</sub> (15 minute)	L <sub>Aeq</sub> (15 minute)	L <sub>Aeq</sub> (15 minute)	L <sub>A1</sub> (1 minute)																										
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Any operating industrial premises affected by noise from the premises	70	70	70	N/A																										

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
				<p>noise levels from the site's operations were below the operation noise limits.</p> <p><b>Recommendation:</b></p> <p>It is recommended that Infrabuild review noise monitoring data to determine the cause of the exceedances identified to determine if the exceedances are the result of on-site activities. Where the cause of the exceedances is determined to be on site activities, these activities should be modified to reduce the noise impact and surrounding receivers.</p>		
17.	4.4	<sup>4</sup> For the purpose of assessment of noise impacts specified under condition <b>Error! Reference source not found.</b> of this consent, noise from the development shall be measured within one metre of the boundary of any affected residential or industrial premises.	InfraBuild Recycling Hexham Quarterly Noise Monitoring Reports	<p>Noise monitoring was conducted at both defined receiver locations and at the site boundary.</p> <p>Due to the difficulty in determining the contribution of the facility at the nominated receiver locations, an alternative method of determining compliance, site boundary measurements, was also conducted to predict noise impacts at each receiver location.</p>	Compliant	
18.	4.5	Operating Hours	Shredder running sheet	<p>The shredder was reported to operate 7.00am to 3.00pm daily.</p> <p>The shredder may operate up to 6.00pm during periods of high demand.</p>	Compliant	

<sup>4</sup> Incorporates an EPA General Term of Approval (L6.1)



AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
		<sup>5</sup> The Applicant shall only operate the metal shredder between 7:00am and 6:00pm Monday to Saturday, and at no time on Sunday or Public Holidays.				
19.	4.6	<sup>6</sup> Notwithstanding condition 0, the Applicant may operate the metal shredder between the hours of 6:00pm and 10:00pm, Monday to Friday, where the following requirements are complied with: <ul style="list-style-type: none"> <li>a. an unplanned and unforeseeable situation arises at the premise by which the operation of the NSW remelt steel industry is at risk of being negatively impacted by a shortage of shredded scrap;</li> <li>b. the Director-General, EPA and noise receptors within 1.5km radius of the metal shredder are informed, in writing, at least 24 hours prior to commencing outside the permitted hours of operation; and</li> <li>c. that an officer appointed by the Applicant will be on site at all times during the extended hours of operation, solely for the purpose of ensuring compliance with noise limits at various locations.</li> <li>d. Note: For the purposes of the above condition, ‘all noise receptors within a 1.5km radius of the metal shredder’ is limited to:               <ul style="list-style-type: none"> <li>e. <i>the noticeboards of St Joseph’s Retirement Village, Hexham.</i></li> <li>f. <i>the residences on Old Maitland Road, west of St. Joseph’s Retirement Village</i></li> </ul> </li> </ul>		The shredder has not been operated between the hours of 6.00pm and 10.00pm	Compliant	

<sup>5</sup> Incorporates an EPA General Term of Approval (L7.1)

<sup>6</sup> Incorporates an EPA General Term of Approval (L7.1)

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
		<p>g. <i>the residences on Pacific Highway and intersecting streets between Ironbark Creek and No.59 Pacific Highway, Hexham.</i></p>				
20.	4.7	<p><sup>7</sup>The Applicant may seek approval from the EPA to extend the hours of operation for the metal shredder, as specified in condition 0, incrementally to 10:00pm Monday to Friday. In seeking this approval, the Applicant shall submit to the EPA the necessary information in order to determine that the activities undertaken during the varied operating hours will not have an adverse impact on the acoustic amenity of receptors within the vicinity of the site. Any request to the EPA to extend the operating hours specified in condition 0 shall be accompanied by:</p> <ul style="list-style-type: none"> <li>a. at least six months of noise monitoring data of the shredder plant operating at design capacity and conducted in accordance with the <i>New South Wales Industrial Noise Policy</i> guideline (EPA, 2000);</li> <li>b. evidence demonstrating full compliance with all noise limits since commissioning the shredder plant;</li> <li>c. evidence that the plant would be able to comply with the evening noise limits specified in condition <b>Error! Reference source not found.</b> during the proposed extended hours of operation; and</li> <li>d. demonstration that the potential for explosions can be suitably managed at the site (and the associated potential impacts mitigated) during the proposed extended hours of operation.</li> </ul>		<p>The shredder has not been operated between the hours of 6.00pm and 10.00pm</p>	Compliant	

<sup>7</sup> Incorporates an EPA General Term of Approval (L7.1)

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
		Any approval by the EPA in accordance with the above condition shall be forwarded to the Director-General by the Applicant immediately.				
21.	4.8	<sup>8</sup> Any extension in the shredder plant operating hours granted by the EPA under condition 0 shall be on the condition that the Applicant is able to demonstrate on-going compliance with the noise limits specified in 4.3 Should the noise limits specified in condition <b>Error! Reference source not found.</b> be regularly exceeded and/or if explosions become unmanageable at the site, and if the impacts have not been mitigated by the Applicant to the satisfaction of the EPA, the EPA may withdraw its approval under condition 0 at any time.		The shredder has not been operated between the hours of 6.00pm and 10.00pm	Compliant	
22.	4.8A	<b>Operation Hours – Ancillary Activities</b> Further to conditions 4.5 to 4.8 of this consent, the Applicant shall only undertake activities ancillary to the operation of the metal shredder, including the operation of all associated plant, equipment and machinery, loading/unloading of materials, materials handling and ingress/egress of heavy vehicles to/from the site, between 7:00am and 10:00pm Monday to Saturday, and at no time on Sunday or Public Holidays		Vehicle unloading was reported to occur up to 7.00pm daily (Monday to Friday).  Maintenance activities were undertaken between the hours of 7am and 11.00pm	Compliant	
23.	4.8B	Notwithstanding condition 4.8A of this consent, the Applicant may seek the Director-General’s approval to alter the hours of operation for ancillary activities specified under condition 4.8A. In seeking the Director-General’s		No request to alter the hours of operation have been submitted.	Not triggered	

<sup>8</sup> Incorporates an EPA General Term of Approval (L7.1)

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
		<p>approval, the Applicant shall provide the following information:</p> <ul style="list-style-type: none"> <li>a. an appropriate level of noise assessment for activities to be undertaken within extended operation hours, prepared in accordance with the relevant guidance in the <i>Industrial Noise Policy</i> (EPA, 2000) and <i>Environmental Criteria for Road Traffic Noise</i> (EPA, 1999). The assessment shall also demonstrate compliance and consistency of the proposed extended activities with relevant noise limits and noise management criteria specified under this consent and the Environment Protection Licence for the site;</li> <li>b. details of consultation(s) with the EPA in relation to the proposed extended operation hours, with a demonstration that EPA requirements have been addressed; and</li> <li>c. details of community consultation(s) undertaken in relation to the proposed extended operation hours, with a demonstration that issues identified through community consultation have been addressed. Community consultation shall include, but not necessarily be limited to representative(s) of the St Joseph's Catholic Care of the Aged facility, and the Shortland and Birmingham Residents' Action Group.</li> </ul>				
24.	4.8C	<p><b>Acoustic Barrier</b> Deleted</p>			Not Triggered	
25.	4.8D	Deleted			Not Triggered	

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
26.	4.8E	<p>The Applicant shall install noise monitoring equipment at the St Joseph’s Catholic Care of the Aged facility, in consultation with the owners of that property, and to the satisfaction of the Director-General. The Applicant shall operate the noise monitoring equipment on <b>an on-going basis</b>, as may be agreed with the St Joseph’s Catholic Care of the Aged facility, to monitor noise impacts from the development on that property. All monitoring data shall be made available to the St Joseph’s Catholic Care of the Aged facility. The Applicant may only cease noise monitoring in accordance with this condition, after having consulted with the St Joseph’s Catholic Care of the Aged facility, and only with the agreement of the Director-General.</p>	<p>Quarterly Noise Monitoring Reports 2017-2020.</p>	<p><b>Noise monitoring equipment has not been installed at St Joseph’s Catholic Care of the Aged facility to monitor noise on an on-going basis.</b></p> <p>Quarterly monitoring conducted by AECOM.</p> <p><b>Recommendation:</b></p> <p>It is recommended that Infrabuild undertake an investigation to determine if the current monitoring program has been approved by DPIE. If no approval has been provided, then Infrabuild should implement noise monitoring in compliance with Condition 4.8E, or seek agreement from St Joseph’s Catholic Care of the Aged facility, and the Director-General for a modification the requirement for continuous noise monitoring</p>	<p><b>Non-compliant</b></p>	<p><b>03</b></p>
27.	4.9	<p>Plant Retrofit</p> <p><sup>9</sup> As may be directed by the EPA to address noise emissions from the development, the Applicant shall undertake the following works:</p> <p>a. installation of additional noise controls to the shredder and associated plant;</p>		<p>The EPA have not directed further plant retrofit for noise emission reduction.</p>	<p>Not triggered</p>	

<sup>9</sup> Incorporates an EPA General Term of Approval (E1.8)

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
		<ul style="list-style-type: none"> <li>b. installation of noise controls to the scrap loading and unloading facilities;</li> <li>c. implementation of noise controls to ensure compliance with noise limits at adjoining industrial properties when operations on those properties commence; and</li> <li>d. installation of appropriate controls on the shredder stack out conveyor and associated area to reduce noise emissions.</li> </ul>				
<b>Traffic and Transport</b>						
28.	4.10	<p><b>Sparke Street Intersection</b></p> <p><sup>10</sup>The Applicant shall construct, and pay the full cost of, traffic control signals at the Sparke Street/Pacific Highway intersection. These traffic signals shall be installed as a two-phase system to control northbound Pacific Highway, right turn in and left turn out movements only. The signals shall be coordinated with Shamrock Street signals and shall prohibit all right-hand turn movements out of Sparke Street. In association with these signals, the Applicant shall also undertake the following works:</p> <ul style="list-style-type: none"> <li>a. relocation of the Sparke Street/Pacific Highway intersection approximately 70-80 metres north of the current intersection and at right angles to the Pacific Highway;</li> </ul>	OneSteel Recycling Hexham Independent Environmental Compliance Audit Report, 6 June 2017	Intersection works completed in 2005. Verified previous audits.	Not triggered	

<sup>10</sup> Incorporates an RTA General Term of Approval (1)

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
		<ul style="list-style-type: none"> <li>b. construction of an indented right turn lane into Sparke Street within the central median that accommodates two B-Double vehicles and a deceleration lane;</li> <li>c. provision of a left turn deceleration lane into Sparke Street;</li> <li>d. provision of a left turn out of Sparke Street under signalisation;</li> <li>e. construction of appropriate physical barriers to prevent right-hand turn movements out of Sparke Street, with suitable signage reinforcing this ban;</li> <li>f. provision of flashing warning lights in advance of the northbound approach to Sparke Street to advise motorists of the traffic control signals;</li> <li>g. construction of a roadway (new Sparke Street alignment) from the Pacific Highway to the existing Sparke Street;</li> <li>h. closure of the median at the existing Sparke Street intersection, including the removal and making good of the obsolete part of Sparke Street;</li> </ul> <p><sup>11</sup>removal of vegetation to maintain appropriate sight distances as required by RTA standards.</p> <p>These roadworks shall be at the full cost of the Applicant and shall be completed to RTA's and Council's satisfaction within three months of the commencement of operations at the site, unless otherwise agreed by the RTA and Council.</p>				

<sup>11</sup> Incorporates a Newcastle City Council General Term of Approval (1)

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
29.	4.11	<p><sup>12</sup>The Applicant shall design the work specified in condition 0 in accordance with the RTA's Road Design Guide, AUSTRROAD guidelines and relevant Australian Standards, as directed by the RTA. This shall include:</p> <ul style="list-style-type: none"> <li>a. construction of auxiliary lanes for the 80 kph speed limit or the 85<sup>th</sup> percentile speed, which ever is the greater;</li> <li>b. provision for B-Doubles vehicle movements and storage;</li> <li>c. provision for on-road cyclists through the realigned Sparke Street intersection; and</li> <li>d. street lighting, sign posting and line marking along the realigned Sparke Street intersection and roadway.</li> </ul>	OneSteel Recycling Hexham Independent Environmental Compliance Audit Report, 6 June 2017	Intersection works completed in 2005. Verified previous audits.	Not triggered	
30.	4.12	<p><sup>13</sup>Prior to the commencement of any construction work associated with the development, the Applicant shall obtain the RTA's and Council's approval of the concept design of the road work specified in condition 4.10 and condition 4.11, and shall enter into a Works Authorisation Deed, detailing the timeframe for obtaining a final approval of these works, with the RTA under the section 138 of the <i>Roads Act 1993</i>.</p> <p>The Applicant shall forward the Director-General written evidence demonstrating that an approval of the concept design has been issued by the RTA and Council, and that a Works Authorisation Deed for the development has been</p>		Intersection works completed in 2005. Verified previous audits.	Not triggered	

<sup>12</sup> Incorporates a RTA General Term of Approval (1 & 3) and Newcastle City Council General Term of Approval (1)

<sup>13</sup> Incorporates a RTA General Term of Approval (6)



AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
		accepted by the RTA prior to the commencement of construction work.				
31.	4.13	<sup>14</sup> Should the Applicant commence construction activities at the site prior to the completion of the work specified under condition 0, the Applicant shall implement measures to the satisfaction of Council and RTA to control traffic movements to and from the site to ensure that the efficiency and safety of the surrounding road network is not affected. The Applicant shall install these measures prior to the commencement of construction works at the development site and shall maintain the measures until the realigned intersection is fully operational.	OneSteel Recycling Hexham Independent Environmental Compliance Audit Report, 6 June 2017	Intersection works completed in 2005. Verified previous audits.	Not triggered	
32.	4.13A	Should the Applicant intend to commence operation of the development prior to the completion of the road works required under condition 0, 0 and 0 of this consent, the Applicant shall prepare and submit for the approval of the RTA and Council a Traffic Management Protocol. The Protocol shall be submitted to the RTA and Council no later than one month prior to the intended commencement of operation, unless otherwise agree to by the RTA and Council. The Protocol shall detail measures to manage traffic and potential conflict between roadworks, heavy vehicles associated with the development and existing traffic. The Protocol shall include, but not necessarily be limited to: <ul style="list-style-type: none"> <li>a. procedures, systems and protocols for the management of operational traffic from the</li> </ul>	OneSteel Recycling Hexham Independent Environmental Compliance Audit Report, 6 June 2017	Intersection works completed in 2005. Verified previous audits.	Not triggered	

<sup>14</sup> Incorporates a RTA General Term of Approval (4)

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
		<p>development; its interaction with intersection (and any other roadworks) construction; and its interaction with Pacific Highway traffic during all stages of intersection (and any other roadworks) construction;</p> <p>b. details of how Pacific Highway traffic priority will be maintained; and</p> <p>c. details of how operational traffic will be eliminated during peak traffic periods.</p> <p>The Applicant shall not commence operation of the development until it has received written approval of the Protocol from both the RTA and Council, and shall implement the Protocol to the satisfaction of the RTA and Council until the roadworks required under this consent are completed.</p>				
33.	4.14	<p><sup>15</sup>Land occupied by the realigned and widened intersection shall be dedicated as a road reserve at no cost to Council or the RTA prior to the commencement of operations at the site.</p>	<p>OneSteel Recycling Hexham Independent Environmental Compliance Audit Report, 6 June 2017</p>	<p>The land has been dedicated as a road reserve (Newcastle Local Environmental Plan, 2012). – Verified previous audit.</p>	<p>Not Triggered</p>	
34.	4.15	<p>Southbound U-Turn Facility</p> <p><sup>16</sup>All southbound vehicles associated with the development departing the site shall not be permitted to undertake right-hand turn movements onto the Pacific Highway. These vehicles shall only utilise the U-turn facility located on the Applicant’s property at the corner of New England Highway and Pacific Highway, Hexham (378 Maitland Road, Hexham). No other U-turn facility shall be used for this</p>		<p>No provision to turn right is available at this intersection. Vehicles can only turn left onto the Pacific Highway, as sighted by the auditor.</p>	<p>Compliant</p>	

<sup>15</sup> Incorporates a RTA General Term of Approval (1) and Newcastle City Council General Term of Approval (1)

<sup>16</sup> Incorporates a RTA General Term of Approval (2 & 4) and Newcastle City Council General Term of Approval (3)

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
		<p>purpose, unless otherwise approved by the RTA and Council in accordance with condition 4.15(A).</p> <p>At no time shall southbound vehicles associated with the development use any street in a residential area for the purpose of conducting a U-turn. This includes Shamrock Street, Hexham.</p>				
35.	4.15A	<p>Should the U-turn facility specified in condition 4.15 become no longer available for the purposes of the condition, the Applicant shall construct an alternative U-turn facility under the Hexham Bridge with access to/from the highway to be provided via the Oak traffic control signals at a location and standard to be determined by the RTA and Council. This U-turn facility shall be constructed at the full cost to the Applicant and to the satisfaction of the RTA and Council.</p> <p>The alternative facility shall be fully operational prior to any restriction of access to the U-turn facility specified in condition 4.15 (or as otherwise required by the RTA and Council).</p>		The U-turn facility is available.	Not Triggered	
36.	4.16	<p><sup>17</sup>B-Doubles shall not utilise the U-turn facility located on Applicant's property at the corner of New England Highway and Pacific Highway, Hexham, without the prior approval of the RTA and Council.</p>	Site interview	<p>It was reported that B Doubles are directed to use the U turn facility located under Hexham bridge.</p> <p>Unable to verify communication of requirement.</p>	Compliant	

<sup>17</sup> Incorporates a RTA General Term of Approval (2)

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
				(It was reported that B doubles are not used for local deliveries and utilise the M1, hence no U turns are required).		
37.	4.17	Northbound Vehicle Movements Heavy vehicle movements associated with the development travelling to and from the site to the Sydney Greater Metropolitan area shall only access the F3 via the New England Highway.	Site interview	Reported that all trucks to and from the Sydney Greater Metropolitan area access via the M1/ New England Hwy.	Compliant	
38.	4.18	<b>Sparke Street</b> <sup>18</sup> Prior to the commencement of any construction work associated with the development, excluding works associated with piling activities at Lots 29-30 DP 803794, the Applicant shall submit for the approval of Council a pavement design report investigating the suitability of the existing road pavement of Sparke Street from the realigned Sparke Street to the north-eastern boundary of Lot 30 DP803794. This report shall: a. be prepared and certified by a suitably qualified geotechnical engineer; b. be based on the anticipated vehicular traffic volumes and loadings associated with the development; and c. identify any pavement areas damaged as a result of the Applicant's operations that require rehabilitation to accommodate the increase traffic movements generated by the development.	OneSteel Recycling Hexham Independent Environmental Compliance Audit Report, 6 June 2017	Verified previous audit	Not triggered	

<sup>18</sup> Incorporates a Newcastle City Council General Term of Approval (5)

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
		Should any rehabilitation be required, these works shall be at the full cost of the Applicant and shall be completed to the satisfaction of Council within three months of the commencement of operations at the site, or as otherwise agreed to by Council				
39.	4.19	<p><sup>19</sup>Within three months of the commencement of operations at the site, the Applicant shall reconstruct, to Council's satisfaction and at the full cost of the Applicant, the full width of Sparke Street from the north-eastern boundary of Lot 30 DP803794 to the south-western boundary of Lot 29 DP803794. The design of these works shall meet Council's requirements and shall include:</p> <ul style="list-style-type: none"> <li>a. road pavement;</li> <li>b. road shoulder pavement;</li> <li>c. footway formation;</li> <li>d. associated drainage works; and</li> <li>e. reconstruction of the three existing vehicular driveway crossings to the existing operations located at Lot 1 DP874409.</li> </ul> <p>Construction works associated with the development shall not commence until the Applicant has obtained Council's approval of the concept design plans for the above work. A copy of this approval shall be submitted to the Director-General prior to the commencement of any construction work.</p>	OneSteel Recycling Hexham Independent Environmental Compliance Audit Report, 6 June 2017	Verified previous audit	Not triggered	

<sup>19</sup> Incorporates a Newcastle City Council General Term of Approval (16)

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
		Prior to the commencement of the road works specified in the condition, the Applicant shall obtain Council's approval of the final design plans for these works.				
40.	4.20	<p>Site Access, Internal Roads and Parking</p> <p>The Applicant shall ensure that all heavy vehicles enter and leave the site in a forward direction.</p>	<p>Hexham Traffic Management Plan (HEX-OPS-PC-SOP-602)</p> <p>Hexham Driver (Contractor Induction Procedure</p>	<p>The Hexham Traffic Management Plan (HEX-OPS-PC-SOP-602) shows the direction of traffic flow. A SOP details sign off for employees and contract drivers who have separate inductions including traffic management and a copy of this was sighted.</p> <p>All vehicles were sighted entering and leaving the site in a forward direction.</p> <p>Contract drivers undertake The Hexham Driver (Contractor Induction Procedure was sighted).</p> <p>Hexham Driver Induction sighted – Provides requirements or drivers while on site only. Includes dos and Don'ts for drivers.</p> <p>Includes site vehicle movements. Does not specifically include site requirements for heavy vehicle routes to and from the site.</p>	Compliant	
41.	4.21	Vehicles associated with the construction or operation of the development shall be accommodated on site at all times.	Site Inspection	All vehicles associated with operation were observed to be accommodated on site.	Compliant	

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
42.	4.22	Landscaping and any other obstructions to visibility shall not affect driver sight distance for vehicles entering and exiting the site.	Site Inspection	No obstructions to visibility for vehicles were observed. The need to maintain visibility for drivers is included in the Landscape Management Plan.	Compliant	
43.	4.23	Prior to the commencement of any transport to the site involving B-double vehicles, the Applicant shall demonstrate to the satisfaction of the Director-General that the B-double reclassification of Sparke Street has been approved by the RTA in association with Council.	OneSteel Recycling Hexham Independent Environmental Compliance Audit Report, 6 June 2017	Verified previous audit	Not triggered	
44.	4.24	The Applicant shall design and construct all internal road works, including the associated parking facilities, line marking (or similar) and loading bays, in accordance with the relevant RTA and Council standards and codes, including AS 2890.1-1993 and AS 2890.2-2002.	OneSteel Recycling Hexham Independent Environmental Compliance Audit Report, 6 June 2017	Verified previous audit	Not triggered	
45.	4.25	Internal roads, driveways, parking areas, loading bays and vehicular turning areas shall be maintained clear of obstruction and used exclusively for the purposes of parking, vehicle access and loading and unloading respectively. Under no circumstances shall these areas be used for the storage of goods or waste materials or any other purpose.	Site Inspection	No internal road obstructions were observed. A dedicated person manages the traffic as it arrives on site and are responsible for ensuring parking areas are maintained.	Compliant	
46.	4.26	The Applicant shall ensure that there is sufficient carparking facilities provided on site to cater for the maximum number of employees, customers/visitors, service vehicles and heavy vehicles associated with the operation of the development at any one time.	Site Inspection	Approximately 70 carparks are provided, which is adequate to cater for staff and visitors.	Compliant	
47.	4.27	The Applicant shall clearly mark all visitor, disabled, and service vehicle parking areas.	Site Inspection	These parking areas were clearly marked.	Compliant	

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
48.	4.28	The Applicant shall install signage to demarcate all vehicle movements within and between Lots 29-30 DP803794 and Lot 1 DP874409.	Site Inspection	This signage is provided as sighted by the auditor.	Compliant	
<b>Air Quality Impacts</b>						
49.	4.29	<p>Dust Emissions</p> <p>The Applicant shall design, construct, commission, operate and maintain the development in a manner that minimises dust emissions from the site. All activities undertaken on the site shall be carried out in a manner that minimises the generation of dust, and emission of dust from the site, including wind-blown and traffic-generated dust.</p>	Site Inspection	<p>Dust suppression activities are undertaken to minimise dust levels. These include:</p> <ul style="list-style-type: none"> <li>• Water trucks: spraying water across the plant area to minimise dust levels;</li> <li>• Sweepers – Dust sweepers utilized across the site;</li> <li>• Dust suppression unit – installed within</li> <li>• the shredder unit to minimize dust emission from the shredder operation.</li> <li>• Water sprays on conveyors.</li> <li>• Landscaping of open areas.</li> </ul>	Compliant	
50.	4.30	<p>Plant Retrofit</p> <p><b><sup>20</sup>As may be directed by the EPA to address dust emissions from the development, the Applicant shall undertake the following works:</b></p> <p>a. installation of appropriate litter controls on the shredder stack out conveyor and associated area to minimise the possibility of dust emissions;</p>	Site Inspection	<p>The following dust suppression techniques are being used onsite:</p> <ul style="list-style-type: none"> <li>• Litter controls on the shredder stack out conveyor and associated area.</li> <li>• Water trucks: spraying water across the plant area to minimise dust levels;</li> <li>• Sweepers – Dust sweepers utilized across the site;</li> </ul>	Compliant	

<sup>20</sup> Incorporates a EPA General Term of Approval (E1.8)



AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #												
		b. installation of dust controls on plant conveyors and floc storage; and c. implementation of dust and water quality controls at the site and any part of Sparke Street that is under the control of the Applicant.		<ul style="list-style-type: none"> <li>Dust suppression unit – installed within the shredder unit to minimize dust emission from the shredder operation.</li> <li>Water sprays on conveyors</li> </ul>														
51.	4.31	Shredder The Applicant shall design, construct, commission and operate the development to ensure that the concentrations of Total Solid Particles, lead (Pb), and mercury (Hg) discharges from the shredder plant do not exceed the limits specified in Table 3. Table 3 – Maximum Allowable Discharge Concentration Limits (Air) <table border="1" data-bbox="338 831 976 940"> <thead> <tr> <th>Pollutant</th> <th>Maximum Allowable Discharge Concentration Limit</th> <th>Reference Conditions</th> </tr> </thead> <tbody> <tr> <td>Lead (Pb)</td> <td>5.0mg/m<sup>3</sup></td> <td>dry, 273K, 101.3kPa</td> </tr> <tr> <td>Mercury (Hg)</td> <td>1.0mg/m<sup>3</sup></td> <td>dry, 273K, 101.3kPa</td> </tr> <tr> <td>Total Solid Particles</td> <td>100/m<sup>3</sup></td> <td>dry, 273K, 101.3kPa</td> </tr> </tbody> </table>	Pollutant	Maximum Allowable Discharge Concentration Limit	Reference Conditions	Lead (Pb)	5.0mg/m <sup>3</sup>	dry, 273K, 101.3kPa	Mercury (Hg)	1.0mg/m <sup>3</sup>	dry, 273K, 101.3kPa	Total Solid Particles	100/m <sup>3</sup>	dry, 273K, 101.3kPa	Annual Environmental Management Report 2017 Annual Environmental Management Report 2018 Annual Environmental Management Report 2019 InfraBuild Recycling Hexham Quarterly Noise Monitoring Report - Quarter 1 2020 InfraBuild Recycling Hexham Quarterly Noise Monitoring Report - Quarter 2 2020 InfraBuild Recycling Hexham Quarterly Noise Monitoring Report - Quarter 3 2020	Quarterly stack emission monitoring conducted. Results for period January 2017 – September 2020 reviewed. All results were less than maximum allowable discharge concentrations.	Compliant	
Pollutant	Maximum Allowable Discharge Concentration Limit	Reference Conditions																
Lead (Pb)	5.0mg/m <sup>3</sup>	dry, 273K, 101.3kPa																
Mercury (Hg)	1.0mg/m <sup>3</sup>	dry, 273K, 101.3kPa																
Total Solid Particles	100/m <sup>3</sup>	dry, 273K, 101.3kPa																

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
52.	4.32	<sup>21</sup> The Applicant shall ensure that all process related fabric filters installed on the site are fitted with a bag leak detection and alarm system to the satisfaction of the EPA.		The baghouse is fitted with an alarmed bag leak detection system located in the main operator panel. Notifies control room operator.	Compliant	
<b>Soil and Water Quality Impacts</b>						
53.	4.33	The Applicant shall take all reasonable measures to minimise soil erosion and the discharge of sediments and pollutants from the site during construction and operation.	Site Inspection  Stormwater Quality Improvement Device Clean Report – Jul-20 – Urban Asset Solutions	Measures that were sighted to prevent the discharge of sediments and pollutants from the site during operation include: <ul style="list-style-type: none"> <li>• Shredder flush pit</li> <li>• Dust suppression water sprays on conveyors</li> <li>• Waste oil storage bund</li> <li>• Non-ferrous first flush pit and bag</li> <li>• Gross pollutant traps</li> <li>• Detention ponds</li> <li>• Oil water separators</li> </ul> Maintenance of the control measures is conducted regularly by Asset Urban Solutions who conduct regular inspections – Inspection and cleaning record sighted for 4 July 2020 (Cleanout of detention ponds, sediment bay and gross pollutant traps (GPTs)).	Compliant	

<sup>21</sup> Incorporates an EPA General Term of Approval (E1.7)

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
54.	4.34	<p>Stormwater</p> <p><sup>22</sup>The stormwater management infrastructure shall be designed, where practicable, to ensure that the time of concentration is limited to 10 minutes in the design storm event. Interception pits shall be installed where required to ensure that contaminated stormwater does not reach the first flush pit once it has reached its maximum capacity.</p>	OneSteel Recycling Hexham Independent Environmental Compliance Audit Report, 6 June 2017	Verified previous audit	Not Triggered	
55.	4.35	During the construction and operation of the development, the Applicant shall prevent the discharge of stormwater originating from the site onto the neighbouring railway corridor (unless otherwise approved by State Rail).	Site Inspection	There is a stormwater channel between the site and the railway corridor which was sighted. There have not been any reported instances of stormwater entering the railway corridor from the site.	Compliant	
56.	4.36	<p>Acid Sulfate Soils</p> <p>Prior to the commencement of construction of the development, the Applicant shall undertake acid sulfate soil testing for areas of the site to be disturbed during site construction. Acid sulfate soil testing shall be consistent with the EPA's Environmental Guideline Assessing and Managing Acid Sulfate Soil and the Acid Sulfate Soil Management Advisory Committee (ASSMAC) document Acid Sulfate Soil Manual. Should testing indicate that any potential or actual acid sulfate soils may be disturbed during site preparation works or the construction of the facility, the Applicant shall prepare an Acid Sulfate Soil Management Plan (refer to condition 0).</p>	OneSteel Recycling Hexham Independent Environmental Compliance Audit Report, 6 June 2017	Verified previous audit	Not Triggered	

Waste Management

<sup>22</sup> Incorporates an EPA General Term of Approval (E1.2)

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
57.	4.37	The Applicant shall not receive waste at the site for storage, treatment, processing or reprocessing, and shall not dispose of waste generated by the development on the site, except as may be expressly permitted by an Environment Protection Licence for the development under the <i>Protection of the Environment Operations Act 1997</i> .	Site Inspection	Recycled waste is received for processing. There was no visual evidence of waste being received that is not specified in the Environment Protection Licence. Operational Environmental Procedures were available, e.g.  PRO-056 – Unacceptable Scrap Manual details the waste that is not accepted and responsibilities.  PRO-018 – Incoming Scrap Deliveries Procedure  PRO045 – Asbestos Management Procedure.	Compliant	
58.	4.38	<sup>23</sup> The Applicant shall ensure that uncompacted motor vehicles are only received, stored, drained of fluids and decontaminated in a dedicated area that is separately bunded to contain and store liquids drained from vehicles before they are forwarded to the main scrap receipt area.	Site Inspection	Dedicated area for receipt and processing of motor vehicles on the front pad of the scrap receipt/ infeed area (front pad), which drains to the first flush pit.  Cars are inspected prior to acceptance on site to ensure no liquids are on board.  Verified during site inspection	Compliant	
Visual Amenity						
59.	4.39	The Applicant shall ensure that all new external lighting associated with the development is mounted, screened, and directed in such a manner so as not to create a	OneSteel Recycling Hexham Independent Environmental	Verified previous audit.	Not Triggered	

<sup>23</sup> Incorporates EPA General Term of Approval (E1.5)

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
		nuisance to surrounding land uses. The lighting shall be the minimum level of illumination necessary, and be in general accordance with <i>AS 4282 – 1997 Control of the Obtrusive Effects of Outdoor Lighting</i> .	Compliance Audit Report, 6 June 2017	No new lighting has been installed since the previous audit		
60.	4.40	The Applicant shall not utilise Lot 31 DP 803794 for the purposes of temporary or permanent storage of waste material or any item of equipment.	Site Inspection	Lot 31 DP 803794 was observed as not being used for storage.	Compliant	
61.	4.41	All containers used for the transportation of scrap metal shall be contained on-site at all times.	Site Inspection	All containers were observed to be on site.	Compliant	
62.	4.42	Nothing in this consent allows the Applicant to erect or display any advertising structure(s) or advertisements associated with the development.  Note: The Applicant must seek development consent from Council for the erection of advertising structures.	Site Inspection	No advertising was observed.	Compliant	
63.	4.43	Landscaping  Prior to the commencement of operations at the site, where practicable, dense screen planting shall be undertaken by the Applicant at all locations where the works associated with the development will be visible, using native tree and shrub species endemic to the area, suited to local soil conditions and consistent with those in the surrounding landscape.	OneSteel Recycling Hexham Independent Environmental Compliance Audit Report, 6 June 2017	A landscape management plan (see 7.5e) has been produced for the site and landscaping has been conducted using native species.  Verified previous audit.	Compliant	
64.	4.44	The Applicant shall landscape the site in accordance with condition 0 and the Landscape Management Plan referred to under condition 7.4e) for the development, and maintain this landscaping for the full life of the development.	OneSteel Recycling Hexham Independent Environmental Compliance Audit Report, 6 June 2017	Verified previous audits.	Not triggered	

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
		Landscaping works shall not commence until the Director-General has approved the Landscape Management Plan.				
65.	4.45	Within 90 days of completing the landscape works outlined in the Landscape Management Plan (refer to condition 0d), the Applicant shall submit a Landscape Completion Report to the Director-General, which demonstrates that the landscaping works have been completed in accordance with the approved Plan.	OneSteel Recycling Hexham Independent Environmental Compliance Audit Report, 6 June 2017	Verified previous audits.	Not triggered	
<b>Dangerous Goods</b>						
66.	4.46	All chemicals, fuels and oils shall be stored in appropriately bunded areas, with impervious flooring and sufficient capacity to contain 110% of the largest container stored within the bund. Bunds shall be designed and installed in accordance the requirements of the EPA's <i>Environmental Protection Manual Technical Bulletin Bunding and Spill Management</i> .	Site Inspection	<p>Bunded storage facilities provided for chemical storage on site.</p> <p>During the site inspection, <b>it was noted that several containers for chemicals and liquid waste were stored in unbunded areas.</b></p> <p><b>Recommendation:</b></p> <p>All chemicals containers should be stored in bunded areas which comply with the requirements of the EPA's Environmental Protection Manual Technical Bulletin Bunding and Spill Management.</p>	<b>Non-compliant</b>	<b>04</b>
<b>Flood Work</b>						
67.	4.47	Prior to the commencement of any construction work at the site, the Applicant shall obtain necessary approvals	OneSteel Recycling Hexham Independent Environmental	Verified previous audits.	Not triggered	

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
		from the Department (Hunter Region) under section 256 of the Water Management Act 2000.	Compliance Audit Report, 6 June 2017			
68.	4.48	The development shall be carried out strictly in accordance with the recommendations of the Flood Report, titled Rationalisation of Floodways connecting Hexham Swamp to the Hunter River (Issue 2) prepared by Patterson Britton and dated July 2003.	OneSteel Recycling Hexham Independent Environmental Compliance Audit Report, 6 June 2017	Verified previous audits.	Not triggered	
<b>Railway Corridor</b>						
69.	4.49	<p>Prior to the commencement of any construction work at the site within 50 metres of the neighbouring railway corridor at the site, the Applicant shall submit to RIC a Risk Assessment/Management Plan and detailed Work Method Statement to ensure construction activities do not impact on the integrity of the railway corridor.</p> <p>The Applicant shall obtain the approval from RIC prior to the commencement of any construction activities within the above 50 metres buffer area and shall implement any conditions imposed by RIC as part of these approvals.</p>	OneSteel Recycling Hexham Independent Environmental Compliance Audit Report, 6 June 2017	Verified previous audits.	Not triggered	
70.	4.50	Any use of a crane, plant or machinery on site shall comply with the RIC's Electrical Safety Manual and all relevant RIC standards and guidelines. The Applicant shall not operate any crane, plant or machinery within three metres (horizontally) of any electrified infrastructure, or within a distance that has the potential to reach over the rail corridor at any time.		No cranes used on site during the operation phase.	Not triggered	

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
71.	4.51	The Applicant shall ensure that no metal ladders, scaffolding, plant/machinery or conductive material is used on site within 6 horizontal metres of any live electrical equipment associated with the rail corridor infrastructure.	Site Inspection	All activities are on restricted to the site with a boundary fence which is greater than 6 metres from the rail corridor.	Compliant	
72.	4.52	The Applicant shall not undertake any work within the rail corridor or it's easements at any time unless prior approval has been granted by State Rail or an Access Deed has been entered into between the Applicant and State Rail. Should work be required in these areas, the Applicant shall bear the full cost associated with obtaining the approval or Access Deed and any required supervision, design checks, meetings and/or service searches.  Should the Applicant require access to the rail corridor prior to gaining the above approval or Access Deed, the Applicant shall be required to enter into a Release and Indemnity agreement prior to accessing the rail corridor or associated easements.		No work has been undertaken within the rail corridor.	Not Triggered	
73.	4.53	Prior to the commencement of operations at the site, the Applicant shall install appropriate fencing along the common boundary of the site and the adjoining railway corridor at Lot 29 DP803794 and lot 1 DP 874409 to the satisfaction of State Rail and at the full cost of the Applicant. The design of the fencing shall be approved by State Rail prior to the installation of the fencing.	OneSteel Recycling Hexham Independent Environmental Compliance Audit Report, 6 June 2017	Appropriate fencing has been installed as sighted during the audit.  Approval verified during previous audits.	Compliant	

**ENVIRONMENTAL MONITORING AND AUDITING**

**Noise Monitoring and Auditing**



AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
	5.1	<p><sup>24</sup>Within 90 days of commencement of operation of the development, and during a period in which the development is operating under design loads and normal operating conditions, the Applicant shall conduct a Noise Audit of its operations. This Audit shall:</p> <ul style="list-style-type: none"> <li>a. be undertaken by a suitability qualified and experienced person;</li> <li>b. assess whether the development is complying with the intrusive and amenity noise criteria, and the predicted noise levels detailed in documents specified in condition 0b) and condition 0e of this consent;</li> <li>c. identify what additional measures could be implemented to ensure compliance should any non-compliance be detected; and</li> <li>d. provide details of any complaints received relating to noise generated by the development, and action taken to respond to those complaints.</li> </ul>	OneSteel Recycling Hexham Independent Environmental Compliance Audit Report, 6 June 2017	Noise audit conducted 2005. Verified previous audits.	Not triggered	
	5.2	<p><sup>25</sup>Within 28 days of conducting the Audit referred to under condition 0 of this consent, the Applicant shall provide the Director-General and EPA (Hunter) with a copy of the Noise Audit report. If the Audit identifies any non-compliance with the noise limits imposed under this consent, the Applicant shall detail what additional measures would be implemented to ensure compliance, clearly indicating who would implement these measures, when these measures would be implemented, and how the effectiveness of these</p>	OneSteel Recycling Hexham Independent Environmental Compliance Audit Report, 6 June 2017	Noise audit conducted 2005. Verified previous audits.	Not triggered	

<sup>24</sup> Incorporates an EPA General Term of Approval (E1.9.1)

<sup>25</sup> Incorporates an EPA General Term of Approval (E1.9.2)

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
		measures would be measured and reported to the Director-General and the EPA.				
74.	5.3	<p>The Applicant shall prepare and implement a Noise Monitoring Program to monitor noise impacts associated with the development. The Program shall be consistent with guidelines provided in <i>New South Wales Industrial Noise Policy</i> (EPA, 2000) and shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>a. identification of noise monitoring locations, with relevant noise limits for each location provided;</li> <li>b. noise monitoring frequencies; and</li> <li>c. methodologies for noise monitoring.</li> </ul> <p>The Noise Monitoring Program shall be submitted for the approval of the Director-General prior to the commencement of operation of the development, or within such period as the Director-General may agree.</p>	OneSteel Recycling Hexham Independent Environmental Compliance Audit Report, 6 June 2017	<p>Noise Monitoring program included in OEMP has been implemented.</p> <p>Quarterly noise monitoring conducted by noise consultant.</p> <p>Approval of Noise Monitoring program verified previous audits.</p>	Compliant	
75.	5.4	<p>Overpressure and Vibration Monitoring</p> <p><sup>26</sup>The Applicant shall install, maintain and operate suitable instrumentation, in accordance with Australian Standard 2187.2-1993, to monitor overpressure and vibration caused by explosions on the site to the satisfaction of the EPA.</p>	<p>Annual Environmental Management Report 2017</p> <p>Annual Environmental Management Report 2018</p> <p>Annual Environmental Management Report 2019</p>	<p>Overpressure and vibration monitoring instruments have been installed permanently at the site and monitoring is conducted by consultants.</p> <p>No blasts have been measured during the period covered by the current audit.</p> <p>No complaints have been received in relation to excessive overpressure or vibration.</p>	Compliant	

<sup>26</sup> Incorporates an EPA General Term of Approval (M8.1)

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #												
<b>Air Quality Monitoring</b>																		
76.	5.5	<p><b>Shredder Stack Emissions</b></p> <p><sup>27</sup>All air emission stacks shall be fitted with sampling points which comply with the <i>Clean Air (Plant and Equipment) Regulation 1997</i> and Australian Standard 4323.1-1995.</p>	<p>Quarterly Emissions Testing Reports - AECOM</p>	<p>Emission stacks are fitted with sampling Points.</p> <p>Monitoring quarterly by AECOM Australia (NATA accreditation no. 2778). Verifies sampling performed to AS4323.1.</p>	Compliant													
77.	5.6	<p>The Applicant shall periodically determine the pollutant concentrations specified in Table 4, as discharged from the shredder plant employing the sampling and analysis method specified and at the frequency indicated in the table. All monitoring shall be carried out strictly in accordance with <i>Approved Methods for the Sampling and Analysis of Air Pollutants in NSW</i> (EPA 2001).</p> <p>Table 4 – Periodic Pollutant Monitoring (Air)</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Method</th> <th>Frequency</th> </tr> </thead> <tbody> <tr> <td>Lead</td> <td>TM-12, TM-13 &amp; TM-14</td> <td>Post commissioning, annually</td> </tr> <tr> <td>Mercury</td> <td>TM-12, TM-13 &amp; TM-14</td> <td>Post commissioning, annually</td> </tr> <tr> <td>Total solid particles</td> <td>TM-15</td> <td>Post commissioning, annually</td> </tr> </tbody> </table>	Pollutant	Method	Frequency	Lead	TM-12, TM-13 & TM-14	Post commissioning, annually	Mercury	TM-12, TM-13 & TM-14	Post commissioning, annually	Total solid particles	TM-15	Post commissioning, annually	<p>Quarterly Emissions Testing Reports - AECOM</p>	<p>Quarterly stack emission monitoring conducted by consultant in accordance with conditions of consent.</p> <p>Air monitoring reports state monitoring conducted using the methods specified with the exception of Total Solid particles, which references AS4323.3 as the NSW EPA approved method.</p>	Compliant	
Pollutant	Method	Frequency																
Lead	TM-12, TM-13 & TM-14	Post commissioning, annually																
Mercury	TM-12, TM-13 & TM-14	Post commissioning, annually																
Total solid particles	TM-15	Post commissioning, annually																
78.	5.7	<p>The Applicant may seek the approval of the Director-General to alter the frequency of the pollutant/parameter monitoring required under condition 0 of this consent. Any request for approval shall only be provided if:</p> <p>a. pollutant/parameter monitoring has been undertaken for a period of no less than 12 months (measures</p>		<p>No approval has been sought.</p>	Not Triggered													

<sup>27</sup> Incorporates an EPA General Term of Approval (E1.6)

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
		<p>from the commencement of operation of the development);</p> <p>b. there has been no exceedence of any limit placed on the subject pollutant or parameter through this consent within the preceding 12-month period; and/or</p> <p>c. if there is a relevant Environment Protection Licence for the development that requires air pollutant monitoring which is inconsistent with the requirements under condition 0.</p>				
79.	5.8	<p>Performance Monitoring</p> <p>Within 90 days of commencement of operation of the development, and during a period in which the facility is operating under design loads and normal operating conditions, the Applicant shall undertake an air quality audit for the development and undertake dispersion modelling for all air pollutants identified in condition 0 to confirm the air emission performance of the facility.</p>	<p>Air Quality Impact Assessment - Smorgon Steel Recycling Hexham NSW 2322</p> <p>24 November 2005</p> <p>Email correspondence from Murray Cameron 15/09/2005.</p>	<p>Air Quality audit conducted by HLA Envirosciences. Site inspection, including monitoring conducted 4/10/2005, with the Report completed in November 2005.</p> <p>Correspondence sighted identifying that post commissioning operating commenced on 1/08/2005.</p>	Compliant	
80.	5.9	<p>Within 28 days of conducting the Audit, referred to under condition 0 of the consent, the Applicant shall provide the Director-General with a copy of the Air Quality Audit report. If the Audit identifies any non-compliance with the air quality limits or performance measures specified in the EIS, condition 0 of this consent, and the EPA's Impact Assessment Criteria described in <i>Approved Methods and Guidance for the Modelling and Assessment of Air Pollutants in NSW</i>, then the Applicant shall undertake an Air Quality Mitigation Study to provide details of remedial</p>	<p>Independent Environmental Audit – Smorgon Steel Recycling, 29 March 2007.</p>	<p>This condition was reported as compliant in the 2007 IEA conducted by HLA Envirosciences.</p>	Compliant	

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #																																																		
		measures that the Applicant will implement to reduce air quality impacts to the levels required, clearly indicating who would implement these measures, when these measures would be implemented, and how the effectiveness of these measures would be measured and reported to the Director-General.																																																						
81.	5.10	<p>Meteorological Monitoring</p> <p><sup>28</sup>The Applicant shall monitor the parameters specified in Table 5, using the specified units of measure, averaging period, frequency, and sampling method in the table.</p> <p>Table 5 – Meteorological monitoring</p> <table border="1"> <thead> <tr> <th>Parameter</th> <th>Units of Measure</th> <th>Averaging Period</th> <th>Frequency</th> <th>Method</th> </tr> </thead> <tbody> <tr> <td>Rainfall</td> <td>mm</td> <td>1 Day</td> <td>Daily</td> <td>AM-4</td> </tr> <tr> <td>Wind Speed @ 10m</td> <td>m/s</td> <td>15 minute</td> <td>Continuous</td> <td>AM-2 and AM-4</td> </tr> <tr> <td>Wind Direction @ 10m</td> <td>°</td> <td>15 minute</td> <td>Continuous</td> <td>AM-2 and AM-4</td> </tr> <tr> <td>Temperature @ 10m</td> <td>°C</td> <td>15 minute</td> <td>Continuous</td> <td>AM-4</td> </tr> <tr> <td>Temperature @ 2m</td> <td>°C</td> <td>15 minute</td> <td>Continuous</td> <td>AM-4</td> </tr> <tr> <td>Sigma Theta @ 10m</td> <td>°</td> <td>15 minute</td> <td>Continuous</td> <td>AM-4</td> </tr> <tr> <td>Additional Requirements</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>- Siting</td> <td></td> <td></td> <td></td> <td>AM-1 &amp; Am-4</td> </tr> <tr> <td>- Measurement</td> <td></td> <td></td> <td></td> <td>AM-2 and AM-4</td> </tr> </tbody> </table>	Parameter	Units of Measure	Averaging Period	Frequency	Method	Rainfall	mm	1 Day	Daily	AM-4	Wind Speed @ 10m	m/s	15 minute	Continuous	AM-2 and AM-4	Wind Direction @ 10m	°	15 minute	Continuous	AM-2 and AM-4	Temperature @ 10m	°C	15 minute	Continuous	AM-4	Temperature @ 2m	°C	15 minute	Continuous	AM-4	Sigma Theta @ 10m	°	15 minute	Continuous	AM-4	Additional Requirements					- Siting				AM-1 & Am-4	- Measurement				AM-2 and AM-4	<p>Annual Environmental Management Report 2017</p> <p>Annual Environmental Management Report 2018</p> <p>Annual Environmental Management Report 2019</p>	<p>Weather station installed in north western corner of the site.</p> <p>Measures identified parameters.</p> <p>Results reported in AEMR.</p>	Compliant	
Parameter	Units of Measure	Averaging Period	Frequency	Method																																																				
Rainfall	mm	1 Day	Daily	AM-4																																																				
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Water Quality Monitoring																																																								
82.	5.11	<p>Prior to the commencement of operations at the site, the Applicant shall submit for the approval of the Director-General, a Stormwater Quality Monitoring Program. This program shall form part of the Stormwater Operational Environmental Management Plan required by condition 0d. The Program shall include but not necessarily be limited to:</p> <p>a. identification of contaminants to be tested;</p>	<p>OneSteel Recycling Hexham Independent Environmental Compliance Audit Report, 6 June 2017</p>	<p>Operations Environmental Management Plan states Stormwater Quality Monitoring Program prepared by Consultants – HLA-Envirosciences Pty Limited 23/11/2004. Verified previous audit.</p> <p>Updated Surface Water Mitigation and Monitoring Plan (AECOM, 29/04/2020)</p>	Compliant																																																			

<sup>28</sup> Incorporates an EPA General Term of Approval (M7.1)

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
		b. monitoring frequencies; and c. methodologies for stormwater quality monitoring. The Stormwater Quality Monitoring Program shall be submitted for the approval of the Director-General prior to the commencement of operation of the development.		prepared. Section 5 includes stormwater monitoring program.  Stormwater monitoring conducted after rainfall greater than 15mm in a 24-hour period at two monitoring locations. • Site 1 – discharge into Ironbark Creek; and • Site 2 – outlet from first flush tank to the drain on south-western boundary.		
<b>Independent Environmental Auditing</b>						
83.	5.12	Within two years of the commencement of construction of the development, and then as may be directed by the Director-General, the Applicant shall commission an independent person or team to undertake an Environmental Audit of the development. The independent person or team shall be approved by the Director-General prior to the commencement of the Audit. The Audit shall: <ul style="list-style-type: none"> <li>a. be carried out in accordance with <i>ISO 19011:2002 - Guidelines for Quality and/or Environmental Management Systems Auditing</i>;</li> <li>b. assess compliance with the requirements of this consent, and other licences and approvals that apply to the development</li> <li>c. assess the environmental performance of the development against the predictions made and conclusions drawn in the documents referred to under condition 0 of this consent; and</li> </ul>		IEA Completed by HLA Envirosciences in 2007.  IEA conducted by Coffey on 19 December 2016. Final report provided to DPIE 16/01/2017. Updated with final report submitted 7/06/2017.	Compliant	

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
		<p>d. review the effectiveness of the environmental management of the development, including any environmental impact mitigation works.</p> <p>An Environmental Audit Report shall be submitted to the Director-General within two months of the completion of the Audit, detailing the findings and recommendations of the Audit and including a detailed response from the Applicant to any of the recommendations contained in the Report.</p>				
<b>COMMUNITY INFORMATION, CONSULTATION AND INVOLVEMENT</b>						
84.	6.1	Subject to confidentiality, the Applicant shall make all documents required under this consent available for public inspection on request.	<a href="https://www.infrabuild.com/en-au/resource-centre/environmental">https://www.infrabuild.com/en-au/resource-centre/environmental</a>	<p>Monitoring data published on company website.</p> <p>Documents were available on site for viewing if requested.</p> <p>Documents and monitoring records made available through the CCC.</p>	Compliant	
<b>Complaints Procedure</b>						
85.	6.2	<p>Prior to the commencement of operations at the development site, the Applicant shall ensure that the following are available for community complaints:</p> <p>a. a 24-hour, toll-free telephone number on which complaints about the development may be registered;</p> <p>b. a postal address to which written complaints may be sent; and</p>		<p>A contact phone number is provided the OneSteel web site. Other contact details including an email address are provided on the internet site.</p> <p>CCC members have contact details for site.</p>	Compliant	

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
		<p>c. an email address to which electronic complaints may be transmitted.</p> <p>The telephone number, the postal address and the email address shall be advertised on at least one occasion prior to the commencement of construction of each stage of the development, through a medium approved by the Director-General. These details shall also be provided on the Applicant's internet site, should one exist. The telephone number, the postal address and the email address shall be maintained throughout the life of the development.</p>				
86.	6.3	<p>The Applicant shall record details of all complaints received through the means listed under condition 0 of this consent in an up-to-date Complaints Register. The Register shall record, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>a. the date and time, where relevant, of the complaint;</li> <li>b. the means by which the complaint was made (telephone, mail or email);</li> <li>c. any personal details of the complainant that were provided, or if no details were provided, a note to that effect;</li> <li>d. the nature of the complaint;</li> <li>e. any action(s) taken by the Applicant in relation to the complaint, including any follow-up contact with the complainant; and</li> <li>f. if no action was taken by the Applicant in relation to the complaint, the reason(s) why no action was taken.</li> </ul> <p>The Complaints Register shall be made available for inspection by the Director-General upon request.</p>	<p>Complaints Register 2017 Complaints Register 2018 Complaints Register 2019 Complaints Register 2020 Letter to EPA – Dust Compliant 2/08/2019 Letter to EPA – Smoke Complaint 14/06/2019</p>	<p>Complaints register maintained. 2017 – No complaints received. 2018 – No complaints received. 2019 – 4 complaints received. 2020 – No complaints received.</p> <p>Records showed that information relating to the receipt of the complaint and corrective actions implemented had been recorded.</p> <p>Complaints are entered into the Incident and Risk Management System for follow up and close out.</p> <p>Cority GFG has recently been implemented for managing incidents, including complaints.</p>	Compliant	



AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
<b>Community Consultative Committee</b>						
87.	6.4	Prior to the commencement of construction of the development, the Applicant shall establish a Community Consultative Committee for the development to provide a forum for the discussion of the environmental performance of the development, provision of relevant data, and the receipt of community complaints and concerns. The Committee shall include, but not necessarily limited to representatives from the St Joseph's Catholic Care of the Aged facility and the Shortland and Birmingham Residents' Action Group. The Applicant shall ensure that the Committee meets on at least one occasion prior to the commencement of construction of the development to establish arrangements for the location, timing and operation of the Committee. The Committee shall meet at least monthly during the first six months of operation of the development, after which meeting frequency shall be by agreement between the Applicant and the Committee, and for the approval of the Director-General.		<p>A Community Consultative Committee (CCC) has been established and meetings usually held every second month. Minutes of meeting held in October 2020 were sighted. Noted that the meeting was conducted remotely due to COVID-19 restrictions.</p> <p>Meetings planned for April to August 2020 were not held due to COVID-19 restrictions.</p> <p>CCC meetings were chaired by the Shredder Manager.</p>	Compliant	
<b>ENVIRONMENTAL MANAGEMENT</b>						
<b>Environmental Representative</b>						
	7.1	Prior to the commencement of construction of the development, the Applicant shall nominate a suitably qualified and experienced Environmental Representative(s). The Applicant shall employ the Environmental Representative(s) on a full-time basis during the construction, commissioning and operation of the development. The Environmental Representative shall be:		Vince Chaplin was the Environmental Representative (ER) during construction and operation until Brad Sobczak became the ER in 2015. Glen Schrader, the Shredder Manager, is now the ER and is responsible for environmental matters. An email to David Bell of the EPA advising of	<b>Non-Compliant</b>	<b>05</b>

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
		<ul style="list-style-type: none"> <li>a. the primary contact point in relation to the environmental performance of the development;</li> <li>b. responsible for all Management Plans and Monitoring Programs required under this consent;</li> <li>c. responsible for considering and advising on matters specified in the conditions of this consent, and all other licences and approvals related to the environmental performance and impacts of the development;</li> <li>d. responsible for receiving and responding to complaints in accordance with condition 0 and condition 0 of this consent; and</li> <li>e. given the authority and independence to require reasonable steps be taken to avoid or minimise unintended or adverse environmental impacts, and failing the effectiveness of such steps, to direct that relevant actions be ceased immediately should an adverse impact on the environment be likely to occur.</li> </ul> <p>The Applicant shall notify the Director-General of the name and contact details of the Environmental Representative upon appointment, and any changes to that appointment that may occur from time to time.</p>		<p>the change was provided but it could not be verified if this information has been provided to the DG.</p> <p>Paul Smith – Site Manager is now the ER.</p> <p><b>Evidence that the EPA and DPIE had been formally advised of the change to the ER was not available.</b></p> <p>Recommendation:</p> <p>Infrabuild should formally notify DPIE and the EPA of changes to the appointment of the environmental representative, including provision of their name and contact details.</p>		
Construction Environmental Management Plan						
88.	7.2	<p>The Applicant shall prepare and implement a Construction Environmental Management Plan to outline environmental management practices and procedures to be followed during the construction of any stage of the development. The Plan shall include, but not necessarily be limited to:</p>	<p>OneSteel Recycling Hexham Independent Environmental Compliance Audit Report, 6 June 2017</p>	<p>Construction completed 2005.</p> <p>Verified previous audits.</p>	<p>Not triggered</p>	

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
		<ul style="list-style-type: none"> <li>a. a description of all activities to be undertaken on the site during construction of the development, including an indication of stages of construction, where relevant;</li> <li>b. statutory and other obligations that the Applicant is required to fulfil during construction, including all approvals, consultations and agreements required from authorities and other stakeholders, and key legislation and policies;</li> <li>c. specific consideration of measures to address any requirements of Council during construction;</li> <li>d. details of how the environmental performance of the construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts;</li> <li>e. a description of the roles and responsibilities for all relevant employees involved in the construction of the development;</li> <li>f. the Management Plans listed under condition 0 of this consent;</li> <li>g. arrangements for community consultation and complaints handling procedures during construction.</li> </ul> <p>The Plan shall be submitted for the approval of the Director-General prior to the commencement of construction, or within such period otherwise agreed by the Director-General. Construction shall not commence until written approval has been received from the Director-General. Upon receipt of the Director-General's approval,</p>				

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
		the Applicant shall supply a copy of the Plan to Council, as soon as practicable.				
89.	7.3	<p>As part of the Construction Environmental Management Plan for the development, required under condition 0 of this consent, the Applicant shall prepare and implement the following Management Plans:</p> <ul style="list-style-type: none"> <li>a. an Acid Sulfate Soil Management Plan to detail measures to be implemented in relation to the management and handling of any potential or actual acid sulfate soils identified in accordance with condition 0 of this consent. The Plan shall be prepared in accordance with guidance provided in Acid Sulfate Soil Manual (Acid Sulfate Soil Management Advisory Committee, 1998) and to meet the requirements of Director-General and Council. The Acid Sulfate Soil Management Plan need only be prepared should potential or actual acid sulfate soils be identified on the site.</li> <li>b. an Erosion and Sedimentation Management Plan to detail measures to minimise erosion during construction of the development. The Plan shall include, but not necessarily be limited to:               <ul style="list-style-type: none"> <li>i. results of investigations into soils associated with the site, in particular the stability of the soil and its susceptibility to erosion;</li> <li>ii. details of erosion, sediment and pollution control measures and practices to be implemented during construction of the development;</li> </ul> </li> </ul>	OneSteel Recycling Hexham Independent Environmental Compliance Audit Report, 6 June 2017	Construction completed 2005. Verified previous audits.	Not triggered	

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
		<ul style="list-style-type: none"> <li>iii. demonstration that erosion and sediment control measures will conform with, or exceed, the relevant requirements and guidelines provided in the Department's publication <i>Urban Erosion and Sedimentation Handbook</i>, the EPA's publication <i>Pollution Control Manual for Urban Stormwater</i> and the Department of Housing's publication <i>Soil and Water Management for Urban Development</i>;</li> <li>iv. design specifications for diversionary works, banks and sediment basins;</li> <li>v. an erosion monitoring program during construction of the development; and</li> <li>vi. measures to address erosion, should it occur, and to rehabilitate/ stabilise disturbed areas of the site.</li> </ul> <p>c. a Noise Management Plan to outline measures to minimise and mitigate noise impacts on surrounding land uses as a result of the construction of the development in association with the continued operations at the adjacent site. The Plan shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>i. identification of the potential sources of noise during the proposed works;</li> <li>ii. specification of the noise criteria for the proposed works;</li> <li>iii. a detailed description of what actions and measures would be implemented to ensure that these works would comply with the relevant noise criteria.;</li> <li>iv. a description of how the effectiveness of these actions and measures would be monitored during</li> </ul>				

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
		<p>the proposed works, clearly indicating who would conduct the monitoring, how often this monitoring would be conducted, how the results of this monitoring would be recorded; and, if any non-compliance is detected; and</p> <p>v. a description of what procedures would be followed to ensure compliance;</p> <p>d. 29a Transport Management Plan to detail measures to ensure road works and construction activities are undertaken in a manner that does not adversely impact on the performance and safety of the surrounding road network. The Plan shall meet Council and RTA requirements, and shall include, but not necessarily be limited to:</p> <p>i. details of construction and operation traffic volumes and peak delivery times;</p> <p>ii. measures to be implemented to adequately mitigate the impact on the performance and safety of the surrounding network during the relocation of the Sparke Street and Pacific Highway intersection;</p> <p>iii. 30measures to be implemented in accordance with condition 0, which shall include the installation of temporary physical barriers to prohibit right-hand turn movements out of Sparke Street; and</p>				

<sup>29</sup> Incorporates an RTA General Term of Approval (5)

<sup>30</sup> Incorporates an RTA General Term of Approval (4)

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
		iv. provide for the monitoring of the performance of the implemented measures; and  v. details of any additional measures that would be implemented should any non-compliance be detected.				
<b>Operation Environmental Management Plan</b>						
90.	7.4	<p>The Applicant shall prepare and implement an Operation Environmental Management Plan to detail an environmental management framework, practices and procedures to be followed during the operation of the development. The Plan shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>i. identification of all statutory and other obligations that the Applicant is required to fulfil in relation to operation of the development, including all consents, licences, approvals and consultations;</li> <li>ii. a description of the roles and responsibilities for all relevant employees involved in the operation of the development;</li> <li>iii. overall environmental policies and principles to be applied to the operation of the development;</li> <li>iv. standards and performance measures to be applied to the development, and a means by which environmental performance can be periodically reviewed and improved, where appropriate;</li> <li>v. management policies to ensure that environmental performance goals are met and to comply with the conditions of this consent;</li> </ul>		<p>Operation Environmental Management Plan V3, 21/11/2019 available.</p> <p>The following deficiencies were identified:</p> <ul style="list-style-type: none"> <li>• Do not identify all statutory and other obligations required to be fulfilled.</li> <li>• Responsibilities provided for Operations management, operations employees. Responsibilities have not been clearly assigned to individual roles.</li> <li>• Site roles have not been clearly identified;</li> </ul> <p>Evidence was not provided to verify that the updated OEMP had been submitted to DPIE for approval.</p> <p>Recommendation:</p>	Non-Compliant	06

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
		vi. the Management Plans listed under condition 0 of this consent; and vii. arrangements for community consultation and complaints handling procedures during construction.  The Plan shall be submitted for the approval of the Director- General no later than one month prior to the commencement of operation of the development, or within such period otherwise agreed by the Director-General. Any stage of the operations shall not be commissioned until the Director-General has approved the OEMP covering the works undertaken in that stage. Upon receipt of the Director-General's approval, the Applicant shall supply a copy of the Plan to Council as soon as practicable.		The OEMP should be updated to address the deficiencies identified and submitted to DPIE for approval.		
91.	7.5	As part of the Operation Environmental Management Plan for the development, required under condition 0 of this consent, the Applicant shall prepare and implement the following Management Plans:  a. a Noise Management Plan to outline measures to manage noise impacts associated with the operation of the development. The Plan shall include, but not necessarily be limited to:  i. identification of the potential sources of noise during the site operations;  ii. specification of the noise criteria for these operations;  iii. a detailed description of what actions and measures would be implemented to ensure that operations would comply with specified noise criteria. This shall include measures to minimise		Appendix 7 - Noise Management Plan - compliant  Appendix 3 – Transport Management Plan <ul style="list-style-type: none"> <li>• Does not include a Transport Code of Conduct</li> <li>• Does not include possibilities for reducing daily heavy vehicle movements during night-time periods or during morning peak periods.</li> <li>• Does not include procedures to limit the tracking of mud/dirt on the roadway</li> </ul>	<b>Non-Compliant</b>	<b>07</b>



AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
		<p>night-time emissions and stringent screening procedures to minimise the potential for overpressure events at the site; and</p> <p>iv. a description of how the effectiveness of actions and measures would be monitored over time; and if any non-compliance is detected what procedures would be followed to ensure compliance;</p> <p>b. a Transport Management Plan to outline measures to ensure minimal amenity impacts on the locality through the appropriate management of heavy vehicles accessing and departing the development. The Plan shall be prepared in consultation with Council and shall include, but not necessarily be limited to:</p> <p>i. details of the Transport Code of Conduct for the development that outlines the management of traffic impacts associated with heavy vehicles accessing and departing the site;</p> <p>ii. consideration of all possibilities for reducing the required daily heavy vehicle movements and movements during peak or night-time periods;</p> <p>iii. procedures to ensure the safe and efficient movement of vehicles between Lots 29-30 DP803794 and Lot 1 DP874409;</p> <p>iv. procedures to limit the tracking of mud/dirt on the roadway between Lots 29-30 DP803794 and Lot 1 DP874409;</p> <p>v. procedures for monitoring the effectiveness and suitability of these measures; and</p>		<p>Appendix 8 - Flood Emergency Management Plan</p> <ul style="list-style-type: none"> <li>• details of the workforce education awareness program implemented at the site;</li> <li>• identification of the designated evacuation routes and flood refuges</li> </ul> <p>Appendix 6 – Stormwater Management Plan</p> <ul style="list-style-type: none"> <li>• details of all relevant stormwater control infrastructure</li> <li>• procedures for the installation and maintenance of gross pollutant traps to screen stormwater from the site at all major site discharge points to Ironbark Creek;</li> <li>• a demonstration of consistency with the stormwater management plan for the catchment and any relevant stormwater guidelines prepared by Council;</li> <li>• details of the monitoring program, as required by condition 5.11, to monitor stormwater flows from the site; and</li> </ul>		

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
		<p>vi. details of additional measures that would be implemented should be non-compliance be detected.</p> <p>c. a Flood Emergency Management Plan to outline measures that would be implemented in a time of flood The Plan shall provide detailed evacuation procedures to interface with the Bureau of Meteorology’s flood warning system and the local State Emergency Services plan (where appropriate) and to include provisions for any third parties likely to be involved. The Plan shall also include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>i. a detailed description of the likely flood behaviour of the area within the vicinity of the site;</li> <li>ii. identification of the flood warning systems that would be utilised by the proposed operations;</li> <li>iii. details of the workforce education awareness program implemented at the site;</li> <li>iv. details of the evacuation and evasion procedures that would be undertaken in a time of an emergency;</li> <li>v. identification of the designated evacuation routes and flood refuges; and</li> <li>vi. details of flood preparedness and awareness procedures for residents and visitors to the site.</li> </ul> <p>d. a Stormwater Management Plan to outline measures to mitigate impacts of stormwater run-off from and within the premises. This plan shall address the</p>		<p>Appendix 5 – Landscape Management Plan;</p> <ul style="list-style-type: none"> <li>• details of existing and proposed landscaping to be undertaken on the site with specific reference to the use of vegetation to screen the development from the Pacific Highway, Ironbark Creek, residential receptors and the railway line;</li> <li>• details of landscape work to improve the condition of the riparian zone along the boundary of Lot 1 DP 874409 and Ironbark Creek;</li> <li>• maximisation of flora species endemic to the locality in landscaping the site;</li> <li>• measures to ensure general consistency with the relevant guidance provided in Planning for Bushfire Protection (NSW Rural Fire Service and Planning NSW, 2001);</li> <li>• a program to ensure that all landscaped areas on the site are maintained in a tidy, healthy state and free of weed species; and</li> <li>• a program to ensure that vegetation along the Pacific Highway is appropriately managed to maintain</li> </ul>		

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
		<p>requirements of Council and shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>i. details of all relevant stormwater control infrastructure;</li> <li>ii. procedures for the installation and maintenance of gross pollutant traps to screen stormwater from the site at all major site discharge points to Ironbark Creek;</li> <li>iii. a demonstration of consistency with the stormwater management plan for the catchment and any relevant stormwater guidelines prepared by Council;</li> <li>iv. details of the monitoring program, as required by condition 0, to monitor stormwater flows from the site; and</li> <li>v. details of any contingency measures that would be followed to ensure the protection of neighbouring waterways and wetlands should an accident or emergency occur at the site.</li> <li>e. a Landscape Management Plan to outline measures to ensure appropriate development and maintenance of landscaping on the site. The Plan shall address the requirements of Council and shall include, but not necessarily be limited to: <ul style="list-style-type: none"> <li>i. details of existing and proposed landscaping to be undertaken on the site with specific reference to the use of vegetation to screen the development from the Pacific Highway, Ironbark Creek, residential receptors and the railway line;</li> </ul> </li> </ul>		<p>vehicle sight distances in accordance with RTA requirements</p> <p>Appendix 4 – Waste Management Plan</p> <ul style="list-style-type: none"> <li>• a description of what procedures would be followed to ensure compliance if any non-compliance is detected.</li> </ul> <p><b>Recommendation:</b></p> <p>Subplans required under the OEMP should be updated to ensure that they address all the requirements of Consent Condition 7.5.</p>		

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
		<ul style="list-style-type: none"> <li>ii. details of landscape work to improve the condition of the riparian zone along the boundary of Lot 1 DP 874409 and Ironbark Creek;</li> <li>iii. maximisation of flora species endemic to the locality in landscaping the site;</li> <li>iv. measures to ensure general consistency with the relevant guidance provided in <i>Planning for Bushfire Protection</i> (NSW Rural Fire Service and Planning NSW, 2001);</li> <li>v. a program to ensure that all landscaped areas on the site are maintained in a tidy, healthy state and free of weed species; and</li> <li>vi. a program to ensure that vegetation along the Pacific Highway is appropriately managed to maintain vehicle sight distances in accordance with RTA requirements.</li> <li>a) a Waste Management Plan to outline measures to minimise the production and impact of wastes generated at the development. The Plan shall include, but not necessarily be limited to:               <ul style="list-style-type: none"> <li>i. identification of the types and quantities of waste that would be generated during operations, and the standards and performance measures for dealing with this waste;</li> <li>ii. <sup>31</sup>a description of appropriate procedures that will be implemented to ensure that all scrap, dust and</li> </ul> </li> </ul>				

<sup>31</sup> Incorporates an EPA General Term of Approval (E1.3)

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
		<p>litter is contained within the designated receive and load out areas;</p> <p>iii. a detailed description of how this waste would be reused, recycled, and if necessary, appropriately treated and disposed of in accordance with the EPA's guidelines on the <i>Assessment, Classification &amp; Management of Liquid and Non-Liquid Waste</i>;</p> <p>iv. a description of how the effectiveness of these actions and measures would be monitored over time; and</p> <p>v. a description of what procedures would be followed to ensure compliance if any non-compliance is detected.</p>				
<b>ENVIRONMENTAL REPORTING</b>						
<b>Incident Reporting</b>						
	8.1	<p>The Applicant shall notify the Director-General of any incident with actual or potential significant off-site impacts on people or the biophysical environment as soon as practicable after the occurrence of the incident. The Applicant shall provide written details of the incident to the Director-General within seven days of the date on which the incident occurred.</p>		No environmental incidents have been recorded	Not triggered	
	8.2	<p>The Applicant shall meet the requirements of the Director-General to address the cause or impact of any incident, as it relates to this consent, reported in accordance with condition 0 of this consent, within such period as the Director-General may agree.</p>		No environmental incidents have been recorded	Not triggered	

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
Annual Performance Reporting						
92.	8.3	<p>The Applicant shall, throughout the life of the development, prepare and submit for the approval of the Director-General, an Annual Environmental Management Report (AEMR). The AEMR shall review the performance of the development against the Operation Environmental Management Plan (refer to condition 0 of this consent), the conditions of this consent and other licences and approvals relating to the development. The AEMR shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>a. details of compliance with the conditions of this consent;</li> <li>b. a comparison of the environmental impacts and performance of the development against the environmental impacts and performance predicted in those documents listed under condition 0 of this consent;</li> <li>c. details of any complaints received in relation to the operation, an overview of how these complaints were handled, and the results of any actions taken by the Applicant to address the complaint;</li> <li>d. results of all environmental monitoring required under this consent and other approvals, including interpretations and discussion by a suitably qualified person; and</li> <li>e. a list of all occasions in the preceding twelve-month period when environmental performance goals for the development have not been achieved, indicating</li> </ul>		<p>AEMR provided annually</p> <p>2017 AEMR submitted – <b>Unable to be verified</b></p> <p>2018 AEMR submitted – 18/07/2019, 25/11/19 (revised).</p> <p>2019 AEMR submitted – <b>Unable to be verified</b></p> <p><b>No evidence that the AEMR has been submitted to Council.</b></p> <p><b>Recommendations:</b></p> <p>A copy of the Annual Environmental Management Report should be provided to Council in accordance with the requirements of Consent condition 8.3. Records of submission of the Annual Environmental Management Report to DPIE and Council should be maintained.</p>	<b>Non-Compliant</b>	<b>08</b>

AQUAS Ref No	Condition of Consent No.	Requirement	Evidence Collected	Finding and Recommendations	Compliance rating	Issue #
		<p>the reason for failure to meet the goals and the action taken to prevent recurrence of that type of incident.</p> <p>The Applicant shall submit a copy of the AEMR to the Director-General and Council every year, with the first AEMR to be submitted no later than twelve months after the commencement of operation.</p>				

## Audit Checklist – Environmental Protection Licence 5345

AQUAS Ref No	Cond. No.	Condition	Evidence Collected	Finding and Recommendations	Compliance rating	Assessment Issue #																		
<b>ENVIRONMENTAL PROTECTION LICENCE 5345</b>																								
93.	A.1.1	<p>Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.</p> <table border="1"> <tr> <td>Metallurgical activities</td> <td>Metal waste generation</td> <td>&gt; 100 T annual volume of waste generated or stored</td> </tr> <tr> <td>Metallurgical activities</td> <td>Scrap metal processing</td> <td>&gt; 100000 - 500000 T annual production capacity</td> </tr> <tr> <td>Waste storage</td> <td>Waste storage - hazardous, restricted solid, liquid, clinical and related waste and asbestos waste</td> <td>Any listed waste types stored</td> </tr> </table>	Metallurgical activities	Metal waste generation	> 100 T annual volume of waste generated or stored	Metallurgical activities	Scrap metal processing	> 100000 - 500000 T annual production capacity	Waste storage	Waste storage - hazardous, restricted solid, liquid, clinical and related waste and asbestos waste	Any listed waste types stored		Reported that Scrap metal recycling was ~240,000T / year.	Compliant										
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Metallurgical activities	Scrap metal processing	> 100000 - 500000 T annual production capacity																						
Waste storage	Waste storage - hazardous, restricted solid, liquid, clinical and related waste and asbestos waste	Any listed waste types stored																						
94.	L1	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.		No incidents have been recorded where pollution of waters has occurred.	Compliant																			
95.	L2.1	<p>For each monitoring/discharge point or utilisation area specified in the table's below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Unit of Measure</th> <th>100 percentile concentration limit</th> <th>Reference conditions</th> <th>Oxygen correction</th> <th>Averaging period</th> </tr> </thead> <tbody> <tr> <td>Total Solid Particles</td> <td>milligrams per cubic metre</td> <td>100</td> <td>Dry, 273K, 101.3 kPa</td> <td></td> <td>1 hour</td> </tr> <tr> <td>Mercury</td> <td>milligrams per cubic metre</td> <td>1.0</td> <td>Dry, 273K, 101.3 kPa</td> <td></td> <td>1 hour</td> </tr> </tbody> </table>	Pollutant	Unit of Measure	100 percentile concentration limit	Reference conditions	Oxygen correction	Averaging period	Total Solid Particles	milligrams per cubic metre	100	Dry, 273K, 101.3 kPa		1 hour	Mercury	milligrams per cubic metre	1.0	Dry, 273K, 101.3 kPa		1 hour	Annual Environmental Management Report 2017 Annual Environmental Management Report 2018 Annual Environmental Management Report 2019 InfraBuild Recycling Hexham Quarterly Noise Monitoring Report - Quarter 1 2020 InfraBuild Recycling Hexham	Quarterly stack emission monitoring conducted. Results for period January 2017 – September 2020 reviewed. All results were less than maximum allowable discharge concentrations.	Compliant	
Pollutant	Unit of Measure	100 percentile concentration limit	Reference conditions	Oxygen correction	Averaging period																			
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AQUAS Ref No	Cond. No.	Condition						Evidence Collected	Finding and Recommendations	Compliance rating	Assessment Issue #																									
		Lead	milligrams per cubic metre	51.0	Dry, 273K, 101.3 kPa		1 hour																													
								Quarterly Noise Monitoring Report - Quarter 2 2020 InfraBuild Recycling Hexham Quarterly Noise Monitoring Report - Quarter 3 2020																												
96.	L3	<p><b>Waste</b></p> <p>The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled "Waste" and meeting the definition, if any, in the column titled "Description" in the table below.</p> <p>Any waste received at the premises must only be used for the activities referred to in relation to that waste in the column titled "Activity" in the table below.</p> <p>Any waste received at the premises is subject to those limits or conditions, if any, referred to in relation to that waste contained in the column titled "Other Limits" in the table below.</p> <p>This condition does not limit any other conditions in this licence.</p> <table border="1"> <thead> <tr> <th>Code</th> <th>Waste</th> <th>Description</th> <th>Activity</th> <th>Other limits</th> </tr> </thead> <tbody> <tr> <td>NA</td> <td>Scrap Metal</td> <td></td> <td></td> <td></td> </tr> <tr> <td>NA</td> <td>Scrap Metal</td> <td></td> <td></td> <td>No more than 500000 Tonnes can be processed per year</td> </tr> <tr> <td>J20</td> <td>Waste oil/hydrocarbons mixtures/ emulsions in water</td> <td></td> <td></td> <td></td> </tr> <tr> <td>D220</td> <td>Lead; lead compounds</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>						Code	Waste	Description	Activity	Other limits	NA	Scrap Metal				NA	Scrap Metal			No more than 500000 Tonnes can be processed per year	J20	Waste oil/hydrocarbons mixtures/ emulsions in water				D220	Lead; lead compounds					Reported that Scrap metal recycling was ~240,000T / year.	Compliant	
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97.	L4	<p><b>Noise limits</b></p> <p>Noise from the premises must not exceed the limits specified in the table below</p> <table border="1"> <thead> <tr> <th>Location</th> <th>Day LAeq(15 minute)</th> <th>Evening LAeq (15 minute)</th> <th>Night LAeq(15 minute)</th> <th>Night LA1(1 minute)</th> </tr> </thead> <tbody> <tr> <td>Any residence in Shamrock Street, Hexham, affected by noise from the premises</td> <td>47</td> <td>48</td> <td>45</td> <td>55</td> </tr> <tr> <td>St Joseph's Retirement Village and any associated residence in Old Maitland Road, Hexham, affected by noise from the premises</td> <td>53</td> <td>42</td> <td>41</td> <td>56</td> </tr> <tr> <td>Any operating industrial premises affected by noise from the premises</td> <td>70</td> <td>70</td> <td>70</td> <td>N/A</td> </tr> </tbody> </table>	Location	Day LAeq(15 minute)	Evening LAeq (15 minute)	Night LAeq(15 minute)	Night LA1(1 minute)	Any residence in Shamrock Street, Hexham, affected by noise from the premises	47	48	45	55	St Joseph's Retirement Village and any associated residence in Old Maitland Road, Hexham, affected by noise from the premises	53	42	41	56	Any operating industrial premises affected by noise from the premises	70	70	70	N/A	<p>Annual Environmental Management Report 2017</p> <p>Annual Environmental Management Report 2018</p> <p>Annual Environmental Management Report 2019</p> <p>InfraBuild Recycling Hexham</p> <p>Quarterly Noise Monitoring Report - Quarter 1 2020</p> <p>InfraBuild Recycling Hexham</p> <p>Quarterly Noise Monitoring Report - Quarter 2 2020</p> <p>InfraBuild Recycling Hexham</p> <p>Quarterly Noise Monitoring Report - Quarter 3 2020</p>	<p>Noise exceedance identified during monitoring conducted 4<sup>th</sup> quarter 2019.</p> <p>2020 Q2 – Day Noise levels not compliant.</p> <p>Evening and night measured noise levels were below criteria</p>	<p><b>Non-compliant</b></p>	<p><b>NC-04</b></p>
		Location	Day LAeq(15 minute)	Evening LAeq (15 minute)	Night LAeq(15 minute)	Night LA1(1 minute)																				
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Any operating industrial premises affected by noise from the premises	70	70	70	N/A																						
98.	L5	<p><b>Hours of operation</b></p> <p>The shredder must only be operated between the hours of 0700 and 1800 Monday to Saturday, and at no time on Sundays and Public Holidays, except, where the following requirements are complied with the shredder may be operated between the hours of 1800 and 2200, Monday to Friday:</p> <p>a) an unplanned and unforeseeable situation arises at the premises by which the operation of the NSW remelt steel industry is at risk of being negatively impacted by a shortage of shredded scrap, and</p> <p>b) the licensee informs the EPA Hunter Office, and all affected noise receptors within a 1.5Km radius of the LYNX shredder, in writing at least 24 hours prior to commencing out of hours operation, and</p>	<p><b>Shredder running sheet</b></p>	<p>The shredder was reported to operate 7.00am to 3.00pm daily. The shredder may operate up to 6.00pm during periods of high demand.</p>	<p>Compliant</p>																					

AQUAS Ref No	Cond. No.	Condition	Evidence Collected	Finding and Recommendations	Compliance rating	Assessment Issue #
		c) an officer appointed by the licensee is on site, solely for the purpose of ensuring compliance with noise limits at various locations.				
99.	L6	<b>Potentially offensive odour</b> No condition of this licence identifies a potentially offensive odour for the purposes of section 129 of the Protection of the Environment Operations Act 1997.	Complaints Register 2019	One complaint received 20/05/19 in relation to offensive odour. Response provided to EPA.	Compliant	
100.	O1.1	Licensed activities must be carried out in a competent manner. This includes: a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.	Site Inspection Maintenance records, e.g. Order 30076188 – Baghouse Filter Inspection, Quarterly. Completed 18/08/2020 Order 30037873 – Rotor Inspection – Daily. Completed 13/11/2020	Requirements for the minimisation of environmental impacts of the site activities identified in management plans have been implemented.	Compliant	
101.	O2.1	All plant and equipment installed at the premises or used in connection with the licensed activity: a) must be maintained in a proper and efficient condition; and b) must be operated in a proper and efficient manner.		Records of maintenance of plant and equipment verified	Compliant	
102.	O3.1	The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.	Site Inspection Stormwater Quality Improvement Device Clean Report – Jul-20 – Urban Asset Solutions	Dust suppression activities are undertaken to minimise dust levels. These include: <ul style="list-style-type: none"> <li>Water trucks: spraying water across the plant area to minimise dust levels;</li> <li>Sweepers – Dust sweepers utilized across the site;</li> <li>Dust suppression unit – installed within the shredder unit to minimize dust</li> </ul>	Compliant	

AQUAS Ref No	Cond. No.	Condition	Evidence Collected	Finding and Recommendations	Compliance rating	Assessment Issue #
				emission from the shredder operation. <ul style="list-style-type: none"> <li>• Water sprays on conveyors.</li> <li>• Landscaping of open areas.</li> </ul>		
103.	O3.2	All operations and activities occurring at the premises must be carried out in a manner that will minimise the emission of dust from the premises.	Site Inspection	Dust suppression activities are undertaken to minimise dust levels. These include: <ul style="list-style-type: none"> <li>• Water trucks: spraying water across the plant area to minimise dust levels;</li> <li>• Sweepers – Dust sweepers utilized across the site;</li> <li>• Dust suppression unit – installed within the shredder unit to minimize dust emission from the shredder operation.</li> <li>• Water sprays on conveyors.</li> <li>• Landscaping of open areas.</li> </ul>	Compliant	
104.	O3.3	Trucks entering and leaving the premises that are carrying loads of dust generating materials must have their loads covered at all times, except during loading and unloading.	Site Inspection	During the site inspection, no trucks were sighted with uncovered loads.	Compliant	
105.	O4.1	Emergency response O4.1 The licensee must maintain, and implement as necessary, a current emergency response plan for the premises. The licensee must keep the emergency response plan on the premises at all times. The emergency response plan must document systems and procedures to deal with all types of incidents (e.g. spills, explosions or fire) that may occur at the	HEX-OHSE-RM-PR0-601 Pollution Incident Response Management Plan V.2 10/08/2020	PIRMP developed for the site.	Compliant	

AQUAS Ref No	Cond. No.	Condition	Evidence Collected	Finding and Recommendations	Compliance rating	Assessment Issue #
		premises or that may be associated with activities that occur at the premises and which are likely to cause harm to the environment. If a current emergency response plan does not exist at the date on which this condition is attached to the licence, the licensee must develop an emergency response plan within three months of that date.				
106.	O5.1	Where practicable, the licensee must implement appropriate procedures to ensure that all scrap, dust and litter is contained within the designated receiving and load out areas.	Site Inspection	Dedicated bunkers provided for segregation of scrap. Fencing with shade cloth to prevent offsite migration of litter. Landscaping of site to minimise dust generation and litter dispersion.	Compliant	
107.	O5.2	All above ground tanks containing material that is likely to cause environmental harm must be bunded or have an alternative spill containment system in place.	Site Inspection	All above ground tanks sighted during the site inspection had been suitably bunded. It was noted that a new bunded facility had been provided for the storage and dispensing of oils.	Compliant	
108.	O5.3	Bunds must: a) have walls and floors constructed of impervious materials; b) be of sufficient capacity to contain 110% of the volume of the tank (or 110% volume of the largest tank where a group of tanks are installed); c) have floors graded to a collection sump; and d) not have a drain valve incorporated in the bund structure, or be constructed and operated in a manner that achieves the same environmental outcome.	Site Inspection	All above ground tanks sighted during the site inspection had been suitably bunded.	Compliant	
109.	O6.1	<b>Waste management</b> The licensee must ensure that any liquid and/or non liquid waste generated and/or stored at the premises is assessed and classified in accordance with the EPA's Waste Classification Guidelines as in force from time to time	Waste Classification Letter - Stockpiled Material - InfraBuild Recycling Hexham - Lot 1,	Waste Management Plan developed and included in Appendix 4 of the OEMP. Waste storage	Compliant	

AQUAS Ref No	Cond. No.	Condition	Evidence Collected	Finding and Recommendations	Compliance rating	Assessment Issue #
			DP110576, AECOM 8/11/2019	facilities had been provided. Sighted waste classification for waste crushed concrete stored on site.		
110.	O6.2	The licensee must ensure that waste identified for recycling is stored separately from other waste.	Site Inspection	Facility for the segregation of waste was available and utilised. E.g. Dedicated storage area for used batteries.	Compliant	
111.	O7.1	<b>Other operating conditions</b> All process related fabric filters installed on the premises shall be fitted with a bag leak detection and alarm system	Site Inspection	Verified during site inspection	Compliant	
112.	O7.2	There must be no incineration or open burning of any material(s) on the premises, except as specifically authorised by the EPA.		Reported that no incineration or open burning of materials had occurred on site.	Compliant	
113.	O7.3	The licensee must ensure that activities undertaken at the premises do not cause visible emissions of smoke or fume beyond the boundary of the premises.	Site Inspection	The plant is operated to minimise emissions. No visible emissions of dust or fume were sighted during the site inspection.	Compliant	
114.	O7.4	The licensee must ensure that activities are conducted in an environmentally satisfactory manner. So as to minimise and prevent the pollution of air and water the licensee must: (a) Ensure that vehicles or containers prior to leaving the premises are clean and sealed in a manner that will not cause materials or wastes used in conducting the activities at the premises to be tracked, thrown from, blown, fall, or cast from any vehicle or container onto a public road. (b) The licensee must have in place and implement procedures to ensure that vehicles and containers exiting the premises are in a condition to ensure that materials are not tracked, thrown, blown, fall or cast onto a public road	Site Inspection Hexham Driver Induction	Driver induction includes requirements for inspecting trucks and covering loads before leaving the site.	Compliant	

AQUAS Ref No	Cond. No.	Condition	Evidence Collected	Finding and Recommendations	Compliance rating	Assessment Issue #																				
115.	M1.2	All records required to be kept by this licence must be: a) in a legible form, or in a form that can readily be reduced to a legible form; b) kept for at least 4 years after the monitoring or event to which they relate took place; and c) Produced in a legible form to any authorised officer of the EPA who asks to see them.		Records were readily available on site in hard copy and/or electronic format.	Compliant																					
116.	M1.3	The following records must be kept in respect of any samples required to be collected for the purposes of this licence: a) the date(s) on which the sample was taken; b) the time(s) at which the sample was collected; c) the point at which the sample was taken; and d) the name of the person who collected the sample.	1st Quarter Emissions Testing Report 2020 InfraBuild Recycling Hexham Quarterly Noise Monitoring Report - Quarter 1 2020	Records of monitoring were readily available on site in hard copy and/or electronic format. Records include required information.	Compliant																					
117.	M2.2	Point 1 <table border="1" data-bbox="392 821 1176 1101"> <thead> <tr> <th>Pollutant</th> <th>Unit of Measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>Lead</td> <td>Mg/m<sup>3</sup></td> <td>Quarterly</td> <td>TM-12</td> </tr> <tr> <td>Mercury</td> <td>Mg/m<sup>3</sup></td> <td>Quarterly</td> <td>TM-14</td> </tr> <tr> <td>PM10</td> <td>µg/m<sup>3</sup></td> <td>Quarterly</td> <td>OM-5</td> </tr> <tr> <td>Total Solid Particles</td> <td>Mg/m<sup>3</sup></td> <td>Quarterly</td> <td>TM-15</td> </tr> </tbody> </table>	Pollutant	Unit of Measure	Frequency	Sampling Method	Lead	Mg/m <sup>3</sup>	Quarterly	TM-12	Mercury	Mg/m <sup>3</sup>	Quarterly	TM-14	PM10	µg/m <sup>3</sup>	Quarterly	OM-5	Total Solid Particles	Mg/m <sup>3</sup>	Quarterly	TM-15	1st Quarter Emissions Testing Report 2020	Quarterly emissions testing undertaken by AECOM, which includes monitoring for the pollutants identified.	Compliant	
Pollutant	Unit of Measure	Frequency	Sampling Method																							
Lead	Mg/m <sup>3</sup>	Quarterly	TM-12																							
Mercury	Mg/m <sup>3</sup>	Quarterly	TM-14																							
PM10	µg/m <sup>3</sup>	Quarterly	OM-5																							
Total Solid Particles	Mg/m <sup>3</sup>	Quarterly	TM-15																							
118.	M4.1	Suitable instrumentation must be maintained and operated to monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1. The licensee must use the sampling method, units or measure, averaging period and sample at the frequency, specified opposite in the other columns <table border="1" data-bbox="392 1260 1176 1372"> <thead> <tr> <th>Parameter</th> <th>Unit of Measure</th> <th>Frequency</th> <th>Averaging Period</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>Rainfall</td> <td>Mm</td> <td>Daily</td> <td>1 hour</td> <td>AM-4</td> </tr> </tbody> </table>	Parameter	Unit of Measure	Frequency	Averaging Period	Sampling Method	Rainfall	Mm	Daily	1 hour	AM-4	Site Inspection	Weather station maintained in north-west corner of site.	Compliant											
Parameter	Unit of Measure	Frequency	Averaging Period	Sampling Method																						
Rainfall	Mm	Daily	1 hour	AM-4																						

AQUAS Ref No	Cond. No.	Condition					Evidence Collected	Finding and Recommendations	Compliance rating	Assessment Issue #
		Wind Speed @ 10 Metres	m/s	Continuous	15 minute	AM-2 & AM-4				
		Wind Direction @ 10 metres	Degrees	Continuous	15 minute	AM-2 & AM-4				
		Temperature @ 10 metres	Degrees Celsius	Continuous	15 minute	AM-4				
		Temperature @ 2 metres	Degrees Celsius	Continuous	15 minute	AM-4				
		Sigma theta @ 10 metres	Degrees	Continuous	15 minute	AM-2 & AM-4				
119.	M5.1	The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.					Complaints Register 2017 Complaints Register 2018 Complaints Register 2019 Complaints Register 2020	Complaints register maintained. 2017 – No complaints received. 2018 – No complaints received. 2019 – 4 complaints received. 2020 – No complaints received.	Compliant	
120.	M5.2	The record must include details of the following: a) the date and time of the complaint; b) the method by which the complaint was made; c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect; d) the nature of the complaint; e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and f) if no action was taken by the licensee, the reasons why no action was taken.					Complaints Register 2017 Complaints Register 2018 Complaints Register 2019 Complaints Register 2020	Complaints register includes information required.	Compliant	
121.	M5.3	The record of a complaint must be kept for at least 4 years after the complaint was made.						Records were readily available on site.	Compliant	



AQUAS Ref No	Cond. No.	Condition	Evidence Collected	Finding and Recommendations	Compliance rating	Assessment Issue #
122.	M5.4	The record must be produced to any authorised officer of the EPA who asks to see them.		Records were readily available on site.	Compliant	
123.	M6.1	The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.		A contact phone number is provided the OneSteel web site. Other contact details including an email address are provided on the internet site.	Compliant	
124.	M6.2	The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.		The InfraBuild website lists the contact number for the site - 02 4961 9700 which is the Hexham reception and operates during business hours.	<b>Non-Compliant</b>	<b>09</b>
125.	M6.3	The preceding two conditions do not apply until 3 months after the date of the issue of this licence.			Not Triggered	
126.	M6.4	The licensee must nominate to the EPA a representative of the company that is available at all times and is capable of providing immediate assistance or response during emergencies or any other incidents at the premises. The name of the nominated representative and their contact details, including their telephone number, must be current at all times. The nomination and contact details must be provided to the EPA's Regional Manager- Hunter at PO Box 488G, Newcastle NSW 2300. Note: This condition does not apply until two (2) weeks after the date of issue of the variation notice to include this condition.		EPA Contact - Paul Smith No official correspondence to the EPA for change to Paul Smith.	<b>Non-Compliant</b>	<b>05</b>
127.	M7.1	Suitable instrumentation must be maintained and operated, in compliance with Australian Standard 2187.2 of 1993, to monitor overpressure and vibration caused by explosions on the premises.	Annual Environmental Management Report 2017 Annual Environmental Management Report 2018 Annual Environmental Management Report 2019	Overpressure and vibration monitoring instruments have been installed permanently at the site and monitoring is conducted by consultants. No blasts have been measured during the	Compliant	

AQUAS Ref No	Cond. No.	Condition	Evidence Collected	Finding and Recommendations	Compliance rating	Assessment Issue #
				period covered by the current audit. No complaints have been received in relation to excessive overpressure or vibration.		
128.	M7.2	The licensee is required to monitor noise emissions from the premises on a quarterly basis, to demonstrate compliance with the noise limits in Condition L4.1 of this licence.  The licensee must engage a suitably qualified and experienced acoustic consultant to undertake the noise compliance assessments.	InfraBuild Recycling Hexham Quarterly Noise Monitoring Report - Quarter 1 2020 InfraBuild Recycling Hexham Quarterly Noise Monitoring Report - Quarter 2 2020 InfraBuild Recycling Hexham Quarterly Noise Monitoring Report - Quarter 3 2020	Quarterly monitoring was performed by AECOM in quarters 1,2,3 and 4 of each year.	Compliant	
<b>Reporting Conditions</b>						
<b>Annual Return Documents</b>						
129.	R1.1	The licensee must complete and supply to the EPA an Annual Return in the approved form comprising: 1. a Statement of Compliance, 2. a Monitoring and Complaints Summary, 3. a Statement of Compliance - Licence Conditions, 4. a Statement of Compliance - Load based Fee, 5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan, 6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and 7. a Statement of Compliance - Environmental Management Systems and Practices.  At the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.	2020 Annual Return EPA 5345	Annual return completed using EPA provided template.	Compliant	

AQUAS Ref No	Cond. No.	Condition	Evidence Collected	Finding and Recommendations	Compliance rating	Assessment Issue #
130.	R1.2	An Annual Return must be prepared in respect of each reporting period, except as provided below. <i>Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.</i> <i>The reporting period means the period of 12 months after the issue of the licence, and each subsequent period of 12 months</i>	<a href="https://apps.epa.nsw.gov.au/prpoeoapp/Detail.aspx?instid=5345&amp;id=5345&amp;option=licence&amp;searchrange=licence&amp;range=POEO%20licence&amp;prp=no&amp;status=Issued">https://apps.epa.nsw.gov.au/prpoeoapp/Detail.aspx?instid=5345&amp;id=5345&amp;option=licence&amp;searchrange=licence&amp;range=POEO%20licence&amp;prp=no&amp;status=Issued</a>	Annual return completed using EPA provided template. EPA Public register shows annual returns had been submitted in accordance with licence requirements.	Compliant	
131.	R1.3	Where this licence is transferred from the licensee to a new licensee: a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period. <i>Note: An application to transfer a licence must be made in the approved form for this purpose.</i>		Licence has not been transferred	Not triggered	
132.	R1.4	Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on: a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.		Licence has not been surrendered	Not triggered	
133.	R1.5	The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').		Required to be submitted by 16 February. 2019 submitted 7/02/20 2018 submitted 14/02/19 2017 submitted 15/02/18	Compliant	
134.	R1.6	The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA	2020 Annual Return EPA 5345	Copy of annual returns available on site.	Compliant	
135.	R1.7	Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:	2020 Annual Return EPA 5345	Annual Return signed by Operational Support	Compliant	

AQUAS Ref No	Cond. No.	Condition	Evidence Collected	Finding and Recommendations	Compliance rating	Assessment Issue #
		a) the licence holder; or b) by a person approved in writing by the EPA to sign on behalf of the licence holder.		Manager and NSW State Manager.		
136.	R2.1	Notifications must be made by telephoning the Environment Line service on 131 555. <i>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.</i>		No notifications have been required.	Not triggered	
137.	R2.2	The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.		No notifications have been required.	Not triggered	
138.	R3.1	Where an authorised officer of the EPA suspects on reasonable grounds that: a) where this licence applies to premises, an event has occurred at the premises; or b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.	Show Cause Letter – EPA Ref 1598478, 14/08/2020	EPA inspection 23 June 2020 observed deficiencies in the management of water discharge and dust emission controls. Show cause notice issued 14/08/2020.  Infrabuild response 4/09/2020 and 6/10/2020 identifying actions undertaken to address dust emission issues.	Compliant	
139.	R3.2	The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.		Show cause notice required response by 4 September 2020. Response provided 4 September 2020.	Compliant	
140.	R3.3	The request may require a report which includes any or all of the following information: a) the cause, time and duration of the event; b) the type, volume and concentration of every pollutant discharged as a result of the event;		Written response provided to EPA within timeframe specified in the show cause notice.	Compliant	

AQUAS Ref No	Cond. No.	Condition	Evidence Collected	Finding and Recommendations	Compliance rating	Assessment Issue #
		<p>c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;</p> <p>d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;</p> <p>e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;</p> <p>f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and</p> <p>g) any other relevant matters.</p>				
141.	R3.4	The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.		Additional information provided 6/10/2020.	Compliant	
142.	R3.5	The licensee is required to supply a report to be submitted with the annual return, regarding the quarterly noise compliance assessments referred to in Condition M7.2 of this licence.		Noise reports provided with annual return. Verified by Operations Support Manager.	Compliant	
143.	G1.1	A copy of this licence must be kept at the premises to which the licence applies.		Copy of licence maintained on site.	Compliant	
144.	G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it.		Copy of licence maintained on site.	Compliant	
145.	G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.		Copy of licence maintained on site.	Compliant	

## **Appendix F. Audit Photos**



Photo 1 – New bunded facility for storage and dispensing of oils.



Photo 2 – Oil containers in bunded container.





Photo 3 – Storage container for use batteries.



Photo 4 – Chemical containers not stored in a bunded area..





Photo 5 – Weather station and Blast and vibration monitor



Photo 6 – Dust deposition gauge





**Photo 7 – Stormwater collection system – Gross pollutant trap.**



**Photo 8 – Stormwater water channel beside rail corridor with sediment controls.**





**Photo 9. Car parking facilities had been provided.**



**Entry/ exit to Pacific Highway**



**Photo 11. Water cart used for dust suppression.**

## **Appendix G. Consultation Records**

**From:** Hart, James  
**To:** [Karen.GALLAGHER@epa.nsw.gov.au](mailto:Karen.GALLAGHER@epa.nsw.gov.au)  
**Subject:** Infrabuild Independent Environmental Audit  
**Date:** Wednesday, 18 November 2020 3:00:58 PM

Hi Karen,

Thanks for taking the time to talk to me today regarding the Independent Environmental Audit of the Infrabuild Recycling Facility at Hexham.

To summarise our discussion, you have suggested that I consider the Pollution Studies and Reduction Program requirements as identified in the EPL in relation to surface water and air quality management.

I trust this provides a reasonable summary of our discussion.

Please do not hesitate to contact me if you would like to discuss further.

Regards

James Hart | Management Consultant

*Certified Exemplar Global Lead OHS Auditor*

*Certified Exemplar Global Lead Environmental Auditor*

*Certified Exemplar Global Lead Quality Management System Auditor*

*Please note part time: Monday to Thursday*

AQUAS | Level 2, 426 King Street, Newcastle NSW 2300 | PO Box 2195, Dangar NSW 2309 |

phone: +61 2 4928 7600 | fax: +61 2 4927 0930 | Mobile: +61 408 238 682

email: [james.hart@aquas.com.au](mailto:james.hart@aquas.com.au) | ABN 40050539010 |

[www.aquas.com.au](http://www.aquas.com.au)

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Please consider the environment before printing this email.

**From:** Joel Curran  
**To:** Hart, James  
**Subject:** RE: Infrabuild IEA Audit 19 November 2020  
**Date:** Wednesday, 18 November 2020 12:02:59 PM  
Afternoon James

Based on previous IEA and site inspections, I would like to see a focus on an assessment of the adequacy and potential improvements for:

Dust management – hardstand areas and crusher facility;  
Sediment tracking; and  
Surface water management.

If you haven't already, it would be good to see if the EPA has any comments.

Regards

**Joel Curran**

**Senior Compliance Officer**

Compliance | Department of Planning, Industry and Environment

**T** 02 4904 2702 | **M** 0412 323 331 | **E** [joel.curran@planning.nsw.gov.au](mailto:joel.curran@planning.nsw.gov.au)

PO Box 1226 | Newcastle NSW 2300

*Please direct all email correspondence to [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au)*

[www.dpie.nsw.gov.au](http://www.dpie.nsw.gov.au)

*The Department of Planning, Industry and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.*

*If you are submitting a compliance document or request as required under the conditions of consent or approval, please note that the Department is no longer accepting lodgement via [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au).*

*The Department has recently upgraded the Major Projects Website to improve the timeliness and transparency of its post approval and compliance functions. As part of this upgrade, proponents are now requested to submit all post approval and compliance documents online, via the Major Projects Website. To do this, please refer to the instructions available [here](#).*

# Appendix E

## Corrective Action Plan



### Corrective Action Plan - Infrabuild Recycling Hexham - Updated 23 November 2020

CoA Ref	NC No.	Corrective Action	Details of corrective action	Target Date	Completion Date	Status	Actions Achieved
1.1	NC01	Implement all practicable measures to prevent or minimise harm to the environment	At the completion of all CAs on this list all practicable measures will have been implemented	22-Oct-17	DSI Submitted 20 July 2020	Closed	During 2019-2020 the business submitted the following reports to the NSW EPA Licence 5345 Section 8 Pollution Studies & Reduction Programs: - Dust Study - AECOM Dust Mitigation Report Oct 2019; IBR Dust Mitigation Report Jan 2020 - Stormwater Studies - AECOM Sampling Plan Aug 2019; Water Balance Model Sept 2019; Discharge Characterisation March 2020; Ecotox Assessment April 2020; Mitigation Report Apr 2020 - Detailed Site Investigation (Soil and Groundwater): Kleinfelder DSI July 2020
1.2	NC02	Implement all documentation requirements	At the completion of all CAs on this list all documented requirements will have been implemented	22-Oct-17	Revised OEMP Submitted to DPIE 21 Nov 2019	Closed	The site OEMP was revised in late 2019 to capture these outstanding requirements (refer NC09; NC10; NC11).
2.1	NC03	Review site inductions to ensure consent requirements are included.	Incorporate relevant consent conditions in the site induction. The site induction is a requirement to be completed by all new	22-Aug-17	20-Sep-17	Closed	Personal who interact with the Infrabuild Recycling Hexham location are made aware through various methods of the Environmental requirements for the site. For example new employees are trained in Environmental awareness, Contractors via the Work Safety Permit.
2.5	NC04	Implement all requirements of the Director General	At the completion of all CAs on this list all requirements of the	22-Oct-17	20-Jul-20	Closed	At the completion of all CAs on this list all requirements of the Director-General will have been implemented. The Hexham DSI was submitted to NSW in July 2020 closing off NC01.
4.3	NC05	A. Create a system to reduce the likelihood of inadvertently missing quarterly noise monitoring	Formalise triggers such as the safety calendar and prompts from the contractors to ensure	31-Aug-17	20-Sep-17	Closed	The appointed contractor used to conduct testing has a program to remind the Hexham facility in relation to when such testing is required. The site also captures this via there own site maintenance program
4.3	NC05	B. Determine the need for a repeat background noise survey	Obtain expert advice on the utility of obtaining such a survey. If it is	31-Aug-17	23-Oct-17	Closed	As per the Noise Management Plan it was agreed with an environmental consultation and management within Infrabuild that a repeat background noise survey would not be required and the plan now captures the use of boundary measurement algorithm

4.3	NC05	C. Review and revise the noise monitoring program	Review and revise the program with a focus on: analysis of historical results, the effect of changes to background levels, the	31-Aug-17	23-Oct-17	Closed	It was agreed with an environmental consultation and management within Infrabuild that a repeat background noise survey would not be required and the plan now captures the use of boundary measurement algorithm
5.3	NC06	This is the same as NC05 A, B & C above	This is the same as NC05 A, B & C above				
5.11	NC07	A. Review water monitoring history and establish meaningful assessment criteria	Review all historical water monitoring results Determine likely impact of site operations Assess the receiving environment against appropriate guidelines	30-Sep-17	Monitoring report submitted 29 Apr 2020	Closed	Due to amendments to the EPA Licence 5345, new requirements for the Infrabuild Hexham location is to conduct Surface Water Characterisation program which covers off on a Water Balance model, Water Characterisation, Discharge Characterisation, Discharge Impact Assessment & a Surface Water Mitigation & Monitoring Plan. The new monitoring programme is defined in the AECOM Surface Water Mitigation & Monitoring Plan submitted to NSW EPA on 29 April 2020. The report specifies contaminants to be tested; monitoring frequencies; methodologies for stormwater quality monitoring
5.11	NC07	B. Revise and implement the Stormwater Management Plan	Revise and implement the Stormwater Management Plan: - Incorporate the criteria based on the history of local results (i.e.. taking into account background results) - Decide on	30-Sep-17	Monitoring report submitted 29 Apr 2020	Closed	The Surface Water Mitigation & Monitoring Plan submitted to NSW EPA meets these requirements.
7.1	NC08	Revise Roles and Responsibilities Matrix with regard to Environmental Representative.	Revise the Responsibilities Matrix and incorporate into a revised Operations	15-Aug-17	31-Jan-20	Closed	This is no longer a separate matrix and has been incorporated into the EMP for the location
7.4	NC09	Review and Update site OEMP and then update induction documents	Update the OEMP and include revised suite of Management Plans as outlined in NC10-15. Changes will then be	19-Nov-17	21-Nov-19	Closed	The Operational Environmental Management Plan has now been updated and includes the suite of management plans as appendixes. Note: The OEMP will need to be updated once the stormwater study has been completed
7.5a	NC10	Review and Update the site Noise Management Plan	Update the Noise Management plan Incorporating findings	30-Sep-17	21-Nov-19	Closed	The Noise Management Plan has been updated and attached to the OEMP, included in the plan is the items identified from NC05.

7.5b	NC11	Review and Update the site Traffic Management Plan	Update the Traffic Management plan and include latest material from site training documents relating to transport and load restraint.	31-Aug-17	21-Nov-19	Closed	The Traffic Management Plan has been updated and attached to the OEMP. The site holds an independent Traffic Management plan which all employees are trained in and covers Transport as well as load restraint requirements which is Safety focused. The OEMP continues to capture the requirements as part of the Development Consent and is shared with key contractor transport companies for them to communicate to drivers on the requirements when entering & exiting
7.5c	NC12	Review and Update the site Flood Emergency Management Plan	Flood Emergency Management plan to Include learnings from Jan 2016 1 in 100yr flood event.	22-Aug-17	21-Nov-19	Closed	The Flood Emergency plan has been updated and attached to the OEMP. Learnings from the 2016 Flood at the Hexham facility have not prompted a change to the Flood Management Plan but other areas were identified as maintenance activities now captured within the sites maintenance program. These being the internal inspection of pipes leading from the Shredder First Flush Pit to the Swale discharge point and also the pipe from Sparke Street to Ironbark Creek discharge point.
7.5d	NC13	Review and Update the site Stormwater Management Plan	Update the stormwater Management plan Incorporating findings from NC07 above.	08-Oct-17	Monitoring report submitted 29 Apr 2020	Closed	The Surface Water Mitigation & Monitoring Plan submitted to NSW EPA meets these requirements.
7.5e	NC14	Review and Update the site Landscape Management Plan	Update the Landscape Management plan with focus on noxious weed identification and	20-Sep-17	21-Nov-19	Closed	The Landscape Management plan has been updated and attached to the OEMP. The plan covers as apart of the maintenance of landscaping for the site that landscaping will be in a tidy, healthy state and free of weed species
7.5f	NC15	Review and Update the site Waste Management Plan	Update the Waste Management plan. Include a waste stream	30-Sep-17	21-Nov-19	Closed	The Waste Management Plan has been updated and attached to the OEMP. Included in the Waste Management Plan is a waste stream diagram as highlighted from the Audit.
-	-	Additional Dust & Sediment control actions as per correspondence to the Department 9th of January 2019	-	09-Jan-19	09-Oct-19	Closed	As part of the EPA Licence 5345 Pollution Studies & Reduction Programs, Infrabuild Recycling Hexham was required to complete a Dust Mitigation Study and Report. This has been completed and submitted for approval to the EPA. The Sediment part of the program is being captured in the Water Characterisation program which is not due

# Appendix F

## Laboratory Results

## CERTIFICATE OF ANALYSIS

<b>Work Order</b> : <b>ES2037768</b> <b>Client</b> : <b>LIBERTY ONESTEEL</b> <b>Contact</b> : <b>MR MICHAEL ALLISON</b> <b>Address</b> : <b>902-908 Pacific Highway Lisarow VICTORIA 2257</b>  <b>Telephone</b> : <b>----</b> <b>Project</b> : <b>Stormwater Sampling</b> <b>Order number</b> : <b>2598490</b> <b>C-O-C number</b> : <b>----</b> <b>Sampler</b> : <b>Gregor</b> <b>Site</b> : <b>----</b> <b>Quote number</b> : <b>blanket Quote</b> <b>No. of samples received</b> : <b>4</b> <b>No. of samples analysed</b> : <b>4</b>	<b>Page</b> : 1 of 6 <b>Laboratory</b> : Environmental Division Sydney <b>Contact</b> : Customer Services ES <b>Address</b> : 277-289 Woodpark Road Smithfield NSW Australia 2164  <b>Telephone</b> : +61-2-8784 8555 <b>Date Samples Received</b> : 27-Oct-2020 17:00 <b>Date Analysis Commenced</b> : 28-Oct-2020 <b>Issue Date</b> : 04-Nov-2020 15:18
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This report supersedes any previous report(s) with this reference. Results apply to the sample(s) as submitted. This document shall not be reproduced, except in full.

This Certificate of Analysis contains the following information:

- General Comments
- Analytical Results
- Surrogate Control Limits

**Additional information pertinent to this report will be found in the following separate attachments: Quality Control Report, QA/QC Compliance Assessment to assist with Quality Review and Sample Receipt Notification.**

### Signatories

This document has been electronically signed by the authorized signatories below. Electronic signing is carried out in compliance with procedures specified in 21 CFR Part 11.

<i>Signatories</i>	<i>Position</i>	<i>Accreditation Category</i>
Ankit Joshi	Inorganic Chemist	Sydney Inorganics, Smithfield, NSW
Celine Conceicao	Senior Spectroscopist	Sydney Inorganics, Smithfield, NSW
Edwandy Fadjar	Organic Coordinator	Sydney Organics, Smithfield, NSW



## General Comments

The analytical procedures used by ALS have been developed from established internationally recognised procedures such as those published by the USEPA, APHA, AS and NEPM. In house developed procedures are fully validated and are often at the client request.

Where moisture determination has been performed, results are reported on a dry weight basis.

Where a reported less than (<) result is higher than the LOR, this may be due to primary sample extract/digestate dilution and/or insufficient sample for analysis.

Where the LOR of a reported result differs from standard LOR, this may be due to high moisture content, insufficient sample (reduced weight employed) or matrix interference.

When sampling time information is not provided by the client, sampling dates are shown without a time component. In these instances, the time component has been assumed by the laboratory for processing purposes.

Where a result is required to meet compliance limits the associated uncertainty must be considered. Refer to the ALS Contact for details.

Key : CAS Number = CAS registry number from database maintained by Chemical Abstracts Services. The Chemical Abstracts Service is a division of the American Chemical Society.  
LOR = Limit of reporting  
^ = This result is computed from individual analyte detections at or above the level of reporting  
ø = ALS is not NATA accredited for these tests.  
~ = Indicates an estimated value.

- EP080: Where reported, Total Xylenes is the sum of the reported concentrations of m&p-Xylene and o-Xylene at or above the LOR.
- EA016: Calculated TDS is determined from Electrical conductivity using a conversion factor of 0.65.
- Sodium Adsorption Ratio (where reported): Where results for Na, Ca or Mg are <LOR, a concentration at half the reported LOR is incorporated into the SAR calculation. This represents a conservative approach for Na relative to the assumption that <LOR = zero concentration and a conservative approach for Ca & Mg relative to the assumption that <LOR is equivalent to the LOR concentration.



## Analytical Results

Sub-Matrix: WATER (Matrix: WATER)				Client sample ID	SW02B	SW03B_SEDTRAP	SW05B_NFGEO	SW006_CREEK	----
Client sampling date / time				27-Oct-2020 00:00	27-Oct-2020 00:00	27-Oct-2020 00:00	27-Oct-2020 00:00	----	
Compound	CAS Number	LOR	Unit	ES2037768-001	ES2037768-002	ES2037768-003	ES2037768-004	-----	
				Result	Result	Result	Result	----	
<b>EA005P: pH by PC Titrator</b>									
pH Value	----	0.01	pH Unit	7.80	7.87	6.95	7.59	----	
<b>EA006: Sodium Adsorption Ratio (SAR)</b>									
^ Sodium Adsorption Ratio	----	0.01	-	3.72	1.13	0.55	2.96	----	
<b>EA010P: Conductivity by PC Titrator</b>									
Electrical Conductivity @ 25°C	----	1	µS/cm	1270	382	158	1350	----	
<b>EA016: Calculated TDS (from Electrical Conductivity)</b>									
Total Dissolved Solids (Calc.)	----	1	mg/L	826	248	103	878	----	
<b>EA025: Total Suspended Solids dried at 104 ± 2°C</b>									
Suspended Solids (SS)	----	5	mg/L	41	307	22	17	----	
<b>EA045: Turbidity</b>									
Turbidity	----	0.1	NTU	45.0	582	36.1	14.4	----	
<b>EA065: Total Hardness as CaCO3</b>									
Total Hardness as CaCO3	----	1	mg/L	216	116	62	305	----	
<b>ED037P: Alkalinity by PC Titrator</b>									
Hydroxide Alkalinity as CaCO3	DMO-210-001	1	mg/L	<1	<1	<1	<1	----	
Carbonate Alkalinity as CaCO3	3812-32-6	1	mg/L	<1	<1	<1	<1	----	
Bicarbonate Alkalinity as CaCO3	71-52-3	1	mg/L	117	113	62	221	----	
Total Alkalinity as CaCO3	----	1	mg/L	117	113	62	221	----	
<b>ED041G: Sulfate (Turbidimetric) as SO4 2- by DA</b>									
Sulfate as SO4 - Turbidimetric	14808-79-8	1	mg/L	154	56	16	139	----	
<b>ED045G: Chloride by Discrete Analyser</b>									
Chloride	16887-00-6	1	mg/L	193	17	8	173	----	
<b>ED093F: Dissolved Major Cations</b>									
Calcium	7440-70-2	1	mg/L	62	35	20	76	----	
Magnesium	7439-95-4	1	mg/L	15	7	3	28	----	
Sodium	7440-23-5	1	mg/L	126	28	10	119	----	
Potassium	7440-09-7	1	mg/L	15	4	4	14	----	
<b>EG020T: Total Metals by ICP-MS</b>									
Arsenic	7440-38-2	0.001	mg/L	0.002	0.012	<0.001	0.002	----	
Cadmium	7440-43-9	0.0001	mg/L	0.0008	0.0041	0.0002	0.0009	----	
Chromium	7440-47-3	0.001	mg/L	0.006	0.152	0.003	0.003	----	
Copper	7440-50-8	0.001	mg/L	0.030	0.420	0.051	0.028	----	
Nickel	7440-02-0	0.001	mg/L	0.009	0.060	0.006	0.007	----	



## Analytical Results

Sub-Matrix: WATER (Matrix: WATER)				Client sample ID	SW02B	SW03B_SEDTRAP	SW05B_NFGEO	SW006_CREEK	----
Client sampling date / time				27-Oct-2020 00:00	27-Oct-2020 00:00	27-Oct-2020 00:00	27-Oct-2020 00:00	----	
Compound	CAS Number	LOR	Unit	ES2037768-001	ES2037768-002	ES2037768-003	ES2037768-004	-----	
				Result	Result	Result	Result	----	
<b>EG020T: Total Metals by ICP-MS - Continued</b>									
Lead	7439-92-1	0.001	mg/L	0.067	1.02	0.065	0.030	----	
Zinc	7440-66-6	0.005	mg/L	0.876	3.63	0.182	0.332	----	
<b>EG035T: Total Recoverable Mercury by FIMS</b>									
Mercury	7439-97-6	0.0001	mg/L	<0.0001	<0.0001	<0.0001	<0.0001	----	
<b>EK040P: Fluoride by PC Titrator</b>									
Fluoride	16984-48-8	0.1	mg/L	0.6	2.4	0.9	1.1	----	
<b>EK055G: Ammonia as N by Discrete Analyser</b>									
Ammonia as N	7664-41-7	0.01	mg/L	0.52	0.12	0.13	0.37	----	
<b>EK057G: Nitrite as N by Discrete Analyser</b>									
Nitrite as N	14797-65-0	0.01	mg/L	<0.01	0.03	<0.01	<0.01	----	
<b>EK058G: Nitrate as N by Discrete Analyser</b>									
Nitrate as N	14797-55-8	0.01	mg/L	0.03	0.05	<0.01	0.17	----	
<b>EK059G: Nitrite plus Nitrate as N (NOx) by Discrete Analyser</b>									
Nitrite + Nitrate as N	----	0.01	mg/L	0.03	0.08	<0.01	0.17	----	
<b>EK061G: Total Kjeldahl Nitrogen By Discrete Analyser</b>									
Total Kjeldahl Nitrogen as N	----	0.1	mg/L	3.9	1.7	1.9	2.8	----	
<b>EK062G: Total Nitrogen as N (TKN + NOx) by Discrete Analyser</b>									
^ Total Nitrogen as N	----	0.1	mg/L	3.9	1.8	1.9	3.0	----	
<b>EK067G: Total Phosphorus as P by Discrete Analyser</b>									
Total Phosphorus as P	----	0.01	mg/L	0.21	1.27	0.19	0.22	----	
<b>EK071G: Reactive Phosphorus as P by discrete analyser</b>									
Reactive Phosphorus as P	14265-44-2	0.01	mg/L	<0.01	0.12	<0.01	<0.01	----	
<b>EN055: Ionic Balance</b>									
∅ Total Anions	----	0.01	meq/L	11.0	3.90	1.80	12.2	----	
∅ Total Cations	----	0.01	meq/L	10.2	3.64	1.78	11.6	----	
∅ Ionic Balance	----	0.01	%	3.76	3.45	----	2.34	----	
<b>EP020: Oil and Grease (O&amp;G)</b>									
Oil & Grease	----	5	mg/L	8	12	10	8	----	
<b>EP080/071: Total Petroleum Hydrocarbons</b>									
C6 - C9 Fraction	----	20	µg/L	70	<20	<20	40	----	
C10 - C14 Fraction	----	50	µg/L	230	<50	710	260	----	
C15 - C28 Fraction	----	100	µg/L	970	1560	1470	460	----	
C29 - C36 Fraction	----	50	µg/L	250	680	430	<50	----	





## Analytical Results

Sub-Matrix: WATER (Matrix: WATER)				Client sample ID	SW02B	SW03B_SEDTRAP	SW05B_NFGEO	SW006_CREEK	----
Client sampling date / time				27-Oct-2020 00:00	27-Oct-2020 00:00	27-Oct-2020 00:00	27-Oct-2020 00:00	----	----
Compound	CAS Number	LOR	Unit	ES2037768-001	ES2037768-002	ES2037768-003	ES2037768-004	-----	-----
				Result	Result	Result	Result	----	----
<b>EP080/071: Total Petroleum Hydrocarbons - Continued</b>									
^ C10 - C36 Fraction (sum)	----	50	µg/L	1450	2240	2610	720	----	----
<b>EP080/071: Total Recoverable Hydrocarbons - NEPM 2013 Fractions</b>									
C6 - C10 Fraction	C6_C10	20	µg/L	70	<20	<20	40	----	----
^ C6 - C10 Fraction minus BTEX (F1)	C6_C10-BTEX	20	µg/L	30	<20	<20	20	----	----
>C10 - C16 Fraction	----	100	µg/L	330	<100	760	330	----	----
>C16 - C34 Fraction	----	100	µg/L	1050	2040	1740	390	----	----
>C34 - C40 Fraction	----	100	µg/L	<100	270	160	<100	----	----
^ >C10 - C40 Fraction (sum)	----	100	µg/L	1380	2310	2660	720	----	----
^ >C10 - C16 Fraction minus Naphthalene (F2)	----	100	µg/L	330	<100	760	330	----	----
<b>EP080: BTEXN</b>									
Benzene	71-43-2	1	µg/L	1	<1	<1	<1	----	----
Toluene	108-88-3	2	µg/L	19	<2	<2	10	----	----
Ethylbenzene	100-41-4	2	µg/L	2	<2	<2	<2	----	----
meta- & para-Xylene	108-38-3 106-42-3	2	µg/L	9	<2	<2	5	----	----
ortho-Xylene	95-47-6	2	µg/L	6	<2	<2	3	----	----
^ Total Xylenes	----	2	µg/L	15	<2	<2	8	----	----
^ Sum of BTEX	----	1	µg/L	37	<1	<1	18	----	----
Naphthalene	91-20-3	5	µg/L	<5	<5	<5	<5	----	----
<b>EP080S: TPH(V)/BTEX Surrogates</b>									
1,2-Dichloroethane-D4	17060-07-0	2	%	109	110	112	112	----	----
Toluene-D8	2037-26-5	2	%	119	118	116	116	----	----
4-Bromofluorobenzene	460-00-4	2	%	123	122	119	120	----	----



## Surrogate Control Limits

Sub-Matrix: WATER		Recovery Limits (%)	
Compound	CAS Number	Low	High
<b>EP080S: TPH(V)/BTEX Surrogates</b>			
1,2-Dichloroethane-D4	17060-07-0	71	137
Toluene-D8	2037-26-5	79	131
4-Bromofluorobenzene	460-00-4	70	128

