

Annual Environmental Management Report 2024

InfraBuild Recycling, Hexham

14-Mar-2025
InfraBuild Recycling Hexham
Commercial-in-Confidence

Annual Environmental Management Report 2024

InfraBuild Recycling, Hexham

Client: InfraBuild Recycling

Prepared by

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Glossary of Terms

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

1.0 Introduction

The 2024 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*
- 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 2023 and 18 December 2024, which corresponds to the reporting period for the Environment Protection Licence (EPL 5345) issued by the NSW EPA.

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

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.

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 (**Appendix A**), predicted outcomes in the DA process, the EPL (**Appendix B**), the OEMP (**Appendix C**) 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");
- InfraBuild Recycling Hexham, 2021, *Operational Environmental Management Plan*, InfraBuild Recycling Hexham 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*.

Noting that no EPL amendments were made during the 2024 period, the most recent licence (March 10, 2023) has been included for reference in **Appendix B**.

2.0 Compliance Review

2.1 Independent Environmental Audit Summary

A detailed assessment of the compliance of the facility in relation to the conditions of the DC and the EPL was again undertaken during the most recent Independent Environmental Audit (Epic Environmental Pty Ltd - 18 June 2024).

The Epic Environmental 2024 Audit report detailing compliance is provided as **Appendix D**, with a total of 7 non-compliances identified during the audit, noting that some non-compliances covered more than one condition. A list of associated actions are detailed in the March 2025 update of the Action Plan provided in **Appendix E**.

The next independent environmental audit is due in 2027.

2.2 Summary of Non-Compliances

No non-compliances with respect to EPL monitoring data were reported in the 2024 Annual Return for the current reporting period.

Seven non-compliances were identified during the IEA, which are detailed in **Appendix D**. It is noted that all actions were closed out during the reporting year except for NC-04, which is detailed in **Table 1**.

Table 1 Summary of Outstanding Non-Compliances

Unique ID	Condition	Recommended Actions	Proposed Action
NC-04	5.10	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.	Repair or replace the meteorological station to ensure valid wind speed readings are recorded.
	EPL M4.1	At the point(s) identified below, the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1 of the table below, using the corresponding sampling method, units of measure, averaging period and sampling frequency, specified opposite in the Columns 2, 3, 4 and 5 respectively.	

InfraBuild has advised that this non-compliance has been partially completed and has been delayed due to supplier issues.

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.

A summary of complaints with a breakdown by type for the current year and the previous five years is provided in **Table 2**.

Table 2 Complaints Summary

Year	Total Number	Air Quality	Noise	Odour	Stormwater
2019	3 ^{1,2}	3	-	2	-
2020	0	-	-	-	-
2021	0	-	-	-	-
2022	2 ³		1	1	1
2023	0	-	-	-	-
2024	0	-	-	-	-

¹All odour complaints from same complainant

²Total of 3 complaints

³Noise and odour complaint from the same complainant, a total of 2 complaints

No complaints were received for the 2024 reporting period.

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 or the site EPL.

- 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; baghouse stack):
 - lead
 - mercury
 - total solid particulate
 - fine particulate (PM_{10}).
- EPL 5345 compliance meteorological monitoring (one location; north east corner of shredder yard):
 - rainfall
 - wind speed at 10 metres
 - wind direction at 10 metres
 - temperature at 10 metres
 - temperature at 2 metres
 - sigma theta at 10 metres.
- EPL 5345 compliance water quality monitoring with three locations having a requirement to monitor quarterly during discharge and two locations with a monthly during discharge requirement. Analysis required is as follows:

- TRH	- pH
- BTEX	- Electrical Conductivity
- PAH's	- Oil and Grease
- Glycols	- Ca, K, Mg, Na
- Total Suspended Solids	- Nutrients (Nitrogen, Phosphorus, Nitrate + Nitrate, Kjeldahl Nitrogen)
- Turbidity	- Dissolved and total heavy metals and metalloids (i.e. Aluminium, Arsenic, Boron, Cadmium, Chromium VI, Copper, Iron, Lead, Manganese, Mercury, Molybdenum, Nickel, Zinc)
- PFOS and PFOA	

4.1 Noise and Overpressure/Vibration Monitoring

4.1.1 Noise Monitoring

Under 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 3**.

Table 3 EPL Noise Limits for InfraBuild Recycling

Location	Noise Limit dB(A)			
	Day	Evening	Night	
	L _{Aeq} (15min)	L _{Aeq} (15min)	L _{Aeq} (15min)	L _{A1} (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:

- Heavy trucks and traffic on Maitland Road (Pacific Highway)
- Vehicular movements associated with service station (Shamrock Street)
- Idling trucks in truck stop and carpark
- Birds and insects
- Freight and passenger trains
- Wind through trees

Where direct measurement of noise contribution from an industrial facility is not possible due to persistent extraneous noise sources, the Environment Protection Authority's Noise Policy for Industry 2017 (NPfI) 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 NPfI; 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, directivity or meteorological effects.

Quarterly monitoring was conducted on the following dates in 2024:

- 11 March representing Quarter 1
- 27 May representing Quarter 2
- 24 and 25 September representing Quarter 3
- 9 December representing Quarter 4

Predicted noise levels for the receiver locations are presented in **Table 4** and **Table 5**.

Table 4 Calculated Noise Levels at R1 Shamrock Street Hexham

Time	Calculated noise level dB(A)				EPL noise limit, dB(A)
	Q1	Q2	Q3	Q4	
Day	48*	49*	46	46	47
Evening	<30	<30	<30	<30	48
Night	<30	<30	<30	<30	45

* Measurement is within 2 dB the EPL criterion (Noise Policy for Industry (NPI)).

Table 5 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	32	34	31	32	53
Evening	<30	<30	<30	<30	42
Night	<30	<30	<30	<30	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, insects and freight and passenger train noise from the nearby Hunter Railway Line contributed significantly to these noise levels.
- Minor exceedances (within 2 dB) of the EPL noise limits under neutral conditions were recorded during the daytime period at Shamrock Street in Q1 and Q2. It should be noted that the magnitude of these exceedances is ≤ 2 dB(A), which is considered barely perceptible. Therefore, all calculated and/or measured receiver noise levels were considered compliant with relevant EPL criteria at all sites and times for the 2024 reporting period.

Further review of noise monitoring is provided in **Section 5.1**.

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)* as per EPL 5345, to monitor overpressure and vibration caused by explosions on the premises. It should be noted that *AS 2187.2 (1993)* was updated in 2006.

Monitoring of overpressure & vibration is conducted to determine the impact of operations at the InfraBuild Recycling Hexham facility. There were no explosions/blasts measured during the 2024 reporting period.

4.2 Stack Emissions

Under EPL 5345, InfraBuild Recycling is required to conduct annual monitoring of emissions from the Baghouse Stack as per Condition M2.4 of EPL 5345.

Stack emissions testing during 2024 was performed by Port Hunter Environmental (pHE), NATA Accreditation number 21069. Samples were analysed by pHE and SGS (NATA accreditation number 14429). 2023 annual stack emissions monitoring was conducted on 13 December 2024 with results detailed in **Table 6**.

Table 6 Emission Measurement Results

Parameter	Emission Concentration (mg/m ³)	Regulatory Limit (mg/m ³)
	13 December 2024	
Total Particulate (TP)	3.9	100
Fine Particulate (PM ₁₀)	0.54	NA
Lead	0.0044	5.0
Mercury	0.0000085	1.0
Total Hazardous Substances (Metals)	0.011	NA

The InfraBuild Recycling stack emission monitoring results for 2024 indicate the following:

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

Further review of air emission performance is given in **Section 5.2**.

4.3 Surface Water Quality Monitoring

Water quality monitoring was performed over seven discharge events during this reporting period in line with EPL requirements and it is AECOM's understanding that no discharges occurred in the months where sampling was not performed.

Quarterly sampling was performed on three occasions (8 February, 5 April and 26 September 2024). Samples were collected at all five sampling locations identified in **Figure 3** for April and September, however only EPL Points 2, 3 and 5 were sampled in February. Monthly sampling performed on two other occasions (2 May and 27 July) at two locations as per the Schedule in **Table 7**. No quarterly sampling was conducted in Q4 of 2024 and monthly sampling was not conducted in Jan, March, June, August, October, November or December due to insufficient discharge to sample. The results of the sampling conducted are provided attached in **Appendix G**.

Table 7 EPL Monitoring Locations

EPA Identification No.	Location Description	Schedule
EPL Point 2	Ferrous metal shredder yard - discharge point into western boundary swale	Quarterly on Discharge
EPL Point 3	Sparke Street sediment trap discharge point into western boundary swale	Quarterly on Discharge
EPL Point 4	Non-ferrous metal yard discharge point into Ironbark Creek	Monthly on Discharge
EPL Point 5	Western boundary swale discharge point into Ironbark Creek	Monthly on Discharge
EPL Point 6	Upstream monitoring location - on western side of railway line within Ironbark Creek	Quarterly on Discharge

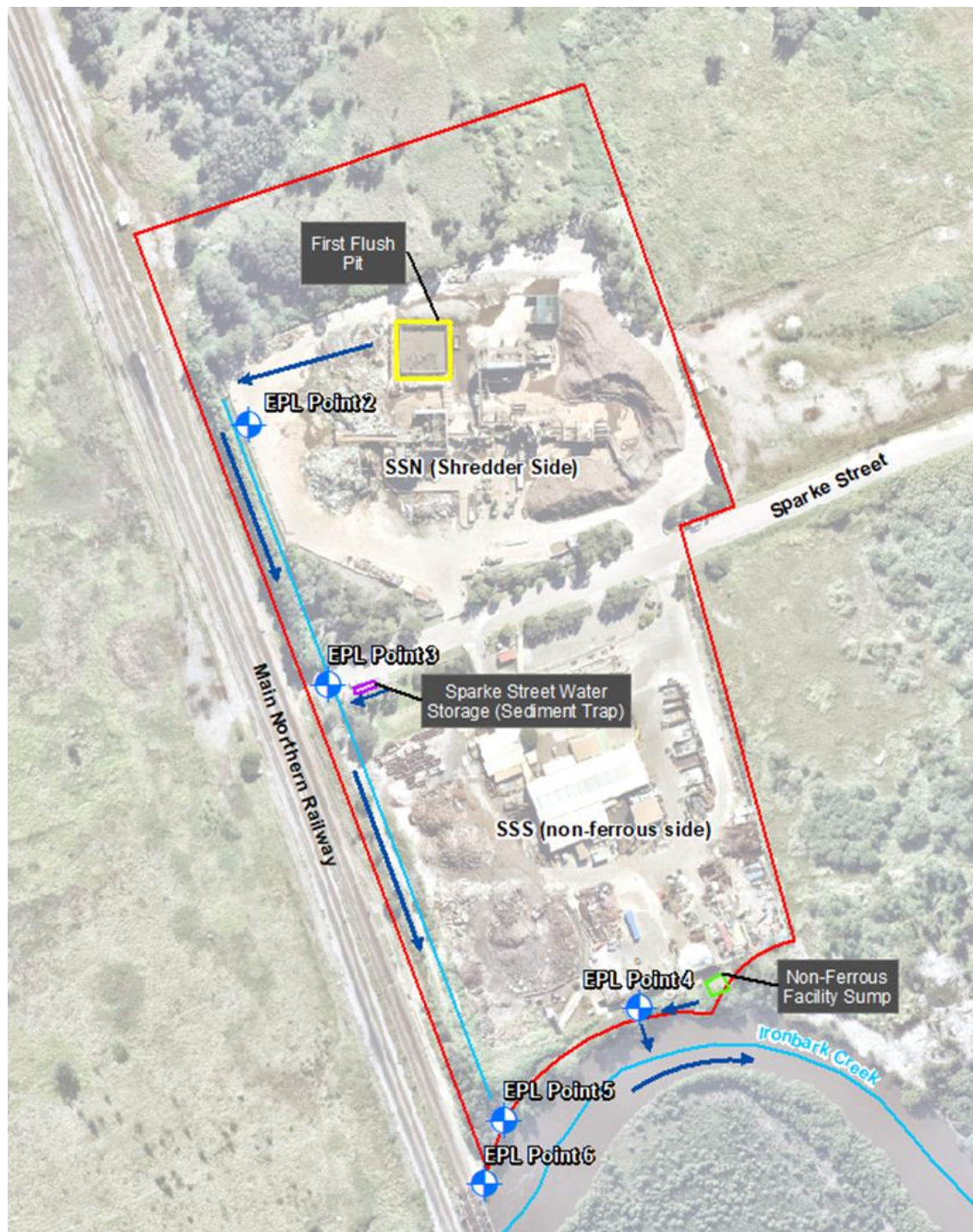


Figure 3 Surface Water Quality Monitoring Locations

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 data, and temperature (at 2 m and 10 m) data for the 2024 reporting period are provided in **Figure 4** and **Figure 5**. Monthly wind roses presenting wind speed and wind direction for the reporting period are shown in **Figure 6** to **Figure 12**.

Where no valid site data exists due to technical or data capture issues, wind speed and direction data has been sourced from the DPE Mayfield West station. Rainfall data has been sourced from the nearby BoM Raymond Terrace station.

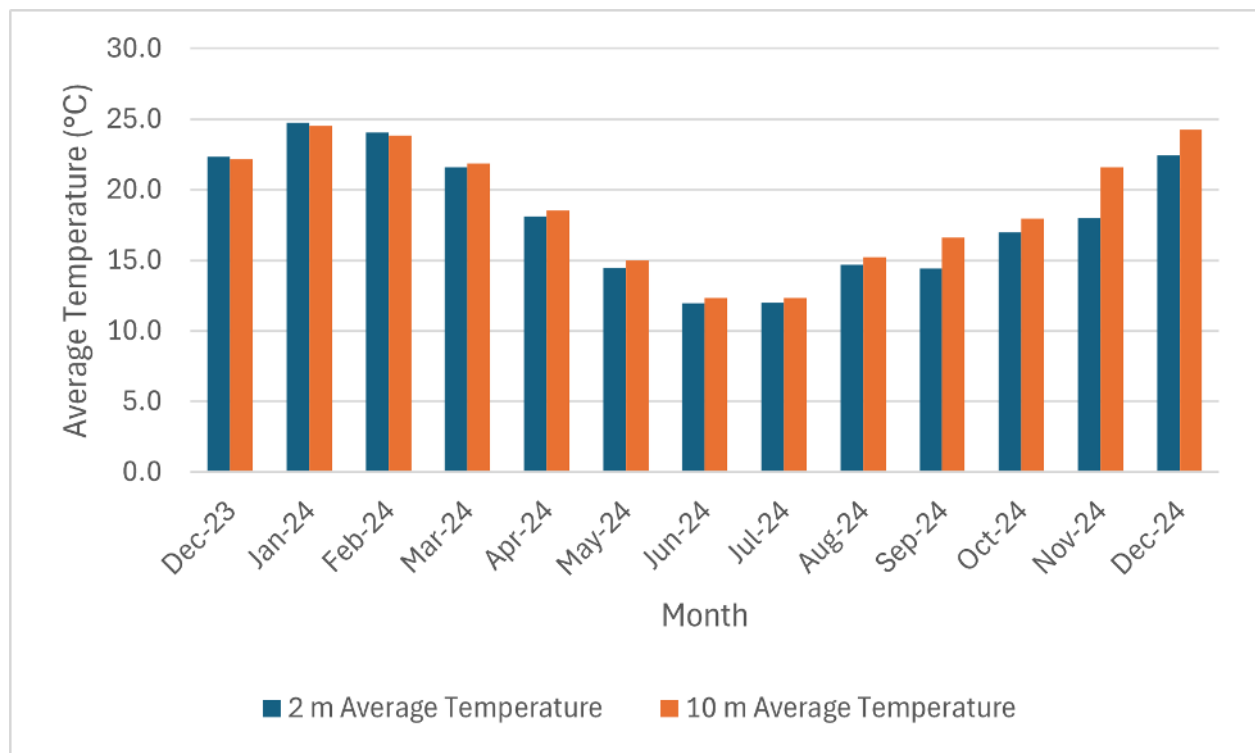


Figure 4 Monthly Temperature Data (December 2023 – December 2024)

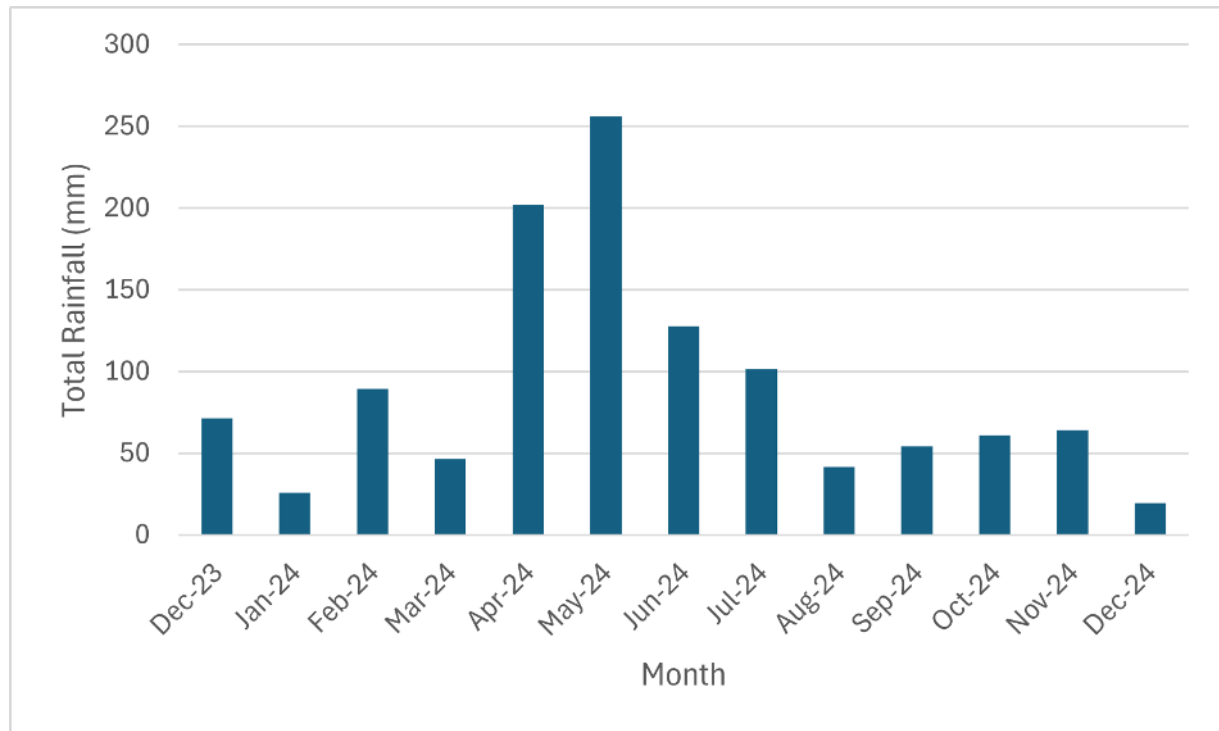


Figure 5 Monthly Rainfall Averages (December 2023 – December 2024)

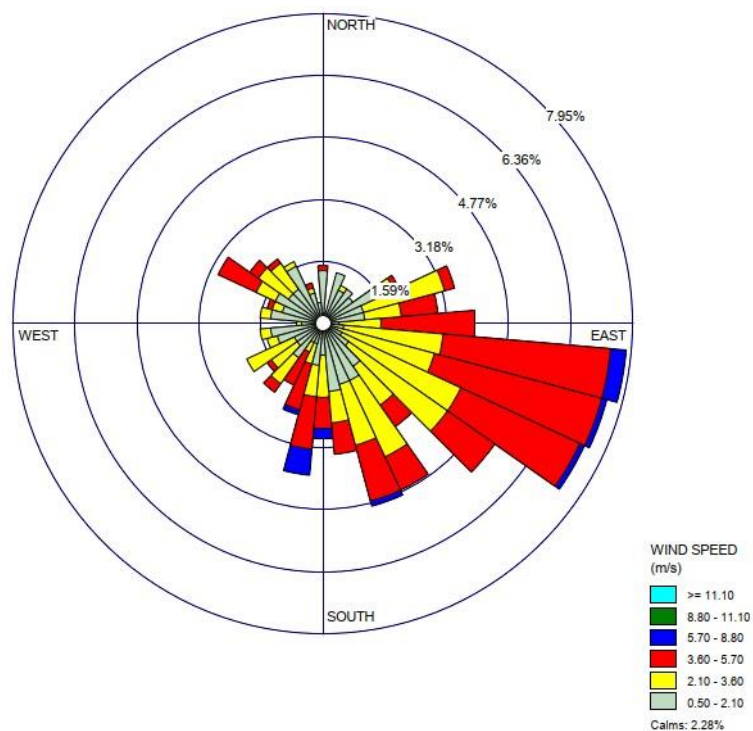


Figure 6 Wind Speed and Direction (December 2023)

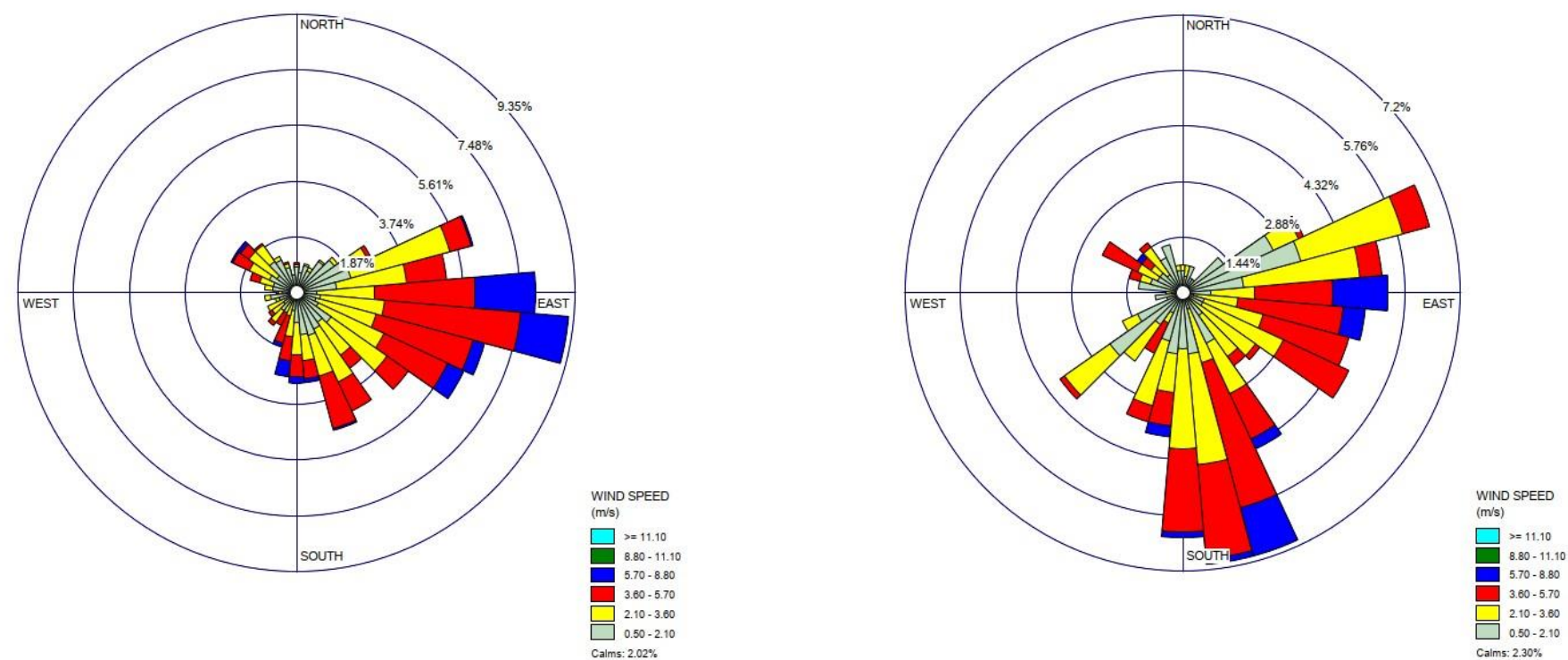


Figure 7 Wind Speed and Wind Direction (January and February 2024)

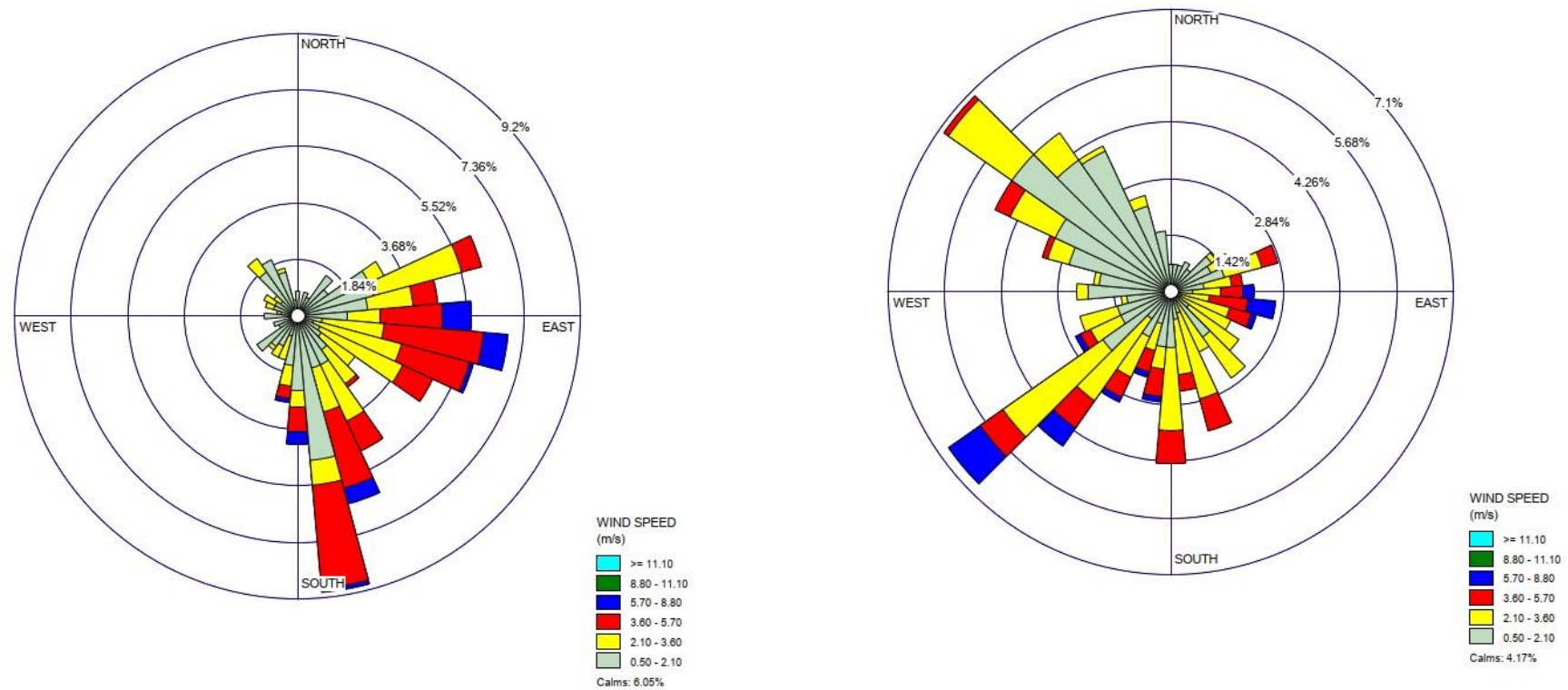


Figure 8 Wind Speed and Wind Direction (March and April 2024)

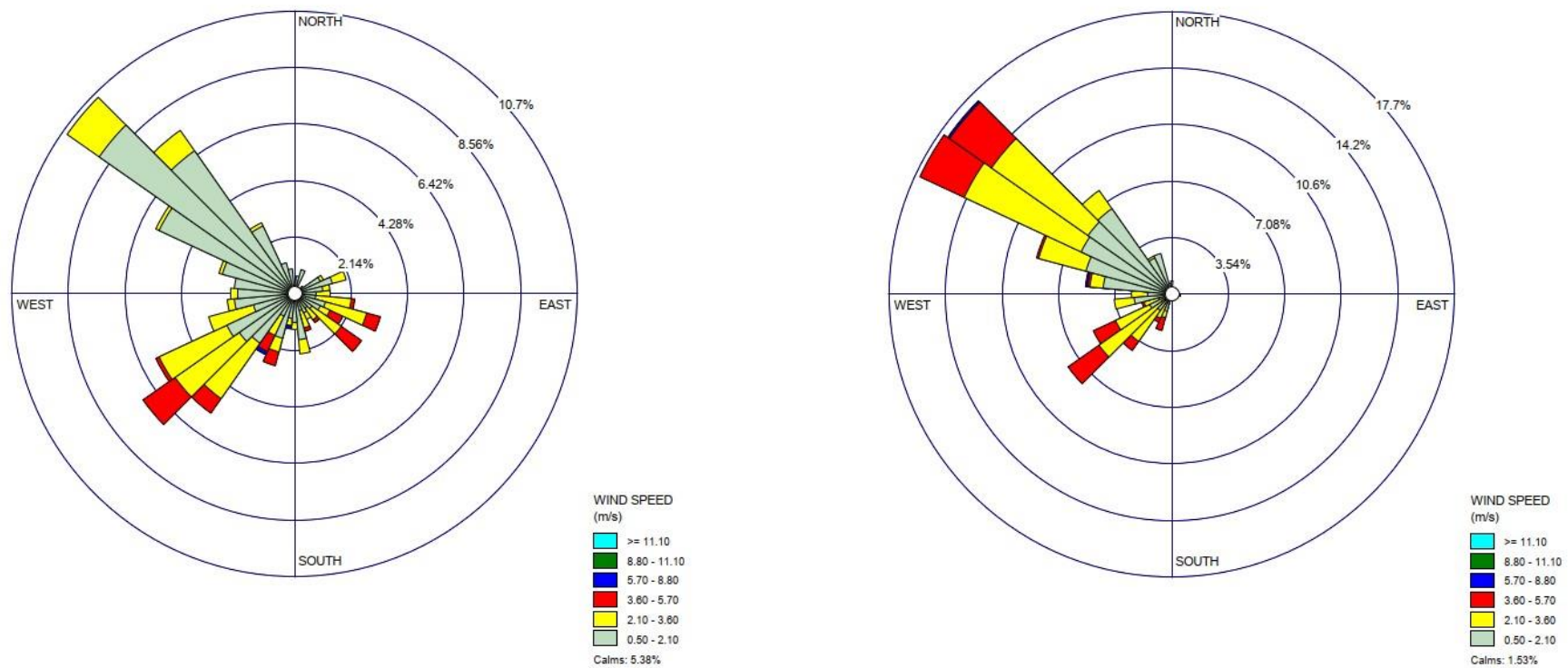


Figure 9 Wind Speed and Wind Direction (May and June 2024)

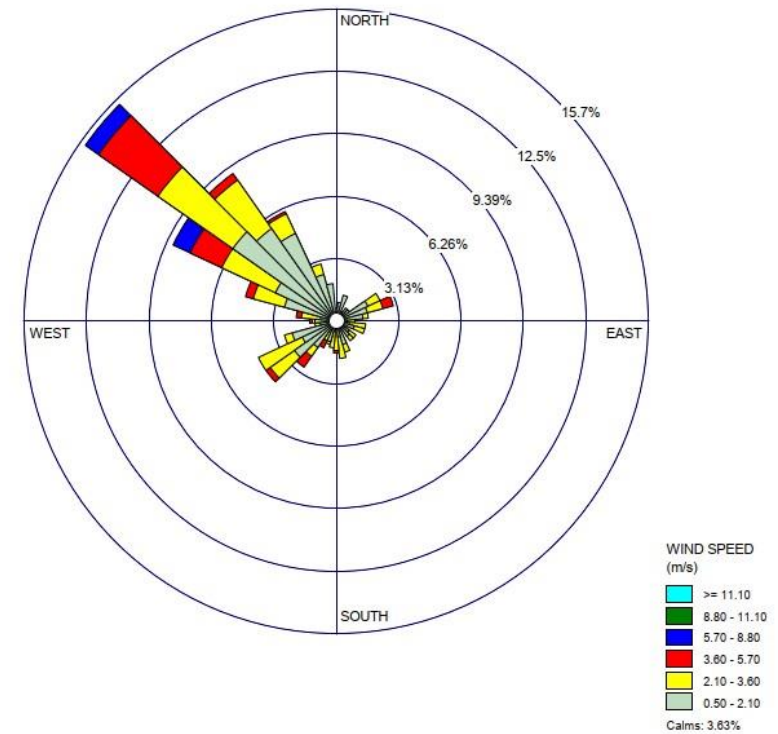
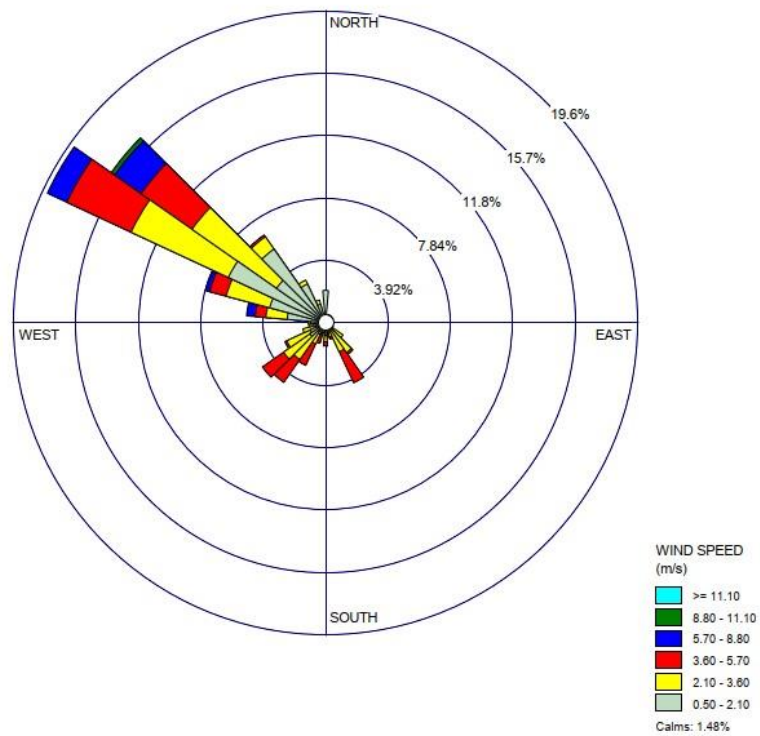


Figure 10 Wind Speed and Wind Direction (July and August 2024)

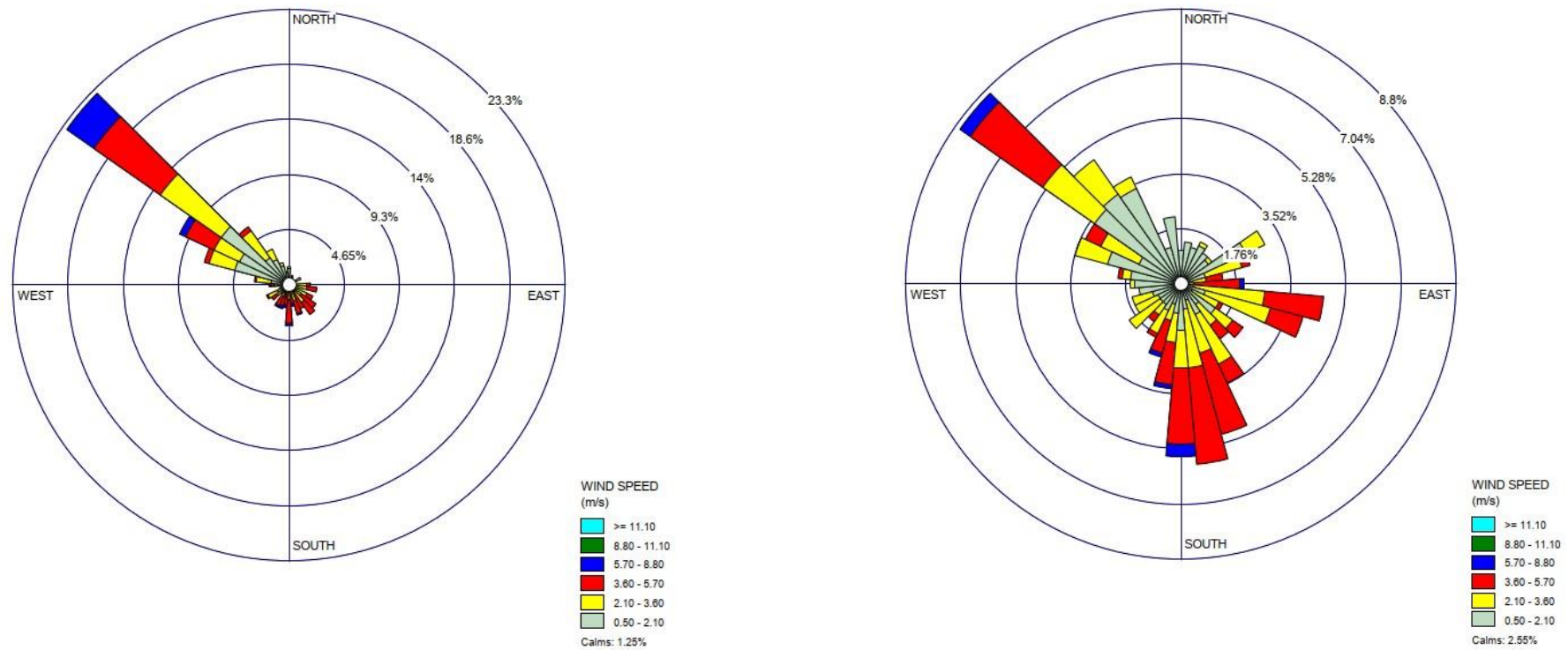


Figure 11 Wind Speed and Wind Direction (September and October 2024)

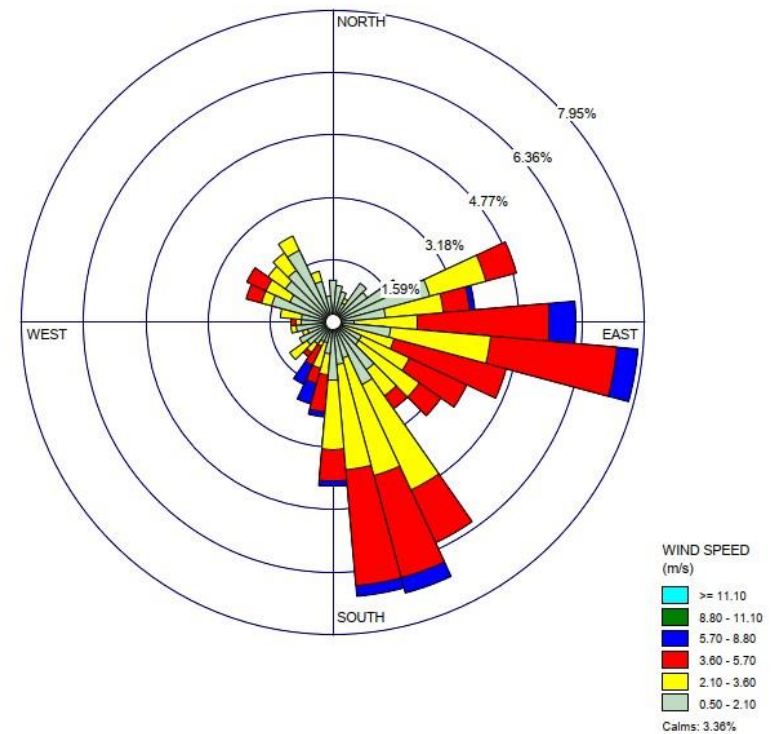
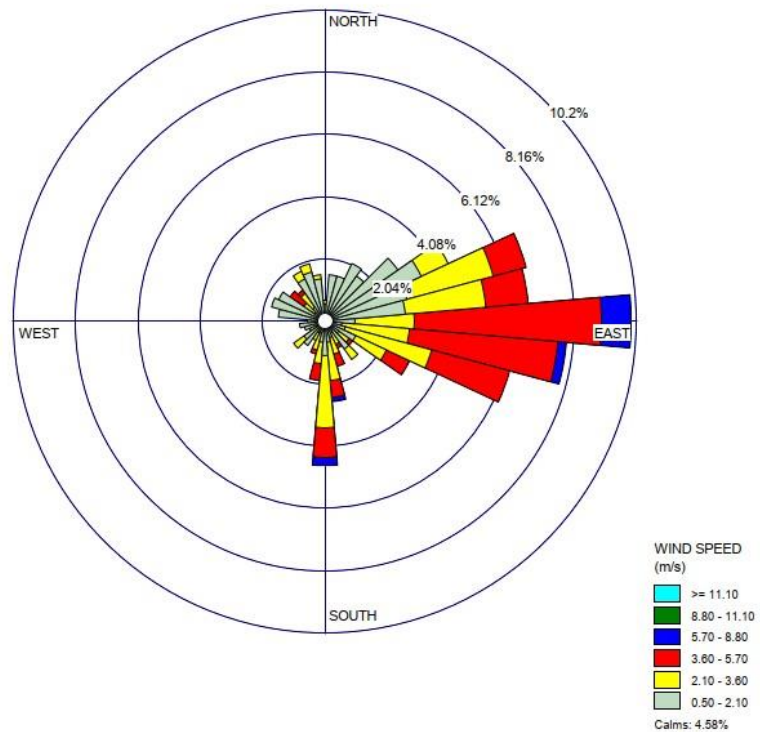


Figure 12 Wind Speed and Wind Direction (November and December 2024)

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

- December 2023, January, February and March 2024 winds are dominated by Easterly and South Easterly winds.
- April winds are dominated by South Westerly and North Westerly winds.
- Winds from April to September 2024 are dominated by North Westerly winds.
- October 2024 winds are variable with predominate winds from the South and Northwest.
- November 2024 winds are largely from the East.
- December 2024 winds are predominantly from the East and Southeast.

Further comments regarding meteorological monitoring are made in **Section 5.3**.

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 compliance with predictions made in approval documents is provided in **Appendix D**.

5.1 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, May, September and December 2024, 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 nighttime 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
- noise from the natural environment, predominantly from insects 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 NPfI 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. Minor exceedances (within 2 dB) of the EPL noise limits under neutral conditions were recorded during the daytime period at Shamrock Street in Q1 and Q2. It should be noted that the magnitude of these exceedances is ≤ 2 dB(A), which is considered barely perceptible.

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 explosions/blasts were recorded during this reporting period.

5.2 Stack Emissions

Condition M2.4 of the InfraBuild Recycling EPL specifies that stack emissions for key pollutants be undertaken on an annual basis.

Annual monitoring during the 2024 period was performed by Port Hunter Environmental. Total particulates, lead and mercury stack emission test results were below their respective EPL limits.

5.3 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** and **Figure 6** to **Figure 12**.

Meteorological monitoring is used to assist in assessing other environmental monitoring results. During the 2024 reporting period some meteorological sensors experienced data capture issues. During these periods missing or invalid data been substituted with meteorological data sourced from DPE station in Mayfield West and the BoM station located in Raymond Terrace. This non-compliance of Condition M4 of the InfraBuild Recycling EPL was identified in the IEA and InfraBuild have advised that they are awaiting supplier for replacement of the meteorological meter to ensure conformance going forward.

5.4 Stormwater

Following review by the EPA, sampling and analysis requirements were formalised in the 7 October 2021 EPL variation under Condition M2, being a combination of monthly and quarterly during discharge sampling at five sampling locations.

6.0 Environmental Targets and Strategies

InfraBuild Recycling is committed to further improve its performance in minimising potential pollution impacts and public complaints. The following improvements were made in 2024:

- Replacement of jellyfish filters from the water treatment system
- Concrete repaired at the at the infeed area

Environmental objectives for 2025 include:

- Meet all regulatory requirements to maintain EPLs
- Manage any notices received from regulator/s
- Build relationships with key regulator contacts
- Scan legislation and understand impact on Recycling
- Continue developing Branch Manager Enviro capability

In light of this, AECOM recommends the following actions be considered during the next 12-month period as strategies for continuous improvement.

6.1 Environmental Management Plans

6.1.1 Operational and Environmental Management Plan

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 Planning and Environment (DPE). 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 last reviewed and updated (Version 4) in 2021 and it is recommended this plan be updated as required. The OEMP is attached in **Appendix C**.

6.1.2 Air Quality Management Plan

Condition U3.1 of EPL 5345 required an Air Quality Management Plan (AQMP) to be developed to formalise recommendations made in the Dust Mitigation Report (AECOM 2019). The AQMP has been finalised and issued to the EPA on 3 December 2021 where it has been marked as completed by the EPA on 4 March 2022 and removed from the license as of the 25 July 2022 variation. The AQMP is attached as **Appendix F**. It is recommended this plan be updated as required.

6.1.3 Surface Water Mitigation and Monitoring Plan

Pollution Reduction Study (PRS) 5 - Surface Water Characterisation was completed in February 2021 and included a Surface Water Mitigation and Monitoring Plan. This plan recommended discharge sampling at four surface water locations on a quarterly basis. Following the EPA's review of this document, the Site EPL was amended (October 2021) to include a defined surface water monitoring program, being a combination of monthly and quarterly sampling at a total of five monitoring locations.

It is recommended this plan be updated as required, including incorporating any changes resulting from PRP 8. Surface water monitoring continues as required under condition M2.

6.2 Noise and Overpressure/Vibration Monitoring

Continuation of the use of the boundary calculation methodology, 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.

It is recommended that InfraBuild investigate options to mitigate noise generated in the vicinity of the mill to reduce the daytime contribution at the Shamrock St receiver.

6.3 Meteorology

The meteorological station is not fully compliant at present, as the wind speed sensor is not returning valid readings. Replacement or repair of the current site meteorological station and a review of siting is recommended as soon as reasonably practicable to comply with EPL requirement M4.1 and close out the IEA appropriately.

Following repair and/or replacement of the meteorological station, continuation of site meteorological monitoring is recommended, including regular inspection and maintenance of meteorological station sensors to minimise loss of data due to malfunction or obstruction and general compliance with the *Approved Methods for the sampling and analysis of air pollutants* (NSW EPA, 2022).

7.0 Conclusion

An assessment of compliance for the 2024 reporting period (19 Dec 2023 to 18 Dec 2024) found that InfraBuild Recycling is generally compliant with EPL requirements, with one outstanding non-compliance identified regarding meteorological station requiring replacement or repair to comply with EPL condition M4.1, as the wind speed sensor is not returning valid readings. InfraBuild Recycling has advised that an upgrade of the meteorological station has been arranged and is awaiting the supplier.

7 non-compliances were identified in the most recent IEA (Epic Environmental, June 2024), which have predominantly been closed out, and all other environmental monitoring results comply with the conditions of the Development Consent (345-7-2003-i MOD-49-3-2005-i) and EPL No. 5345.

Following the most recent IEA, InfraBuild Recycling Hexham updated the Corrective Action Plan to address the non-compliances identified, with one outstanding item regarding the onsite meteorological station.

Aside from the remaining non-compliance, environmental impacts are demonstrated to be generally consistent with meeting the NSW EPA licence and Development Consent conditions. InfraBuild Recycling is committed to further improve its performance in minimising potential pollution impacts and public complaints.

8.0 References

- Port Hunter Environmental, 2024, *Annual Emissions Testing Report, December 2024*, 7 January 2025
- AECOM Australia, 2024m, *Quarterly Noise Monitoring Report Q1 2024*, 27 March 2024
- AECOM Australia, 2024n, *Quarterly Noise Monitoring Report Q2 2024*, 25 June 2024
- AECOM Australia, 2024o, *Quarterly Noise Monitoring Report Q3 2024*, 10 October 2024
- AECOM Australia, 2024p, *Quarterly Noise Monitoring Report Q4 2024*, 17 December 2024
- Australian and New Zealand Governments and Australian State and territory Governments (ANZG), *Australian and New Zealand Guidelines for Fresh and Marine Water Quality*, 2018
- Epic Environmental Pty Ltd, *Independent Environmental Audit: InfraBuild Recycling Hexham*, 18 June 2024
- 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
- NSW Environment Protection Authority, *EPL No. 5345*, 10 March 2023
- NSW Environment Protection Authority, *Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales*, 2022
- SMEC Australia, *Environmental Impact Statement, Metal Shredding Facility at Hexham NSW*, Volumes 1, 2 and 3, 2003
- InfraBuild Recycling Hexham, *Operational Environmental Management Plan, Hexham 2021*
- InfraBuild Recycling Hexham, *Air Quality Management Plan, 2021*
- AECOM Australia, *Surface Water Mitigation and Monitoring Plan, 2020*
- NSW EPA, *Noise Policy for Industry*, 2017

Appendix A

Development Consent

Appendix A 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

Application made by:	Metalcorp Recyclers Pty Ltd ("the Applicant");
To:	The Minister for Infrastructure and Planning ("the Minister");
In respect of:	Lots 29-31 DP803794 and Lot 1 DP874409, Sparke Street, Hexham
For the following:	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;
Development Application:	Integrated DA No. 345-7-2003-i, lodged with the Department of Infrastructure, Planning and Natural Resources on 25 July 2003;
State Significant Development	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

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
	L_{Aeq}(15 minute) (dB(A))
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 ¹The 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⁻¹ (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 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_{Aeq} (15 minute)	L_{Aeq}(15 minute)	L_{Aeq}(15 minute)	L_{A1}(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

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

- 4.4 ²For 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.

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

² Incorporates a EPA General Term of Approval (L6.1)

Operating Hours

- 4.5 ³The 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 ⁴Notwithstanding 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 ⁵The 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 ⁶Any 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

³ Incorporates a EPA General Term of Approval (L7.1)

⁴ Incorporates a EPA General Term of Approval (L7.1)

⁵ Incorporates a EPA General Term of Approval (L7.1)

⁶ 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 ⁷ 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 ⁸The 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) ⁹removal 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.

⁷ Incorporates a EPA General Term of Approval (E1.8)

⁸ Incorporates a RTA General Term of Approval (1)

⁹ Incorporates a Newcastle City Council General Term of Approval (1)

- 4.11 ¹⁰The Applicant shall design the work specified in condition 4.10 in accordance with the RTA's *Road Design Guide*, AUSTROAD 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 85th 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 ¹¹Prior 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.[‡]

- 4.13 ¹²Should 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.

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

¹¹ Incorporates a RTA General Term of Approval (6)

¹² Incorporates a RTA General Term of Approval (4)

- 4.14 ¹³Land 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 ¹⁴All 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 ¹⁵B-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 ¹⁶Prior 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.

¹³ Incorporates a RTA General Term of Approval (1) and Newcastle City Council General Term of Approval (1)

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

¹⁵ Incorporates a RTA General Term of Approval (2)

¹⁶ 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.^{§**}

- 4.19 ¹⁷Within 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.^{†††}

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.

¹⁷ 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 ¹⁸As 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)

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

- 4.32 ¹⁹The 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.

¹⁸ Incorporates a EPA General Term of Approval (E1.8)

¹⁹ Incorporates a EPA General Term of Approval (E1.7)

Stormwater

- 4.34 ²⁰The 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 ²¹The 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 receival 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.

²⁰ Incorporates a EPA General Term of Approval (E1.2)

²¹ 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 ²²Within 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 suitably 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 ²³Within 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.

²² Incorporates a EPA General Term of Approval (E1.9.1)

²³ 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 ²⁴The 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 ²⁵All 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)

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

- 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.

²⁴ Incorporates a EPA General Term of Approval (M8.1)

²⁵ 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 ²⁶The 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

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 - 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:
- (a) identification of contaminants to be tested;
 - (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.

²⁶ 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) ²⁷an **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;

²⁷ 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) ²⁸a **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) ²⁹measures 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

²⁸ Incorporates a RTA General Term of Approval (5)

²⁹ 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) ³⁰a 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.

³⁰ 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.

* 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).

[†] 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 B

Environment Protection
Licence – 10 March
2023

Appendix B Environment Protection Licence – 10 March 2023

Licence Variation

Licence - 5345



ONESTEEL RECYCLING PTY LIMITED

Trading as INFRABUILD RECYCLING

ABN 28 002 707 262 ACN 002 707 262

Via email: rod.langford@infrabuild.com and paul.smith@infrabuil.com

Attention: Mr Rod Langford

Notice Number 1626913
File Number EF13/3388
Date 10-Mar-2023

NOTICE OF VARIATION OF LICENCE NO. 5345

BACKGROUND

- A. ONESTEEL RECYCLING PTY LIMITED Trading as INFRABUILD RECYCLING (**Infrabuild**) is the holder of Environment Protection Licence No. 5345 (**the Licence**) issued under the *Protection of the Environment Operations Act 1997* (**the Act**). The licence authorises the carrying out of activities at 14 SPARKE STREET, HEXHAM, NSW, 2322 (**the Premises**).
- B. On 7 October 2021, the EPA varied the Licence to include a Surface Water Mitigation and Monitoring Pollution Reduction Program (**PRP**) as a condition of the Licence. PRP 8 - Surface Water Mitigation and Monitoring required that specific surface water mitigation measures and surface water monitoring requirements be implemented at the Premises.
- C. On 30 November 2022, the EPA received a report detailing the works that were completed as required by PRP 8. Some additional works were required to complete all bund improvement works in the non-ferrous yard.
- D. On 10 February 2023, the EPA inspected the Premises and confirmed that all mitigation works as required by PRP 8 had been completed. PRP 8 has now been removed from the licence as the requirements of this PRP have been complied with.
- E. Surface water mitigation upgrades to the non-ferrous facility sump have resulted in changes to discharge monitoring point 4. The description of this monitoring point has been updated as part of this licence variation to remove the reference to the discharge occurring at the hydrocarbon filter geotextile bags.

On 28 February 2023, the EPA sent Infrabuild a copy of the draft licence variation (**Notice 1626913**) for review.

On 9 March 2023, the EPA received an email from Infrabuild which included comments on Notice 1626913.

The EPA has considered the comments provided by Infrabuild and has varied the licence as detailed below.

Licence Variation



VARIATION OF LICENCE NO. 5345

1. By this notice the EPA varies licence No. 5345. The attached licence document contains all variations that are made to the licence by this notice.
2. The following variations have been made to the licence:
 - Condition A1.1 - The fee based activity of metal waste generation has changed to > 100 tonnes of waste on site at any one time. This change has occurred as a result of changes made to scheduled activities within the *Protection of the Environment Operations (General) Regulation 2022* on 1 September 2022.
 - Condition P1.2 – Discharge to waters monitoring point 4 has been updated to remove reference to water discharges from the geotextile bags as this is no longer where water discharges from at this point.
 - Condition G2.1 – PRP 8 Surface Water Mitigation and Monitoring has been added to the completed programs table.
 - Conditions U1.1 to U1.5 - PRP 8 Surface Water Mitigation and Monitoring conditions have been removed from the licence as the requirements of the PRP have been complied with.

.....
Jenny Lange
Unit Head
Environment Protection Authority
(by Delegation)

INFORMATION ABOUT THIS NOTICE

- This notice is issued under section 58(5) of the Act.
- Details provided in this notice, along with an updated version of the licence, will be available on the EPA's Public Register (<http://www.epa.nsw.gov.au/prpoeo/index.htm>) in accordance with section 308 of the Act.

Appeals against this decision

- You can appeal to the Land and Environment Court against this decision. The deadline for lodging the appeal is 21 days after you were given notice of this decision.

Licence Variation



When this notice begins to operate

- The variations to the licence specified in this notice begin to operate immediately from the date of this notice, unless another date is specified in this notice.
- If an appeal is made against this decision to vary the licence and the Land and Environment Court directs that the decision is stayed the decision does not operate until the stay ceases to have effect or the Land and Environment Court confirms the decision or the appeal is withdrawn (whichever occurs first).



Environment Protection Licence

Licence - 5345

Licence Details	
Number:	5345
Anniversary Date:	19-December

Licensee
ONESTEEL RECYCLING PTY LIMITED
PO BOX 329
LIVERPOOL NSW 2170

Premises
ONESTEEL RECYCLING PTY LIMITED
14 SPARKE STREET
HEXHAM NSW 2322

Scheduled Activity
Metallurgical activities
Waste storage

Fee Based Activity	Scale
Metal waste generation	> 100 T amount of waste on site at any time
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

Contact Us
NSW EPA
6 Parramatta Square
10 Darcy Street
PARRAMATTA NSW 2150
Phone: 131 555
Email: info@epa.nsw.gov.au
Locked Bag 5022
PARRAMATTA NSW 2124



Environment Protection Licence

Licence - 5345

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Environment Protection Licence

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:

ONESTEEL RECYCLING PTY LIMITED
PO BOX 329
LIVERPOOL NSW 2170

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 amount of waste on site at any time
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 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

Environment Protection Licence

Licence - 5345

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

P1.2 The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point.

<i>Water and land</i>			
EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
2	Discharge to waters Discharge quality monitoring	Discharge to waters Discharge quality monitoring	Ferrous metal shredder yard - discharge point into western boundary swale, labelled as SW02B on Surface Water Mitigation and Monitoring Plan Figure 9, dated 22 December 2020 (DOC21/434095).
3	Discharge to waters Discharge quality monitoring	Discharge to waters Discharge quality monitoring	Sparke Street sediment trap discharge point into western boundary swale, labelled as SW03B on Surface Water Mitigation and Monitoring Plan Figure 9, dated 22 December 2020 (DOC21/434095).
4	Discharge to waters Discharge quality monitoring	Discharge to waters Discharge quality monitoring	Non-ferrous metal yard discharge point into Ironbark Creek, labelled as SW05B on Surface Water Mitigation and Monitoring Plan Figure 9, dated 22 December 2020 (DOC21/434095).
5	Discharge to waters Discharge quality monitoring	Discharge to waters Discharge quality monitoring	Western boundary swale discharge point into Ironbark Creek, labelled as SW06 on Surface Water Mitigation and Monitoring Plan Figure 9, dated 22 December 2020 (DOC21/434095).



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6	Ambient water monitoring	Upstream monitoring location within Ironbark Creek - on western side of railway line within Ironbark Creek, labelled as SW07A on Attachment A: Proposed sampling point SW07A (DOC21/483404-3).
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P1.3 The following points referred to in the table below are identified in this licence for the purposes of weather and/or noise monitoring and/or setting limits for the emission of noise from the premises.

Noise/Weather

EPA identification no.	Type of monitoring point	Location description
7	Meteorological Station	Weather station located in the north east corner of the shredder yard (refer to DOC21/1056440-1).

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/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.

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
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



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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	Hazardous Wastes	Lead-acid or nickel-cadmium batteries (being waste generated or separately collected by activities carried out for business)	Waste storage	The quantity stored must not exceed 50 tonnes at any one time
NA	Scrap metal	Ferrous and non-ferrous metal	Waste storage Metallurgical Activities	No more than 500,000 tonnes can be processed per year
NA	Liquid Waste	Waste oil/hydrocarbons mixtures/emulsions in water (being waste generated or separately collected by activities carried out for business)	Waste storage	The quantity stored must not exceed 5,000 litres at any one time

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;
- Wind speeds up to 3m/s at 10 metres above ground level; and
 - 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:
- 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
 - 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
 - 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:

- The noticeboards of Saint Joseph's Retirement Village, Hexham.
- The residences on Old Maitland Road, west of Saint Joseph's Retirement Village.
- The residences on Pacific Highway and intersecting streets, Hexham between Ironbark Creek and No 59



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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

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.

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.

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.

O3 Dust

O3.1 The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.

Environment Protection Licence

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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 The licensee must ensure that no material, including sediment or oil is tracked from the Premises.

O4 Emergency response

Note: The licensee must maintain, and implement as necessary, a current Pollution Incident Response Management Plan (PIRMP) for the premises. The PIRMP must be developed in accordance with the requirements in Part 5.7A of the Protection of the Environment Operations (POEO) Act 1997 and POEO regulations. The licensee must keep the incident response plan on the premises at all times. The incident 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. The PIRMP must be tested at least annually or following a pollution incident.

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.

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.

Environment Protection Licence

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- 07.2 There must be no incineration or open burning of any material(s) on the premises, except as specifically authorised by the EPA.
- 07.3 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.
- 07.4 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.
- 07.5 The licensee must maintain site grading and profiles to prevent surface water ponding and allow for surface water to flow to formalised surface water management systems.
- 07.6 The licensee must ensure that all erosion and sediment control measures installed on the premises are inspected and works undertaken to repair and maintain these controls:
- a) at least weekly, and
 - b) immediately before site closure, and
 - c) immediately following rainfall events that cause runoff.
- The licensee must record all such inspections including observations and works undertaken to repair and maintain erosion and sediment controls.

Note: For the purpose of the condition above, 'Site Closure' means a period when the premises is unoccupied for more than 24 hours.

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.

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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:

M2.2 Water and/ or Land Monitoring Requirements

POINT 2,3,6

Pollutant	Units of measure	Frequency	Sampling Method
Aluminium (dissolved)	milligrams per litre	Quarterly during discharge	Grab sample
Arsenic (dissolved)	milligrams per litre	Quarterly during discharge	Grab sample
Benzene	micrograms per litre	Quarterly during discharge	Grab sample
Benzo(a)anthracene	micrograms per litre	Quarterly during discharge	Grab sample
Benzo(a)pyrene	micrograms per litre	Quarterly during discharge	Grab sample
Boron (dissolved)	milligrams per litre	Quarterly during discharge	Grab sample
Cadmium (dissolved)	milligrams per litre	Quarterly during discharge	Grab sample
Calcium	milligrams per litre	Quarterly during discharge	Grab sample
Chromium (hexavalent)	milligrams per litre	Quarterly during discharge	Grab sample
Copper (dissolved)	milligrams per litre	Quarterly during discharge	Grab sample
Electrical conductivity	milligrams per litre	Quarterly during discharge	Grab sample
Ethyl benzene	micrograms per litre	Quarterly during discharge	Grab sample
Ethylene glycol	micrograms per litre	Quarterly during discharge	Grab sample
Iron	milligrams per litre	Quarterly during discharge	Grab sample
Iron (dissolved)	milligrams per litre	Quarterly during discharge	Grab sample
Lead (dissolved)	milligrams per litre	Quarterly during discharge	Grab sample
Magnesium	milligrams per litre	Quarterly during discharge	Grab sample
Manganese (dissolved)	milligrams per litre	Quarterly during discharge	Grab sample

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Mercury (dissolved)	milligrams per litre	Quarterly during discharge	Grab sample
Molybdenum (dissolved)	milligrams per litre	Quarterly during discharge	Grab sample
Nickel (dissolved)	milligrams per litre	Quarterly during discharge	Grab sample
Nitrate	milligrams per litre	Quarterly during discharge	Grab sample
Nitrite	milligrams per litre	Quarterly during discharge	Grab sample
Nitrogen (total)	milligrams per litre	Quarterly during discharge	Grab sample
Oil and Grease	milligrams per litre	Quarterly during discharge	Grab sample
Perfluorooctane sulphonate (PFOS)	micrograms per litre	Quarterly during discharge	Grab sample
Perfluorooctanoic acid (PFOA)	micrograms per litre	Quarterly during discharge	Grab sample
pH	pH	Quarterly during discharge	Grab sample
Phenanthrene	micrograms per litre	Quarterly during discharge	Grab sample
Phosphorus (total)	milligrams per litre	Quarterly during discharge	Grab sample
Potassium	milligrams per litre	Quarterly during discharge	Grab sample
Sodium	milligrams per litre	Quarterly during discharge	Grab sample
Toluene	micrograms per litre	Quarterly during discharge	Grab sample
Total Kjeldahl Nitrogen	milligrams per litre	Quarterly during discharge	Grab sample
Total PAHs	milligrams per litre	Quarterly during discharge	Grab sample
Total suspended solids	milligrams per litre	Quarterly during discharge	Grab sample
TRH	micrograms per litre	Quarterly during discharge	Grab sample
Turbidity	nephelometric turbidity units	Quarterly during discharge	Grab sample
Xylene	micrograms per litre	Quarterly during discharge	Grab sample
Zinc (dissolved)	milligrams per litre	Quarterly during discharge	Grab sample

POINT 4,5

Pollutant	Units of measure	Frequency	Sampling Method
Aluminium (dissolved)	milligrams per litre	Monthly during discharge	Grab sample
Arsenic (dissolved)	milligrams per litre	Monthly during discharge	Grab sample
Benzene	micrograms per litre	Monthly during discharge	Grab sample

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Benzo(a)anthracene	micrograms per litre	Monthly during discharge	Grab sample
Benzo(a)pyrene	micrograms per litre	Monthly during discharge	Grab sample
Boron (dissolved)	milligrams per litre	Monthly during discharge	Grab sample
Cadmium (dissolved)	milligrams per litre	Monthly during discharge	Grab sample
Calcium	milligrams per litre	Monthly during discharge	Grab sample
Chromium (hexavalent)	milligrams per litre	Monthly during discharge	Grab sample
Copper (dissolved)	milligrams per litre	Monthly during discharge	Grab sample
Electrical conductivity	microsiemens per centimetre	Monthly during discharge	Grab sample
Ethyl benzene	micrograms per litre	Monthly during discharge	Grab sample
Ethylene glycol	micrograms per litre	Monthly during discharge	Grab sample
Iron	milligrams per litre	Monthly during discharge	Grab sample
Iron (dissolved)	milligrams per litre	Monthly during discharge	Grab sample
Lead (dissolved)	milligrams per litre	Monthly during discharge	Grab sample
Magnesium	milligrams per litre	Monthly during discharge	Grab sample
Manganese (dissolved)	milligrams per litre	Monthly during discharge	Grab sample
Mercury (dissolved)	milligrams per litre	Monthly during discharge	Grab sample
Molybdenum (dissolved)	milligrams per litre	Monthly during discharge	Grab sample
Nickel (dissolved)	milligrams per litre	Monthly during discharge	Grab sample
Nitrate	milligrams per litre	Monthly during discharge	Grab sample
Nitrite	milligrams per litre	Monthly during discharge	Grab sample
Nitrogen (total)	milligrams per litre	Monthly during discharge	Grab sample
Oil and Grease	milligrams per litre	Monthly during discharge	Grab sample
Perfluorooctane sulphonate (PFOS)	micrograms per litre	Monthly during discharge	Grab sample
Perfluorooctanoic acid (PFOA)	micrograms per litre	Monthly during discharge	Grab sample
pH	pH	Monthly during discharge	Grab sample
Phenanthrene	micrograms per litre	Monthly during discharge	Grab sample
Phosphorus (total)	milligrams per litre	Monthly during discharge	Grab sample

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Potassium	milligrams per litre	Monthly during discharge	Grab sample
Sodium	milligrams per litre	Monthly during discharge	Grab sample
Toluene	micrograms per litre	Monthly during discharge	Grab sample
Total Kjeldahl Nitrogen	milligrams per litre	Monthly during discharge	Grab sample
Total PAHs	milligrams per litre	Monthly during discharge	Grab sample
Total suspended solids	milligrams per litre	Monthly during discharge	Grab sample
TRH	micrograms per litre	Monthly during discharge	Grab sample
Turbidity	nephelometric turbidity units	Monthly during discharge	Grab sample
Xylene	micrograms per litre	Monthly during discharge	Grab sample
Zinc (dissolved)	milligrams per litre	Monthly during discharge	Grab sample

M2.3 Monitoring at Point 6 must occur on an outgoing tide and must occur as close as possible to low tide within this section of Ironbark Creek.

M2.4 Air Monitoring Requirements

POINT 1

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



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- Note: The *Protection of the Environment Operations (Clean Air) Regulation 2022* 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".
- M3.2 Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.

M4 Weather monitoring

- M4.1 At the point(s) identified below, the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1 of the table below, using the corresponding sampling method, units of measure, averaging period and sampling frequency, specified opposite in the Columns 2, 3, 4 and 5 respectively.

POINT 7

Parameter	Sampling method	Units of measure	Averaging period	Frequency
Rainfall	AM-4	millimetres	1 hour	Daily
Wind Speed at 10 metres	AM-2 & AM-4	metres per second	15 minutes	Continuous
Wind Direction at 10 metres	AM-2 & AM-4	Degrees	15 minutes	Continuous
Temperature at 10 metres	AM-4	degrees Celsius	15 minutes	Continuous
Temperature at 2 metres	AM-4	degrees Celsius	15 minutes	Continuous
Sigma Theta	AM-2 & AM-4	Degrees	15 minutes	Continuous

- M4.2 The licensee must ensure that the meteorological station on the premises complies with the requirements in the latest version of the *Approved Methods of Sampling of Air Pollutants in New South Wales*.
- ## 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:
- 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

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complainant; and

f) 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 via email to info@epa.nsw.gov.au with attention to the Manager of Regulatory Operations, Metropolitan North. Note: This condition does not apply until two(2) weeks after the date of issue of the variation notice to include this condition.

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,

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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').
- 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 they became aware of the incident.

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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 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

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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
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:

a) information required to be provided in WARRP within 26 days after the end of each month, as specified in condition R4.1; and

b) 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:

a) *Shredder floc* means residual waste generated directly from the shredding of scrap metal.

b) *WARRP* means the NSW EPA Waste and Resource Reporting Portal at:

<http://warrp.epa.nsw.gov.au/default.aspx>].

c) *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.

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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
PRS 5 - Surface Water Characterisation	Investigation into pollutants of concern in surface water generated at the premises and discharged into Ironbark Creek	04-February-2021
PRS 6 - Soil and Groundwater Assessment	An environmental assessment is required to characterise soil and groundwater conditions across the site, and to assess potential risks to the adjacent Ironbark Creek from any identified subsurface contamination.	24-July-2020
PRS 7 - Dust Mitigation Study	Investigate and implement dust mitigation options such that dust emissions from the premises are minimised.	02-September-2019
PRP 8 - Surface Water Mitigation and Monitoring	Addition of surface water mitigation measures to be implemented at the premises as identified in the Surface Water Mitigation and Monitoring Plan. Monitoring conditions added to licence and expectation of monitoring further explained in this condition.	10-February-2023
PRS 9 - Air Quality Management Plan	Air Quality Management Plan to be prepared for the Premises. This will include site inspection and audit requirements, increased dust deposition monitoring locations, mitigation measures for weather conditions prone to high dust generation, training requirements for staff and mitigation management action plan.	04-March-2022



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Dictionary

General Dictionary

3DGM [in relation to a concentration limit]	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
Act	Means the Protection of the Environment Operations Act 1997
activity	Means a scheduled or non-scheduled activity within the meaning of the Protection of the Environment Operations Act 1997
actual load	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
AM	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> .
AMG	Australian Map Grid
anniversary date	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.
annual return	Is defined in R1.1
Approved Methods Publication	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
assessable pollutants	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
BOD	Means biochemical oxygen demand
CEM	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> .
COD	Means chemical oxygen demand
composite sample	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.
cond.	Means conductivity
environment	Has the same meaning as in the Protection of the Environment Operations Act 1997
environment protection legislation	Has the same meaning as in the Protection of the Environment Administration Act 1991
EPA	Means Environment Protection Authority of New South Wales.
fee-based activity classification	Means the numbered short descriptions in Schedule 1 of the Protection of the Environment Operations (General) Regulation 2009.
general solid waste (non-putrescible)	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997

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flow weighted composite sample	Means a sample whose composites are sized in proportion to the flow at each composites time of collection.
general solid waste (putrescible)	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
grab sample	Means a single sample taken at a point at a single time
hazardous waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
licensee	Means the licence holder described at the front of this licence
load calculation protocol	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
local authority	Has the same meaning as in the Protection of the Environment Operations Act 1997
material harm	Has the same meaning as in section 147 Protection of the Environment Operations Act 1997
MBAS	Means methylene blue active substances
Minister	Means the Minister administering the Protection of the Environment Operations Act 1997
mobile plant	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
motor vehicle	Has the same meaning as in the Protection of the Environment Operations Act 1997
O&G	Means oil and grease
percentile [in relation to a concentration limit of a sample]	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.
plant	Includes all plant within the meaning of the Protection of the Environment Operations Act 1997 as well as motor vehicles.
pollution of waters [or water pollution]	Has the same meaning as in the Protection of the Environment Operations Act 1997
premises	Means the premises described in condition A2.1
public authority	Has the same meaning as in the Protection of the Environment Operations Act 1997
regional office	Means the relevant EPA office referred to in the Contacting the EPA document accompanying this licence
reporting period	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.
restricted solid waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
scheduled activity	Means an activity listed in Schedule 1 of the Protection of the Environment Operations Act 1997
special waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
TM	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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TSP	Means total suspended particles
TSS	Means total suspended solids
Type 1 substance	Means the elements antimony, arsenic, cadmium, lead or mercury or any compound containing one or more of those elements
Type 2 substance	Means the elements beryllium, chromium, cobalt, manganese, nickel, selenium, tin or vanadium or any compound containing one or more of those elements
utilisation area	Means any area shown as a utilisation area on a map submitted with the application for this licence
waste	Has the same meaning as in the Protection of the Environment Operations Act 1997
waste type	Means liquid, restricted solid waste, general solid waste (putrescible), general solid waste (non-putrescible), special waste or hazardous waste
Wellhead	Has the same meaning as in Schedule 1 to the Protection of the Environment Operations (General) Regulation 2021.

Mr Tim Gilbert

Environment Protection Authority

(By Delegation)

Date of this edition: 31-March-2000



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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
15	Licence varied by notice 1609187 issued on 07-Oct-2021
16	Licence varied by notice 1614744 issued on 04-Feb-2022
17	Licence varied by notice 1619828 issued on 28-Jun-2022
18	Licence varied by notice 1620747 issued on 25-Jul-2022

Appendix C

Operational Environmental Management Plan (OEMP)

Appendix C Operational Environmental Management Plan (OEMP)



ENVIRONMENTAL MANAGEMENT PLAN

Hexham



Sparke Street, Hexham



Doc Name: Recycling Hexham Operational Environmental Management Plan
Doc No: HEX-OHSE-RM-TOOL-644
Authorised by: Hexham Operations Manager
Hexham I Drive version is the only controlled version

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1 Summary of Recuring Environmental Obligations

Obligation	When	By Whom	Document Reference
Debris removal along Sparke St	As required	Environmental Representative	S8
Noise monitoring	Quarterly	AECOM – data available to ER	S10.1 and Appendix 5
Overpressure monitoring	Continuous	Texcel – data available to ER	S10.2
St Josephs Noise Monitor	Continuous	Texcel – data available to ER	S10.3
Meteorological monitoring	Continuous	AECOM – data available to ER	S10.4
Stormwater monitoring	Twice annually*	Environmental Representative	S10.5 and Appendix 4
Stack emission monitoring	Quarterly	AECOM – data available to ER	S10.7
Community Consultative Committee (CCC)	Quarterly or as agreed by CCC	Environmental Representative	S13
Independent Environmental Audit	Every 3 years**	Environmental Representative	S14.2
Annual Environmental Monitoring Report	Annually	AECOM	S15.1
Monthly EPA Waste Reports	Monthly	Environmental Representative	S15.2

*obligation subject to confirmation by NSW EPA via licence amendment

**next due December 2023

2 Operation Environmental Management Plan

2.1 Purpose

Site Management shall use the Operation Environmental Management Plan (OEMP), and their Employees, Contractors and Subcontractors whom are required to carry out on-site work related to the Shredder Plant Operation.

The purpose of this plan is to define strategies, responsibilities, requirements and procedures that will ensure compliance with Legislated Requirements and Consent Authorities conditions regarding Environmental Performance of Shredder Plant Operations.

The plan provides for the identification of high-risk tasks and the control of associated risk at each stage of the Shredder Mill Operation process by both Recycling Personnel and their Contractors.

2.2 Objectives

The objectives of the Operation Environmental Management Plan are to:

- Ensure that operation of the facility is performed and maintained to meet or exceed the requirements of relevant Environmental Legislation and operating conditions as determined by Consent Authorities
- Facilitate and maintain effective lines of consultation regarding Environmental Performance issues between Operations Management, Contract Personnel, Consent

Authorities and the Community

- Minimise any adverse environmental impacts associated with operation of the development
- Provide for on-going environmental management of the development
- Provide for regular monitoring and reporting of Operation Environmental Performance of the development

2.3 Scope

The Plan applies to the Recycling Metal Shredding Facility located at Sparke Street, Hexham, NSW.

3 GFG Alliance Environmental Policy

The Recycling Metal Shredder Facility at Hexham is committed to ensuring its business operates in an environmentally responsible manner having regard to all stakeholders' interests.

The environmental policy endorsed by GFG Alliance can be found at **Appendix 1** of this document.

4 General Standards

4.1 Legislation and Consent Authority Conditions

- The Protection of the Environment Operations Act 1997
- Protection of the Environment Operations (Waste) Regulation 2014
- Determination of a Development Application DA No. 345-7-2003-i, lodged with the Department of Infrastructure, Planning and Natural Resources on 25th July 2003. Version – MOD-49-3-2005-i- approved 17 May 2005 (the "DPIE Consent")
- Environment Protection Authority – Environment Protection Licence # 5345 and updated from time to time. [Online: <https://apps.epa.nsw.gov.au/prpoeoapp/>]
- Work Health & Safety Act 2011
- Work Health & Safety Regulations 2017

4.2 Infrabuild Recycling WHSE Management System

Recycling has several workplace health and safety procedures which support this Operational Environmental Management Plan:

- PRO001 - Responsibilities, Authorities and Accountability Procedure
- PRO008 - Inspection, Testing and Monitoring Procedure
- PRO018 - Incoming Scrap Deliveries Procedure
- PRO019 - Lead Acid Batteries Procedure
- PRO021 - Stockpile Management Procedure
- PRO035 - Hazardous Chemicals Procedure
- PRO045 - Asbestos Management Procedure
- PRO051 - Radiation Detection and Management Procedure
- PRO056 - Unacceptable Scrap Manual

- PRO057 - Waste Management Procedure
- PRO071 - Scrap Car Acceptance Policy

Copies of these documents and any other relevant forms can be accessed from the internal Recycling Intranet page and are accessible by Operations Management.

4.3 Site-Specific Management Plans that support this OEMP

Recycling has several site-specific operational procedures which support this Operational Environmental Management Plan:

- Hexham Traffic Management Plan (HEX-OPS-PC-SOP-602) - includes requirements that address Consent Condition 7.5b (Transport Management Plan) and associated Driver Induction Requirements (Do's and Don'ts);
- Hexham Emergency Response Plan (HEX-OHSE-RM-TOOL-601) – includes requirements that address Consent Condition 7.5c (Flood Emergency Management Plan) and Site Management & Emergency Contact Details;
- Surface Water Mitigation and Monitoring Plan, AECOM 22 December 2020 outlines details of stormwater infrastructure and constitutes a Stormwater Management Plan for the purposes of Consent Condition 7.5d.

The following Management Plans form part of the OEMP and included as appendixes.

- Appendix 2 - Waste Management Plan (Consent Condition 7.5f)
- Appendix 3 - Landscape Management Plan (Consent Condition 7.5e)
- Appendix 4 - Stormwater Sampling Locations and Analytes (Consent Condition 7.5d)
- Appendix 5 - Noise Management Plan (Consent Condition 7.5a)

5 Definitions

- Environmental Representative (ER) - A person duly appointed by Recycling Management to represent their interests during the operation of the development.
- Authorised Officer - A person duly appointed by the Consent Authority or Government Department to represent their interests during the operation of the development.
- DPIE - NSW Department of Planning, Industry and Environment.
- EPA - NSW Environmental Protection Agency

6 Operational Roles & Responsibilities

Within the Recycling WHSE Management System, Procedure 001, Responsibilities, Authorities and Accountability Procedure outlines the Operation Roles and Responsibilities for each level of the organisation. Also, salaried employees hold a position description outlining their responsibilities. Site-specific responsibilities for Hexham personnel over and above the obligations outlined in PRO001 are outlined below.

6.1 Operations Management

- Management shall ensure to its best endeavours that the operation of the Metal Shredding Facility does not impact adversely on the environment.
- Management will ensure that all operational personnel know and understand their relevant responsibilities within the OEMP.

- Management will ensure that Metal Shredding Facility operations comply with all Relevant Legislation and Consent Authority licences and conditions of operation.
- Management will ensure as a matter of Policy that it's Metal Shredding Facility operations environmental performance is monitored periodically, reviewed and improved where appropriate.
- Management will ensure that effective arrangements for community consultation and complaints handling procedures are maintained during operation of the facility.

6.2 Operations Employees

- Employees will comply with the requirements of the OEMP.
- Employees must co-operate with Management to enable compliance with all Relevant Legislation and Consent Authority licences and conditions of operation.

Without limiting the generality of the foregoing, an employee contravenes the above if he/she;

- Fails to comply, so far as the Employee is reasonably able, with instructions given by Management.
- Fails to properly use such protective clothing and equipment as is provided or provided for, by the employer in a way the employee has been properly instructed to use it;
- Misuses or damages any equipment provided in the interests of Environmental Protection.
- Fails to report to Management any situation at the workplace that the employee has reason to believe could constitute a hazard to the environment and which the employee cannot correct.
- Fails to report to Management any injury or harm caused to the environment of which, the employee is aware of that arises during, or in connection with the employee's work.

6.3 Supervision

- Operation Management will ensure by way of inspections and audits that the Metal Shredding Facility operates in accordance with the requirements of the OEMP.
- Operations Management will provide to their Employees and Subcontractors under their control any such information, instruction, training and supervision as is necessary to enable them to perform their work in a safe and efficient manner and ensure that they are not exposed to risk or present a risk of harm to the environment.
- Operations Management must ensure that there is an adequate and reliable procedure and means of communication between an Employee or Subcontractor and the person supervising the Employee or Subcontractor.

7 Operational Conditions

7.1 Hours of Operation – Shredder

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:

- an unplanned and unforeseeable situation arises at the premises by which the operation of the NSW re-melt steel industry is at risk of being negatively impacted by a shortage of shredded scrap, and

- Operations Management informs the EPA Hunter Office, and all affected noise receptors within a 1.5Km radius of the shredder, in writing at least 24 hours prior to commencing out of hours operation, and
- an officer appointed by Operations Management is on site, solely for ensuring compliance with noise limits at various locations.

Note “All noise receptors within 1.5 Km of the shredder” is currently limited to:

- The notice boards of Saint Joseph’s Retirement Village, Hexham.
- The residences on Old Maitland Road, west of Saint Joseph’s Retirement Village.
- The residences on Pacific Highway and intersecting streets, Hexham between Ironbark Creek and No 59 Pacific Highway, Hexham.

7.2 Operation Hours – Ancillary Activities

Operations Management 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

Notwithstanding 9.2.1 Operations Management may seek the DPIE Director-General’s approval to alter the hours of operation for ancillary activities specified under the DPIE Consent condition 4.8A. In seeking the Director-General’s approval, the Operations Management shall provide the required information as specified in the DPIE Consent Conditions.

8 Transport Conditions

Site transport arrangements are governed by the Hexham Traffic Management Plan (HEX-OPS-PC-SOP-602) and associated Driver Induction Requirements (“Do’s and Don’ts”) addresses the requirements of Consent Condition 7.5b (Transport Management). General conditions applying to all drivers include:

- Drivers are reminded that the first part of Spark Street is a Public Street and subject to a speed limit of 50 kilometers per hour at all times.
- Drivers are expected to follow NSW road rules and respect the rights of, and be courteous to, other road users.
- Drivers must report all accidents and near miss incidents to the Traffic Controller / Operations Supervisor.

Operations Management shall regularly inspect Sparke Street and the intersection at the Pacific Highway for debris that may be associated with the operation of the Shredder Facility and arrange for its removal from trafficable pavement and road shoulders.

8.1 Purchase of Western End of Sparke St

Condition 7.5(b)(iii)-(iv) of the DPIE consent relates to tracking of mud and traffic control between the shredder yard (previously Lots 29-30 DP803794) and the HM yard (previously Lot 1 DP874409). InfraBuild Recycling purchase this property in 2011 and members of the public are no longer able to access the roadway between the two yards.

9 Noise Conditions

Operations Management shall 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 1, at those locations and during those periods indicated.

The maximum allowable noise contributions apply under:

- wind speeds up to 3 ms⁻¹ (measured at 10 metres above ground level); and
- temperature inversion conditions up to 3oC per 100 metres.

Table 1 - Operation Noise Limits

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 _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{A1} (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

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

Operations Management has installed 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 DPIE Director-General.

Operations Management shall operate the noise monitoring equipment on an on-going basis, 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 noise monitoring data shall be made available to the St Joseph's Catholic Care of the Aged facility.

Operations Management 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 DPIE Director-General.

For the purpose of assessment of noise impacts specified under condition 4.3 of the DPIE Consent, noise from the development shall be measured within one meter of the boundary of any affected residential or industrial premises.

Existing operational Management procedures and manuals shall be updated to incorporate the new site and any new requirements. Measures shall include:

- Recycling's specific Safety Management Manual and Safety Management Procedures.
- Scrap metals containing dangerous goods shall not be accepted for processing.
- All incoming scrap feed material shall be visually inspected prior to shredding.
- Potentially explosive devices, including gas cylinders, are removed prior to shredding where possible.
- LPG gas bottles shall not be accepted for shredding – except those known to be degassed and vented from authorised suppliers.
- All potentially explosive devices, including gas cylinders, shall be disposed of in an environmentally satisfactory manner.
- The shredder mill water spray system shall be operated whenever scrap car bodies are being shredded.

10 Environmental Monitoring

10.1 Quarterly Noise Monitoring

Operations Management have appointed a consultant to carry out operation noise monitoring and compliance auditing as required by the DPIE Consent – See **Appendix 5** (Noise Management Plan).

10.2 Explosion Overpressure Monitoring

Operations Management has installed at the Eastern most boundary of the site and shall maintain and operate suitable instrumentation, in accordance with Australian Standard 2187.2-1993, to monitor and measure explosion overpressures traveling in a northerly direction towards residences at Shamrock Street and to the satisfaction of the EPA. Records of all blasts recorded shall be maintained.

10.3 St Josephs Continuous Noise Monitor

Operations Management will ensure the continuous noise monitor at St Josephs Retirement Home is operational and maintained.

10.4 Meteorological Monitoring

- Operations Management has installed and shall maintain and operate Suitable instrumentation to monitor (by sampling and obtaining results by analysis) the parameters specified in Table 2.
- Operations Management shall monitor the parameters specified in Table 2 using the specified units of measure, averaging period, frequency, and sampling method in the table.
- Records of all-weather conditions recorded shall be maintained.

Table 2 – Meteorological monitoring

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 <ul style="list-style-type: none"> - Siting - Measurement 				AM-1 & Am-4 AM-2 and AM-4

10.5 Storm Water Quality Monitoring

Operations Management shall ensure the quality of storm water leaving the site by adhering to the Surface Water Mitigation and Monitoring Plan prepared by AECOM and dated 22 December 2020. Appendix 4 summarizes key components of the Storm Water Monitoring Plan including:

- identification of contaminants to be tested;
- monitoring frequencies; and
- location of the storm water quality monitoring.

10.6 Dust Monitoring

Operations Management shall 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 emissions from the site and traffic-generated dust including:

- Hardstand areas shall be regularly washed down to prevent a build-up of fine materials;
- All Vehicle traffic surfaces within the site shall be vacuum cleaned as required;
- All onsite equipment shall be maintained so that they operate efficiently to reduce emissions;

Operations management may undertake due diligence monitoring of dust emissions from time to time to evidence appropriate management of dust on site.

10.7 Stack Emission Monitoring

Operations Management has appointed a consultant to carry out all Shredder Stack Emission sampling as required by the DPIE Consent.

- 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.

- Operations Management shall 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.
- Operations Management 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 2007).

Table 3 – Maximum Allowable Discharge Concentration Limits (Air)

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

10.8 Monitoring Records

The results of any monitoring required by EPA Licence 5345 must be recorded and retained as set out in this condition. All records required to be kept by EPA Licence 5345 must be:

- in a legible form, or in a form that can readily be reduced to a legible form;
- kept for at least 4 years after the monitoring or event to which they relate took place; and
- produced in a legible form to any Authorised Officer of the EPA who asks to see them.

The following records must be kept in respect of any samples required to be collected for the purposes of this licence:

- the date(s) on which the sample was taken;
- the time(s) at which the sample was collected;
- the point at which the sample was taken; and the name of the person who collected the sample.

11 Waste Management

- Operations Management shall only store, treat, process or reprocess material as outlined in the EPA Licence 5345.
- Operations Management shall ensure that an EPA Authorised Liquid Waste Disposal Company is appointed to remove all Scheduled Liquid Waste from the premises in accordance with EPA Licence 5345.
- Operations Management shall ensure that all Solid Waste Residue arising from Shredding Operations is dispatched as required to appropriately approved waste disposal facilities – See Appendix 2.
- General putrescible and solid waste generated by employees shall be collected in waste bins then transferred to skips to be collected by a registered contractor;

- Sludge and oils from the First Flush System shall be removed as required by a registered contractor.

12 Dangerous Goods Management

- Operations Management shall ensure that 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.
- Self-bunded containers are used across the location where required to contain possible spills.
- Hydrocarbon spill kits shall be maintained on site to manage spills.
- In the event of a major spills accident a sand bund shall be established, if necessary, upstream of the culvert beneath the Pacific Highway and the Fire Brigade Hazmat Unit and EPA notified;
- Spills occurring on Lots 1 will be captured in the First Flush Pit – If, the spill was to occur after a heavy rainfall event (a 1 in 30-year event) and the First Flush Pit was full – Trained Staff shall block the outlet of the On-Site Detention basin to contain the spill.

13 Community Consultative Committee

- Operations Management has established 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 be limited to representatives from the St Joseph's Catholic Care of the Aged facility and the Shortland / Birmingham Gardens / Sandgate Residents' Action Group.
- Operations Management shall ensure that the Committee meets at least monthly during the first six months of operation of the development, after which meeting frequency shall be by agreement between Operations Management and the Committee, and for the approval of the Director-General.
- Records of Minutes from CCC Meetings shall be maintained by Operations Management and copies shall be produced upon request from the DPIE Director-General or NSW EPA Authorised Officer

14 Auditing, Complaints Handling and Notifications

14.1 Internal Environmental Performance Auditing

- Operations Management shall ensure that regular internal audits are carried out by suitably trained and competent Company Personnel to ensure Shredder Plant Operation overall compliance with Legislation, Consent Authority and EPA Licence Conditions.
- Internal Environmental Audits are to identify any observed non-conformance so that corrective actions can be taken and where possible identify opportunities to improve Operation Environmental Performance where appropriate.
- Internal Audit Reports are to be included in the Monthly Environmental Report to Company Executive Management.

14.2 Independent Environmental Auditing

- 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:
 - be carried out in accordance with ISO 19011:2002 - Guidelines for Quality and/or Environmental Management Systems Auditing;
 - assess compliance with the requirements of this consent, and other licences and approvals that apply to the development;
 - 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
 - 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.

14.3 Notification of Environmental Incidents / Near Miss Events

- In the event of an environmental emergency such as a fuel spill or other emission exceeding regulatory requirements, the employees that caused it, or those closest to the location, will take all reasonable steps to stop, control and contain the pollutant so as to minimise its impact on the environment.
- Operations Management will provide Employees and Contractors/Subcontractors with the Recycling procedure for the internal reporting of Environmental incidents/near misses/serious occurrences. Employees and Contractors/Subcontractors shall use this procedure and forms when notifying Operations Management of Environmental accidents/near misses/serious occurrences and incidents.
- Employees and Contractor/Subcontractor must report any Environmental near miss or serious occurrence to Operations Management or the Environmental Representative, as soon as reasonably practical.
- Employees and Contractor/Subcontractor must supply any information regarding the Environmental incident to Operations Management or the Environmental Representative.
- Operations Management shall report all incidents of harm to the environment to the following authorities:
 - Environment Protection Authority of NSW in accordance with EPA licence conditions
 - The Director-General of DPIE (refer DPIE Consent Conditions 44.3 through to 44.5 - Reporting of Environmental Incidents).

14.4 Recording of Pollution Complaints

Operation Management, throughout the life of the development have made available the following Community Complaint Facilities:

- a 24-hour telephone number (02 4961 9700) on which complaints about the development

may be registered;

- a postal address (PO Box 329 Liverpool, NSW 2170) to which written complaints may be sent; and
- an email address (lesley.harpeng@infrabuild.com) to which electronic complaints may be transmitted.

These details shall also be provided on the Infrabuild internet site. The telephone number, the postal address and the email address shall be maintained throughout the life of the development.

Operations Management must keep a legible record of all complaints made to Management or any employee or agent of the Management in relation to pollution arising from any activity to which EPA Licence 5345 applies.

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.

The record of a complaint must be kept for at least 4 years after the complaint was made and must be produced to the DPIE Director-General or any Authorised Officer of the NSW EPA who asks to see them.

14.5 Notification of EPA and DPIE of any change to Environmental Representative

NSW EPA will be notified of any change of Environmental Representative within 14 days of the change. The Environmental Representative is listed in the Hexham Emergency Response Plan (HEX-OHSE-RM-TOOL-601). The notification should be marked attention to the Newcastle office of the NSW EPA: waste.operations@epa.nsw.gov.au and the DPIE general email: information@planning.nsw.gov.au. Note that it is not expected that a change to the Environmental Representative does not trigger the requirement for a resubmission of this OEMP to DPIE.

15 Performance Reviews

15.1 Preparation of Annual Environmental Management Report (AEMR)

The requirement to prepare and submit an AEMR is contained in Consent Condition 8.3. The AEMR is due within 3 months of the EPL anniversary, being 18 March of every year. The AEMR should be submitted to DPIE via the Major Projects planning portal website: <https://www.planningportal.nsw.gov.au/major-projects> and a copy sent to Newcastle City Council at: mail@ncc.nsw.gov.au.

15.2 NSW EPA Monthly Waste and Annual Shredder Floc Reports

Operations Management will submit Monthly Waste Reports to the NSW EPA in accordance with

the licence conditions R4.1 and R4.2.

Appendix 1 – GFG Alliance Environmental Policy

GFG Alliance Australia
Environment Policy



GFG Alliance Australia's primary operations include mining, metal recycling, steelmaking, the manufacture of intermediate and finished steel products, and the distribution and sale of metal and mineral products.

We seek to improve business sustainability by valuing environmental, social and economic considerations in our decision-making.

We are committed to pursuing a high standard of environmental management throughout our operations and strive for continual improvement of environmental performance, the efficient use of resources, and the minimisation or prevention of pollution.

Specifically, it is our policy to:

- Establish, review, document and monitor measurable environmental objectives and targets to continually improve environmental performance whilst taking into account evolving community expectations, management practices, scientific knowledge, technology and business structure.
- Use energy, fresh water and other resources more efficiently, including an emphasis on local scrap metal recovery and recycling. Use green, renewable long term sources of power where possible. Promote and improve the environmental credentials of GFG Alliance Australia, our operations, our products and their application.
- Comply with applicable environmental laws, regulations and mandatory standards. Where these do not exist, apply appropriate internal standards that reflect our commitment to prevent or minimise adverse environmental impacts resulting from our operations, products and services.
- Communicate on environmental issues with relevant governments and communities directly affected by our operations, and contribute to the development of policies, legislations and regulations that may affect GFG Alliance Australia operations.
- Control and manage environmental risks arising from our operations by implementing systems to identify, assess, control, and monitor those environmental risks.
- Educate and appropriately train workers and contractors to assist with GFG Alliance Australia's understanding of environmental standards and assignment of appropriate accountabilities and responsibilities to those individuals.
- Inform relevant workers, contractors and suppliers of goods and services to GFG Alliance Australia managed sites of their obligations regarding this policy, to manage policy implementation, facilitate stakeholder understanding and be committed to continual policy maintenance and improvement.

Sanjeev Gupta
Executive Chairman
November 2017

www.gfgalliance.com

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Appendix 2 – Waste Management Plan

Aim

- To minimise any detrimental effect of Shredder Operations Waste on the surrounding Environment
- To monitor generated wastes and review effectiveness of actions and measures utilized to control them

Scope

Applicable to all wastes generated from the operation of the Shredding Facility.

Identification of Wastes

Flock – Non-Metallic Solid Shredder Residue

Flock material usually consists of non-metallic material such as foam, electrical components, plastics, rubber, dirt and residues left after the mechanical shredding of car bodies, steel sheets and miscellaneous items.

The Hexham shredding facility has multiple screening processes, mechanical and electrical to recover most metallic parts from generated flock.

Independent analysis of flock has determined a Solid Waste classification.

Control Measures for Ensuring Compliance

- Flock shall be stored in walled bunkers (open at 1 side) until dispatched by truck to EPA Licensed Landfills.
- Trucks taking Flock from Hexham Shredder shall ensure that the load is suitably covered to prevent spills of Flock en-route.
- Operations Management shall ensure that Flock is only dispatched to suitably EPA Licensed Landfill Operators
- Operations Management in accordance with EPA Licence 5435 shall where practicable, implement appropriate procedures to ensure that all scrap, dust and litter is contained within the designated receipt and load out areas.
- Operations Supervision shall monitor the Flock storage area and take appropriate action to ensure that Flock does not migrate to other areas on site – especially during adverse weather conditions such as high wind.
- Operations Supervision shall ensure that Flock storage and removal operations do not generate and cause dust to migrate off site.
- Flock storage and environmental impact shall be included in Internal Environmental Audits conducted by Company WHSE Officers and reviewed by Operations and Executive Management.
- Operations Management shall keep Monthly Flock Generation and Dispatch Statistics and shall review the effectiveness of Flock control measures and improve such measures where appropriate.

Waste Oil / Water, Hydrocarbons / Water Mixtures & Emulsions

Waste oil / water, hydrocarbons / water mixtures and emulsions arise from the de-lousing of un-compacted motor vehicles.

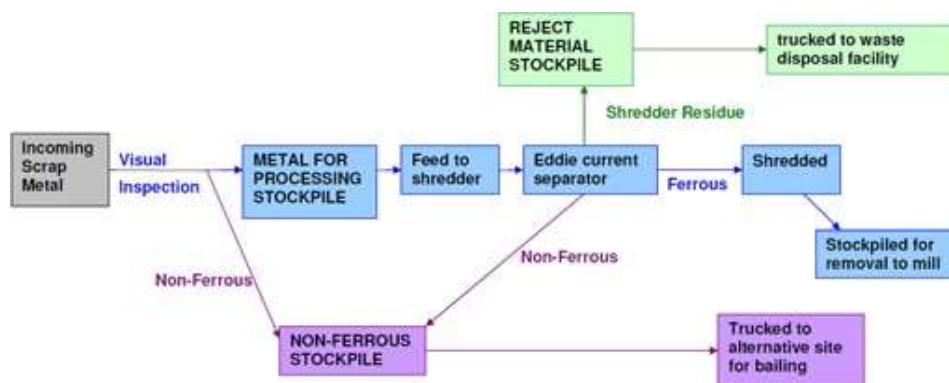
Un-compacted motor vehicles delivered to site usually result from dumped derelict vehicles being recovered from environmentally sensitive areas, Council arranged pickups and the General Public responsibly disposing of such vehicles.

Quantities of this category of waste is difficult to estimate due to the varying conditions of un-compacted cars presented – Statistical analysis of such waste recovered, and dispatched post operation of the Shredding Facility will provide an accurate figure.

Control Measures for Ensuring Compliance

- Operations Management shall ensure that all scrap motor vehicles delivered to the Hexham Shredding Facility from Company controlled sources have been compacted and/or de-loused of fluids.
- Operations Management / Supervision shall review scrap motor vehicle deliveries from Company controlled sources and, should vehicles be found to contain fluids, take appropriate action to ensure future deliveries conform.
- Operations Supervision shall perform inspections of the designated scrap vehicle area and take appropriate action should any evidence of fluid migration from the bunding be detected.
- Operations Supervision shall monitor quantities of motor vehicle fluids stored and shall arrange disposal through an accredited provider of such service.
- Operations Supervision will ensure that levels of stored scrap motor vehicle fluids are kept to minimal levels especially in times of inclement weather or impending flood.

Operations Management shall monitor compliance to the Waste Management Plan and DISCIPLINARY ACTION up to and including cancellation of employment and work contracts will be instigated against Company Personnel or Service Providers found not to be complying with the Waste Management Plan.



Appendix 3 – Landscape Management Plan

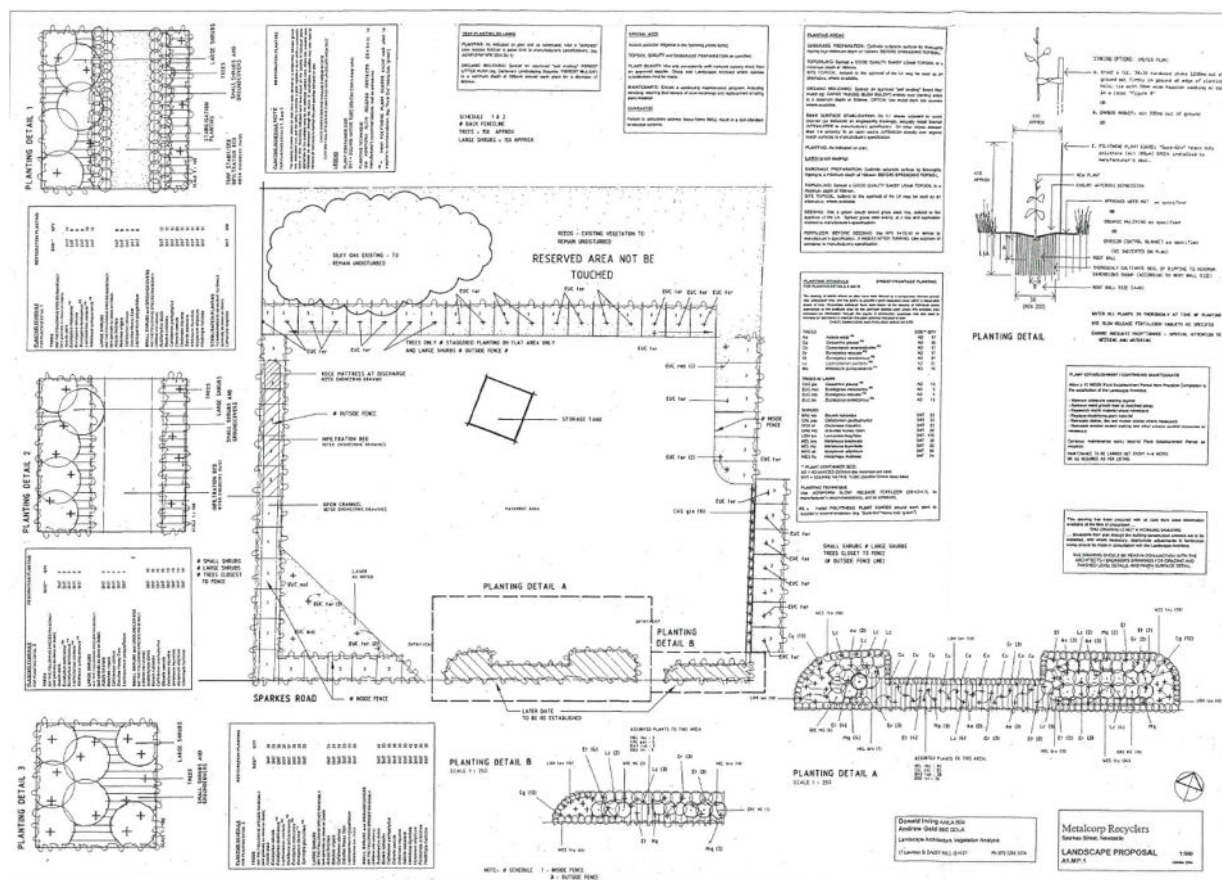
Aim

- To mitigate any adverse effect of the development on the visual amenity of the surrounding area – Specifically the Pacific Highway, Ironbark Creek, residential receptors and the railway line.
- To install and maintain Landscaping for the full life of the development around all boundaries of the development maximizing the use of flora species endemic to the locality and suited to local soil conditions in accordance with the Landscape Plan.
- To maintain and improve where practicable the existing vegetation on all boundaries of the development.

Scope

The Hexham Shredding Facility located Lot 1 DP1176316 - Sparke Street Hexham NSW 2322.

Approved Landscape Plan



Planning for Bushfire Protection

- The Company has assessed the development site regarding attack by bushfire in accordance with Appendix 3 of The Planning for Bushfire Protection (NSW Rural Fire Service and Planning NSW, 2018).
- The development is sited on flat terrain with distances from classified vegetation

indicating a LOW risk Category of Bushfire Attack.

- The Company has trained emergency personnel who are competent in Fire Response to deal with any fire emergency.

Landscape Maintenance Schedule

The Company has commissioned a professional landscaper to ensure that all landscaped areas on the site are maintained in a tidy, healthy state and free of weed species.

Garden maintenance to be carried out every 4 to 6 weeks or as required maintaining the original standard:

- Maintain adequate watering where required.
- Prune shrubs and trees as required.
- Replace dead or dying plants with Landscape Plan approved species.
- Remove weed growth from mulched areas.
- Roundup unwanted weed growth along fence lines.
- Replenish mulch where necessary
- Keep mulch clear from collar of shrubs.
- Reinstated stakes, ties and polythene plant guards as required
- Repair erosion control where necessary.
- Remove windblown debris from garden areas.

Lawn maintenance to be carried out;

- Fortnightly – September through March, and
- Monthly – April through August, or
- As required maintaining the original standard.
- Mowing all grassed areas.
- Trimming along fence lines.
- Trimming edges on gutters and driveways
- Roundup unwanted weed growth along fence lines
- Remove windblown debris from grassed areas
- Blowing of driveways and gutters.

Riparian Zone – Boundary of Heavy Metal Yard and Ironbark Creek

Established vegetation between the boundary of Lot 1 and Ironbark Creek will not be disturbed.

Pacific Highway

Vegetation along the Pacific Highway will be inspected at 4-to-6-week intervals to ensure that it is effectively managed to maintain 180 metre vehicle sight distances for vehicles exiting Sparke Street onto the Pacific Highway in accordance with RTA requirements.

Appendix 4 – Stormwater Sampling

Surface water sampling is proposed to be completed during every discharge events only on a biannual basis at the following locations:



FIGURE 9: PROPOSED SAMPLING LOCATIONS


AECOM

Analytes

5.2.3 Laboratory analysis

The list of CoPCs has been refined based on reported concentrations as part of the discharge characterisation report. Surface water samples collected during the monitoring program are to be analysed for the following CoPCs and attributes:

- TRH
- BTEX
- PAHs
- Glycols
- Total Suspended Solids (TSS)
- Turbidity;
- pH;
- Electrical Conductivity (EC);
- Oil & Grease
- Ca/K/Mg/Na
- Nutrients (Nitrogen, Phosphorus, Nitrite + Nitrate and Kjeldahl Nitrogen)
- Dissolved and total heavy metals and metalloids (i.e. Aluminium, Arsenic, Boron, Cadmium, Chromium VI, Copper, Iron, Lead, Manganese, Mercury, Molybdenum, Nickel).

Appendix 5 – Noise Management Plan

Background

The Recycling site at Hexham NSW ('the Site') has operated in some form since 1994. In 2004 the site underwent a major expansion and upgrade, including the commissioning of a new shredder. The development consent for this was development approval number DA 345-7-2003-i. This DA includes specific requirements for the management of noise, including the creation of a Noise Management Plan. Since 2004 there have been various regulatory, organisational and operational changes and the Noise Management Plan has now been revised in response to those changes. In addition, in 2017 there was a review of the effectiveness of the previous noise monitoring program. The results of this review have also been incorporated into this revised Noise Management Plan.

Aim and Scope

The aim of the Hexham Noise Management Plan is to provide the information and direction needed to ensure operational compliance with the noise related conditions of the development approval for the Site (DA 345-7-2003-i).

DA 345-7-2003-i strictly only applies to the portion of the site on which the shredder is located (the Western side of Sparke St). However, this Noise Management Plan applies to the entire Recycling operation at Hexham, i.e. sites on both sides of Sparke St.

Potential Sources and Controls

Potential Noise Sources	Controls
Normal operations	<ul style="list-style-type: none"> Limits to operating hours Initial selection of equipment that is compliant Equipment maintenance to avoid increasing operational noise Noise monitoring program for early warning of exceedances
Overpressure events (i.e. explosions within the shredder)	<ul style="list-style-type: none"> Limits to operating hours Strict controls to prevent prohibited items (e.g. gas cylinders) from entering the scrap stream Refer to Site Acceptance Criteria for more information
Traffic noise	<ul style="list-style-type: none"> Limits on the number, time and route of truck movements Refer to Traffic Management Plan for more information

Noise Monitoring Program

Noise monitoring has been undertaken at the site since 2004. In 2017 there was a review of the monitoring process and the results of that process. This review showed that the site consistently complied with the applicable noise limits, although there were opportunities for rationalization and improvement in the noise monitoring program. The 2017 version of the noise monitoring program has been developed in response to the findings of the 2017 review.

A key finding in the review was that there had been a gradual but significant increase in background noise levels since the commencement of the program. As a result, it was often not possible to determine if the site was compliant or not when noise was recorded close to the receptors. In response the noise monitoring consultants adopted an alternative methodology in which they measured noise on the site boundary and then used established industry techniques to model a predicted noise level at the receptors. This method is acceptable under the NSW Industrial Noise Policy (2000). This approach has now been permanently adopted within the noise monitoring program.

Noise Monitoring Limits and Locations

The applicable noise limits, as recorded at specific receptor locations, are provided in the table below. This information is taken directly from DA 345-7-2003-i and EPA Licence 5345.

Applicable noise limits

Location	Day dB(A) LAeq (15 min)	Evening dB(A) LAeq (15 min)	Night dB(A) LAeq (15 min)
Shamrock St	47	48	45
Calvary St (St Joseph's Retirement Village)	53	42	41
Operating industrial premises	70	70	70

Noise Monitoring Frequency and Methodology

- The noise monitoring program is a routine ongoing operational activity and should be planned for as such
- It is conducted by an external professional organisation qualified to undertake such activity
- Monitoring events occur 4 times a year (Every Quarter)
- Monitoring consists of attended monitoring on the site boundary at location(s) which allow for the calculation of predicted noise levels at the receptors nominated in the table above, namely Shamrock Street and Calvary Street
- The measured boundary results are used to calculate predicted levels at receptors using established industry methods
- A report is produced for each monitoring round (i.e. Four reports per year)
- The methodology used is described in the report of each round of measurement
- The report for each monitoring round is reviewed internally as soon as it is available

- In the event that a noise exceedance is recorded this will be immediately investigated and addressed
- The applicable noise limits for monitoring and reporting are those contained within DA 345-7-2003-i and also EPA Licence 5345. The limits in both of these documents are the same
- The combined annual results of noise monitoring are provided to DPIE on an annual basis in the form of an Annual Environmental Management Report

Appendix D

Independent
Environmental Audit
(Epic 2024)

Appendix D Independent Environmental Audit (Epic 2024)



Independent Environmental Audit Report

InfraBuild Recycling

Independent Environmental Audit – InfraBuild Recycling Hexham

SAA230030.01

18 June 2024

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EXECUTIVE SUMMARY

Epic Environmental Pty Ltd (Epic) was engaged by InfraBuild Recycling (InfraBuild) to undertake an Independent Environmental Audit (IEA) of the Hexham Recycling Facility (Hexham Facility) (the site). This document outlines the method, findings, and recommendations of the 2024 IEA. The IEA was undertaken between April 2024 and June 2024. The IEA scope included activities undertaken at the site during the period December 2020 to December 2023.

The purpose of the IEA was to address the requirements of Condition 5.12 of A345-7-2003-I-PA-8 as modified (the consent) and assess overall compliance and environmental performance of the site. In accordance with Condition 5.12 of the consent, the IEA team was approved by the Director-General on 11/04/2024 (**Appendix A**).

The IEA criteria which the site was assessed against for this IEA included:

- Findings of the 2020 IEA (AQUAS, 19/11/2020)
- Conditions of the Development approval (DC-MOD-49-3-2005-i)
- Conditions of the Environmental Protection Licence (EPL 5345)

The IEA included an opening meeting, IEA interviews, site inspection and closing meeting. A suite of evidence and material was provided by InfraBuild to verify the findings of the IEA.

IEA Findings

Overall, InfraBuild achieved 90% compliance against all of the IEA criteria for the 2023 IEA. A total of 171 individual conditions were audited across the IEA criteria, with 56 conditions determined to be not triggered at the time of the IEA. A total of twelve audited conditions were identified to be non-compliant during the IEA (six against the development consent and six against the EPL).

Epic identified multiple positive observations during the IEA, including the high level of housekeeping across the site, knowledge of the environmental requirements for monitoring and reporting was well understood by site personnel.

The key non-compliances identified during the IEA include:

- Noise Monitoring
 - Weather monitoring data not available as required by condition 4.3 (the criteria are based on weather conditions)
 - Lack of detail in the noise monitoring reports for tonality and impulsiveness for all measurements
 - Details of the assessment of L1 criteria missing
- Dangerous goods and hazardous chemical management
 - Chemical containers (including an uncovered bowl of oily water) were located outside of bunded areas
- Monitoring equipment
 - Meteorological station was not providing valid wind speed readings
 - Adequate detail regarding the specifications for the Texcel equipment was not provided to determine compliance with Australian Standard 2187.2 of 1993
- Operation Environmental Management Plans and subplans
 - Development consent and EPL conditions were not adequately captured or it was not clear where they had been addressed

- Annual reporting
 - One instance of the Annual Report not being submitted within the timeframe required by the EPL

IEA Recommendations

Based on the IEA findings, recommendations have been provided to address non-compliances or to improve overall environmental management. The key recommendations to address the non-compliances included:

- Update the operational Environment Management Plan and Subplans to address the specific requirements outlined in the development consent and the EPL conditions
- Update noise monitoring program and reporting to include:
 - Comments on tonality and impulsiveness for all measurements
 - L1 criteria assessment (where required) or comment as to why it has not been assessed
- Undertake training in the form of a toolbox meeting or similar to communicate to all staff the requirements for dangerous goods and hazardous chemical storage requirements
- Undertake maintenance and calibration of all monitoring equipment as per manufacturers guidelines to ensure it is functioning correctly and where required, repair and/or replace damaged/faulty equipment
- Ensure all annual reporting is submitted within the required timeframes

Non-conformances with common themes and recommendations have been grouped together.

All recommendations should be considered and if appropriate implemented by InfraBuild. Where an alternative action to the provided recommendation is adopted, this should be documented and assessed at the subsequent IEA.

1 INTRODUCTION

Epic Environmental Pty Ltd (Epic) has been engaged by InfraBuild Recycling (InfraBuild) to undertake an Independent Environmental Audit (IEA) of the Hexham Recycling Facility (Hexham Facility). The IEA was undertaken between April 2024 and June 2024. This document outlines the method, findings, and recommendations of the 2024 IEA undertaken at the Hexham Facility.

1.1 Background

InfraBuild operates the Hexham Facility at 107 Sparkes Street, Hexham, New South Wales (the site). The site operates under Development Consent (DC-MOD-49-3-2005i) and Environment Protection Licence (EPL 5345). The site is approved for the operation of a metal recycling facility:

- >100,000 tonnes (T) amount of waste on site at any time
- >100,000 – 500,000 T annual production capacity

The site consists of the following:

- Shredder yard
- Heavy metals yard
- Non-ferrous handling and storage facilities
- Stormwater management system
 - Hardstand areas surrounding the site that drain to the water management system
- Dust controls including covers on conveyors, dust suppression on the shredder, landscaping and water trucks
- Office building and amenities
- Weighbridge office and weighbridge

1.2 IEA Team

The IEA team members are listed in **Table 1**. In accordance with Condition 5.12 of development consent DC-MOD-49-3-2005i, the IEA team has been approved by the Director-General (**Appendix A**). The auditors confirm their independence, and the signed Independent Environmental Audit Declaration Form has been provided in **Appendix B**.

Table 1. IEA Team

Person	Role	Years' Experience	Qualifications
Kirsty Douglas	Lead Auditor	19	Lead auditor (Exemplar Global, No. 210439), BSci (Conservation Biology and Ecology), IAP2 Australasia Certificate in Engagement
Chris Griffiths	Assistant Auditor	19	BSci (Environmental Management), Auditor Training (Lead Auditor), Certified Lead Auditor Exemplar Global, No. C-449888
Ben Hall	Acoustic SME	24	GP Acoustics (UNSW), QELA Land Court Expert Witness, B.Music (Music Technology)
Gabrielle Head	Assistant Auditor	2	BSci (Environmental Biology); BSci (Science in Information Technology); B. Creative Intelligence and Innovation

1.3 IEA Objectives

As per Condition 5.12 of DC-MOD-49-3-2005-i for the site, an IEA is required to be undertaken within one year of the commencement of operation, and every three years thereafter, to independently verify compliance of environmental obligations at the site.

The key objective of this IEA was to:

- Determine the status of recommendations from the previous IEA (AQUAS, 2020)
- Assess whether the site is operated in compliance with the approval conditions listed under the:
 - DC-MOD-49-3-2005-i
 - EPL 5345
- Review the adequacy and implementation of the Operational Management Plan (OEMP) and sub-plans developed in accordance with the approval conditions:
 - Noise Management Plan (NMP)
 - Transport Management Plan (TMP)
 - Flood Emergency Management Plan (FEMP)
 - Stormwater Management Plan (SWMP)
 - Landscape Management Plan (LMP)
 - Waste Management Plan (WMP)
- Assess whether the site is being operated in accordance with current practice and standards
- Assess the overall environmental performance of the site and effects on the surrounding environment and sensitive receptors
- Provide recommendations for the overall improvement of environmental performance of the site

1.4 IEA Scope

The IEA scope included activities undertaken during the IEA period (December 2020 – December 2023) at the site in relation to the operation of the facility with respect to the development consent (DC-MOD-49-3-2005-i), environmental protection licence (EPL 5345), the OEMP and relevant environmental sub-plans.

1.5 IEA Period

Condition 5.12 of DC-MOD-49-3-2005-i stipulates the following audit frequency:

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.*

In accordance with the audit frequency outlined in Table 1 of the *Independent Audit Post Approval Requirements (NSW Government, 2020)*, audits are to be undertaken at intervals no greater than three years or as otherwise agreed by the Secretary. It is understood that the previous audit was undertaken by AQUAS Pty Ltd (AQUAS) in 2020.

2 IEA METHOD

2.1 Method Development

The IEA method was developed with reference to:

- *Independent Audit Post Approval Requirements (DPI&E, 2020)*
- *ISO 19011 Guidelines for Auditing Management Systems*

2.2 IEA Program

The IEA was undertaken in accordance with the program provided in **Table 2**.

Table 2. IEA Program

Date	Task Description	Who
IEA Preparation		
15/04/2024	Provision of IEA Plan to InfraBuild	Epic
11/04/2024	Approval of the IEA team	DPE
15/04/2024	Developed the IEA tools	Epic
15/04/2024 - 22/04/2024	Undertook the preliminary document review	Epic
IEA Phase		
23/04/2024	Opening Meeting	Epic & InfraBuild
	Site inspection	Epic & InfraBuild
	IEA interviews	Epic & InfraBuild
	Closing Meeting	Epic & InfraBuild
IEA Reporting		
29/04/24 – 17/05/24	Provision of additional evidence not obtained during the IEA phase.	InfraBuild
19/05/24 – 31/05/24	Prepare the draft IEA report	Epic
14/06/24	Issue the draft IEA report to InfraBuild	Epic
19/06/24	InfraBuild provides comments on draft IEA report	InfraBuild
22/06/24	Issue the final IEA report to InfraBuild	Epic

2.3 Pre-Audit Consultation

Upon engagement the IEA team held a kick-off meeting on the 1 March 2024 with InfraBuild to discuss the IEA process, expectations, and detail information requirements prior to undertaking the IEA.

2.4 IEA Tools

The following IEA tools were used during the IEA. These tools assisted in defining the scope of the IEA, captured any issues identified during the IEA and allowed for the discussion of potential recommendations on how these items can be rectified. The tools included:

- IEA plan (**Appendix C**)
- Opening meeting agenda and minutes
- Independent environmental audit table (**Appendix D**) and interview questions

2.5 IEA Criteria

The IEA criteria are the requirements against which the site was assessed. The IEA criteria for the site included:

- Findings of the 2020 IEA (AQUAS, 2020)
- Conditions of DC-MOD-49-3-2005-i
- Conditions of EPL 5345

- Targeted requirements for the implementation of the Hexham Operational Environmental Management Plan (OEMP) and the following sub-plans:
 - Noise Management Plan (NMP)
 - Transport Management Plan (TMP)
 - Flood Emergency Management Plan (FEMP)
 - Stormwater Management Plan (SWMP)
 - Landscape Management Plan (LMP)
 - Waste Management Plan (WMP)

2.6 IEA Compliance Rating

The compliance assessment ratings used in the IEA assessment are outlined in **Table 3**.

Table 3. IEA Ratings

IEA Rating	Abbreviation	Definition
Compliant	C	The auditor has collected sufficient verifiable evidence to demonstrate that all elements of the condition or management plan requirement have been complied/conformed with within the scope of the IEA.
Non-compliant	NC	The auditor has determined that one or more specific elements of the conditions or management plan requirements have not been complied/conformed with within the scope of the IEA.
Opportunity For Improvement	OFI	Compliant, however possible improvements identified.
Not Triggered	NT	A condition or requirement has an activation or timing trigger that has not been met during the defined IEA period (it may be a retrospective or future requirement), therefore an assessment of compliance/conformance is not relevant.

2.7 IEA Interviews

A number of key staff were interviewed during the IEA, including:

- National Environmental Manager – Pablo Garces
- Site Manager – Paul Smith
- Project Support - Gregor Rise

Interviews were undertaken in person at the InfraBuild Hexham site.

2.8 Site Inspections

A site inspection was undertaken on the same day as the audit interviews to visually verify aspects discussed and those items that could not be confirmed through the initial document review. Weather on the day of the site inspection was overcast, with a low of 14.2°C with a high of 25.1°C (BOM, 2024 – Newcastle Nobbys Signal weather station).

The IEA team were escorted by InfraBuild representatives during the site inspection. The IEA team were provided unrestricted access to the site to verify compliance.

2.9 IEA Evidence

A comprehensive suite of evidence and material was provided by InfraBuild to verify the findings of the IEA. The list of material provided and reviewed during the IEA included:

- The 2021 OEMP, including Sub-plans:
 - Surface Water Mitigation and Monitoring Plan
 - Pollution Incident Response Management Plan (PIRMP)
 - Emergency Response Plan
 - Air Quality Management Plan
 - Traffic Management Plan
 - Environmental Register
- 2021 – 2023 Annual Environmental Management Report (AEMR)
- 2021 – 2023 Annual Returns
- 2020 – 2023 Ambient Air Monitoring Reports
- 2020 – 2023 Stack Emissions Testing Reports
- Air Quality Impact Assessment (2005)
- 2020 – 2023 Quarterly Noise Monitoring Reports
- Independent Environmental Audit Report – InfraBuild Hexham Recycling Facility (AQUAS, 2020)
- Emergency Response drill records
- Maintenance records
- Inspection records
- Complaints register
- Incident Register and notification and consultation records
- Community Consultative Committee meeting schedule and meeting minutes
- Waste Records (annual tonnage records)
- Training packages:
 - Environmental Awareness
 - Site Induction
 - Driver Do's and Don'ts
- Meeting records

All other evidence noted during the IEA not listed above was observed on the clients website or visually observed during the IEA interviews.

3 IEA FINDINGS

3.1 Overall IEA Results

A total of 171 individual conditions were audited across the IEA criteria, with 56 conditions determined to be not triggered at the time of the IEA. Of the applicable requirements and conditions, InfraBuild demonstrated compliance against 90% of the IEA criteria. The site was identified as being non-compliant with a total of twelve conditions.

The overall IEA results have been shown in **Figure 1**.

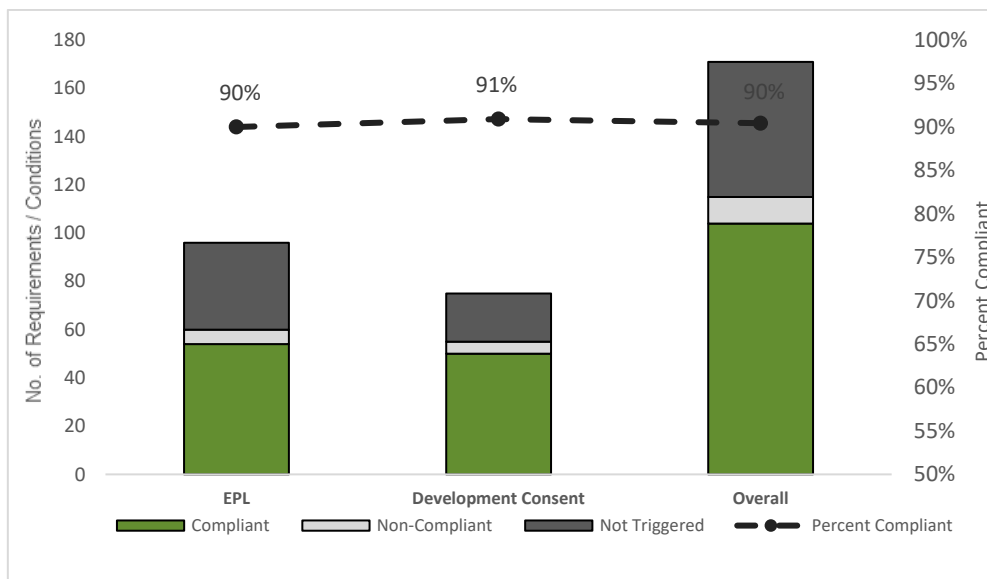


Figure 1. Overall IEA results

The subsequent sections will provide a summary of the findings with the complete IEA table provided in **Appendix D** which provides the findings against each condition.

3.1.1 Positive Observations

- A number of positive observations were noted during the IEA including:
- Record management was of a high level
- No areas of concern were observed during the site inspection. Notably:
 - A high level of environmental governance was demonstrated, staff interviewed during the site inspection were aware of and understood environmental requirements for the site
 - The site was well maintained (site was continually being tidied up by staff and street sweeper continually wetting down areas to minimise dust) and no evidence of dust nuisance or waste migrating offsite was observed
 - Traffic controller on site directing customers and heavy vehicles to correct locations and ensuring traffic was not parking outside of the site boundary
 - Plant and equipment service records were maintained on site and up to date

3.2 Summary of Agency Notices, Orders, Penalty Notices or Prosecutions

No agency notices, orders, penalty notices and prosecutions were noted for the site during the IEA period.

3.3 Status of 2020 IEA Findings

The 2020 IEA identified ten recommendations related to eleven NCs. Of the ten recommendations, the 2024 IEA identified that they had been reported in the AEMR that they had all been actioned and closed out.

The status of each of the 2020 IEA recommendations is provided in **Table 4**.

Table 4. Status of 2020 IEA Recommendations

Non-Compliance Number	Condition Number	2020 IEA Comments / Recommendation	Corrective Action Plan (included in the 2023 AEMR)	2023 IEA Findings	Status
Development ConsentDC-MOD-49-3-2005-i					
NC-01	1.2, 2.5	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.	All non-compliances identified in the AEMR have been addressed.	This is considered closed out for the previous audit period.	Closed
NC-02	4.3	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.	AECOM have provided a detailed response to the comments provided by the auditor and that, in their view, the recorded levels were compliant with Industrial Noise Policy (email from Cye Buckland, 5 February 2021).	Quarterly noise monitoring conducted for the project reported exceedances of site-specific noise criteria in Quarter 2 of 2020.	Closed
NC-03	4.8E	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.	Texcel replacement of existing battery powered noise monitor with solar powered unit storing data to cloud. Branch manager has access to noise data. (email P.Smith 2 March 2021)	Evidence provided demonstrating compliance with this recommendation	Closed

Non-Compliance Number	Condition Number	2020 IEA Comments / Recommendation	Corrective Action Plan (included in the 2023 AEMR)	2023 IEA Findings	Status
		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	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.	Review of EPA Technical Manual for site compliance completed. Copy of the Technical Manual stored on Hexham local drive. (email P. Smith 15 Feb 2021)	Recommendations were implemented and appropriate storage provided for chemicals and dangerous goods on site	Closed
NC-05	7.1	New site manager who is the environmental representative. 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.	OEMP has been amended to require notification of EPA.	Confirmed	Closed
NC-06	7.4	The following deficiencies were identified in the OEMP: Does not identify all statutory and other obligations required to be fulfilled Responsibilities provided for Operations management, operations employees.	OEMP has been amended to include: <ul style="list-style-type: none"> updated statutory obligation list (section 4.1 pg 4) responsibilities of operations management and operations employees (section 6 pg 6 updated to provide clear linkage and relationship with Recycling WHSE 	Confirmed	Closed

Non-Compliance Number	Condition Number	2020 IEA Comments / Recommendation	Corrective Action Plan (included in the 2023 AEMR)	2023 IEA Findings	Status
		Responsibilities have not been clearly assigned to individual roles Site roles have not been clearly identified The OEMP should be updated to address the deficiencies identified and submitted to DPIE for approval.	Management System, Procedure 001, Responsibilities, Authorities and Accountability Procedure)		
NC-07	7.5	<p>Subplans required under the OEMP do not include all information as required by Condition 7.5.</p> <p>Appendix 3 – Transport Management Plan</p> <ul style="list-style-type: none"> Does not include a Transport Code of Conduct Does not include possibilities for reducing daily heavy vehicle movements during night-time periods or during morning peak periods Does not include procedures to limit the tracking of mud/dirt on the roadway <p>Appendix 8 - Flood Emergency Management Plan</p> <ul style="list-style-type: none"> Details of the workforce education awareness program implemented at the site Identification of the designated evacuation routes and flood refuges <p>Appendix 6 – Stormwater Management Plan</p> <ul style="list-style-type: none"> Details of all relevant stormwater control infrastructure 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 A demonstration of consistency with the stormwater management plan for the catchment and any relevant stormwater guidelines prepared by Council 	<p>The Transport Management Plan has been replaced by the Hexham-specific transport management plan Hexham Traffic Management Plan (HEX-OPS-PC-SOP-602) and associated Driver Induction Requirements (“Do’s and Don’ts”) addresses the requirements of Consent Condition 7.5b (Transport Management). This removes duplication and specifically addresses auditor requirements for:</p> <ul style="list-style-type: none"> a Transport Code of Conduct - the Driver Induction requirements specifically addresses these requirements reducing heavy vehicle movements during peak periods the Traffic Management Plan specifically addresses this requirement reducing tracking of mud/dirt on the roadway - the <p>Traffic Management Plan specifically addresses this requirement The Flood Emergency Management Plan (Appendix 8) has been replaced by the Hexham-specific Emergency Response Plan (HEX-OHSE-RM-TOOL-601). This removes duplication and specifically addresses auditor requirements for:</p>	<p>A third party confirmed that these had been closed out for the previous audit, however a review of the management plans during the current IEA identified that some specific items had either not been addressed/ it was not clear where they had been addressed. For the purpose of this audit, these items have been raised as new NC’s.</p>	Closed

Non-Compliance Number	Condition Number	2020 IEA Comments / Recommendation	Corrective Action Plan (included in the 2023 AEMR)	2023 IEA Findings	Status
		<ul style="list-style-type: none"> Details of the monitoring program, as required by condition 5.11, to monitor stormwater flows from the site <p>Appendix 5 – Landscape Management Plan;</p> <ul style="list-style-type: none"> 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 Details of landscape works to improve the condition of the riparian zone along the boundary of Lot 1 DP 874409 and Ironbark Creek Maximisation of flora species endemic to the locality in landscaping the site Measures to ensure general consistency with the relevant guidance provided in Planning for Bushfire Protection (NSW Rural Fire Service and Planning NSW, 2001) A program to ensure that all landscaped areas on the site are maintained in a tidy, healthy state and free of weed species A program to ensure that vegetation along the Pacific Highway is appropriately managed to maintain vehicle sight distances in accordance with RTA requirements <p>Appendix 4 – Waste Management Plan</p> <ul style="list-style-type: none"> A description of what procedures would be followed to ensure compliance if any non-compliance is detected. 	<ul style="list-style-type: none"> details of the workforce education awareness program implemented at the site; identification of the designated evacuation routes and flood refuges. <p>The Emergency Response Plan also contains the contact details of key personnel on and off site in one location and can be updated as required by site operations. Section 10.5 (Stormwater Quality Monitoring) has been updated to reference the AECOM-prepared Surface Water Mitigation and Monitoring Plan. This plan includes:</p> <ul style="list-style-type: none"> current relevant stormwater control infrastructure; procedures for the maintenance of gross pollutant traps to screen stormwater from the site at all major site discharge points to Ironbark Creek. <p>The AECOM report also includes: a site water balance documenting the site catchment size; details of the monitoring program to monitor stormwater flows from the site.</p> <p>The Landscape Management Plan (Appendix 3) has been updated to incorporate:</p> <ul style="list-style-type: none"> details of existing landscaping (the approved works are included in the Appendix); 		

Non-Compliance Number	Condition Number	2020 IEA Comments / Recommendation	Corrective Action Plan (included in the 2023 AEMR)	2023 IEA Findings	Status
		Subplans required under the OEMP should be updated to ensure that they address all the requirements of Consent Condition 7.5.	<ul style="list-style-type: none"> measures to ensure general consistency with the relevant guidance provided in Planning for Bushfire Protection; a program to ensure that all landscaped areas on the site are maintained in a tidy, healthy state and free of weed species. a program to ensure that vegetation along the Pacific Highway is appropriately managed to maintain vehicle sight distances in accordance with RTA requirements. <p>The Waste Management Plan (now Appendix 2) has been updated to include a section on control measures for ensuring compliance.</p>		
NC-08	8.3	<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>	AEMR has been submitted to Council. Confirmation of receipt of AEMR from Newcastle City Council on 23 March 2021.	Confirmed	Closed
Environmental Protection Licence 4345					
NC-09	M6.2	The InfraBuild website lists the contact number for the site - 02 4961 9700 which is the Hexham reception and operates during business hours.	OEMP has been updated to confirm the use of a 24-hour telephone number (02 4961 9700) for community complaints,	Confirmed	Closed

Non-Compliance Number	Condition Number	2020 IEA Comments / Recommendation	Corrective Action Plan (included in the 2023 AEMR)	2023 IEA Findings	Status
		<p>However, this number is not clearly identified as the complaints line.</p> <p>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.</p>	consistent with the InfraBuild website details.		
NC-10	M6.4	<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.</p> <p>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.</p>	Section 14.5 has been included in the OEMP requiring notification of the NSW EPA of any change in environmental representative. The identity of the environmental representative is recorded in the Hexham- specific Emergency Response Plan (HEX-OHSE-RM-TOOL 601)	Confirmed	Closed

3.4 Development Consent

InfraBuild was found to be 90% compliant with the conditions of the DC-MOD-49-3-2005-i. Notable observations of compliance included:

- Monitoring was being undertaken by a suitably qualified third party in accordance with the frequency as required by the conditions of consent
- Monitoring reports, IEA reports, AEMRs and the OEMP and sub plans were readily available upon request
- Key equipment maintenance records were complete

A total of four OFIs and six NCs were identified during the IEA (**Table 5**).

Recommendations to address the non-compliances and opportunities for improvement have been provided in **Section 4**.

Table 5. IEA Findings – Development Consent DC-MOD-49-3-2005-i

Condition	Requirement	Compliance Rating	IEA Finding
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;	NC	The site is generally being operated in accordance with the requirements of this condition, however non-compliance have been identified as a result of this audit.
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	NC	Non-compliances have been identified as a result of this audit, triggering a non-compliance with this condition.

Condition	Requirement	Compliance Rating	IEA Finding
	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.		
4.3	1The 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.	NC	Monitoring reports observed for 2021, 2022, 2023. Overall, compliance reporting is limited to LAeq and does not address LA1 criterion for night time. Reports from 2023 make comment that LA1 is considered to comply due to no night time operations, however the report does not include any measurements. A number of non-conformances are measured along with a comment that the site was the dominant noise source. Alternative calculation method is employed to determine the likely contribution at the receptors. Measurement notes indicate that there was impulsive noise, but no indication as to whether a penalty was applied. If applied to R1 in Q4 2023, this would result in an exceedance. The change from ISO9613 to Concawe in 2023 is also noted.
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.	NC	Bunded facilities for the storage of chemicals, fuels and oils were observed on site, however during the site inspection, it was identified that there were two jerry can (unlabelled, however Auditee confirmed they contained fuel) and a bowl of what appeared to be waste oily water were located outside of the bunded storage areas. Site personnel were questioned and were unsure as to why they were not within the bunded areas. The site personnel were reminded of why they are required to be stored appropriately and were instructed to move them to appropriate areas (actions observed at the time of the audit).
5.10	26The Applicant shall monitor the parameters specified in Table 5, using the specified units of measure, averaging period, frequency, and sampling method in the table.	NC	The meteorological station was observed to be located in the north western corner of the site. A review of the Met Summary Data sheets confirmed that the parameters outlined in Table 4 are recorded, however the Auditee confirmed that the wind speed sensor is not returning valid readings (as per AECOM advise). Meteorological monitoring results are reported in the AEMR (wind speed and direction sourced form DPE Mayfield West station).

Condition	Requirement	Compliance Rating	IEA Finding
7.5a)	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;	NC	7.5a) Noise Management Plan (NMP) The NMP is included in Appendix 5 of the OMEP. The following items have not been adequately addressed: <ul style="list-style-type: none"> Potential noise sources has nominated "normal operations" as a noise source. "Normal operations" are not a noise source. This should be specific to noise sources on site - e.g. shredder, forklifts etc Night time LA1 noise limit is missing from the table Does not include weather monitoring requirements (to exclude data) Does not include overpressure and vibration monitoring requirements Does not include any details of the method for determining compliance based on site boundary monitoring Doesn't state outright the offsite monitoring locations (currently states streets by not actual location of the monitoring location).
7.5c)	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.		7.5 c) Flood Emergency Management Plan Section 4.3 of the OEMP includes a statement that the Flood Emergency Management Plan to address condition 7.5c) is included in the Hexham Emergency Response Plan (ERP). A review of the ERP (and the surface water management plan) identified the following items in condition 7.5 c) that have not been addressed: 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 on site iii) details of the workforce education awareness program v) identification of the designated evacuation routes and flood refuges. The plan includes a statement that site emergency maps illustrate evacuation routes and assembly points and is attached of the back of the ERP, however a copy was not included vi) details of flood preparedness and awareness procedures for residents and visitors to the site.
7.5b)	b) a Transport Management Plan to outline measures to ensure minimal amenity impacts on the locality through the appropriate management of heavy vehicles	OFI	7.5 b) Transport Management Plan (TMP) Section 8 of the OEMP references the Hexam Traffic Management Plan

Condition	Requirement	Compliance Rating	IEA Finding
	<p>accessing and departing the development. The Plan shall be prepared in consultation with Council and shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> 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. 		<p>and the Driver Induction address the requirements of this condition. The standalone TMP addresses the safety requirements for vehicle movement on site, hazard identification and controls, driver inductions (there is also a separate Driver Do's and Don'ts document), roles and responsibilities, vehicle and personnel management on site.</p> <p>Although it could be implied that the drivers induction and do's and don'ts is considered the code of conduct, neither the OEMP, TMP or the driver induction documents specifically outlines management measures for impacts associated with heavy vehicle movements or management measures to reduce daily heavy vehicle movements. Observations on site did confirm a traffic controller effectively managing traffic on site.</p>
4.8E	<p>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.</p>	OFI	<p>Evidence was supplied that a noise monitor was installed and operating as of March 2021. Raw data only supplied from March April 2021 (no data provided for 2022, 2023), however quarterly monitoring results are included in the AEMRs.</p>
5.4	<p>²⁴The 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>	OFI	<p>Texcel blast monitoring data supplied. Details provide for the equipment being used is noted to be from Texcel equipment, although specific specifications, or make and model of the measurement equipment for this clause has not been supplied, typically Texcel equipment is designed to comply with this standard, however this could not be verified during the audit.</p>
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</p>	OFI	<p>AEMRs were completed for the audit period and addressed the requirements of this condition.</p>

Condition	Requirement	Compliance Rating	IEA Finding
	<p>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:</p> <ul style="list-style-type: none"> 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. 		<p>Submission of the AEMR's to the Department for the audit period were:</p> <ul style="list-style-type: none"> • 2020 submitted 9/06/2021 • 2021 submitted 27/04/2022 • 2022: submitted 13/09/2023 • 2023: submitted 3/04/2024 (email confirmation from the Department that they have commenced their assessment of the AEMR) <p>Evidence that the AEMRs had been submitted to Council for 2021 was sighted during the audit. It was identified that there was no record of the 2022 and 2023 AEMRs having been submitted, however these were emailed through to Council on 23/04/2024.</p>

¹Non-conformances that were identified in the 2020 audit that remain outstanding.

3.5 Environmental Protection Licence

InfraBuild was found to be 91% compliant with the conditions of the EPL 5345. Notable observations of compliance included:

- No evidence of unauthorised environmental harm was observed during the audit
- Site personnel demonstrated knowledge and understanding of their environmental obligations
- Environmental monitoring records were up to date and maintained

A total of three OFIs and six NCs were identified during the IEA (**Table 6**). Recommendations to address the non-compliances and opportunities for improvement have been provided in **Section 4**.

Table 6. IEA Findings – EPL 4548

Condition	Requirement	Compliance Rating	IEA Finding
L4.1	Noise from the premises must not exceed the limits specified in the table below:	NC	Leq metrics have been assessed using both receptor measurements, and site boundary measurements with extrapolation. Exceedances of up to 2dB have been reported, however these have been classified by AECOM as insignificant. This is a misclassification and therefore, there have been actual exceedances within the audit period. However it should be noted that there have been no noise complaints made from nearby residents (note: one complaint made in 2022 which was determined not to be related to the sites activities). LA1 metrics have not been measured. 2023 reports note that the site was not operating during the night time periods, and therefore the site would be considered in compliance.
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.	NC	Quarterly monitoring has been supplied. AECOM have been engaged to undertake the quarterly reporting and are recognised as having an acoustics specialists group. However the monitoring report lack detail to fully demonstrate compliance with condition L4.1 (refer condition 4.1 findings)
M4.1	At the point(s) identified below, the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1 of the table below, using the corresponding sampling method, units of measure, averaging period and sampling frequency, specified opposite in the Columns 2, 3, 4 and 5 respectively.	NC	The meteorological station was observed to be located in the north western corner of the site. A review of the Met Summary Data sheets confirmed that the parameters outlined in Table 4 are recorded, however the Auditee confirmed that the wind speed sensor is not returning valid readings (as per AECOM advice). Meteorological monitoring results are reported in the AEMR (wind speed and direction sourced from DPE Mayfield West station).

Condition	Requirement	Compliance Rating	IEA Finding
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').	NC	A review of the Departments website confirmed that the reporting period is 19 December to 18 December, therefore the is required to be submitted by 16 February. A review of the Departments website confirmed : <ul style="list-style-type: none"> • 2019 to 2020: received 19/01/2021 • 2020 to 2021: received 2/03/2022 (late submission) • 2021 to 2022: received 1/02/2023 • 2022 to 2023: received 5/02/2024
M2.2	Water and/ or Land Monitoring Requirements (as per table for point 2, 3, 6 and Point 4, 5	NC	Monitoring occurred in accordance with the requirements of this condition with the exception of monitoring in 2021. There were three occasions where monthly monitoring did not occur at points 4 and 5. This was identified as a NC in the 2021 AEMR.
EPL 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.	OFI	No comments have been made in the noise monitoring reports on the application of tonal or impulsive penalties. Site measurement notes indicate that some observed noise may be impulsive.
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. 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 via email to info@epa.nsw.gov.au with attention to the Manager of Regulatory Operations, Metropolitan North.	OFI	The Environmental Representative for the site is Paul Smith (Site Manager) - also verified in the 2020 IEA. The Auditee stated InfraBuild received confirmation from the Department that notification was not required, providing details were updated in the relevant site management plans as required. Evidence of this written advice was not available at the time of the audit.

3.6 Operational Environmental Management Plan and Associated Sub-Plans

Condition 7.5 outlines the minimum requirements that must be addressed in the OEMP.

A review of the OEMP confirmed that it has generally been developed in accordance with the requirements outlined in the conditions of DC-MOD-49-3-2005-i.

Condition 7.5 outlines the minimum requirements that must be addressed in the following subplans:

- Noise Management Plan
- Transport Management Plan
- Flood Management Plan
- Stormwater Management Plan
- Landscape Management Plan
- Waste Management Plan

A review of these environmental management plans confirmed that they had generally been developed in accordance with the requirements outlined in the conditions of DC-MOD-49-3-2005-i, however there were some items that had either not been addressed or were not clearly addressed. Findings are outlined in the following sections.

3.6.1 Noise Management Plan (NMP)

Condition 7.5a) of DC-MOD-49-3-2005- i outlines the items that the NMP must include. The NMP is included in Appendix 5 of the OEMP. A review of the adequacy of the NMP confirmed the plan generally complied with the requirements of condition 7.5a), the plan did not clearly address the following items:

- Site specific noise sources on site - e.g. shredder, forklifts etc
- Night time LA1 noise limits are missing from the table
- Weather monitoring requirements (to exclude data)
- Overpressure and vibration monitoring requirements
- Details of the method for determining compliance based on site boundary monitoring
- Offsite monitoring locations (currently states streets by not actual location of the monitoring location)

3.6.2 Transport Management Plan

Condition 7.5b) of DC-MOD-49-3-2005- i outlines the items that the TMP must include. Section 8 of the OEMP references the Hexham Traffic Management Plan and the Driver Induction as addressing the requirements of condition 7.5b).

The standalone TMP addresses the safety requirements for vehicle movement on site, hazard identification and controls, driver inductions (there is also a separate Driver Do's and Don'ts document), roles and responsibilities, vehicle and personnel management on site. However, neither the TMP or the OEMP specifically address the following requirements of condition 7.5 b):

- Code of Conduct. Although it could be implied that the drivers induction and do's and don'ts is considered the code of conduct
- Management measures for impacts associated with heavy vehicle movements and to reduce daily heavy vehicle movements (it is noted that a traffic controller is on site to direct traffic and the driver induction includes a map illustrating traffic flow)

3.6.3 Flood Management Plan

Condition 7.5c) of DC-MOD-49-3-2005-i outlines the items that the Flood management Plan must include. Section 4.3 of the OEMP includes a statement that the Flood Emergency Management Plan to address condition 7.5c) is included in the Hexham Emergency Response Plan (ERP).

A review of the ERP (as well as the surface water management plan) identified the following items that have not been clearly addressed:

- Detailed description of the likely flood behaviour of the area within the vicinity of the site
- Identification of the flood warning systems on site
- Details of the workforce education awareness program
- Identification of the designated evacuation routes and flood refuges. The plan does include a statement that site emergency maps illustrate evacuation routes and assembly points and is attached to the back of the ERP
- Details of flood preparedness and awareness procedures for residents and visitors to the site

3.6.4 Stormwater Management Plan (SWMP)

Condition 7.5d) of DC-MOD-49-3-2005-i outlines the items that the SWMP must include.

Stormwater Management is addressed in a standalone document titled Surface Water Mitigation and Monitoring Plan (SWMMP) and addresses the requirements of this condition. Appendix 4 of the OEMP also includes a map illustrating the sampling locations for discharge events and a copy of the chain of Custody form required for Laboratory samples.

3.6.5 Landscape Management Plan (LMP)

Condition 7.5e) of DC-MOD-49-3-2005-i outlines the items that the LMP must include. The approved LMP is included in Appendix 3 of the OEMP. The LMP generally addresses the requirements of condition 7.5 e).

3.6.6 Waste Management Plan (WMP)

Condition 7.5f) of DC-MOD-49-3-2005-i outlines the items that the WMP must include. The WMP is addressed in section 11 and included in Appendix 2 of the OEMP. The WMP generally addresses the requirements of condition 7.5 f).

3.6.7 Complaints

A review of the complaints register confirmed that there were two complaints recorded within the audit period (2022). The following complaints were received from the EPA:

- Contaminated water from firefighting foam (contained on site)
- Odour (rubber smell) and an explosion. Both of these complaints were investigated by InfraBuild and were deemed to not be a result of site operations

All complaints are captured in Cority which includes the date and time, location, type of complaint/incident, actions taken and also allows for attachments to be uploaded such as photos. Complaints are also recorded in the AEMRs.

3.7 Incidents

The site maintains an incident register for all incidents that occur on site. A review of the register identified several minor oil spills / leaks that did not require notification to the Department (all contained on site and managed appropriately at the time of the event).

A fire occurred on the premises 14 August 2022 and was reported to the Department and the EPA. It was confirmed that the fire did not result in regulatory action, however InfraBuild were reminded of their obligations under the *Protection of the Environment Operations (General) Regulation 2021* that the Pollution Incident Response Management Plan (PIRMP) for the Premises is to be tested within one month of any pollution incident occurring. Site personnel confirmed that the PIRMP was tested after the incident occurred.

4 RECOMMENDED ACTIONS

4.1 Non-compliances

A total of twelve conditions (six against the development consent and six against the EPL) were identified as NCs during the IEA. Recommended actions to the address each of these matters has been provided in **Table 7**. The complete action plan, including consideration by InfraBuild has been provided in **Appendix F**.

Implementation of the action plan should be verified as part of the subsequent IEA.

Table 7. Recommendations to Resolve Identified NCs

Unique Identification ¹	Relevant Condition	Recommended Actions	Proponents Proposed Action	Due Date
NC-01	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 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 Josephs Catholic Care for the Aged facility;</p>	InfraBuild to ensure that appropriate processes are developed and implemented to ensure compliance with the requirements of this condition.	6 weeks
	2.5	<p>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.</p>	InfraBuild to ensure that appropriate processes are developed and implemented to ensure compliance with the requirements of this condition.	6 weeks

NC-02	4.3	<p>1The 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:</p> <p>a) wind speeds up to 3 ms⁻¹ (measured at 10 m above ground level); and</p> <p>b) temperature inversion conditions up to 3oC per 100 m</p>	<p>The noise monitoring reports should include the following detail</p> <ul style="list-style-type: none"> Information regarding weather monitoring data given the criteria are based on weather conditions Comment should be made on tonality and impulsiveness for all measurements. L1 criteria should be assessed if nighttime activities take place. Likely that measurements will be dominated by other sources, but this should be documented 	
	EPL L4.1	Noise from the premises must not exceed the limits specified in the table below:		
	EPL M7.2	<p>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.</p> <p>The licensee must engage a suitably qualified and experienced acoustic consultant to undertake the noise compliance assessments.</p>		

NC-03	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.	All chemicals containers to be stored in bunded areas complying with the requirements of the EPA's Environmental Protection Manual. Undertake a toolbox meeting or similar to remind staff of the storage requirements.	6 weeks
NC-04	5.10	26The Applicant shall monitor the parameters specified in Table 5, using the specified units of measure, averaging period, frequency, and sampling method in the table.	Repair or replace the meteorological meter to ensure valid wind speed readings are recorded.	6 weeks
	EPL M4.1	At the point(s) identified below, the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1 of the table below, using the corresponding sampling method, units of measure, averaging period and sampling frequency, specified opposite in the Columns 2, 3, 4 and 5 respectively.		

NC-05	7.5a)	<p>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:</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> <p>i) identification of the potential sources of noise during the site operations;</p> <p>ii) specification of the noise criteria for these operations;</p> <p>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</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>Update the OEMP and the subplans to address all requirements of condition 7.5. Where specific items are addressed in another management plan - reference to the plan should be included.</p> <p>Noise Management Plan:</p> <p>i) include all specific noise sources on site such as shredder, forklifts, etc.</p> <p>iii) Include the following detail</p> <ul style="list-style-type: none"> • Weather monitoring requirements as outlined in Condition 5.10 • Overpressure and vibration monitoring requirements • Specific details of the location of the offsite monitoring points • Details of the method for determining compliance based on site boundary monitoring 	6 weeks
	7.5c)	<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> <p>i) a detailed description of the likely flood behaviour of the area within the vicinity of the site;</p> <p>ii) identification of the flood warning systems that would be utilised by the proposed operations;</p> <p>iii) details of the workforce education awareness program implemented at the site;</p> <p>iv) details of the evacuation and evasion procedures that would be undertaken in a time of an emergency;</p> <p>v) identification of the designated evacuation routes and flood refuges; and</p> <p>vi) details of flood preparedness and awareness procedures for residents and visitors to the site.</p>	<p>Flood Emergency Management Plan</p> <p>Section 4.3 of the OEMP includes a statement that the Flood Emergency Management Plan to address condition 7.5c) is included in the Hexham Emergency Response Plan (ERP). A review of the ERP (and the surface water management plan) identified the following items in condition 7.5 c) that have not been addressed:</p> <p>i) a detailed description of the likely flood behaviour of the area within the vicinity of the site</p> <p>ii) identification of the flood warning systems on site</p> <p>iii) details of the workforce education awareness program</p> <p>v) identification of the designated evacuation routes and flood refuges. The plan includes a statement that site emergency maps illustrate evacuation routes and assembly points and is attached of the back of the ERP, however a copy was not included</p> <p>vi) details of flood preparedness and awareness procedures for residents and visitors to the site.</p>	

NC-06	EPL 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').	<p>A review of the Departments website confirmed that the reporting period is 19 December to 18 December, therefore the is required to be submitted by 16 February. A review of the Departments website confirmed :</p> <ul style="list-style-type: none"> • 2019 to 2020: received 19/01/2021 • 2020 to 2021: received 2/03/2022 (late submission) • 2021 to 2022: received 1/02/2023 • 2022 to 2023: received 5/02/2024 	6 weeks
NC-07	EPL M2.2	Water and/ or Land Monitoring Requirements (as per table for point 2, 3, 6 and Point 4, 5	Monitoring occurred in accordance with the requirements of this condition with the exception of monitoring in 2021. There were three occasions where monthly monitoring did not occur at points 4 and 5. This was identified as a NC in the 2021 AEMR.	6 weeks

¹Where identified opportunity for improvement resulted in the same recommendation, they were given the same unique identifier

4.2 Opportunities for Improvement

A total of five opportunities for improvement were identified during the IEA. These opportunities for improvement have been listed as recommendations in **Table 8**. The complete action plan, including consideration by InfraBuild has been provided in **Appendix F**.

Implementation of the action plan should be verified as part of the subsequent IEA.

Table 8. Recommendations for Opportunities for Improvement

Unique Identification ¹	Relevant Condition	Recommended Actions	Proponents Proposed Action	Due Date
OFI-01	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.	Ensure all raw data is maintained in InfraBuilds document control system and is made available for review upon request.	6 weeks
OFI-02	5.4	24The 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.	Included details of the monitoring instrument (Texcel) in the monitoring reports to demonstrate it complies with the Australian Standard 2187.2 of 1993.	6 weeks
	EPL 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.		
OFI-03	7.5b)	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	Update the TMP to include details for the management of impacts of heavy vehicle movements and management measures to reduce daily heavy vehicle movement.	6 weeks

Unique Identification ¹	Relevant Condition	Recommended Actions	Proponents Proposed Action	Due Date
		<p>be limited to:</p> <ul style="list-style-type: none"> 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. 		
OFI-04	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 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:</p> <ul style="list-style-type: none"> 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 	<p>Ensure a copy of the AEMR is provided to Council in accordance with the requirements of Consent condition 8.3 for all future reporting periods.</p> <p>Records of AEMR submissions to both the Department and Council should be maintained.</p>	6 weeks

Unique Identification ¹	Relevant Condition	Recommended Actions	Proponents Proposed Action	Due Date
		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.		
OFI-05	EPL 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.	Monitoring reports to include detail of whether observed noise is considered substantially tonal or impulsive.	6 weeks
OFI-06	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. 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 via email to info@epa.nsw.gov.au with attention to the Manager of Regulatory Operations, Metropolitan North.	Ensure consultation records are maintained in the document control system for future compliance requirements.	6 weeks

¹Where identified opportunity for improvement resulted in the same recommendation, they were given the same unique identifier

5 CONCLUSION

This document outlines the method, findings, and recommendations of the 2024 IEA undertaken by Epic at the InfraBuild Hexham Recycling Facility. The IEA was undertaken in accordance with Condition 5.12 of the Development Consent (DC-MOD-49-3-2005-i). The IEA was conducted to:

- Assess the level of compliance against the conditions of approvals:
 - Development consent (DC-MOD-49-3-2005-i)
 - Environmental Protection Licence (EPL 5345)
- Assess whether current practices and standards are being implemented
- Evaluate the overall environmental performance of the site
- Assess the adequacy and implementation of management plans
- Identify recommendations for the overall improvement of environmental performance

The IEA was undertaken between April and June 2024 and captured evidence for the period December 2020 to December 2023. The IEA criteria used for the IEA, included:

- Findings of the 2020 IEA (AQUAS, 2020)
- Conditions of DC-MOD-49-3-2005-i
- Conditions of EPL 5345
- The OEMP and the associated sub-plans

A total of 171 individual conditions were audited across the IEA criteria, with 56 conditions determined to not be triggered at the time of IEA. The site was identified as being non-compliant with a total of twelve conditions. InfraBuild demonstrated compliance against 90% the IEA criteria.

The key non-compliances identified during the IEA include:

- Noise Monitoring
 - Weather monitoring data not available as required by condition 4.3 (the criteria are based on weather conditions)
 - Lack of detail in the noise monitoring reports for tonality and impulsiveness for all measurements
 - Details of the assessment of L1 criteria missing
- Dangerous goods and hazardous chemical management
 - Chemical containers (including an uncovered bowl of oily water) were located outside of bunded areas
- Monitoring equipment
 - Meteorological station was not providing valid wind speed readings
 - Adequate detail regarding the specifications for the Texcel equipment was not provided to determine compliance with Australian Standard 2187.2 of 1993
- Operation Environmental Management Plans and subplans
 - Development consent and EPL conditions were not adequately captured or it was not clear where they had been addressed
- Annual reporting
 - One instance of the Annual Report not being submitted within the timeframe required by the EPL

Recommendations to assist InfraBuild in addressing the findings of this IEA have been provided. All recommendations should be considered and if appropriate implemented by InfraBuild. Where an alternative action to the provided recommendation is adopted, this should be documented and assessed at the subsequent IEA.

Finally, the IEA team would like to thank all the IEA participants for their time, assistance, and cooperation in undertaking this audit.

6 REFERENCES

Department of Planning, Industry and the Environment, 2020, Requirement 2, Independent Audit - Post Approval Requirements, Sydney, New South Wales

Independent Environmental Audit – InfraBuild Hexham Recycling Facility Development Approval DA345-7-2003-i (AQUAS, 2020)

International Organization for Standardization, 2018, ISO 19011:2018 Guidelines For Auditing Management Systems

7 LIMITATIONS AND DISCLAIMER

Epic Environmental Pty Ltd (Epic) has prepared the following report for the exclusive benefit of InfraBuild Pty Ltd (Client) and for the singular purpose of detailing the findings of the 2024 Independent Environmental Audit of the Hexham Recycling Facility located in Hexham NSW. All interpretations, finding or recommendations outlined in this report should be read and relied upon only in the context of the report as a whole.

The following report cannot be relied upon for any other purpose, at any other location or for the benefit of any other person, without the prior written consent of Epic. Except with Epic's prior written consent, this report may not be:

- e. to any other person, whether in whole or in part;
- f. used or relied upon by any other party; or
- g. filed with any Governmental agency or other person or quoted or referred to in any public document.

This report has been prepared based on information provided by the Client and other parties. In preparing this report Epic:

- a. presumed the accuracy of the information provided by the Client (including its representatives);
- b. has not undertaken any verification to the accuracy or reliability included in this information (with the exception where such verification formed part of the scope of works);
- c. has not undertaken any independent investigations or enquiries outside the scope of works with respect to information provided for this report; and
- d. provides no warranty or guarantee, expressed or implied, as to the accuracy or reliability of the information provided in this report.

In recognition of the limited use of this report, the Client agrees that, to the maximum extent permitted by law, Epic (including its representatives and related entities) is not liable for any losses, claims, costs, expenses, damages (whether pursuant to statute, in contract or tort, for negligence or otherwise) suffered or incurred by the Client or any third party as a result of the information, findings, opinions, estimates, recommendations and conclusions provided in this report.

Without limiting the above, Epic (including its representatives and related entities) is not liable, in any way whatsoever:

- a. for the use or reliance of this report for any purpose other than that for which it has been prepared;
- b. for any use or reliance upon this report by any person other than the Client;
- c. where another person has a different interpretation of the same information contained in the report;
- d. for any consequential or indirect losses, or for loss of profit or goodwill or any loss or corruption of any data, database or software.

If a section of this disclaimer is determined by any court or other competent authority to be unlawful and/or unenforceable, the other sections of this disclaimer continue in effect. Where further information becomes available, or additional assumptions need to be made, Epic reserves its right to amend this report, but is not obliged to do so.



Project name: **Independent Environmental Audit – InfraBuild Recycling Hexham**

APPENDIX A PLANNING SECRETARY IEA TEAM APPROVAL

NSW Planning ref: DA345-7-2003-I-PA-8

Pablo Garces
Environment Manager
Infrabuild Recycling Limited
53-55 Riverside Road
Chipping Norton New South Wales 2170
11/04/2024

Sent via the Major Projects Portal only

Subject: Hexham Metal Recycling - 2024 IEA Auditor Endorsement Request

Dear Mr Garces

Reference is made to your post approval matter, DA345-7-2003-I-PA-8, request for the Planning Secretary's approval of suitably qualified, experienced, and independent person/s to conduct an Independent Audit of the Hexham Metal Recycling - 2024 IEA Auditor Endorsement Request, submitted as required by Schedule 2, Condition 5.12 of DA345-7-2003-I as modified (the consent) to NSW Department of Planning, Housing and Infrastructure (NSW Planning) on 11 March 2024.

NSW Planning has reviewed the independent auditor nominations and based on the information you have provided is satisfied that the proposed persons are suitably qualified, experienced, and independent.

In accordance with Schedule 2, Condition 5.12 of the consent and the NSW Planning, *Independent Audit Post Approval Requirements* (2020), as nominee of the Planning Secretary, I endorse the following independent audit team:

- Kirsty Douglas (Epic Environmental Pty Ltd) - Lead Auditor
- Chris Griffiths (Epic Environmental Pty Ltd) - Audit Assistant
- Gabrielle Head (Epic Environmental Pty Ltd) - Audit Assistant
- Ben Hall (Matrix Acoustics) - Acoustic Subject Matter Expert

Please ensure this correspondence is appended to the Independent Environmental Audit Report.

The Independent Environmental Audit must be prepared, undertaken, and finalised in accordance with the conditions of consent and the *Independent Audit Post Approval Requirements* (2020). Failure to meet these requirements will require revision and resubmission.

NSW Planning reserves the right to request an alternate auditor or audit team for future audits.

Should you wish to discuss the matter further, please contact Joel Fleming, (Senior Compliance Officer) on 02 6575 3416 or email compliance@planning.nsw.gov.au

Yours sincerely

A handwritten signature in black ink that reads "H Watters".

Heidi Watters
Team Leader
Compliance

As nominee of the Planning Secretary



Project name: **Independent Environmental Audit – InfraBuild Recycling Hexham**

APPENDIX B INDEPENDENT AUDITOR DECLARATION FORM

Memo

To: Infrabuild Recycling	From: Kirsty Douglas	Attention: Planning Secretary
Project name: Infrabuild Recycling Hexham – Independent Environmental Audit		
Project number: SAA230030.01	Date: 18 June 2024	
Subject: Independent Audit Report Declaration		

Project Number	SAA230030.01
Consent Number	345-7-2003-i MOD-49-3-2005-i
Description of Project	Infrabuild Recycling is licenced to operate a metal recycling facility at Hexham, Newcastle, which specialises in the safe handling, collection and processing of ferrous and non-ferrous scrap metal.
Project Address	107 Sparke Street, Hexham, NSW 2322
Proponent	Infrabuild Recycling
Title of Audit	Independent Environmental Audit
Date	18 June 2024

I declare that I have undertaken the Independent Audit and prepared the contents of the attached Independent Audit Report and to the best of my knowledge:


- i. the audit has been undertaken in accordance with relevant condition(s) of consent and the *Independent Audit Compliance Requirements (Department 2019)*;
- ii. the findings of the audit are reported truthfully, accurately and completely;
- iii. I have exercised due diligence and professional judgement in conducting the audit;
- iv. I have acted professionally, objectively and in an unbiased manner;
- v. I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child;
- vi. I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
- vii. neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit; and
- viii. I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my 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)

Lead Auditor Name	Kirsty Douglas
Signature	
Qualification	Lead Auditor (Exemplar Global, No. 210439), BEnvSci, Cert IAP2 Australasia (Engagement)
Company	Epic Environmental Pty Ltd
Company Address	Suite 5, Level 9, 189 Kent Street, Sydney, NSW, 2000

Memo

To: Infrabuild Recycling	From: Kirsty Douglas	Attention: Planning Secretary
Project name: Infrabuild Recycling Hexham Newcastle – Independent Environmental Audit		
Project number: SAA230030.01	Date: 18 June 2024	
Subject: Independent Audit Report Declaration		

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- v. I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child;
- vi. I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
- vii. neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit; and
- viii. I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.

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- 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)

Lead Auditor Name	Chris Griffiths
Signature	<i>Chris Griffiths</i>
Qualification	Lead Auditor (BSI Training Academy), BSci (Environmental Management)
Company	Epic Environmental Pty Ltd
Company Address	Suite 5, Level 9, 189 Kent Street, Sydney, NSW, 2000

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- ii. the findings of the audit are reported truthfully, accurately and completely;
- iii. I have exercised due diligence and professional judgement in conducting the audit;
- iv. I have acted professionally, objectively and in an unbiased manner;
- v. I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child;
- vi. I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
- vii. neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit; and
- viii. I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my 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)

Acoustic Subject Matter Expert Name	Ben Hall
Signature	
Qualification	BMus MuTech (hons 1), AMusA, MAES, MAAS, MQELA
Company	Matrix Acoustics
Company Address	Unit 2, 193 South Pine Road, Brendale, Qld

Memo

To: Infrabuild Recycling	From: Kirsty Douglas	Attention: Planning Secretary
Project name: Infrabuild Recycling Hexham Newcastle – Independent Environmental Audit		
Project number: SAA230030.01	Date: 18 June 2024	
Subject: Independent Audit Report Declaration)		

Project Number	SAA230030.01
Consent Number	345-7-2003-i MOD-49-3-2005-i
Description of Project	Infrabuild Recycling is licenced to operate a metal recycling facility at Hexham, Newcastle, which specialises in the safe handling, collection and processing of ferrous and non-ferrous scrap metal.
Project Address	107 Sparke Street, Hexham, NSW 2322
Proponent	Infrabuild Recycling
Title of Audit	Independent Environmental Audit
Date	18 June 2024

I declare that I have undertaken the Independent Audit and prepared the contents of the attached Independent Audit Report and to the best of my knowledge:


- i. the audit has been undertaken in accordance with relevant condition(s) of consent and the *Independent Audit Compliance Requirements (Department 2019)*;
- ii. the findings of the audit are reported truthfully, accurately and completely;
- iii. I have exercised due diligence and professional judgement in conducting the audit;
- iv. I have acted professionally, objectively and in an unbiased manner;
- v. I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child;
- vi. I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
- vii. neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit; and
- viii. I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my 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)

Lead Auditor Name	Gabrielle Head
Signature	
Qualification	BSci (Environmental Biology), BSci (Science in Information Technology), B.Creative Intelligence and Innovation
Company	Epic Environmental Pty Ltd
Company Address	Suite 5, Level 9, 189 Kent Street, Sydney, NSW, 2000



Project name: **Independent Environmental Audit – InfraBuild Recycling Hexham**

APPENDIX C IEA PLAN



Infrabuild - Independent Environmental Audit Plan

**Infrabuild Recycling
Infrabuild Recycling -Hexham -IEA
SAA230030.01
15 April 2024**

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DOCUMENT CONTROL

Revision	Revision date	Revision details	Author	Editorial review	Technical review	Approver
A	12/04/2024	Draft for Internal Review	KD	-	-	-
B	15/04/2024	Draft for Client Review	KD	CG	CG	KD

DISTRIBUTION

Revision	Revision date	Issued to
B	15/04/2024	Pablo Garces, Infrabuild Recycling

DOCUMENT INFORMATION

Printed:	18 June 2024
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Author:	Kirsty Douglas
Project manager:	Kirsty Douglas
Client:	Infrabuild Recycling
Document title:	Infrabuild - Independent Environmental Audit Plan
Project number:	SAA230030.01

1 INTRODUCTION

Epic Environmental Pty Ltd (Epic) has been engaged by Infrabuild Recycling (Infrabuild) to undertake an Independent Environmental Audit (IEA) of the Hexham recycling facility (the site). This document provides a detailed IEA plan to guide the execution and reporting of the 2024 IEA. The IEA plan should be reviewed by Infrabuild and issued to relevant auditees prior to the execution of the IEA.

1.1 Purpose

As per Condition 5.12 of the Development Consent (345-7-2003-i-MOD-49-3-2005-i) for the site, an IEA is required to be undertaken by an independent certified auditor.

In accordance with the audit frequency outlined in Table 1 of the *Independent Audit Post Approval Requirements (NSW Government, 2020)*, audits are to be undertaken at intervals no greater than three years or as otherwise agreed by the Secretary.

This IEA will be undertaken to address Condition 5.12 and evaluate compliance with approval conditions.

1.2 Scope

The IEA scope will include activities undertaken at the site, in relation to the operation of the Infrabuild Hexham recycling facility.

1.2.1 IEA Period

The IEA period will be between December 2020 and December 2023 with respect to the IEA criteria. Any activity or evidence that is not within this IEA period will not be included in the scope of the IEA.

1.3 Objectives

The key objectives of this IEA are to:

- Assess whether the site is operated in compliance with the approval conditions listed under:
 - 345-7-2003-i-MOD-49-3-2005-i)
 - Environment protection licence (EPL 5345)
- Assess whether the site is being operated in accordance with current practice and standards, including (but not limited to):
 - Operation environment management plan
 - Water management
 - Waste management
 - Odour management
 - Noise mitigation
 - Hazardous chemical storage and handling
- Assess the overall environmental performance of the site and effects on the surrounding environment and sensitive receptors
- Review the adequacy and implementation of procedures and management plans developed in accordance with the approval conditions
- Provide recommendations for the overall improvement of environmental performance of the site

1.4 IEA Criteria

The IEA criteria are the requirements which the site will be assessed against. The IEA criteria for the site will be as follows:

- Findings of the 2020 IEA (AQUAS, 17 December 2020)
- Conditions of the 345-7-2003-i-MOD-49-3-2005-i)
- Conditions of EPL 5345
- Commitments within the Operational Environmental Management Plan (the OEMP) and the following sub-plans (where applicable):
 - Noise management plan
 - Transport management plan
 - Flood emergency management plan
 - Stormwater management plan
 - Landscape management plan
 - Waste management plan

2 IEA PLANNING

2.1 IEA Team

The IEA team members have been provided in **Table 1**. In accordance with Condition 5.12 of the Development Consent. The IEA team was approved by the Department of Environment and Planning on 11 April 2024.

Table 1: IEA Team

Person	Role	Years' Experience	Qualifications
Kirsty Douglas	Lead Auditor	18	Lead auditor (Exemplar Global, No. 210439), BSci (Conservation Biology and Ecology), IAP2 Australasia Certificate in Engagement
Chris Griffiths	Audit Assistant / Technical Reviewer	17	Lead Auditor (BSI Training Centre), DSci (Environmental Management)
Gabrielle Head	Audit Assistant	1	BSci (Environmental Biology), BSci (Information Technology), B.Creative Intelligence and Innovation
Ben Hall	Acoustic Subject Matter Expert	24	GP Acoustics (UNSW), QELA Land Court Expert Witness, B.Music (Music Technology)

2.2 Infrabuild Staff Participation Requirements

2.2.1 Infrabuild Representative

Pablo Garces (Environment Manager) and Grego Riese (Project support) will act as Infrabuild's representatives during the completion of this IEA and will be responsible for organising meeting times, interview attendees and site inspection times.

2.2.2 Opening Meeting

The opening meeting will be held on site at the time of the site inspection. The meeting will be facilitated by Kirsty Douglas (Epic) and will be attended by select Infrabuild personnel. Infrabuild's representative will be responsible for organising suitable times for undertaking the opening meeting.

2.2.3 Interviews

A number of key staff will be required to be interviewed during the IEA. The team members that may be interviewed for the IEA will include:

- Environmental Manager – Pablo Garces
- Site Manager – Paul Smith
- Project Support – Gregor Riese

Interviews will be held on site at the time of the site inspection and via teleconference (where required). The Infrabuild representative will be responsible for organising suitable times for undertaking the IEA interviews.

2.2.4 Site Inspection

Epic will undertake a site inspection to gain an understanding of the site operations and to visually verify compliance with certain conditions. It is understood a Infrabuild representative will consult with relevant site personnel to obtain access and will be available to escort the auditor around relevant areas of the site.

2.2.5 Closing Meeting

Within a week of the site inspection a closing meeting will be held via teleconference. The meeting will be facilitated by Kirsty Douglas (Epic) and should be attended by all Infrabuild interviewees (where available). The Infrabuild representative will be responsible for organising a suitable time for undertaking the closing meeting.

2.3 IEA Program

The proposed program to execute the IEA will be as detailed in **Table 2**. Should the precise time/dates require amending, these can be accommodated through discussions with the Lead Auditor.

Table 2: Proposed Program for the IEA

Proposed Time	Proposed Date	Task Description	Locations	Who
Pre-IEA Preparations				
17:00	15/04/24	Preparation and provision of IEA Plan to Infrabuild	Email	Epic
17:00	15/04/24	Provision of management plans required for the IEA	Email	Infrabuild
09:00 – 17:00	16/04/24- 22/04/24	Undertake a preliminary document review	Epic Offices	Epic
09:00 – 17:00	16/04/24	Develop the IEA tools	Epic Offices	Epic
IEA Execution				
08:00	23/04/24	Opening Meeting	Site / Teleconference	Epic & Infrabuild
All day	23/04/24	Site inspection and interviews	Site	Epic & Infrabuild
10:00-10:30	30/04/204	Closing Meeting	Teleconference	Epic & Infrabuild
IEA Reporting				
	29/04/24	Provision of additional evidence not obtained during the IEA phase.	Email	Infrabuild
17:00	01/05/24 – 17/05/24	Prepare the draft IEA report	Epic Offices	Epic
17:00	20/05/24	Issue the draft IEA report to Infrabuild	Email	Epic
17:00	31/05/24	Infrabuild provides comments on draft IEA report	Email	Infrabuild
17:00	7/06/24	Issue the final IEA report to Infrabuild	Email	Epic

2.4 Communications Plan

All communications regarding the planning of the IEA, information requirements and IEA execution will be either by email or phone to the Infrabuild representative.

3 IEA EXECUTION

The following IEA methodology has been prepared with reference to:

- *Independent Audit – Post Approval Requirements* (NSW Department of Planning, Industry and Environment)
- AS/NZS ISO 19011.2019 – *Guidelines for Auditing Management Systems*

3.1 IEA Scoring Criteria

The proposed compliance assessment rating to be used in the IEA are outlined in **Table 3** below.

Table 3: IEA Scoring Criteria

IEA Rating	Abbreviation	Definition
Compliant	C	The Auditor has collected sufficient verifiable evidence to demonstrate that all elements of the condition or management plan requirement have been complied with within the scope of the IEA.
Non-compliant	NC	The Auditor has determined that one or more specific elements of the conditions or management plan requirements have not been complied with within the scope of the IEA.
Not Triggered	NT	A condition or requirement has an activation or timing trigger that has not been met during the defined IEA period (may be a retrospective or future requirement), therefore an assessment of compliance is not relevant.
Opportunity For Improvement	OFI	Compliant, however possible improvements identified.

3.2 Develop Tools

The following tools will be prepared and utilised as part of the IEA program. These tools will assist in defining the scope of the IEA and will capture any issues identified during the IEA and allow discussion of potential recommendations on how these items can be rectified. The tools include:

- Opening meeting agenda and minutes
- Closing meeting agenda and minutes
- IEA checklist and interview questions

3.3 Undertaking the IEA

3.3.1 Document Review

With regards to the operations undertaken at the site, documentation provided by Infrabuild prior to the IEA, will be reviewed to determine preliminary findings. These findings will be clarified with the Infrabuild representatives during the IEA interviews and the site inspection (as required).

3.3.2 Conduct an Opening Meeting

An opening meeting will be conducted at the start of the IEA. The opening meeting will:

- Introduce the IEA team
- Confirm the IEA objectives, scope, and criteria
- Confirm communications channels
- Outline the IEA process and schedule
- Identify and set expectations and requirements
- Address Health and Safety requirements and confidentiality

Meeting minutes will be maintained and issued by Epic following the meeting.

3.3.3 Undertake Interviews¹

IEA interviews will be undertaken by the Lead Auditor on site at the time of the site inspection. If additional time is required, interviews will be undertaken via teleconference. Questions delivered during the IEA interviews will be based on condition or requirements applicable to the interviews area of responsibility. The Infrabuild representative will be responsible for scheduling the IEA interviews with Infrabuild personnel.

3.3.4 Site Inspection¹

A Infrabuild representative will be required to accompany the IEA team member on the site inspection. Photographs and measurements (where appropriate) will be taken of items of interest or items requiring corrective action.

If any items of non-compliance are identified, they will be raised with Infrabuild and noted in the report. If an item which poses a safety risk or risk of environmental harm, the Infrabuild representative will be notified immediately.

3.3.5 Conduct the Closing Meeting

A closing meeting will be conducted with Infrabuild at the end of the Execution phase of the IEA. It will provide an opportunity for Epic to outline positive and negative findings, Infrabuild to respond to or clarify any findings, and Epic to confirm the process following the IEA. Meeting minutes will be maintained and issued by Epic following the meeting.

3.3.6 IEA Findings

The findings of the document review and interviews will be assessed, and each finding assigned a rating within the IEA checklist. Once complete the IEA checklist will be provided (in excel format) to Infrabuild for review and provide an opportunity to response to the findings. Each Infrabuild response to a non-compliance must also specify actions and the completion timing (dd/mm/yyyy) of such actions that are to be taken in response to the non-compliance. For each opportunity for improvement Infrabuild must provide reasons if they propose not to implement any measures or make any changes in response.

3.3.7 Independent IEA Report

Once the findings are assessed, rated, and reviewed, an independent IEA report will be prepared. The independent IEA report will include:

- Introduction, including:
 - Background of the site
 - The IEA team
 - The objectives of the IEA
 - The IEA scope
 - The IEA period
- The IEA method, including
 - Development of IEA scope was developed
 - A summary of the IEA process adopted to determine the compliance status and assess
 - A list of the approvals and documents reviewed
 - Details of personnel interviewed including their name and position title
 - Details of site inspections undertaken
 - A summary of the consultation undertaken prior to the IEA
 - Meanings of compliance status descriptors used, as set out in this document
- The IEA findings, including
 - A summary of the assessment of compliance
 - Details of notices, orders, penalty notices or prosecutions issued in relation to the consent during the IEA period
 - Exception reporting of all non-compliances identified during the IEA period

- A discussion of the status of actions arising from previous IEAs and the progress or outcomes of each action
- A discussion of whether the OEMP, Sub-plans and compliance documents are adequate and implemented
- A discussion of other matters considered relevant during the IEA
- A summary of complaints, and the adequacy of the response to, and management of complaints
- Details of any incidents and the adequacy of the response to, and management of such incidents
- An assessment of the compliance between actual and predicted impacts documented in environmental impact assessment
- Evidence collected through site inspections undertaken during the IEA
- Any continual environmental management improvement opportunities identified as part of the IEA
- Positive observations identified by the Auditor related to environmental management and performance
- Recommendations and opportunities for improvement
- The following Appendices:
 - Complete IEA checklist including responses to findings
 - A copy of documentation from the Planning Secretary agreeing to the IEA Team
 - Documentation detailing consultation with the Department, and other agencies or stakeholders
 - Completed and signed Independent IEA Declaration Form
 - Site inspection photographs

4 GENERAL IEA MATTERS

4.1 Logistical Arrangements for the IEA

Transport to and from the site will be organised by Epic. The Infrabuild representative will organise access to site and all meeting times either face to face on site or via teleconference.

4.2 General IEA Matters

The IEA team will complete the Infrabuild visitors' inductions prior to undertaking the site inspection. The IEA team will be escorted at all times by a Infrabuild representative.

In accordance with the site requirements, the following PPE will be worn by the IEA team members:

- Long Pants
- Long sleeve shirt
- Steel cap work boots
- Protective eyewear
- Hard hat

4.3 Matters Related to Confidentiality

All information supplied, sighted, and disclosed as part of this IEA will remain confidential. Outcomes of the IEA will be provided to Infrabuild.

4.4 Auditors Code of Conduct

All certified Auditors have an obligation to improve the standing of their profession by observing the Exemplar Global Code of Conduct (Code). Compliance with the Code is a condition of certification and all Auditors have signed an agreement to comply with the Code and are required to confirm that they have complied with the Code at each period of surveillance and re-certification.

Code of Conduct

- Auditors will act professionally, accurately and in an unbiased manner
- Auditors will strive to increase the competency and prestige of the profession
- Auditors will assist those in their employ or under their supervision in developing their professional competency
- Auditors will not undertake any assignments that they are not competent to perform
- Auditors will not represent conflicting or competing interests and will disclose to any client or employer any relationships that may influence their judgment
- Auditors will not discuss or disclose any information relating to any assignment unless required by law or authorised in writing by the client and/or their employing organization
- Auditors will not accept any inducement, commission, gift or any other benefit from client organizations, their employees or any interested party or knowingly allow colleagues to do so
- Auditors will not intentionally communicate false or misleading information that may compromise the integrity of any assignment or the personnel certification process
- Auditors will comply with Exemplar Global Certification Requirements, procedures and advisories which are relevant to their profession or certification
- Auditors will not act in any way that would prejudice the reputation of Exemplar Global or the personnel certification process and will cooperate fully with an enquiry in the event of any alleged breach of this code

4.5 Key Contacts

Table 4: Key Contacts

Name	Company and Position	Phone	Email
Pablo Garces	Infrabuild Representative	0455 421 181	pablo.garces@infrabuild.com
Gregor Riese	Infrabuild Representative	0400 457 926	gregor.riese@libertygfg.com
Kirsty Douglas	Epic, Project Manager and Lead Auditor	0410 410 373	kdouglas@epicenvironmental.com.au
Gabrielle Head	Epic Assistant Auditor	0417 487 106	ghead@epicenvironmental.com.au
Chris Griffiths	Epic Assistant Auditor	0498 836 242	cgriffiths@epicenvironmental.com.au

5 LIMITATIONS AND DISCLAIMER

Epic Environmental Pty Ltd (Epic) has prepared the following report for the exclusive benefit of Infrabuild (Client) and for the singular purpose of documenting an IEA plan for the Hexham Recycling Facility Independent Environmental Audit. All interpretations, finding or recommendations outlined in this report should be read and relied upon only in the context of the report as a whole.

The following report cannot be relied upon for any other purpose, at any other location or for the benefit of any other person, without the prior written consent of Epic. Except with Epic's prior written consent, this report may not be:

- a. released to any other person, whether in whole or in part;
- b. used or relied upon by any other party; or
- c. filed with any Governmental agency or other person or quoted or referred to in any public document.

This report has been prepared based on information provided by the Client and other parties. In preparing this report Epic:

- a. presumed the accuracy of the information provided by the Client (including its representatives);
- b. has not undertaken any verification to the accuracy or reliability included in this information (with the exception where such verification formed part of the scope of works);
- c. has not undertaken any independent investigations or enquiries outside the scope of works with respect to information provided for this report; and
- d. provides no warranty or guarantee, expressed or implied, as to the accuracy or reliability of the information provided in this report.

In recognition of the limited use of this report, the Client agrees that, to the maximum extent permitted by law, Epic (including its representatives and related entities) is not liable for any losses, claims, costs, expenses, damages (whether pursuant to statute, in contract or tort, for negligence or otherwise) suffered or incurred by the Client or any third party as a result of the information, findings, opinions, estimates, recommendations and conclusions provided in this report.

Without limiting the above, Epic (including its representatives and related entities) is not liable, in any way whatsoever:

- a. for the use or reliance of this report for any purpose other than that for which it has been prepared;
- b. for any use or reliance upon this report by any person other than the Client;
- c. where another person has a different interpretation of the same information contained in the report;
- d. for any consequential or indirect losses, or for loss of profit or goodwill or any loss or corruption of any data, database, or software.

If a section of this disclaimer is determined by any court or other competent authority to be unlawful and/or unenforceable, the other sections of this disclaimer continue in effect. Where further information becomes available, or additional assumptions need to be made, Epic reserves its right to amend this report, but is not obliged to do so.

5 REFERENCES

NSW Government 2020, *Independent IEA Post Approval Requirements* (Department of Planning, Industry and Environment)

AS/NZS ISO 19011:2019 - Guidelines for Auditing management systems.

CONTACT US

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Project name: Independent Environmental Audit – InfraBuild Recycling Hexham

APPENDIX D INDEPENDANT ENVIRONMENTAL AUDIT TABLE

**InfraBuild Heham Metal Recycling Facility
2023 Independent Environmental Audit
Development Consent (DC-MOD-49-3-2005-i)**

Condition Number	Condition wording (exact)	2023 Audit Finding	Compliance Rating	Evidence	Actions/recommendations
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.	Observations made during the site inspection and evidence reviewed did not identify any harm having occurred to the environment as a result of site operations during the audit period.	C	1. Audit interviews. 2. Site inspection.	
Scope of Development					
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 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 Josephs 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> <p>f) Revised plans accompanying the DA, numbered 0321-03-04A and 0321-03-02;</p>	The site is generally being operated in accordance with the requirements of this condition, however non-compliance have been identified as a result of this audit.	NC	1. Audit interviews. 2. Site inspection.	<p>NC-01 General Compliance</p> <p>InfraBuild to ensure that appropriate processes are developed and implemented to ensure compliance with the requirements of this condition.</p>

	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.	No inconsistencies were identified during the audit.	NT	NT	
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).	The Auditee confirmed that there is only one operational shredder on site.	C	1. Audit interviews.	
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.	Applicable licences and permits required for the site have been obtained: '- EPL 5345 (dated 10/03/2023) - DC MOD32-3-2004-I approved 17/05/2005) The Auditee confirmed that the site does not require any other environmental licences to operate	C	1. Audit interviews. 2. MOD-32-3-2004-5 (17/05/2005) 3. EPL 5345 (10/03/2023)	
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, 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.	The Auditee confirmed that there had been no disputes with Council a public authority regarding the operation of the site.	NT	1. Audit interviews.	
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.	<p>All site personnel are require to complete an induction prior to commencing work on site. A review of the training package identified that is covers the following items:</p> <ul style="list-style-type: none"> - Environmental Policy - Legal requirements - Potential environmental impacts (land, air, noise/vibration, water, waste and visual amenity) - Spill response - Incident reporting <p>All training is completed through the online "MyLearning" portal. Additional ad hoc awareness is undertake through Toolbox meetings.</p> <p>A training register was also sighted during the audit.</p>	C	<p>1. Audit interviews.</p> <p>2. Environmental Awareness Training Version 3 (IBR-WHSE--SYS-TRN-004, 18/08/2022)</p> <p>3. Hexam Driver Induction - Do's & Don'ts</p>	
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.	<p>Discussions with site personnel confirmed that they are aware of their environmental responsibilities no site.</p> <p>All personnel are required to complete a site induction that includes an environmental component.</p>	C	<p>1. Audit interviews.</p> <p>2. Environmental Awareness Training Version 3 (IBR-WHSE--SYS-TRN-004, 18/08/2022)</p> <p>3. Hexam Driver Induction - Do's & Don'ts</p>	
2.3	<p>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.</p> <p>a) commencement of construction of the development; and</p> <p>b) commencement of operation of the development;</p>	The requirements of this condition occurred outside of the audit period, and were previously verified.	NT	NT	
2.4	<p>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.</p> <p>Any such update shall meet the requirements of the Director-General and be submitted within such period as the Director-General may agree.</p>	<p>The previous independent audit was undertaken in 2020 by AQUAS.</p> <p>Annual Environmental Management Reports are also completed and submitted to the Department to demonstrate compliance.</p>	C	<p>1. Audit interviews.</p> <p>2. Independent Environmental Audit: InfraBuild Hexam Recycling Facility Development Approval DA345-7-2003-I (AQUAS, 17/12/2020).</p>	
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 this audit, triggering a non-compliance with this condition.	NC	<p>1. Audit interviews.</p> <p>2. Site inspection.</p>	<p>NC-01 General Compliance</p> <p>InfraBuild to ensure that appropriate processes are developed and implemented to ensure compliance with the requirements of this condition.</p>

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;	Not applicable - construction complete - the requirements of this condition have been previously verified. The Auditee confirmed that there improvement works have occurred to the site during the audit period including: - Replacement of damaged concrete - Replacement of boundary fencing - Installation of the jellyfish water infiltration system - Installation of dust covers (over the conveyor belt system) - Currently in the process of installing additional water sprays at the shredder for dust mitigation A temporary prefabricated office building was installed on site in 2023.	NT	1. Audit interviews.											
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.	Not applicable - construction complete - the site is now operational.	NT	NT											
4 ENVIRONMETNAL PERFORMRANCE															
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><tr><th colspan="2">Table 1 – Construction Noise Criteria</th></tr><tr><th>Locations</th><th>Day</th></tr><tr><td></td><th>L_{Aeq}(15 minute) (dB(A))</th></tr><tr><td>Shamrock Street (Hexham) residences</td><td>47</td></tr><tr><td>St. Joseph's Retirement Village (Hexham)</td><td>53</td></tr></table>	Table 1 – Construction Noise Criteria		Locations	Day		L _{Aeq} (15 minute) (dB(A))	Shamrock Street (Hexham) residences	47	St. Joseph's Retirement Village (Hexham)	53	Not applicable - the site is now operational.	NT	NT	
Table 1 – Construction Noise Criteria															
Locations	Day														
	L _{Aeq} (15 minute) (dB(A))														
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.	Not applicable - the site is now operational.	NT	NT											
Operation Noise															

4.3	<p>¹The 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:</p> <p>a) wind speeds up to 3 ms-1 (measured at 10 metres above ground level); and</p> <p>b) temperature inversion conditions up to 3oC per 100 metres.</p> <p>Table 2 - Operation Noise Limits</p> <table><tr><th rowspan="2">Location</th><th>Day 7:00am to 6:00pm Monday to Saturday 8:00am to 6:00pm Sundays and Public Holidays</th><th>Evening 6:00pm to 10:00pm on any day</th><th colspan="2">Night 10:00pm to 7:00am Monday to Saturday 10:00pm to 8:00am Sundays and Public Holidays</th></tr><tr><th>L_{Aeq} (15 minute)</th><th>L_{Aeq}(15 minute)</th><th>L_{Aeq}(15 minute)</th><th>L_{A1}(1 minute)</th></tr><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></table> <p>Note: 5dB(A) shall be added to the measured level should the noise be substantially tonal or impulsive in character.</p>	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 _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{A1} (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>Monitoring reports observed for 2021, 2022, 2023. Overall, compliance reporting is limited to LAeq and does not address LA1 criterion for night time. Reports from 2023 make comment that LA1 is considered to comply due to no night time operations, however the report does not include any measurements.</p> <p>A number of non-conformances are measured along with a comment that the site was the dominant noise source.</p> <p>Alternative calculation method is employed to determine the likely contribution at the receptors.</p> <p>Measurement notes indicate that there was impulsive noise, but no indication as to whether a penalty was applied. If applied to R1 in Q4 2023, this would result in an exceedance.</p> <p>The change from ISO9613 to Concawe in 2023 is also noted.</p>	NC	<p>1. InfraBuild Recycling Hexam - Quarterly Noise Monitoring Reports (2021, 2022 and 2023).</p> <p>2. Annual Environmental Management Reports (Aecon, 2021, 2022 and 2023).</p>	<p>NC-02 Noise Monitoring</p> <p>The noise monitoring reports should include the following detail</p> <ul style="list-style-type: none">- Information regarding weather monitoring data given the criteria are based on weather conditions- Comment should be made on tonality and impulsiveness for all measurements.- L1 criteria should be assessed if night time activities take place. Likely that measurements will be dominated by other sources, but this should be documented.
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																									
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4.4	<p>²For 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.</p>	<p>Receptor noise monitoring, and site boundary noise monitoring were both undertaken. Limited details regarding the modelling method are provided. The results of the calculations are presented and indicate calculated compliance, with the proviso that a 2dB exceedances is considered compliance.</p>	C	<p>1. InfraBuild Recycling Hexam - Quarterly Noise Monitoring Reports (2021, 2022 and 2023).</p> <p>2. Annual Environmental Management Reports (Aecon, 2021, 2022 and 2023).</p>																									
Operating Hours																													
4.5	<p>³The 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.</p>	<p>The Auditee confirmed that generally, the shredder is operational between 7:00am and 3:00pm (4:30pm on occasion, however operational hours allow operating the shredder up to 6:00pm Monday to Saturday only. Maintenance activities occur until 10:00pm.</p> <p>No production occurs after 6:00pm, however intake may be received up until 7:00pm Monday to Friday.</p> <p>The shredder run times in the OARS dashboard were sighted during the audit confirming the shredder was not operational outside of the allowable hours.</p>	C	<p>1. Audit interviews.</p> <p>2. OARS Dashboard - Shredder run times.</p>																									
4.6	<p>⁴Notwithstanding 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:</p> <p>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;</p> <p>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</p> <p>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</p> <p>Note: For the purposes of the above condition, ‘all noise receptors within a 1.5km radius of the metal shredder’ is limited to:</p> <p>a) the noticeboards of St Joseph’s Retirement Village, Hexham.</p> <p>b) the residences on Old Maitland Road, west of St. Joseph’s Retirement c) the residences on Pacific Highway and intersecting streets between Ironbark Creek and No.59 Pacific Highway, Hexham..</p>	<p>The Auditee confirmed that the operating hours for the shredder are 7:00am to 6:00pm Monday to Saturday only.</p>	C	<p>1. Audit interviews.</p> <p>2. OARS Dashboard - Shredder run times.</p>																									

4.7	<p>⁵The 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:</p> <p>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);</p> <p>b) evidence demonstrating full compliance with all noise limits since commissioning the shredder plant;</p> <p>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</p> <p>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.</p> <p>Any approval by the EPA in accordance with the above condition shall be forwarded to the Director-General by the Applicant immediately.</p>	The Auditee confirmed that they have not been required to request extended operating hours during the audit period. The Auditee understood the process of requesting extended hours if required.	NT	<p>1. Audit interviews.</p> <p>2. OARS Dashboard - Shredder run times.</p>	
4.8	<p>⁶Any 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 ongoing 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 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.</p>	The Auditee confirmed that they have not been required to request extended operating hours during the audit period. The Auditee understood the process of requesting extended hours if required.	NT	<p>1. Audit interviews.</p> <p>2. OARS Dashboard - Shredder run times.</p>	
Operation Hours – Ancillary Activities					
4.8A	<p>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</p>	The Auditee confirmed that no production activities occur after 6:00pm, however intake may be received up until 7:00pm Monday to Friday. Maintenance activities occur until 10:00pm.	C	<p>1. Audit interviews.</p> <p>2. OARS Dashboard - Shredder run times.</p> <p>3. InfraBuild website - Hexam site opening hours</p>	

4.8B	<p>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:</p> <p>(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;</p> <p>(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</p> <p>(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.</p>	The Auditee confirmed that a request to alter the operating hours was not required during the audit period.	NT	<p>1. Audit interviews.</p> <p>2. OARS Dashboard - Shredder run times.</p> <p>3. InfraBuild website - Hexam site opening hours</p>	
Acoustic Barrier					
4.8 C and D	Condition deleted				
4.8E	<p>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.</p>	Evidence was supplied that a noise monitor was installed and operating as of March 2021. Raw data only supplied from March April 2021 (no data provided for 2022, 2023), however quarterly monitoring results are included in the AEMRs.	OFI	<p>1. Audit interviews.</p> <p>2. Email correspondence with the Department (2021)</p>	<p>OFI-01 Monitoring Data</p> <p>Ensure all raw data is maintained in InfraBuilds document control system and is made available for review upon request.</p>
Plant Retrofit					
4.9	<p>⁷ 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;</p> <p>b) installation of noise controls to the scrap loading and unloading facilities;</p> <p>c) implementation of noise controls to ensure compliance with noise limits at adjoining industrial properties when operations on those properties commence; and</p> <p>d) installation of appropriate controls on the shredder stack out conveyor and associated area to reduce noise emissions.</p>	Not applicable - the Auditee confirmed that the EPA have not directed further plant retrofit for noise emission reduction.	NT	1. Audit interviews.	
Traffic and Transport					
Sparke Street Intersection					

4.10	<p>⁹The 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> <p>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;</p> <p>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;</p> <p>c) provision of a left turn deceleration lane into Sparke Street;</p> <p>d) provision of a left turn out of Sparke Street under signalisation;</p> <p>e) construction of appropriate physical barriers to prevent right-hand turn movements out of Sparke Street, with suitable signage reinforcing this ban;</p> <p>f) provision of flashing warning lights in advance of the northbound approach to Sparke Street to advise motorists of the traffic control signals;</p> <p>g) construction of a roadway (new Sparke Street alignment) from the Pacific Highway to the existing Sparke Street;</p> <p>h) closure of the median at the existing Sparke Street intersection, including the removal and making good of the obsolete part of Sparke Street;</p> <p>i) ⁹removal 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>	Not applicable - works associated with Sparke Street Intersection were completed outside of this audit period and was verified in previous audits.	NT	<p>1. Audit interviews.</p> <p>2. Independent Environmental Audit InfraBuild Hexam Recycling Facility DA345-7-2003-I (AQUAS, 17/12/2020)</p>	
4.11	<p>¹⁰The Applicant shall design the work specified in condition 4.10 in accordance with the RTA's Road Design Guide, AUSTROAD guidelines and relevant Australian Standards, as directed by the RTA. This shall include:</p> <p>a) construction of auxiliary lanes for the 80 kph speed limit or the 85th percentile speed, whichever is the greater;</p> <p>b) provision for B-Doubles vehicle movements and storage;</p> <p>c) provision for on-road cyclists through the realigned Sparke Street intersection; and</p> <p>d) street lighting, sign posting and line marking along the realigned Sparke Street intersection and roadway.</p>	Not applicable - works associated with Sparke Street Intersection were completed outside of this audit period and was verified in previous audits.	NT	1. Audit interviews.	
4.12	<p>¹¹Prior 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.</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 accepted by the RTA prior to the commencement of construction work.</p>	Not applicable - works associated with Sparke Street Intersection were completed outside of this audit period and was verified in previous audits.	NT	1. Audit interviews.	

4.13	¹² 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.	Not applicable - works associated with Sparke Street Intersection were completed outside of this audit period and was verified in previous audits.	NT	1. Audit interviews.	
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 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: 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.	Not applicable - works associated with Sparke Street Intersection were completed outside of this audit period and was verified in previous audits.	NT	1. Audit interviews.	
4.14	¹³ 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.	This condition has been previously verified as compliant. A review of the Newcastle Local Environmental Plan 2012 confirmed ah the land is mapped as SP2 Infrastructure.	NT	1. Audit interviews. 2. Independant Environmental Audit InfraBuild Hexam Recycling Facility DA345-7-2003-I (AQUAS, 17/12/2020) 3. City of Newcastle Local Environmental Plan 2012 (Land Zoning Map - Sheet LZN-001D)	
Southbound U-Turn Facility					
4.15	¹⁴ 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	There is no provision for a right hand turn onto the Pacific Highway. Observations made entering and exiting the site verified compliance with this condition.	C	1. Audit interviews. 2. Site inspection.	
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).	Observations on site confirmed that a U turn facility is available on site. Other U turn facilities available in the vicinity of the site include: - Shamrock Street - New U turn bay being constructed as part of the Highway upgrade works	C	1. Audit interviews. 2. Site inspection	

4.16	¹⁵ 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.	The Auditee confirmed that B-Doubles are directed to use the U turn facility located under Hexham bridge.	C	1.Audit interviews. 2. Site inspection	
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.	The Auditee confirmed that all trucks to and from the Sydney Greater Metropolitan area access via the M1/ New England Hwy.	C	1.Audit interviews. 2. Site inspection	
Sparke Street					
4.18	¹⁶ 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. 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.	Not applicable - construction works were completed outside of this audit period. The requirements of this condition were verified in previous audits.	NT	1. Audit interviews.1. Audit interviews. 2.Independent Environmental Audit InfraBuild Hexam Recycling Facility DA345-7-2003-I (AQUAS, 17/12/2020)	
4.19	¹⁷ 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.	Not applicable - notification occurred outside of the audit period. Compliance with this condition was verified in previous audits.	NT	1. Audit interviews. 2.Independent Environmental Audit InfraBuild Hexam Recycling Facility DA345-7-2003-I (AQUAS, 17/12/2020)	
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.	<p>Observations on site confirmed that all vehicles entering and exiting the site occurred in a forward manner.</p> <p>The Traffic Management Plan includes a map illustrating traffic flow direction through the site.</p> <p>Contract truck drivers are required to complete a Driver Induction which outlines the do's and don'ts of accessing and driving through the site:</p> <ul style="list-style-type: none"> - UHF channels - Speed limits - Traffic signals on site - Loading and unloading procedures <p>All drivers receive an induction card verifying they understand all site rules.</p>	C	<p>1. Hexam Traffic Management PlanV.6 (HEX-OPS-PC-SOP-602, 17/06/2020).</p> <p>2. Hexam Driver Induction - Do's & Don'ts</p> <p>3. Audit interviews.</p> <p>4. Site inspection.</p>	
4.21	Vehicles associated with the construction or operation of the development shall be accommodated on site at all times.	<p>Observations made during the site inspection confirmed compliance with this condition. There was no evidence of vehicle queuing beyond the site boundary.</p>	C	1. Site inspection.	
4.22	Landscaping and any other obstructions to visibility shall not affect driver sight distance for vehicles entering and exiting the site.	<p>Observations made did not identify any landscaping or any other obstructions that would affect driver visibility on site.</p> <p>All landscaping on site was observed to be well maintained, the Auditee confirmed that landscaping is maintained by a third party in accordance with the maintenance requirements outlined in the Landscape Management Plan.</p>	C	<p>1. Site inspection.</p> <p>2. Audit interviews.</p> <p>3. InfraBuild Recycling Hexam Operational Environmental Management Plan (Appendix 3 - Landscape Management Plan, 22/4/2021).</p>	
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	Not applicable - the requirements of this condition fall outside of the audit period and was verified in previous audits.	NT	1.Independent Environmental Audit InfraBuild Hexam Recycling Facility DA345-7-2003-I (AQUAS, 17/12/2020)	
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 AS2890.2-2002.	Not applicable - the requirements of this condition fall outside of the audit period and was verified in previous audits.	NT	1.Independent Environmental Audit InfraBuild Hexam Recycling Facility DA345-7-2003-I (AQUAS, 17/12/2020)	
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.	Observations made during the audit did not identify any obstructions within the site. A traffic controller was present directing traffic to required locations including available parking locations.	C	<p>1. Site inspection.</p> <p>2. Audit interviews.</p>	
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.	<p>There appeared to be adequate parking available on site for visitors and staff:</p> <ul style="list-style-type: none"> - Dedicated carpark area for light vehicles including additional parking at rear of the administration building - Provision of a park for disability use) - New additional spaces recently made available along the internal roadway entrance (within the site boundary) 	C	<p>1. Site inspection.</p> <p>2. Audit interviews.</p>	

4.27	The Applicant shall clearly mark all visitor, disabled, and service vehicle parking areas.	The dedicated carpark and parking on site was marked /signed. The traffic controller on site also directs all vehicles entering the site.	C	1. Site inspection.	
4.28	The Applicant shall install signage to demarcate all vehicle movements within and between Lots 29-30 DP803794 and Lot 1 DP874409.	Signage observed during the site inspection. A traffic controller is also present on site directing all traffic.	C	1. Site inspection.	
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	<p>Dust suppression observed on site included:</p> <ul style="list-style-type: none"> - Water truck continually wetting down traffic and work areas (constant rotation around the site) - Sweeper truck (twice a day minimum) - water sprays (shredder and the conveyor system) - Dust Buster chemical (automatic dosing system used in the shredder) - chemical sighted - All trucks entering / exiting the site have covers (if they don't they are refused entry; weighbridge camera used to check they are present and being used; also included in the driver induction) - trucks observed on site confirmed they all had covers and they were being used - Landscaping present <p>Observations on site confirmed that there was no excessive dust being generated by operations during the site inspection.</p> <p>There are also dust monitoring points (depositional points and real time monitors (currently being installed) that are maintained and operated by a third party (AECOM).</p>	C	<p>1. Site inspection.</p> <p>2. Audit interviews.</p> <p>3. Hexam Driver Induction - Do's & Don'ts</p> <p>4. Weighbridge camera system (sighted in the site managers office).</p>	
Plant Retrofit					
4.30	<p>¹⁸As may be directed by the EPA to address dust emissions from the development, the Applicant shall undertake the following works:</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> <p>b) installation of dust controls on plant conveyors and floc storage; and</p> <p>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.</p>	<p>Dust suppression observed on site included:</p> <ul style="list-style-type: none"> - Water truck continually wetting down traffic and work areas (constant rotation around the site) - Sweeper truck (twice a day minimum) - water sprays (shredder and the conveyor system) - Dust Buster chemical (automatic dosing system used in the shredder) - chemical sighted - All trucks entering / exiting the site have covers (if they don't they are refused entry; weighbridge camera used to check they are present and being used; also included in the driver induction) - trucks observed on site confirmed they all had covers and they were being used - Landscaping present <p>Observations on site confirmed that there was no excessive dust being generated by operations during the site inspection. Dust monitoring points (depositional points and real time monitors (currently being installed as recommended by the EPA)</p>	C	<p>1. Site inspection.</p> <p>2. Audit interviews.</p>	
Shredder					

4.31	<p>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.</p> <p>Table 3 – Maximum Allowable Discharge Concentration Limits (Air)</p> <table><tr><th>Pollutant</th><th>Maximum Allowable Discharge Concentration Limit</th><th>Reference Conditions</th></tr><tr><td>Lead (Pb)</td><td>5.0mg/m³</td><td>dry, 273K, 101.3kPa</td></tr><tr><td>Mercury (Hg)</td><td>1.0mg/m³</td><td>dry, 273K, 101.3kPa</td></tr><tr><td>Total Solid Particles</td><td>100/m³</td><td>dry, 273K, 101.3kPa</td></tr></table>	Pollutant	Maximum Allowable Discharge Concentration Limit	Reference Conditions	Lead (Pb)	5.0mg/m ³	dry, 273K, 101.3kPa	Mercury (Hg)	1.0mg/m ³	dry, 273K, 101.3kPa	Total Solid Particles	100/m ³	dry, 273K, 101.3kPa	<p>Stack emission monitoring was undertaken on a quarterly basis up until Q4 when a variation to the EPL reduced the frequency to annual monitoring.</p> <p>A review of the stack emission monitoring reports did not record any exceedances of the concentration outlined in Table 3. Compliance with the requirements of this condition were also included in the AEMRs and the Annual Returns.</p>	C	<p>1. Emissions Testing Reports (2021, 2022, 2023).</p> <p>2. Annual Environmental Management Reports (AECOM: 2021, 2022, 2023).</p> <p>3. Annual Returns (2021, 2022, 2023).</p> <p>4. Audit interviews.</p>	
Pollutant	Maximum Allowable Discharge Concentration Limit	Reference Conditions															
Lead (Pb)	5.0mg/m ³	dry, 273K, 101.3kPa															
Mercury (Hg)	1.0mg/m ³	dry, 273K, 101.3kPa															
Total Solid Particles	100/m ³	dry, 273K, 101.3kPa															
4.32	¹⁹ 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 Auditee confirmed that the baghouse is fitted with an alarmed bag leak detection system. The baghouse sends alarms to the shredder control tower if there are any issues with the dust extraction bags or mechanical issues.	C	<p>1. Site inspection.</p> <p>2. Audit interviews.</p>													
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.	<p>Control measures on site include:</p> <ul style="list-style-type: none">- Dust suppression sprays on conveyors- Shredder flush pit- Water trucks used on trafficable areas- All site water is directed through GPTs- Site is sealed- Sediment ponds on site , Have MRLs installed (levels checked daily), discharged to a release point (AECOM undertake water quality sampling from the discharge point prior to discharges and result are reported to InfraBuild).- EPL monitoring points are located in Ironbark Creek, and at discharge points.	C	<p>1. Surface Water Mitigation and Monitoring Plan Rev 0 (AECOM, 29/04/2020).</p> <p>2. Operational Environmental Management Plan (22/04/2021)</p> <p>3. Audit interviews.</p> <p>4. Site inspection.</p>													
Stormwater																	
4.34	²⁰ 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.	Not applicable. Stormwater management infrastructure was designed and constructed outside of this audit period. Construction requirements verified in previous audits.	NT	NT													
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).	A vegetated swale drain was sighted between the site boundary and the railway line to prevent water from leaving the site onto the railway corridor.	C	<p>1. Audit interviews.</p> <p>2. Site inspection.</p>													
Acid Sulfate Soils																	
4.36	Prior to the commencement of construction of the development, the Applicant shall undertake acid sulphate soil testing for areas of the site to be disturbed during site construction. Acid sulphate 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 sulphate 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).	Not applicable. Construction was completed outside of this audit period. Compliance with the requirements of this condition were verified in previous audits.	NT	<p>1. Independent Environmental Audit: Smorgon Steel Recycling (HLA- Envirosiences Pty Ltd, 29/03/2007).</p> <p>2. Independent Environmental Audit: InfraBuild Hexam Recycling Facility (AQUAS, 174/12/2020)</p>	Add both reports to anything where I have said previously assessed.												
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.	The Auditee confirmed that all waste undergoes a visual inspection to check for unacceptable waste (personnel are trained). If unacceptable waste is identified, it is returned to the customer to dispose of at an appropriately licensed facility. Inspections of waste loads was observed at the time of the audit. Observations did not identify any evidence of unacceptable waste being received. Signage present at the entrance identifying prohibited waste. Relevant procedures have been developed.	C	1. PRO-018 InfraBuild Recycling Incoming Scrap Deliveries Procedure (Version 6, 18/05/2021). 2. PRO-056 InfraBuild Recycling Unacceptable Scrap Manual (Version 4.2, 23/08/2022). 3. InfraBuild Recycling Inspecting Shred Feed Scrap Critical Task (Version 6.1, 23/09/2020). 4. Site inspection. 5. Audit interviews.	
4.38	²¹ 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.	The Auditee confirmed that all vehicles are processed within the dedicated production area - sealed (concreted) pad which slopes towards flush pits. Vehicles are not received if they contain motors / fuel/oils etc (these are considered unacceptable items). Vehicles are inspected prior to acceptance on site to ensure no liquids are on board. Inspections and processing of vehicles was observed during the audit.	C	1. Audit interviews. 2. Site inspection.	
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.	The Auditee confirmed that no new lighting has been installed within the audit period.	NT	1. Audit interviews.	
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.	The Auditee confirmed that storage of waste material and / or equipment on Lot 31 DP803794 does not occur. This was verified during the site inspection.	C	1. Audit interviews. 2. Site inspection.	
4.41	All containers used for the transportation of scrap metal shall be contained on-site at all times.	Containers for transportation of scrap metal were observed within the site boundary.	C	1. Audit interviews. 2. Site inspection.	
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.	There were no advertising signs observed on site during the audit.	C	1. Audit interviews. 2. Site inspection.	
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.	The Auditee confirmed that a landscape Gardener has been engaged to maintain the site (two/three times week) and is responsible for maintaining all garden beds, lawns and weed control. Observations on site confirmed that landscaping appeared to be generally in accordance with the approved landscape plan in Appendix 3 of the OEMP and was observed to be well maintained.	C	1. Operational Environmental Management Plan (22/04/2021) 2. Audit interviews. 3. Site inspection.	
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.	Observations on site confirmed that landscaping appeared to be generally in accordance with the approved landscape plan in Appendix 3 of the OEMP.	C	1. Operational Environmental Management Plan (22/04/2021) 2. Audit interviews. 3. Site inspection.	

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.	Not applicable. Completion of landscape works occurred outside of this audit period. Compliance with the requirements of this condition were verified in previous audits.	NT	1.Independent Environmental Audit: Smorgon Steel Recycling (HLA- Envirosiences Pty Ltd, 29/03/2007). 2. Independent Environmental Audit: InfraBuild Hexam Recycling Facility (AQUAS, 174/12/2020)	
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.	Bunded facilities for the storage of chemicals, fuels and oils were observed on site, however during the site inspection, it was identified the there were two jerry can (unlabelled, however Audit confirmed they contained fuel) and a bowl of what appeared to be waste oily water were located outside of the bunded storage areas. Site personnel were questioned and were unsure as to why they were not within the bunded areas. The site personnel were reminded of why they are required to be stored appropriately and were instructed to move them to appropriate areas (actions observed at the time of the audit).	NC	1. Audit interviews. 2. Site inspection.	NC-03 Dangerous Goods and Hazardous Chemical Management 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.
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.	Not applicable. Construction was completed outside of this audit period. Compliance with the requirements of this condition were verified in previous audits.	NT	1. Independent Environmental Audit: Smorgon Steel Recycling (HLA- Envirosiences Pty Ltd, 29/03/2007). 2. Independent Environmental Audit: InfraBuild Hexam Recycling Facility (AQUAS, 174/12/2020)	
4.48	The development shall be carried out strictly in accordance with the recommendations of the Flood Report, titled Rationalisation of Floodway's connecting Hexham Swamp to the Hunter River (Issue 2) prepared by Patterson Britton and dated July 2003.	Compliance with the requirements of this condition were verified in previous audits.	NT	1. Independent Environmental Audit: Smorgon Steel Recycling (HLA- Envirosiences Pty Ltd, 29/03/2007). 2. Independent Environmental Audit: InfraBuild Hexam Recycling Facility (AQUAS, 174/12/2020)	
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.	Not applicable. Construction was completed outside of this audit period. Compliance with the requirements of this condition were verified in previous audits.	NT	1. Independent Environmental Audit: Smorgon Steel Recycling (HLA- Envirosiences Pty Ltd, 29/03/2007). 2. Independent Environmental Audit: InfraBuild Hexam Recycling Facility (AQUAS, 174/12/2020)	
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.	The Auditee confirmed that no machinery is used within three metres of an electrified structure. There were no observations made of machinery within the specified no go zone at the time of the audit.	C	1. Audit interviews. 2. Site inspection.	
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.	The Auditee confirmed that no metal ladders, scaffolding, plan or machinery is used within six metres of an electrified structure. There were no observations made of any equipment or machinery within the specified no go zone at the time of the audit.	C	1. Audit interviews. 2. Site inspection.	

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.	The Auditee confirmed that all works are undertaken within the site boundary. Observations made during the site inspection did not identify any works occurring within the rail corridor.	C	1. Audit interviews. 2. Site inspection.	
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.	Appropriate fencing has been installed and was observed during the audit. Regular inspection of the fencing is undertaken to ensure it is in good working order and if maintenance/repairs are required.	C	1. Audit interviews. 2. Site inspection.	
5. ENVIRONMENTAL MONITORING AND AUDITING					
Noise Monitoring and Auditing					
5.1	²² 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.	Outside of the audit period. Compliance with this condition has been verified through previous audits	NT	1. Independent Environmental Audit: InfraBuild Hexam Recycling Facility (AQUAS, 174/12/2020)	
5.2	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.	Outside of the audit period. Compliance with this condition has been verified through previous audits	NT	1. Independent Environmental Audit: InfraBuild Hexam Recycling Facility (AQUAS, 174/12/2020)	
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: a) identification of noise monitoring locations, with relevant noise limits for each location provided; b) noise monitoring frequencies; and c) 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.	The Noise Monitoring Program is included in the OEMP (appendix 5) and addresses the requirements of this condition.	C	1. Operational Environmental Management Plan (22/04/2021)	
Overpressure and Vibration Monitoring					

5.4	²⁴ 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.	Texcel blast monitoring data supplied. Although specific specifications, or make and model of the measurement equipment for this clause has not been supplied, typically Texcel equipment is designed to comply with this standard, however this could not be verified during the audit..	OFI	1. Audit interviews. 2. Email correspondence confirming the equipment type.	OFI-02 Monitoring Equipment Included details of the monitoring instrument (Texcel) in the monitoring reports to demonstrate it complies with the Australian Standard 2187.2 of 1993.											
Air Quality Monitoring																
Shredder Stack Emissions																
5.5	²⁵ 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.	Emission stacks are fitted with sampling Points. Stack emission testing in undertaken by a NATA accredited third party consultant (AECOM; No. 2778 and Port Hunter Environmental ;No:21069 on behalf of AECOM). The reports verify sampling is undertaken is in accordance with AS4323.1.	C	1. Quarterly Emissions Testing Reports (2020, 2021, 2022, 2023).												
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) <table><tr><th>Pollutant</th><th>Method</th><th>Frequency</th></tr><tr><td>Lead</td><td>TM-12, TM-13 & TM-14</td><td>Post commissioning, annually</td></tr><tr><td>Mercury</td><td>TM-12, TM-13 & 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></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	Stack emission testing in undertaken by a NATA accredited third party consultant. Stack emission monitoring was undertaken on a quarterly basis up until Q4 2021 when a variation to the EPL reduced the frequency to annual monitoring. A review of the stack emission monitoring reports did not record any exceedances of the concentration outlined in Table 3. Compliance with the requirements of this condition were also included in the AEMRs and the Annual Returns.	C	1. Emissions Testing Reports (2020, 2021, 2022, 2023). 2. Annual Environmental Management Reports (2021, 2022, 2023). 3. Annual Returns (2021, 2022, 2023). 4. Audit interviews.
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														
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: a) pollutant/parameter monitoring has been undertaken for a period of no less than 12 months (measures from the commencement of operation of the development); b) there has been no exceedance of any limit placed on the subject pollutant or parameter through this consent within the preceding 12-month period; and/or 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 5.6.	Not applicable. No approval has been sought to change the frequency of the pollutant /parameter monitoring as outlined in condition 5.6.	NT	1. Audit interviews.												
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.	Not applicable. The air quality audit was undertaken outside of this audit period. Compliance with the requirements of this condition were verified in previous audits. The Auditee also confirmed that there have not been any additional requests to undertake additional air quality audits for the site.	NT	1. Audit interviews. 2. Independent Environmental Audit: InfraBuild Hexam Recycling Facility (AQUAS, 174/12/2020).												

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.	Not applicable. The air quality audit was undertaken prior to this audit period. The 2020 independent environmental audit undertaken by AQUAS confirmed compliance with this condition.	NT	1. Audit interviews. 2. Independent Environmental Audit: InfraBuild Hexam Recycling Facility (AQUAS, 174/12/2020). 3. Independent Environmental Audit: Smorgon Steel Recycling (HLA- Envirosiences Pty Ltd, 29/03/2007).																																									
Meteorological Monitoring																																													
5.10	<div><div>²⁶The Applicant shall monitor the parameters specified in Table 5, using the specified units of measure, averaging period, frequency, and sampling method in the table.</div><div><div>Table 5 – Meteorological monitoring</div><table><tr><th>Parameter</th><th>Units of Measure</th><th>Averaging Period</th><th>Frequency</th><th>Method</th></tr><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 - Siting - Measurement</td><td></td><td></td><td></td><td>AM-1 & Am-4 AM-2 and AM-4</td></tr></table></div></div>	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 - Measurement				AM-1 & Am-4 AM-2 and AM-4	The weather station was observed to be located in the north western corner of the site. A review of the Met Summary Data sheets confirmed that the parameters outlined in Table 4 are recorded, however the Auditee confirmed that the wind speed sensor is not returning valid readings (as per AECOM advise). Meteorological monitoring results are reported in the AEMR (wind speed and direction sourced form DPE Mayfield West station).	NC	1. Annual Environmental Management Reports (AECOM: 2021, 2022, 2023). 2. Met Summary Data Sheets (2020 - 2023). 3. Site inspection. 4. Audit interviews.	NC-04 Monitoring Equipment Repair or replace the meteorological meter to ensure valid wind speed readings are recorded.
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																																									
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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: (a) identification of contaminants to be tested; (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.	Section 10.5 of the OEMP references the mitigation and monitoring plan developed by AECOM (2020). Section 5.2 of the mitigation and monitoring plan outlines the surface water monitoring program which addresses the requirements of this condition. Water Quality monitoring results are recoded in the AEMRs. Monitoring during the audit period occurred as follows: ' - 2021: quarterly sampling on 24 March, 27 August and 12 October and monthly sampling on 22 February, 14 March and 26 May - 2022: quarterly sampling on 3 March, 1 April, 4 July and monthly sampling 23 May and 20 June - 2023: quarterly sampling on 31 January, 14 April, 28 September and 6 November, monthly sampling on 22 February, 14 March and 26 May The discharge results reincluded in the AEMR as an Appendix.	C	1. Surface Water Mitigation and Monitoring Plan Rev 0 (AECOM, 29/04/2020). 2. Operational Environmental Management Plan (22/04/2021) 3. Annual Environmental Management Reports (AECOM: 2021, 2022, 2023). 4. Audit interviews.																																									
Independent Environmental Auditing																																													

5.12	<p>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:</p> <p>a) be carried out in accordance with ISO 19011:2002 - Guidelines for Quality and/or Environmental Management Systems Auditing;</p> <p>b) assess compliance with the requirements of this consent, and other licences and approvals that apply to the development;</p> <p>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</p> <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>	<p>The previous IEA was completed by AQUAS in 2020, which also confirmed compliance with the requirements of this condition as follows:</p> <ul style="list-style-type: none"> - 2016 IEA conducted by Coffey, with the final report provided to DPIE 16/01/2017, an updated final report submitted 7/06/2017. <p>The Department provided InfraBuild with a letter stating that the 2020 IEA and response to the audit recommendations was considered to generally satisfy the reporting requirements of the consent.</p> <p>In accordance with the audit frequency outlined in Table 1 of the NSW Government post audit requirements, audits are to be undertaken at intervals no greater than three years, or as otherwise agreed to by the Secretary. In accordance with this frequency, this IEA was due to be undertaken in December 2023, therefore is considered overdue, however compliance with the timing of this IEA will be assessed in the next scheduled audit (2026).</p>	C	<p>1. Independent Environmental Audit: InfraBuild Hexam Recycling Facility (AQUAS, 174/12/2020)</p> <p>2. Hexam Metal Recycling (DA345-7-2003-i) Independent Environmental Audit 2020 - email (DPIE, 2/02/2021)</p> <p>3. Independent Audit Post Approval Requirements (NSW Government, May 2020).</p> <p>4. Audit interviews.</p>	
6. COMMUNITY INFORMATION, CONSULTATION AND INVOLVEMENT					
6.1	<p>Subject to confidentiality, the Applicant shall make all documents required under this consent available for public inspection on request.</p>	<p>The Auditee confirmed that all documents as required by this condition are available for viewing on site upon request.</p> <p>The InfraBuild website (Sustainability tab) has the following documents published:</p> <ul style="list-style-type: none"> - Pollution Incident Response Management Plan (EPL 4345) - Annual Environmental Management Reports - Noise Monitoring Reports - Stack Emission Monitoring Reports <p>Relevant documents (including monitoring reports) are provided to the Community Consultative Committee (CCC) which as also noted in the CCC meeting minutes.</p>	C	<p>1. InfraBuild website: https://www.infrabuild.com/resources/environmental-reports/?_business_division=recycling</p> <p>2. CCC Meeting minutes.</p> <p>3. Audit interviews.</p>	
Complaints Procedure					
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>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>	<p>The InfraBuild website has a dedicated page for complaints handling which includes a form for submission of online complaints and a dedicated phone number for the Hexam site.</p> <p>The Auditee also confirmed that the CCC members have been provided with site contact details.</p>	C	<p>1. InfraBuild website: https://www.infrabuild.com/</p> <p>2. Audit interviews.</p>	

6.3	<p>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:</p> <p>a) the date and time, where relevant, of the complaint;</p> <p>b) the means by which the complaint was made (telephone, mail or email);</p> <p>c) any personal details of the complainant that were provided, or if no details were provided, a note to that effect;</p> <p>d) the nature of the complaint;</p> <p>e) any action(s) taken by the Applicant in relation to the complaint, including any follow-up contact with the complainant; and</p> <p>f) if no action was taken by the Applicant in relation to the complaint, the reason(s) why no action was taken.</p> <p>The Complaints Register shall be made available for inspection by the Director-General upon request.</p>	<p>A review of the complaints register confirmed:</p> <ul style="list-style-type: none">- 2021: no complaints recorded- 2022: two complaints recorded<ul style="list-style-type: none">- contaminated water from fire fighting foam (contained on site)- odour and explosion (both deemed not related to site operations)- 2023: no complaints recorded- 2024 (up to 23/04/2024): no complaints recorded <p>All complaints are captured in Cority (sighted) which includes the date and time, location, type of complaint/incident, actions taken and also allows for attachments to be uploaded such as photos.</p> <p>Complaints are also recorded in the AEMRs.</p>	C	<p>1. Complaints Register (2021 - 2024).</p> <p>2. Cority (sighted).</p> <p>3. Annual Environmental Management Reports (AECOM: 2021, 2022, 2023).</p> <p>4. Audit interviews.</p>	
Community Consultative Committee					
6.4	<p>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.</p> <p>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.</p> <p>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>	<p>The Auditee confirmed that the CCC Meetings occur bi-monthly. The CCC meeting schedule and meeting minutes confirmed this.</p>	C	<p>1. Community Consultative Committee Meeting Schedule</p> <p>2. Community Consultative Committee Meeting Minutes</p> <p>3. Audit interviews.</p>	
7. ENVIRONMENTAL MANAGEMENT					
Environmental Representative					

7.1	<p>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:</p> <p>a) the primary contact point in relation to the environmental performance of the development;</p> <p>b) responsible for all Management Plans and Monitoring Programs required under this consent;</p> <p>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;</p> <p>d) responsible for receiving and responding to complaints in accordance with condition 6.2 and condition 6.3 of this consent; and</p> <p>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.</p>	<p>The Environmental Representative for the site is Paul Smith (Site Manager). This was also verified in the 2020 IEA. Section 14.5 of the OEMP states details are included in the Hexam Emergency Response Plan (sighted). The Auditee stated that InfraBuild received confirmation from the Department that notification was not required, providing the details were updated in the relevant site management plans as required.</p>	C	<p>1. Audit interviews.</p> <p>2. Operational Environmental Management Plan (22/04/2021).</p> <p>3. Hexam Emergency Response Plan.</p>	
Construction Environmental Management Plan					
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>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;</p> <p>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;</p> <p>c) specific consideration of measures to address any requirements of Council during construction;</p> <p>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;</p> <p>e) a description of the roles and responsibilities for all relevant employees involved in the construction of the development;</p> <p>f) the Management Plans listed under condition 7.3 of this consent;</p> <p>g) arrangements for community consultation and complaints handling procedures during construction.</p> <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, the Applicant shall supply a copy of the Plan to Council, as soon as practicable.</p>	<p>Not applicable. The site is now operational. The requirements of this condition were verified in previous audits.</p>	NT	<p>1. Independent Audit Post Approval Requirements (NSW Government, May 2020).</p>	

7.3	<p>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 sulphate 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 sulphate soils be identified on the site.</p>	Not applicable. The site is now operational. The requirements of this condition were verified in previous audits.	NT	1. Independent Audit Post Approval Requirements (NSW Government, May 2020).	
	<p>b) ²⁷an 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:</p> <p>i) results of investigations into soils associated with the site, in particular the stability of the soil and its susceptibility to erosion;</p> <p>ii) details of erosion, sediment and pollution control measures and practices to be implemented during construction of the development;</p> <p>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;</p> <p>iv) design specifications for diversionary works, banks and sediment basins;</p> <p>v) an erosion monitoring program during construction of the development; and</p> <p>vi) measures to address erosion, should it occur, and to rehabilitate/ stabilise disturbed areas of the site.</p>				
	<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: I) identification of the potential sources of noise during the proposed works;</p> <p>ii) specification of the noise criteria for the proposed works;</p> <p>iii) a detailed description of what actions and measures would be implemented to ensure that these works would comply with the relevant noise criteria.</p> <p>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</p> <p>v) a description of what procedures would be followed to ensure compliance;</p>				

	<p>d) ²⁸ 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:</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) 29 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</p> <p>(iv) provide for the monitoring of the performance of the implemented measures; and</p> <p>(v) details of any additional measures that would be implemented should any non-compliance be detected.</p>				
Operation Environmental Management Plan					
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> <p>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;</p> <p>ii) a description of the roles and responsibilities for all relevant employees involved in the operation of the development;</p> <p>iii) overall environmental policies and principles to be applied to the operation of the development;</p> <p>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;</p> <p>v) management policies to ensure that environmental performance goals are met and to comply with the conditions of this consent;</p> <p>vi) the Management Plans listed under condition 7.5 of this consent; and</p> <p>vii) arrangements for community consultation and complaints handling procedures during construction.</p> <p>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.</p>	<p>A review of the OEMP confirmed that it generally complies with the requirements of this condition.</p> <p>An updated OEMP was submitted to the Department addressing deficiencies identified in the 2020 IEA stating that they have all been addressed.</p>	C	<p>1. Operational Environmental Management Plan (22/04/2021)</p> <p>2. Independent Environmental Audit 2020 Letter - Audit report generally satisfies the Consent (DPIE , 02/02/2021)</p> <p>3. Post approval form - submission of updated OEMP (30/04/2021)</p>	

	<p>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:</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> <p>i) identification of the potential sources of noise during the site operations;</p> <p>ii) specification of the noise criteria for these operations;</p> <p>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</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>7.5a) Noise Management Plan (NMP): non-compliant</p> <p>The NMP is included in Appendix 5 of the OMEP. The following items have not been adequately addressed:</p> <ul style="list-style-type: none"> - Potential noise sources has nominated "normal operations" as a noise source. "Normal operations" are not a noise source. This should be specific to noise sources on site - e.g. shredder, forklifts etc. - Night time LA1 noise limit is missing from the table - Does not include weather monitoring requirements (to exclude data) - Does not include overpressure and vibration monitoring requirements - Does not include any details of the method for determining compliance based on site boundary monitoring - Doesn't state outright the offsite monitoring locations (currently states streets by not actual location of the monitoring location). 	NC		<p>NC-05 OEMP and subplans</p> <p>Updated the OEMP and the subplans to address all requirements of condition 7.5. here specific items are addressed in another management plan - reference to the plan should be included.</p> <p>Noise Management Plan:</p> <p>i) include all specific noise sources from the site such as shredder, forklifts, etc.</p> <p>iii) Include the following detail</p> <ul style="list-style-type: none"> - weather monitoring requirements as outlined in Condition 5.10 - overpressure and vibration monitoring requirements - specific details of the location of the offsite monitoring points - details of the method for determining compliance based on site boundary
	<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 road way 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>vi) details of additional measures that would be implemented should be non-compliance be detected.</p>	<p>7.5 b) Transport Management Plan (TMP): opportunity for improvement</p> <p>Section 8 of the OEMP references the Hexam Traffic Management Plan and the Driver Induction address the requirements of this condition. The standalone TMP addresses the safety requirements for vehicle movement on site, hazard identification and controls, driver inductions (there is also a separate Driver Do's and Don't s document), roles and responsibilities, vehicle and personnel management on site. Although it could be implied that the drivers induction and do's and don'ts is considered the code of conduct, neither the OEMP, TMP or the driver induction documents specifically outlines management measures for impacts associated with heavy vehicle movements or management measures to reduce daily heavy vehicle movements. Observations on site did confirm a traffic controller effectively managing traffic on site.</p>	OFI		<p>OFI-03 Transport Management Plan:</p> <p>Update the TMP to include details for the management of impacts of heavy vehicle movements and management measures to reduce daily heavy vehicle movement.</p>

7.5

<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> <p>i) a detailed description of the likely flood behaviour of the area within the vicinity of the site;</p> <p>ii) identification of the flood warning systems that would be utilised by the proposed operations;</p> <p>iii) details of the workforce education awareness program implemented at the site;</p> <p>iv) details of the evacuation and evasion procedures that would be undertaken in a time of an emergency;</p> <p>v) identification of the designated evacuation routes and flood refuges; and</p> <p>vi) details of flood preparedness and awareness procedures for residents and visitors to the site.</p>	<p>7.5 c) Flood Emergency Management Plan: non-compliant</p> <p>Section 4.3 of the OEMP includes a statement that the Flood Emergency Management Plan to address condition 7.5c) is included in the Hexam Emergency Response Plan (ERP).</p> <p>A review of the ERP (and the surface water management plan) identified the following items in condition 7.5 c) that have not been addressed:</p> <p>i) a detailed description of the likely flood behaviour of the area within the vicinity of the site</p> <p>ii) identification of the flood warning systems on site</p> <p>iii) details of the workforce education awareness program</p> <p>v) identification of the designated evacuation routes and flood refuges. The plan includes a statement that site emergency maps illustrate evacuation routes and assembly points and is attached of the back of the ERP, however a copy was not included</p> <p>vi) details of flood preparedness and awareness procedures for residents and visitors to the site</p>
<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> <p>i) details of all relevant stormwater control infrastructure;</p> <p>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;</p> <p>iii) a demonstration of consistency with the stormwater management plan for the catchment and any relevant stormwater guidelines prepared by Council;</p> <p>iv) details of the monitoring program, as required by condition 5.11, to monitor stormwater flows from the site; and</p> <p>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.</p>	<p>7.5 d) Stormwater Management Plan: compliant</p> <p>Appendix 4 of the OEMP includes a map illustrating the sampling locations for discharge events and a copy of the chain of Custody form required for Laboratory samples. Stormwater Management is addressed in a standalone document titled Surface Water Mitigation and Monitoring Plan (SWMMP) and addresses the requirements of this condition.</p>
<p>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:</p> <p>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;</p> <p>ii) details of landscape works to improve the condition of the riparian zone along the boundary of Lot 1 DP 874409 and Ironbark Creek;</p> <p>iii) maximisation of flora species endemic to the locality in landscaping the site;</p> <p>iv) measures to ensure general consistency with the relevant guidance provided in Planning for Bushfire Protection (NSW Rural Fire Service and Planning's, 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>Landscape Management Plan (LMP): compliant</p> <p>The approved LMP is included in Appendix 3 of the OEMP. The LMP generally addresses the requirements of condition 7.5 e).</p>

1. Operational Environmental Management Plan (22/04/2021)
2. Independent Environmental Audit 2020 Letter - Audit report generally satisfies the Consent (DPIE , 02/02/2021)
3. Post approval form - submission of updated OEMP (30/04/2021)
4. Hexam Traffic Management Plan Version 6 (HES-OPS-PC-SOP-602, date reviewed 17/06/2020).
5. Hexam Emergency Response Plan Version 8 (HEX-OHS-RM-TOOL-601, date reviewed 20/10/2020).
- 6.Surface Water Mitigation and Monitoring Plan Revision 0 (AECOM, 29/04/2020).

NC-05 OEMP and subplans

Flood Emergency Management Plan:

i) Detailed description of the likely flood behaviour of the area within the vicinity of the site

ii) Details of the flood warning systems on site

iii) Details of the workforce education awareness program (reference to site induction or PRIMP if relevant would suffice)

vi) details of flood preparedness and awareness procedures for residents and visitors to the site (reference to visitor induction or similar would suffice)

	<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) ³⁰ 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 Assessment, Classification & Management of Liquid and Non-Liquid Waste;</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>	<p>Waste Management Plan (WMP): compliant</p> <p>The WMP is addressed in section 11 and included in Appendix 2 of the OEMP. The WMP generally addresses the requirements of condition 7.5 f).</p>			
8. ENVIRONMENTAL REPORTING					
Incident Reporting					
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>	<p>An incident involving a stockpile fire was identified on 14/08/2022 during a routine inspection. The fire escalated resulting in air pollution (smoke) lasting approximately 3.5 hours. All fire fighting water was retained on site. An EPA representative attended site.</p> <p>In accordance with the requirements of this condition, the Department was notified via the Planning portal and was also provided with a copy of the preliminary alert documentation as well as the incident report.</p> <p>The report as submitted within the specified timeframe.</p> <p>A review of the incident register identified several minor oil leaks/spills from equipment / machinery, however they were all contained on site and did not result in any significant impacts requiring notification.</p>	C	<p>1. Cority - Site Incident Register (2021 - 2024)</p> <p>2. Incident Report Shredder in -feed stockpile fire Hexam, 14/08/2022.</p> <p>3. Incident Notification to the Department (via NSW Planning Portal, 20/08/2022) and email receipt of incident notification</p> <p>4. Preliminary Alert (WRIB Safe, 14/08/2022)</p>	
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 8.1 of this consent, within such period as the Director-General may agree.</p>	<p>InfraBuild provided the Department with the preliminary alert to responded to the Departments RFI. The final incident report was submitted within the required 7 days.</p>	C	<p>1. Cority - Site Incident Register (2021 - 2024)</p> <p>2. Incident Report Shredder in -feed stockpile fire Hexam, 14/08/2022.</p> <p>3. Incident Notification to the Department (via NSW Planning Portal, 20/08/2022) and email receipt of incident notification</p> <p>4. Preliminary Alert (WRIB Safe, 14/08/2022)</p>	
Annual Performance Reporting					

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 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:</p> <p>a) details of compliance with the conditions of this consent;</p> <p>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;</p> <p>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;</p> <p>d) results of all environmental monitoring required under this consent and other approvals, including interpretations and discussion by a suitably qualified person; and</p> <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>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>	<p>AEMRs were completed for the audit period and addressed the requirements of this condition.</p> <p>Submission of the AEMR's to the Department for the audit period were:</p> <ul style="list-style-type: none"> - 2020 submitted 9/06/2021 - 2021 submitted 27/04/2022 - 2022: submitted 13/09/2023 - 2023: submitted 3/04/2024 (email confirmation from the Department that they have commenced their assessment of the AEMR) <p>Evidence that the AEMRs had been submitted to Council for 2021 was sighted during the audit. It was identified that there was no record of the 2022 and 2023 AEMRs having been submitted, however these were emailed through to Council on 23/04/2024.</p>	OFI	<p>1. Annual Environmental Management Reports (AECOM: 2021, 2022, 2023).</p> <p>2. AEMR submissions (Planning Portal - sighted).</p> <p>3. Email AEMR submission to Council (sighted)</p>	<p>OFI-04 AEMR Reporting</p> <p>Ensure a copy of the AEMR is provided to Council in accordance with the requirements of Consent condition 8.3 for all future reporting periods.</p> <p>Records of AEMR submissions to both the Department and Council should be maintained.</p>
8.4	<p>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.</p> <p>Any action required to be undertaken shall be completed within such period as the Director-General may agree.</p>	No requests from the Director General have been received.	NT	NT	

InfraBuild Heham Metal Recycling Facility
2023 Independent Environmental Audit
Environmental Protection Licence (5345)

Condition Number	Condition wording (exact)	2023 Audit Finding	Compliance Rating	Evidence	Actions/recommendations												
1. ADMINISTRATIVE CONDITIONS																	
A1 What the licence authorises and regulates																	
A1.1	<p>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.</p> <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><tr><th>Scheduled Activity</th><th>Fee Based Activity</th><th>Scale</th></tr><tr><td>Metallurgical activities</td><td>Metal waste generation</td><td>> 100 T amount of waste on site at any time</td></tr><tr><td>Metallurgical activities</td><td>Scrap metal processing</td><td>> 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 type stored</td></tr></table>	Scheduled Activity	Fee Based Activity	Scale	Metallurgical activities	Metal waste generation	> 100 T amount of waste on site at any time	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	<p>Yearly reporting of waste quantities (via WARRP) to the Department were provided demonstrating compliance with the limits approved under his condition.</p> <p>Annual scrap metal recycling quantities for the audit period were:</p> <p>- 2021: 328,418.70T</p> <p>- 2022: 358,820.91T</p> <p>- 2023: 366,489.78T</p>	C	1. Annual Waste Reports (2021, 2022, 2023).	
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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	<p>The licence applies to the following premises:</p> <table><tr><th>Premises Details</th></tr><tr><td>ONESTEEL RECYCLING PTY LIMITED</td></tr><tr><td>14 SPARKE STREET</td></tr><tr><td>HEXHAM</td></tr><tr><td>NSW 2322</td></tr><tr><td>PREMISES AS SHOWN ON PLAN TITLED "PLAN OF CONSOLIDATION OVER LOT 1 DP 1085880, LOT 11 DP 1109199 & LOT 1 DP 874409" PREPARED BY ADAM ORTIGER, REGISTERED DATE OF 27/9/2012 (EPA FILE DOC13/49448), WHICH COMPRISES LOT 1 DP 1176316.</td></tr></table>	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 1109199 & LOT 1 DP 874409" PREPARED BY ADAM ORTIGER, REGISTERED DATE OF 27/9/2012 (EPA FILE DOC13/49448), WHICH COMPRISES LOT 1 DP 1176316.	Not auditable - note only.	NT	NT							
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A3 Information supplied to the EPA																	
A3.1	<p>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.</p> <p>In this condition the reference to "the licence application" includes a reference to:</p> <p>a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and</p> <p>b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.</p>	Not auditable - note only.	NT	NT													
2. Discharges to Air and Water and Applications to Land																	
P1 Location of monitoring/discharge points and areas																	
P1.1	<p>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.</p> <table><tr><th colspan="4">Air</th></tr><tr><th>EPA identification no.</th><th>Type of Monitoring Point</th><th>Type of Discharge Point</th><th>Location Description</th></tr><tr><td>1</td><td>Discharge to air Discharge quality monitoring</td><td>Discharge to air Discharge quality monitoring</td><td>Monitoring point located on baghouse stack</td></tr></table>	Air				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	Note only. Not auditable	NT	NT	
Air																	
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														

P1.2	<p>The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point.</p> <table><tr><th colspan="4">Water and land</th></tr><tr><th>EPA Identification no.</th><th>Type of Monitoring Point</th><th>Type of Discharge Point</th><th>Location Description</th></tr><tr><td>2</td><td>Discharge to waters Discharge quality monitoring</td><td>Discharge to waters Discharge quality monitoring</td><td>Ferrous metal shredder yard - discharge point into western boundary swale, labelled as SW02B on Surface Water Mitigation and Monitoring Plan Figure 9, dated 22 December 2020 (DOC21434095).</td></tr><tr><td>3</td><td>Discharge to waters Discharge quality monitoring</td><td>Discharge to waters Discharge quality monitoring</td><td>Sparke Street sediment trap discharge point into western boundary swale, labelled as SW03B on Surface Water Mitigation and Monitoring Plan Figure 9, dated 22 December 2020 (DOC21434095).</td></tr><tr><td>4</td><td>Discharge to waters Discharge quality monitoring</td><td>Discharge to waters Discharge quality monitoring</td><td>Non-ferrous metal yard discharge point into Ironbark Creek, labelled as SW05B on Surface Water Mitigation and Monitoring Plan Figure 9, dated 22 December 2020 (DOC21434095).</td></tr><tr><td>5</td><td>Discharge to waters Discharge quality monitoring</td><td>Discharge to waters Discharge quality monitoring</td><td>Western boundary swale discharge point into Ironbark Creek, labelled as SW06 on Surface Water Mitigation and Monitoring Plan Figure 9, dated 22 December 2020 (DOC21434095).</td></tr><tr><td>6</td><td colspan="2">Ambient water monitoring</td><td>Upstream monitoring location within Ironbark Creek - on western side of railway line within Ironbark Creek, labelled as SW07A on Attachment A, Proposed sampling point SW07A (DOC21483404-3).</td></tr></table>	Water and land				EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description	2	Discharge to waters Discharge quality monitoring	Discharge to waters Discharge quality monitoring	Ferrous metal shredder yard - discharge point into western boundary swale, labelled as SW02B on Surface Water Mitigation and Monitoring Plan Figure 9, dated 22 December 2020 (DOC21434095).	3	Discharge to waters Discharge quality monitoring	Discharge to waters Discharge quality monitoring	Sparke Street sediment trap discharge point into western boundary swale, labelled as SW03B on Surface Water Mitigation and Monitoring Plan Figure 9, dated 22 December 2020 (DOC21434095).	4	Discharge to waters Discharge quality monitoring	Discharge to waters Discharge quality monitoring	Non-ferrous metal yard discharge point into Ironbark Creek, labelled as SW05B on Surface Water Mitigation and Monitoring Plan Figure 9, dated 22 December 2020 (DOC21434095).	5	Discharge to waters Discharge quality monitoring	Discharge to waters Discharge quality monitoring	Western boundary swale discharge point into Ironbark Creek, labelled as SW06 on Surface Water Mitigation and Monitoring Plan Figure 9, dated 22 December 2020 (DOC21434095).	6	Ambient water monitoring		Upstream monitoring location within Ironbark Creek - on western side of railway line within Ironbark Creek, labelled as SW07A on Attachment A, Proposed sampling point SW07A (DOC21483404-3).	Note only. Not auditable	NT	NT			
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P1.3	<p>The following points referred to in the table below are identified in this licence for the purposes of weather and/or noise monitoring and/or setting limits for the emission of noise from the premises.</p> <table><tr><th colspan="3">Noise/Weather</th></tr><tr><th>EPA Identification no.</th><th>Type of monitoring point</th><th>Location description</th></tr><tr><td>7</td><td>Meteorological Station</td><td>Weather station located in the north east corner of the shredder yard (refer to DOC21/1056440-1).</td></tr></table>	Noise/Weather			EPA Identification no.	Type of monitoring point	Location description	7	Meteorological Station	Weather station located in the north east corner of the shredder yard (refer to DOC21/1056440-1).	Note only. Not auditable	NT	NT																						
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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 <i>Protection of the Environment Operations Act 1997</i> .	No incidents have been recorded where pollution of waters has occurred.	C	1. Audit interviews. 2. Annual Environmental Management Reports (AECOM, 2021, 2022 and 2023).																															
L2 Concentration limits																																			
L2.1	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.	Quarterly stack emission monitoring is undertaken by a NATA accredited consultant. Results for period 2020 to 2023 reviewed confirming all results were less than maximum allowable discharge concentrations.	C	1. Annual Environmental Management Reports (AECOM, 2021, 2022 and 2023). 2. Emissions Testing Reports (2021, 2022, 2023).																															
L2.2	<p>Air Concentration Limits</p> <table><tr><th colspan="6">POINT 1</th></tr><tr><th>Pollutant</th><th>Units of measure</th><th>100 percentile concentration limit</th><th>Reference conditions</th><th>Oxygen correction</th><th>Averaging period</th></tr><tr><td>Total Solid Particles</td><td>milligrams per cubic metre</td><td>100</td><td>Dry, 273 K, 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, 273 K, 101.3 kPa</td><td></td><td>1 hour</td></tr><tr><td>Lead</td><td>milligrams per cubic metre</td><td>5.0</td><td>Dry, 273 K, 101.3 kPa</td><td></td><td>1 hour</td></tr></table>	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	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	Note only - not auditable.	NT	NT	
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L3 Waste																									
L3.1	<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><tr><th>Code</th><th>Waste</th><th>Description</th><th>Activity</th><th>Other Limits</th></tr><tr><td>NA</td><td>Hazardous Wastes</td><td>Lead-acid or nickel-cadmium batteries (being waste generated or separately collected by activities carried out for business)</td><td>Waste storage</td><td>The quantity stored must not exceed 50 tonnes at any one time</td></tr><tr><td>NA</td><td>Scrap metal</td><td>Ferrous and non-ferrous metal</td><td>Waste storage Metallurgical Activities</td><td>No more than 500,000 tonnes can be processed per year</td></tr><tr><td>NA</td><td>Liquid Waste</td><td>Waste oil/hydrocarbons mixtures/emulsions in water (being waste generated or separately collected by activities carried out for business)</td><td>Waste storage</td><td>The quantity stored must not exceed 5,000 litres at any one time</td></tr></table>	Code	Waste	Description	Activity	Other Limits	NA	Hazardous Wastes	Lead-acid or nickel-cadmium batteries (being waste generated or separately collected by activities carried out for business)	Waste storage	The quantity stored must not exceed 50 tonnes at any one time	NA	Scrap metal	Ferrous and non-ferrous metal	Waste storage Metallurgical Activities	No more than 500,000 tonnes can be processed per year	NA	Liquid Waste	Waste oil/hydrocarbons mixtures/emulsions in water (being waste generated or separately collected by activities carried out for business)	Waste storage	The quantity stored must not exceed 5,000 litres at any one time	<p>Yearly reporting of waste quantities (via WARRP) to the Department were provided demonstrating compliance with the limits approved under his condition.</p> <p>Annual scrap metal recycling quantities for the audit period were:</p> <p>- 2021: 328,418.70T</p> <p>- 2022: 358,820.91T</p> <p>- 2023: 366,489.78T</p>	C	<p>1. Annual Waste Reports (2021, 2022, 2023)</p> <p>2. Audit interviews</p>	
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L4 Noise limits																									
L4.1	<p>Noise from the premises must not exceed the limits specified in the table below:</p> <table><tr><th>Location</th><th>Day LAeq(15 minute)</th><th>Evening LAeq(15 minu</th><th>Night LAeq(15 minute</th><th>Night LA1(1 minute)</th></tr><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 Mattand 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></table>	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	St Joseph's Retirement Village and any associated residence in Old Mattand 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>Leq metrics have been assessed using both receptor measurements, and site boundary measurements with extrapolation. Exceedances of up to 2dB have been reported, however these have been classified by the AECOM as insignificant. This is a misclassification and therefore, there have been actual exceedances within he audit period, however it should be noted that there have been no noise complaints made from nearby residents (note: one compliant made in 2022 which was determined not to be related to the sites activities).</p> <p>LA1 metrics have not been measured. 2023 reports note that the site was not operating during the night time periods, and therefore the site would be considered in compliance.</p>	NC	<p>1. InfraBuild Recycling Hexham - Quarterly Noise Monitoring Reports (2021, 2022 and 2023).</p> <p>2. Annual Environmental Management Reports (AECOM, 2021, 2022 and 2023).</p>	<p>NC-02 Noise Monitoring</p> <p>The noise monitoring reports should include the following detail</p> <p>- Information regarding weather monitoring data given the criteria are based on weather conditions</p> <p>- Comment should be made on tonality and impulsiveness for all measurements.</p> <p>- L1 criteria should be assessed if night time activities take place. Likely that measurements will be dominated by other sources, but this should be documented.</p>
Location	Day LAeq(15 minute)	Evening LAeq(15 minu	Night LAeq(15 minute	Night LA1(1 minute)																					
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L4.2	<p>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.</p>	<p>No comments have been made in the noise monitoring reports on the application of tonal or impulsive penalties. Site measurement notes indicate that some observed noise may be impulsive.</p>	OFI	<p>1. InfraBuild Recycling Hexam - Quarterly Noise Monitoring Reports (2021, 2022 and 2023).</p> <p>2. Annual Environmental Management Reports (AECOM, 2021, 2022 and 2023).</p>	<p>OFI-04 Noise Monitoring</p> <p>Future monitoring reports to include detail as to whether the observed noise is considered substantially tonal or impulsive.</p>																				
L4.3	<p>Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and Public Holidays.</p> <p>Evening is defined as the period from 6pm to 10pm.</p> <p>Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays.</p>	<p>Not applicable. Note only.</p>	NT	NT																					
L4.4	<p>The noise emission limits identified in Condition L4.1 apply under the following meteorological conditions;</p> <p>a) Wind speeds up to 3m/s at 10 metres above ground level; and</p> <p>b) Temperature inversion conditions of up to 3oC/100m.</p>	<p>Sufficient weather data has not been supplied to address this component. It is noted (although the condition is considered poorly worded) that this condition is most likely stating that where the wind speed or rainfall are above the stated values, noise measurements would be invalid, and therefore could not be used to determine compliance.</p>	C	<p>1. InfraBuild Recycling Hexam - Quarterly Noise Monitoring Reports (2021, 2022 and 2023).</p> <p>2. Annual Environmental Management Reports (AECOM, 2021, 2022 and 2023).</p>																					

L5 Hours of operation					
L5.1	<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 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.</p>	<p>The Auditee confirmed that generally, the shredder is operational between 7:00am and 3:00pm (4:30pm on occasion, however operational hours allow operating the shredder up to 6:00pm Monday to Saturday only. Maintenance activities occur until 10:00pm.</p> <p>The shredder run times in the OARS dashboard were sighted during the audit confirming the shredder was not operational outside of the allowable hours.</p>	C	<p>1. Audit interviews.</p> <p>2. OARS Dashboard - Shredder run times.</p>	
L6 Potentially offensive odour					
L6.1	<p>No condition of this licence identifies a potentially offensive odour for the purposes of section 129 of the <i>Protection of the Environment Operations Act 1997</i>.</p> <p>Note: Section 129 of the <i>Protection of the Environment Operations Act 1997</i>, 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.</p>	<p>There was one odour complaint was received (rubber smell), however investigations determined that the odour was not a result of activities occurring on site.</p> <p>There were no offensive odours observed at the time of the site inspection.</p>	C	<p>1. 2022 Complaints register.</p> <p>2. Site inspection</p>	
4 Operating Conditions					
O1 Activities must be carried out in a competent manner					
O1.1	<p>Licensed activities must be carried out in a competent manner.</p> <p>This includes:</p> <p>a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and</p> <p>b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.</p>	<p>Management measures to minimise environmental impacts on site included:</p> <ul style="list-style-type: none"> - operational hours (limiting shredder operating hours) - segregated storage areas for waste (including inspections of incoming waste to ensure only allowable waste is being received, and being directed to appropriate areas) - regular inspections of site including water treatment systems (GTP's), baghouse filters (maintenance and calibration records of equipment) <p>The management plans implemented on site also include management measures to address the requirements of this condition.</p>	C	<p>1. Site inspection</p> <p>2. Management Plans</p> <p>3. Monitoring records</p> <p>4. Equipment maintenance records - sighted (examples included Urban Asset Solutions - GPT; AECOM - dust deposition equipment;-</p>	

O2 Maintenance of plant and equipment					
O2.1	<p>All plant and equipment installed at the premises or used in connection with the licensed activity:</p> <p>a) must be maintained in a proper and efficient condition; and</p> <p>b) must be operated in a proper and efficient manner.</p>	<p>Maintenance schedule and records are maintained through the SAP system (workorder requests). A review of SAP occurs on a monthly basis to identify upcoming equipment maintenance, workorders are printed out and delegated to appropriate persons for actioning. The Auditee demonstrated knowledge of how the maintenance work order (WO) system worked by navigating through the process (can filter WO's by routine / corrective/ emergency maintenance).</p> <p>Three examples (one for routine maintenance for the shredder and one for the wash bay as well as one for corrective action maintenance for a cracked grill in the mill) were sighted in SAP and the Auditee explained the whole process. The WO's included order number, date, what was required, person assigned to action the WO, what actions were undertaken (including if additional items were identified requiring attention) etc. Completed WO is signed off by the person undertaking action and the supervisor, details updated in SAP, original signed versions scanned and saved on internal drives</p> <p>Use these to look at history of work completed if something "new" pops up.</p> <p>Monthly operations report includes stats of WO's raised, completed and overdue. Any overdue items are discussed</p>	C	<p>1. SAP system (WO examples sighted)</p> <p>2. Audit interviews/</p>	
O3 Dust					
O3.1	The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.	<p>Dust suppression observed on site included:</p> <ul style="list-style-type: none"> - Water truck continually wetting down traffic and work areas (constant rotation around the site) - Sweeper truck (twice a day minimum) - water sprays (shredder and the conveyor system) - Dust Buster chemical (automatic dosing system used in the shredder) - chemical sighted - All trucks entering / exiting the site have covers (if they don't they are refused entry; weighbridge camera used to check they are present and being used; also included in the driver induction) - trucks observed on site confirmed they all had covers and they were being used - Landscaping present <p>There are also dust monitoring points (depositional points and real time monitors (currently being installed) that are maintained and operated by a third party (AECOM).</p>	C	<p>1. Site inspection</p> <p>2. Audit interviews</p>	
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.	Observations on site confirmed that there was no excessive dust being generated by operations during the site inspection.	C		
O3.3	The licensee must ensure that no material, including sediment or oil is tracked from the Premises	Observations made during the audit did not identify any sediment or oil being tracked offsite.	C	<p>1. Site inspection</p> <p>2. Audit interviews</p>	

O4 Emergency response					
O4.1	<p>Note: The licensee must maintain, and implement as necessary, a current Pollution Incident Response Management Plan (PIRMP) for the premises. The PIRMP must be developed in accordance with the requirements in Part 5.7A of the <i>Protection of the Environment Operations (POEO) Act 1997</i> and POEO regulations. The licensee must keep the incident response plan on the premises at all times. The incident 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. The PIRMP must be tested at least annually or following a pollution incident.</p>	<p>A Pollution Incident Response Management Plan (PIRMP) has been developed for the site and is tested on an annual basis (records of drills are maintained on Cority). A copy was available on site as well as published on the website.</p> <p>Examples of the implementation and recording of incidents in accordance with the PIRMP were provided. Detail includes evacuation sequence, observation and review points, comments and opportunities for improvement, register of persons in attendance and sign off by the observer.</p> <p>Any observations or opportunities for improvement are discussed with site personnel.</p>	C	<p>1. Pollution Incident Response Management Plan EPL 4345 (V.2.4, 8/12/2023)</p> <p>2. Emergency Evacuation Observers Checklist (Emergency Evacuation Stockpile Fire (6/12/2023)</p> <p>3. Emergency Evacuation Observers Checklist (Emergency Evacuation Stockpile Fire at Shredder Infeed Area (14/08/2022)</p> <p>4. Emergency Evacuation Observers Checklist (Gas leak in HM Yard (8/01/2021)</p>	
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.	Waste management is addressed in Appendix 2 of the OEMP. Waste is segregated and either stored in skip bins or stockpiled in a manner / location minimising risk of movement offsite, shade cloth was erected on fencing, landscaping and dust management measures implemented. Observations made during the site inspection confirmed the use of a water truck on site for dust suppression, waste areas were being inspected and tidied by staff on a regular occurrence, no evidence of waste migrating offsite.	C	<p>1. Operational Environmental Management Plan (22/04/2021)</p> <p>2. Site inspection</p>	
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.	Observations made during the site inspection confirmed that all above ground tanks were suitable bunded. Spill kits available in suitable locations,	C	1. Site inspection.	
O5.3	<p>Bunds must:</p> <p>a) have walls and floors constructed of impervious materials;</p> <p>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);</p> <p>c) have floors graded to a collection sump; and</p> <p>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.</p>	Observations made during the site inspection confirmed bunding complied with the requirements of this condition and were well maintained.	C	1. Site inspection.	
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.	Waste management is addressed in Appendix 2 of the OEMP. Including identification of wastes and control measures.	C	<p>1. Operational Environmental Management Plan (22/04/2021)</p> <p>2. Site inspection</p>	
O6.2	The licensee must ensure that waste identified for recycling is stored separately from other waste.	Observation made during the site inspection confirmed waste segregation is being implemented.	C	1. Site inspection.	
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.	The baghouse is fitted with an alarmed bag leak detection system and notifications are sent directly to the control room operator.	C	<p>1. Audit interviews.</p> <p>2. Site inspection.</p>	
O7.2	There must be no incineration or open burning of any material(s) on the premises, except as specifically authorised by the EPA.	The Auditee confirmed that no incineration nor burning of any materials occurs on site.	C	1. Audit interviews.	
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.	Observation made during the site inspection confirmed that there were visible dust emissions or fumes.	C	<p>1. Audit interviews.</p> <p>2. Site inspection.</p>	

O7.4	<p>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:</p> <p>(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.</p> <p>(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.</p>	<p>Observations on site confirmed that all vehicles entering and exiting the site were in a clean state and tray covers were closed; no signs of waste migrating offsite as a result of truck movements.</p> <p>Site personnel were observed to be inspecting and tidying up areas throughout the site inspection.</p> <p>Contract truck drivers are required to complete a Driver Induction which outlines the do's and don'ts of accessing and driving through the site:</p> <ul style="list-style-type: none"> - UHF channels - Speed limits - Traffic signals on site - Loading and unloading procedures (including covering loads) <p>All drivers receive an induction card verifying they understand all site rules.</p>	C	<p>1. Hexam Traffic Management PlanV.6 (HEX-OPS-PC-SOP-602, 17/06/2020).</p> <p>2. Hexam Driver Induction - Do's & Don'ts</p> <p>3. Site inspection.</p>	
O7.5	<p>The licensee must maintain site grading and profiles to prevent surface water ponding and allow for surface water to flow to formalised surface water management systems.</p>	<p>The site was constructed outside of this audit period, however the Auditee confirmed that the site was designed and constructed to meet the requirements of this condition.</p> <p>There were no areas of water pooling/ponding observed during the site inspection.</p>	C	<p>1. Audit interviews.</p> <p>2. Site inspection.</p>	
O7.6	<p>The licensee must ensure that all erosion and sediment control measures installed on the premises are inspected and works undertaken to repair and maintain these controls:</p> <p>a) at least weekly, and</p> <p>b) immediately before site closure, and</p> <p>c) immediately following rainfall events that cause runoff.</p> <p>The licensee must record all such inspections including observations and works undertaken to repair and maintain erosion and sediment controls.</p> <p>Note: For the purpose of the condition above, 'Site Closure' means a period when the premises is unoccupied for more than 24 hours.</p>	<p>Maintenance schedule and records are maintained through the SAP system (workorder requests). Monthly monitoring and quarterly routine maintenance (additional maintenance undertaken if identified in the monthly inspections or as directed by site personnel) of the stormwater system (Ecosol GTPs, associated piped and pits and the sediment forebay) is undertaken by Urban Asset Solutions (UAS). A</p>	C	<p>1. Audit interviews.</p> <p>2. UAS Monitoring and Maintenance Schedule.</p>	
5 Monitoring and Recording Conditions					
M1 Monitoring records					
M1.1	<p>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.</p>	<p>Monitoring records were confirmed to be maintained during the audit and were readily available upon request (Auditee navigated through the electronic system to demonstrate compliance).</p>	C	<p>1. Site inspection</p> <p>2. Audit interviews</p>	
M1.2	<p>All records required to be kept by this licence must be:</p> <p>a) in a legible form, or in a form that can readily be reduced to a legible form;</p> <p>b) kept for at least 4 years after the monitoring or event to which they relate took place; and</p> <p>c) produced in a legible form to any authorised officer of the EPA who asks to see them.</p>	<p>Records sighted on the relevant electronic document controls systems demonstrated compliance with the requirements of this condition.</p>	C	<p>1. Site inspection</p> <p>2. Audit interviews</p>	
M1.3	<p>The following records must be kept in respect of any samples required to be collected for the purposes of this licence:</p> <p>a) the date(s) on which the sample was taken;</p> <p>b) the time(s) at which the sample was collected;</p> <p>c) the point at which the sample was taken; and</p> <p>d) the name of the person who collected the sample.</p>	<p>Monitoring records for dust, emissions and noise demonstrated compliance with the requirement of this condition.</p>	C	<p>1. InfraBuild Recycling Hexam - Quarterly Noise Monitoring Reports (2021, 2022 and 2023).</p> <p>2. Emissions Testing Reports (2021, 2022, 2023).</p> <p>3. Ambient Air Monitoring Reports</p>	

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.	Monitoring occurred generally in accordance with the requirements of this condition during the audit period.	C	1. Emissions Testing Reports (2021, 2022, 2023).																																									
M2.2	Water and/ or Land Monitoring Requirements (as per table for point 2, 3, 6 and Point 4, 5	Monitoring occurred in accordance with the requirements of this condition with the exception of monitoring in 2021. There were three occasions where monthly monitoring did not occur at points 4 and 5. This was identified as a NC in the 2021 AEMR.	NC	1. Surface Water Mitigation and Monitoring Plan (AECOM, 29/04/2020) 2. Annual Environmental Management Reports (AECOM, 2021, 2022 and 2023).	NC-07 Monitoring No action required. Actions identified an implemented.																																								
M2.3	NC-07 Monitoring No action required. Actions identified an implemented.	Monitoring occurs in accordance with the requirements of this condition.	C	1. Surface Water Mitigation and Monitoring Plan (AECOM, 29/04/2020) 2. Annual Environmental Management Reports (AECOM, 2021, 2022 and 2023).																																									
M2.4	Air Monitoring Requirements <table><tr><th colspan="4">POINT 1</th></tr><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling Method</th></tr><tr><td>Lead</td><td>milligrams per cubic metre</td><td>Yearly</td><td>TM-12</td></tr><tr><td>Mercury</td><td>milligrams per cubic metre</td><td>Yearly</td><td>TM-14</td></tr><tr><td>PM10</td><td>micrograms per cubic metre</td><td>Yearly</td><td>OM-5</td></tr><tr><td>Total Solid Particles</td><td>milligrams per cubic metre</td><td>Yearly</td><td>TM-15</td></tr></table>	POINT 1				Pollutant	Units of measure	Frequency	Sampling Method	Lead	milligrams per cubic metre	Yearly	TM-12	Mercury	milligrams per cubic metre	Yearly	TM-14	PM10	micrograms per cubic metre	Yearly	OM-5	Total Solid Particles	milligrams per cubic metre	Yearly	TM-15	Port Hunter Environmental (on behalf of AECOM) undertake quarterly emissions testing. A review of the reports provided confirmed the pollutants in Point 1 table are monitored.	C	1. Emissions Testing Reports (2021, 2022, 2023).																	
POINT 1																																													
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Lead	milligrams per cubic metre	Yearly	TM-12																																										
Mercury	milligrams per cubic metre	Yearly	TM-14																																										
PM10	micrograms per cubic metre	Yearly	OM-5																																										
Total Solid Particles	milligrams per cubic metre	Yearly	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: a) any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or b) 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 c) 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.	AECOM undertake quarterly emissions testing. Section 3 of the reports outlines the methodology used to undertake the testing : - as per procedures outlined in the Australian Standards and NSW EPA approved methods (which are based off USEPA methods). The methods identified in Table 2 are accredited with NATA (accreditation number 21069) and are approved for the sampling and analysis of emission gases.	C	1. Emissions Testing Reports (2021, 2022, 2023).																																									
M3.2	Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.	AECOM undertake quarterly emissions testing. Section 3 of the reports outlines the methodology used to undertake the testing : - as per procedures outlined in the Australian Standards and NSW EPA approved methods (which are based off USEPA methods). The methods identified in Table 2 are accredited with NATA (accreditation number 21069) and are approved for the sampling and analysis of emission gases.	C	1. Emissions Testing Reports (2021, 2022, 2023).																																									
M4 Weather monitoring																																													
M4.1	At the point(s) identified below, the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1 of the table below, using the corresponding sampling method, units of measure, averaging period and sampling frequency, specified opposite in the Columns 2, 3, 4 and 5 respectively. <table><tr><th colspan="5">POINT 7</th></tr><tr><th>Parameter</th><th>Sampling method</th><th>Units of measure</th><th>Averaging period</th><th>Frequency</th></tr><tr><td>Rainfall</td><td>AM-4</td><td>millimetres</td><td>1 hour</td><td>Daily</td></tr><tr><td>Wind Speed at 10 metres</td><td>AM-2 & AM-4</td><td>metres per second</td><td>15 minutes</td><td>Continuous</td></tr><tr><td>Wind Direction at 10 metres</td><td>AM-2 & AM-4</td><td>Degrees</td><td>15 minutes</td><td>Continuous</td></tr><tr><td>Temperature at 10 metres</td><td>AM-4</td><td>degrees Celsius</td><td>15 minutes</td><td>Continuous</td></tr><tr><td>Temperature at 2 metres</td><td>AM-4</td><td>degrees Celsius</td><td>15 minutes</td><td>Continuous</td></tr><tr><td>Sigma Theta</td><td>AM-2 & AM-4</td><td>Degrees</td><td>15 minutes</td><td>Continuous</td></tr></table>	POINT 7					Parameter	Sampling method	Units of measure	Averaging period	Frequency	Rainfall	AM-4	millimetres	1 hour	Daily	Wind Speed at 10 metres	AM-2 & AM-4	metres per second	15 minutes	Continuous	Wind Direction at 10 metres	AM-2 & AM-4	Degrees	15 minutes	Continuous	Temperature at 10 metres	AM-4	degrees Celsius	15 minutes	Continuous	Temperature at 2 metres	AM-4	degrees Celsius	15 minutes	Continuous	Sigma Theta	AM-2 & AM-4	Degrees	15 minutes	Continuous	The meteorological station was observed to be located in the north western corner of the site. A review of the Met Summary Data sheets confirmed that the parameters outlined in Table 4 are recorded, however the Auditee confirmed that the wind speed sensor is not returning valid readings (as per AECOM advise). Meteorological monitoring results are reported in the AEMR.	NC	1. Annual Environmental Management Reports (AECOM: 2021, 2022, 2023). 2. Met Summary Data Sheets (2020 - 2023). 3. Site inspection. 4. Audit interviews.	NC-04 Monitoring Equipment Repair or replace the meteorological meter to ensure valid wind speed readings are recorded.
POINT 7																																													
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Rainfall	AM-4	millimetres	1 hour	Daily																																									
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M4.2	The licensee must ensure that the meteorological station on the premises complies with the requirements in the latest version of the Approved Methods of Sampling of Air Pollutants in New South Wales.	The meteorological station was observed to be located in the north western corner of the site. However it was confirmed by the Auditee that the wind speed sensor is not returning valid readings (as per AECOM advise).	NC	1. Annual Environmental Management Reports (AECOM: 2021, 2022, 2023). 2. Met Summary Data Sheets (2020 - 2023). 3. Site inspection. 4. Audit interviews.	NC-04 Monitoring Equipment Repair or replace the meteorological meter to ensure valid wind speed readings are recorded.
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.	All complaints are maintained in the sites complaints register. A review of the complaints register confirmed: - 2021: no complaints recorded - 2022: two complaints recorded - contaminated water from fire fighting foam (contained on site) - odour and explosion (both deemed not related to site operations) - 2023: no complaints recorded - 2024 (up to 23/04/2024): no complaints recorded Complaints are also recorded in the AEMRs.	C	1. Complaints Register (2021 - 2024). 2. Cority (sighted). 3. Annual Environmental Management Reports (AECOM: 2021, 2022, 2023).	
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.	All complaints are captured in Cority (sighted). A review of complaints recorded in the system confirmed that the requirements of this condition are captured, as a well as including a function that allows for attachments to be uploaded such as photos.	C	1. Complaints Register (2021 - 2024). 2. Cority (sighted).	
M5.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	Complaints register between 2017-2023 was sighted confirming records are maintained in accordance with the requirement of this condition.	C	1. Complaints Register (2021 - 2024). 2. Cority (sighted).	
M5.4	The record must be produced to any authorised officer of the EPA who asks to see them.	Records are maintained in Cority and are available on site upon request.	C	1. Complaints Register (2021 - 2024). 2. Cority (sighted).	
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.	The InfraBuild website has a dedicated page for complaints handling which includes a form for submission of online complaints and a dedicated phone number for the Hexam site. The Auditee also confirmed that the CCC members have been provided with site contact details.	C	1. InfraBuild website: https://www.infrabuild.com/ 2. Audit interviews.	
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 has a dedicated page for complaints handling which includes a form for submission of online complaints and a dedicated phone number for the Hexam site. The Auditee also confirmed that the CCC members have been provided with site contact details.	C	1. InfraBuild website: https://www.infrabuild.com/ 2. Audit interviews.	
M6.3	The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.	Note only, not auditable.	NT	NT	

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 via email to info@epa.nsw.gov.au with attention to the Manager of Regulatory Operations, Metropolitan North. Note: This condition does not apply until two(2) weeks after the date of issue of the variation notice to include this condition.	The Environmental Representative for the site is Paul Smith (Site Manager). This was also verified in the 2020 IEA. Section 14.5 of the OEMP states details are included in the Hexam Emergency Response Plan (sighted). The Auditee stated that InfraBuild received confirmation from the Department that notification was not required, providing the details were updated in the relevant site management plans as required. Evidence of this written advice was not available at the time of the audit.	OFI	1. Audit interviews. 2. Operational Environmental Management Plan (22/04/2021). 3. Hexam Emergency Response Plan.	OFI - 05 Consultation Records Ensure consultation records are maintained in the document control system for future compliance requirements.
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.	Details provide for the equipment being used is noted to be from Texcel equipment. Although specific data regarding the specifications, or make and model of the measurement equipment for this clause has not been supplied, typically Texcel equipment is designed to comply with this standard, however this could not be verified during the audit.	OFI	1. Audit interviews. 2. Email correspondence confirming the equipment type.	OFI-02 Monitoring Equipment Included details of the monitoring instrument (Texcel) in the monitoring reports to demonstrate it complies with the Australian Standard 2187.2 of 1993.
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.	Quarterly monitoring has been supplied. AECOM have been engaged to undertake the quarterly reporting, and are recognised as having an acoustics specialists group. However the monitoring report lack detail to fully demonstrate compliance with condition L4.1 (refer to findings for condition 4.1)	NC	1. InfraBuild Recycling Hexham - Quarterly Noise Monitoring Reports (2021, 2022 and 2023). 2. Annual Environmental Management Reports (AECOM, 2021, 2022 and 2023).	NC-02 The noise monitoring reports should include the following detail - Information regarding weather monitoring data given the criteria are based on weather conditions - Comment should be made on tonality and impulsiveness for all measurements. - L1 criteria should be assessed if night time activities take place. Likely that measurements will be dominated by other sources, but this should be documented.
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.	Annual returns submitted to the Department via the online portal. Copies the annual returns between 2020 - 2023 provided confirmed they address the requirements of this condition. Confirmation of submission are available via the Departments website.	C	1. Audit interviews. 2. Annual Returns (2020 - 2023) 3. https://apps.epa.nsw.gov.au/prpoeo/app/Detail.aspx?instid=5345&id=5345&option=licence&searchrange=licence&range=POEO%20licence&prp=no&status=Issued	
R1.2	An Annual Return must be prepared in respect of each reporting period, except as provided below.	Annual returns submitted to the Department via the online portal. Confirmation of submission are available via the Departments website.	C	1. Audit interviews. 2. Annual Returns (2020 - 2023) 3. https://apps.epa.nsw.gov.au/prpoeo/app/Detail.aspx?instid=5345&id=5345&option=licence&searchrange=licence&range=POEO%20licence&prp=no&status=Issued	

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.	Not applicable. The licence has not been transferred during the audit period. Details of all previous licence transfers are available on the Departments website.	NT	1. https://apps.epa.nsw.gov.au/prpoeoapp/Detail.aspx?instid=5345&id=5345&option=licence&searchrange=licence&range=POEO%20licence&prp=no&status=Issued	
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.	Not applicable. The licence has not been surrendered or revoked.	NT	NT	
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').	A review of the Departments website confirmed that the reporting period is 19 December to 18 December, therefore the is required to be submitted by 16 February. A review of the Departments website confirmed : - 2019 to 2020: received 19/01/2021 - 2020 to 2021: received 2/03/2022 (late submission) - 2021 to 2022: received 1/02/2023 - 2022 to 2023: received 5/02/2024	NC	1. https://apps.epa.nsw.gov.au/prpoeoapp/Detail.aspx?instid=5345&id=5345&option=licence&searchrange=licence&range=POEO%20licence&prp=no&status=Issued	NC-06 Annual Reporting Ensure all future annual returns are submitted within 60 days after the end of the reporting period.
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.	Electronic copies of annual returns are retained on site and were sighted during the audit interviews.	C	1. Annual Returns (2020 - 2023)	
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.	All annual returns are signed by an appropriate personal with appropriate delegations: - 2020 to 2021: Commercial Finance Manager - 2021 to 2022: Director Recycling International and Business Development - 2022 to 2023: Director Recycling International and Business Development	C	1. Annual Returns (2020 - 2023)	
R2 Notification of environmental harm					
R2.1	Notifications must be made by telephoning the Environment Line service on 131 555.	A review of the complaints / incidents register confirmed that there were no reportable incidents within the audit period. Details for incident notification are outlined in the OEMP.	NT	1. Complaints Register (2021 - 2024). 2. Cority (sighted). 3. Annual Environmental Management Reports (AECOM: 2021, 2022, 2023). 4. Audit interviews.	
R2.2	The licensee must provide written details of the notification to the EPA within 7 days of the date on which they became aware of the incident. 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.	A review of the complaints / incidents register confirmed that there were no reportable incidents within the audit period	NT	NT	

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.	Not applicable. No requests for written reports of an event have been requested by the Department within the audit period. It is noted that a show cause notice was issued in 2020 however this was assessed as part of the 2020 independent audit.	NT	NT	
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.	Not applicable. No requests for written reports of an event have been requested by the Department within the audit period.	NT	NT	
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 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.	Not applicable. No requests for written reports of an event have been requested by the Department within the audit period.	NT	NT	
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.	Not applicable. No requests for written reports of an event have been requested by the Department within the audit period.	NT	NT	
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.	Not applicable. No requests for written reports of an event have been requested by the Department within the audit period.	NT	NT	

R4 Other reporting conditions

Waste reporting					
R4.1	<p>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:</p> <p>a) the quantity and source of the waste received at the Premises during the month to which the report relates;</p> <p>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;</p> <p>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;</p> <p>d) the waste stream of waste received at the Premises and transported from the Premises during the month to which the report relates;</p> <p>e) the destination to which the shredder floc generated during the month to which the report relates is being transported for disposal; and</p> <p>f) any waste, including shredder floc, that is being transported off the Premises under a resource recovery order.</p>	Annual waste reports are submitted to the Department via the Waste and Resource Reporting Portal (WARRP). A review of the reports demonstrated compliance with the requirements of this condition.	C	<p>1. Annual WARRP reports (2021, 2022, 2023).</p> <p>2. Audit interviews.</p>	
Annual Shredder Floc Performance Report					
R4.2	<p>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:</p> <p>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;</p> <p>b) quantity in tonnes of:</p> <p>i. scrap metal infeed processed,</p> <p>ii. shredder floc generated,</p> <p>iii. scrap metal recovered from processing,</p> <p>iv. shredder floc disposed of at a scheduled waste disposal facility; and</p> <p>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.</p> <p>The Annual Shredder Floc Performance Report must be provided to RegOps.MetroRegulation@epa.nsw.gov.au.</p>	<p>Waste Contributions Monthly Report (WCMR) reports submitted to the EPA (reports sighted) and address the requirements of this condition.</p> <p>The form includes details of sources, quantities and type of waste, shredder floc quantity and where it is being disposed to (e.g. Erskine Park Landfill).</p>	C	<p>1. WCMR (sighted)</p> <p>2. Audit interviews</p>	
R4.3	<p>The following records must be kept for 6 years and made available to the EPA on request:</p> <p>a) information required to be provided in WARRP within 26 days after the end of each month, as specified in condition R4.1; and</p> <p>b) information required to compile the Annual Shredder Floc Performance Report, as specified in condition R4.2.</p>	Records required by this condition were sighted during the audit confirming compliance with the requirements of this condition.	C	<p>1. Annual WARRP submissions (2021 - 2023)</p> <p>2. Audit interviews</p>	
R4.4	<p>For condition R4.1 to R4.3:</p> <p>a) Shredder floc means residual waste generated directly from the shredding of scrap metal.</p> <p>b) WARRP means the NSW EPA Waste and Resource Reporting Portal at: http://warrp.epa.nsw.gov.au/default.aspx.</p> <p>c) financial year period means the period of 12 months commencing on 1 July in any year.</p>	Note only, not auditable.	NT	NT	
7 General Conditions					
G1 Copy of licence kept at the premises or plant					

G.1	A copy of this licence must be kept at the premises to which the licence applies.	A copy of licence provided at the time of the audit. A copy is located in the Site managers office and is available upon request.	C	1. EPA licence 2. Ste inspection. 3. Audit interviews																															
G.2	The licence must be produced to any authorised officer of the EPA who asks to see it.	The Auditee confirmed that the licence is available upon request, however no request from eh Department have been made as per the requirements of this condition.	NT	1. Audit interviews																															
G.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.	A copy of licence provided at the time of the audit. A copy is located in the Site managers office and available to any staff member electronically on the sites internal drives. The Auditee confirmed that can be made available to persons upon request.	C	1. EPA licence 2. Audit interviews																															
G2 Other general conditions																																			
G2.1 Completed Programs																																			
	<table><tr><th>Program</th><th>Description</th><th>Completed Date</th></tr><tr><td>PRP 1 - Investigation to Reduce Smoke and Fume</td><td>Study smoke and fume reduction techniques when oxyacetylene cutting steel. Reduction of air quality emissions.</td><td>21-December-2004</td></tr><tr><td>PRP 2 - Investigate alternatives to reduce emissions from premises</td><td>Investigate alternatives to reduce emissions from oxy/gas cutting operations to the atmosphere. Prevent smoke and gas emissions into the environment.</td><td>01-February-2008</td></tr><tr><td>PRP 3 - Noise Reduction Investigation</td><td>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.</td><td>02-November-2007</td></tr><tr><td>PRP 4 - Stormwater Quality Investigation</td><td>Investigation into quality of stormwater discharging the premises to assess compliance with section 120 of the POEO Act.</td><td>29-November-2013</td></tr><tr><td>PRS 5 - Surface Water Characterisation</td><td>Investigation into pollutants of concern in surface water generated at the premises and discharged into Ironbark Creek</td><td>04-February-2021</td></tr><tr><td>PRS 6 - Soil and Groundwater Assessment</td><td>An environmental assessment is required to characterise soil and groundwater conditions across the site, and to assess potential risks to the adjacent Ironbark Creek from any identified subsurface contamination.</td><td>24-July-2020</td></tr><tr><td>PRS 7 - Dust Mitigation Study</td><td>Investigate and implement dust mitigation options such that dust emissions from the premises are minimised.</td><td>02-September-2019</td></tr><tr><td>PRP 8 - Surface Water Mitigation and Monitoring</td><td>Addition of surface water mitigation measures to be implemented at the premises as identified in the Surface Water Mitigation and Monitoring Plan. Monitoring conditions added to licence and expectation of monitoring further explained in this condition.</td><td>10-February-2023</td></tr><tr><td>PRS 9 - Air Quality Management Plan</td><td>Air Quality Management Plan to be prepared for the Premises. This will include site inspection and audit requirements, increased dust deposition monitoring locations, mitigation measures for weather conditions prone to high dust generation, training requirements for staff and mitigation management action plan.</td><td>04-March-2022</td></tr></table>	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	PRS 5 - Surface Water Characterisation	Investigation into pollutants of concern in surface water generated at the premises and discharged into Ironbark Creek	04-February-2021	PRS 6 - Soil and Groundwater Assessment	An environmental assessment is required to characterise soil and groundwater conditions across the site, and to assess potential risks to the adjacent Ironbark Creek from any identified subsurface contamination.	24-July-2020	PRS 7 - Dust Mitigation Study	Investigate and implement dust mitigation options such that dust emissions from the premises are minimised.	02-September-2019	PRP 8 - Surface Water Mitigation and Monitoring	Addition of surface water mitigation measures to be implemented at the premises as identified in the Surface Water Mitigation and Monitoring Plan. Monitoring conditions added to licence and expectation of monitoring further explained in this condition.	10-February-2023	PRS 9 - Air Quality Management Plan	Air Quality Management Plan to be prepared for the Premises. This will include site inspection and audit requirements, increased dust deposition monitoring locations, mitigation measures for weather conditions prone to high dust generation, training requirements for staff and mitigation management action plan.	04-March-2022	Not auditable.	NT		
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APPENDIX E SITE INSPECTION PHOTOS



Plate P1. Skip bin storage area for waste segregation



Plate P2. Internal stormwater management system



Plate P3. IBCs, drums and batteries stored in bunded area



Plate P4. Fuel containers stored outside of bunded area



Plate P5. Bowl of oily water outside of bunded area



Plate P6. Stormwater management system (Sparkes Street)



Plate P7. Vegetated swale /buffer between the site and railway line



Plate P8. Established landscaping along the boundary of the shredder yard



Plate P9. Water storage for fire management in the shredder yard



Plate P10. Shredder



Plate P11. Shredder yard



Project name: **Independent Environmental Audit – InfraBuild Recycling Hexham**

APPENDIX F IEA ACTION PLAN

InfraBuild Heham Metal Recycling Facility
2023 Independent Environmental Audit
2023 Actions

Unique Identifier	Condition Number	Condition wording (exact)	Audit Findings	Evidence	Actions/Recommendations																								
NC-01	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;	The site is generally being operated in accordance with the requirements of this condition, however non-compliance have been identified as a result of this audit.	1. Audit interviews. 2. Site inspection.	NC-01 General Compliance InfraBuild to ensure that appropriate processes are developed and implemented to ensure compliance with the requirements of this condition.																								
	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 this audit, triggering a non-compliance with this condition.																										
NC-02	4.3	¹ 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. <table><caption>Table 2 - Operation Noise Limits</caption><tr><th rowspan="2">Location</th><th>Day</th><th>Evening</th><th colspan="2">Night</th></tr><tr><th>7:00am to 6:00pm Monday to Friday (15 minutes)</th><th>6:00pm to 10:00pm Monday to Friday (15 minutes)</th><th>10:00pm to 7:00am Monday to Saturday 10:00pm to 6:00am Sunday (15 minutes)</th><th>LA1(1 minute)</th></tr><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></table> <p>None (L10) shall be added to the measured level should the noise be substantially tonal or impulsive in character.</p>	Location	Day	Evening	Night		7:00am to 6:00pm Monday to Friday (15 minutes)	6:00pm to 10:00pm Monday to Friday (15 minutes)	10:00pm to 7:00am Monday to Saturday 10:00pm to 6:00am Sunday (15 minutes)	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	Monitoring reports observed for 2021, 2022, 2023. Overall, compliance reporting is limited to LAeq and does not address LA1 criterion for night time. Reports from 2023 make comment that LA1 is considered to comply due to no night time operations, however the report does not include any measurements. A number of non-conformances are measured along with a comment that the site was the dominant noise source. Alternative calculation method is employed to determine the likely contribution at the receptors. Measurement notes indicate that there was impulsive noise, but no indication as to whether a penalty was applied. If applied to R1 in Q4 2023, this would result in an exceedance. The change from ISO9613 to Concawe in 2023 is also noted.	1. InfraBuild Recycling Hexham - Quarterly Noise Monitoring Reports (2021, 2022 and 2023). 2. Annual Environmental Management Reports (Aecon, 2021, 2022 and 2023).	NC-02 Noise Monitoring The noise monitoring reports should include the following detail - Information regarding weather monitoring data given the criteria are based on weather conditions - Comment should be made on tonality and impulsiveness for all measurements. - L1 criteria should be assessed if night time activities take place. Likely that measurements will be dominated by other sources, but this should be documented.
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EPL L4.1	Noise from the premises must not exceed the limits specified in the table below: <table><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><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></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	Leq metrics have been assessed using both receptor measurements, and site boundary measurements with extrapolation. Exceedances of up to 2dB have been reported, however these have been classified by AECOM as insignificant. This is a misclassification and therefore, there have been actual exceedances within he audit period, however it should be noted that there have been no noise complaints made from nearby residents (note: one compliant made in 2022 which was determined not to be related to the sites activities). LA1 metrics have not been measured. 2023 reports note that the site was not operating during the night time periods, and therefore the site would be considered in compliance.							
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																									

NC-02	EPL 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.	Quarterly monitoring has been supplied. AECOM have been engaged to undertake the quarterly reporting, and are recognised as having an acoustics specialists group. However the monitoring report lack detail to fully demonstrate compliance with condition L4.1 (refer condition 4.1 findings)	1. InfraBuild Recycling Hexham - Quarterly Noise Monitoring Reports (2021, 2022 and 2023). 2. Annual Environmental Management Reports (Aecon, 2021, 2022 and 2023).	NC-02 Noise Monitoring The noise monitoring reports should include the following detail - Information regarding weather monitoring data given the criteria are based on weather conditions - Comment should be made on tonality and impulsiveness for all measurements. - L1 criteria should be assessed if night time activities take place. Likely that measurements will be dominated by other sources, but this should be documented.																																																		
NC-03	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.	Bunded facilities for the storage of chemicals, fuels and oils were observed on site, however during the site inspection, it was identified the there were two jerry can (unlabelled, however Audit confirmed they contained fuel) and a bowl of what appeared to be waste oily water were located outside of the bunded storage areas. Site personnel were questioned and were unsure as to why they were not within the bunded areas. The site personnel were reminded of why they are required to be stored appropriately and were instructed to move them to appropriate areas (actions observed at the time of the audit).	1. Audit interviews. 2. Site inspection.	NC-03 Dangerous Goods and Hazardous Chemical Management All chemicals containers to be stored in bunded areas complying with the requirements of the EPA’s Environmental Protection Manual - Undertake a toolbox meeting or similar to remind staff of the storage requirements.																																																		
NC-04	5.10	²⁶ 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><caption>Table 5 – Meteorological monitoring</caption><tr><th>Parameter</th><th>Units of Measure</th><th>Averaging Period</th><th>Frequency</th><th>Method</th></tr><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 & Am-4</td></tr><tr><td>- Measurement</td><td></td><td></td><td></td><td>AM-2 and AM-4</td></tr></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	The meteorological station was observed to be located in the north western corner of the site. A review of the Met Summary Data sheets confirmed that the parameters outlined in Table 4 are recorded, however the Auditee confirmed that the wind speed sensor is not returning valid readings (as per AECOM advise). Meteorological monitoring results are reported in the AEMR (wind speed and direction sourced form DPE Mayfield West station).	1. Annual Environmental Management Reports (AECOM: 2021, 2022, 2023). 2. Met Summary Data Sheets (2020 - 2023). 3. Site inspection. 4. Audit interviews.	NC-04 Monitoring Equipment Repair or replace the meteorological meter to ensure valid wind speed readings are recorded.
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EPL M4.1	At the point(s) identified below, the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1 of the table below, using the corresponding sampling method, units of measure, averaging period and sampling frequency, specified opposite in the Columns 2, 3, 4 and 5 respectively.																																																						
NC-05	7.5a)	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;	7.5a) Noise Management Plan (NMP) The NMP is included in Appendix 5 of the OMEP. The following items have not been adequately addressed: - Potential noise sources has nominated "normal operations" as a noise source. "Normal operations" are not a noise source. This should be specific to noise sources on site - e.g. shredder, forklifts etc. - Night time LA1 noise limit is missing from the table - Does not include weather monitoring requirements (to exclude data) - Does not include overpressure and vibration monitoring requirements - Does not include any details of the method for determining compliance based on site boundary monitoring - Doesn't state outright the offsite monitoring locations (currently states streets by not actual location of the monitoring location).	1. Operational Environmental Management Plan (22/04/2021). 2. Hexham Traffic Management Plan Version 6 (HES-OPS-PC-SOP-602, date reviewed 17/06/2020). 3. Hexham Emergency Response Plan Version 8 (HEX-OHS-RM-TOOL-601, date reviewed 20/10/2020)	NC-05 OEMP and subplans Update the OEMP and the subplans to address all requirements of condition 7.5. Where specific items are addressed in another management plan - reference to the plan should be included. Noise Management Plan: i) include all specific noise sources on site such as shredder, forklifts, etc. iii) Include the following detail - weather monitoring requirements as outlined in Condition 5.10 - overpressure and vibration monitoring requirements - specific details of the location of the offsite monitoring points - details of the method for determining compliance based on site boundary monitoring																																																		

	7.5c)	<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> <p>i) a detailed description of the likely flood behaviour of the area within the vicinity of the site;</p> <p>ii) identification of the flood warning systems that would be utilised by the proposed operations;</p> <p>iii) details of the workforce education awareness program implemented at the site;</p> <p>iv) details of the evacuation and evasion procedures that would be undertaken in a time of an emergency;</p> <p>v) identification of the designated evacuation routes and flood refuges; and</p> <p>vi) details of flood preparedness and awareness procedures for residents and visitors to the site.</p>	<p>7.5 c) Flood Emergency Management Plan</p> <p>Section 4.3 of the OEMP includes a statement that the Flood Emergency Management Plan to address condition 7.5c) is included in the Hexham Emergency Response Plan (ERP).</p> <p>A review of the ERP (and the surface water management plan) identified the following items in condition 7.5 c) that have not been addressed:</p> <p>i) a detailed description of the likely flood behaviour of the area within the vicinity of the site</p> <p>ii) identification of the flood warning systems on site</p> <p>iii) details of the workforce education awareness program</p> <p>v) identification of the designated evacuation routes and flood refuges. The plan includes a statement that site emergency maps illustrate evacuation routes and assembly points and is attached of the back of the ERP, however a copy was not included</p> <p>vi) details of flood preparedness and awareness procedures for residents and visitors to the site.</p>	<p>1. Operational Environmental Management Plan (22/04/2021).</p> <p>2. Hexham Traffic Management Plan Version 6 (HES-OPS-PC-SOP-602, date reviewed 17/06/2020).</p> <p>3. Hexham Emergency Response Plan Version 8 (HEX-OHS-RM-TOOL-601, date reviewed 20/10/2020)</p>	<p>NC-05 OEMP and subplans</p> <p>Flood Emergency Management Plan:</p> <p>i) Detailed description of the likely flood behaviour of the area within the vicinity of the site</p> <p>ii) Details of the flood warning systems on site</p> <p>iii) Details of the workforce education awareness program (reference to site induction or PRIMP if relevant would suffice)</p> <p>vi) details of flood preparedness and awareness procedures for residents and visitors to the site (reference to visitor induction or similar would suffice)</p>
NC-06	EPL 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').	<p>A review of the Departments website confirmed that the reporting period is 19 December to 18 December, therefore the is required to be submitted by 16 February. A review of the Departments website confirmed :</p> <p>- 2019 to 2020: received 19/01/2021</p> <p>- 2020 to 2021: received 2/03/2022 (late submission)</p> <p>- 2021 to 2022: received 1/02/2023</p> <p>- 2022 to 2023: received 5/02/2024</p>	<p>1. https://apps.epa.nsw.gov.au/prpoeoapp/Detail.aspx?instid=5345&id=5345&option=licence&searchrange=licence&range=POEO%20licence&prp=no&status=Issued</p>	<p>NC-06 Annual Reporting</p> <p>Ensure all future annual returns are submitted within 60 days after the end of the reporting period.</p>
NC-07	EPL M2.2	Water and/ or Land Monitoring Requirements (as per table for point 2, 3, 6 and Point 4, 5	Monitoring occurred in accordance with the requirements of this condition with the exception of monitorign in 2021. There were three occasions where monthly monitoring did not occur at points 4 and 5. This was identified as a NC in the 2021 AEMR.	<p>1. Surface Water Mitigation and Monitoring Plan (AECOM, 29/04/2020)</p> <p>2. Annual Environmental Management Reports (AECOM, 2021, 2022 and 2023).</p>	<p>NC-07 Discharge Monitoring</p> <p>No action required. Actions were implemented at that time to prevent future NC's.</p>
OFI-01	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.	Evidence was supplied that a noise monitor was installed and operating as of March 2021. Raw data only supplied from March April 2021 (no data provided for 2022, 2023), however quarterly monitoring results are included in the AEMRs.	<p>1. Audit interviews.</p> <p>2. Email correspondence with the Department (2021)</p>	<p>OFI-01 Monitoring Data</p> <p>Ensure all raw data is maintained in InfraBuilds document control system and is made available for review upon request.</p>
OFI-02	5.4	²⁴ 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.	Texcel blast monitoring data supplied. Details provide for the equipment being used is noted to be from Texcel equipment, although specific specifications, or make and model of the measurement equipment for this clause has not been supplied, typically Texcel equipment is designed to comply with this standard, however this could not be verified during the audit.	<p>1. Audit interviews.</p> <p>2. Email correspondence confirming the equipment type.</p> <p>3. Texcel data sheets</p>	<p>OFI-02 Monitoring Equipment</p> <p>Included details of the monitoring instrument (Texcel) in the monitoring reports to demonstrate it complies with the Australian Standard 2187.2 of 1993.</p>
	EPL 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.			
OFI-03	7.5b)	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	<p>7.5 b) Transport Management Plan (TMP)</p> <p>Section 8 of the OEMP references the Hexam Traffic Management Plan and the Driver Induction address the requirements of this condition. The standalone</p>	<p>1. Operational Environmental Management Plan (22/04/2021)</p> <p>2. Hexham Traffic Management</p>	<p>OFI-03 Transport Management Plan:</p> <p>Update the TMP to include details for the management of impacts of heavy vehicle</p>

OFI-03	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 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:</p> <p>a) details of compliance with the conditions of this consent;</p> <p>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;</p> <p>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;</p> <p>d) results of all environmental monitoring required under this consent and other approvals, including interpretations and discussion by a suitably qualified person; and</p> <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. 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>	<p>AEMRs were completed for the audit period and addressed the requirements of this condition.</p> <p>Submission of the AEMR's to the Department for the audit period were:</p> <ul style="list-style-type: none"> - 2020 submitted 9/06/2021 - 2021 submitted 27/04/2022 - 2022: submitted 13/09/2023 - 2023: submitted 3/04/2024 (email confirmation from the Department that they have commenced their assessment of the AEMR) <p>Evidence that the AEMRs had been submitted to Council for 2021 was sighted during the audit. It was identified that there was no record of the 2022 and 2023 AEMRs having been submitted, however these were emailed through to Council on 23/04/2024.</p>	<p>1. Annual Environmental Management Reports (AECOM: 2021, 2022, 2023).</p> <p>2. AEMR submissions (Planning Portal - sighted).</p> <p>3. Email AEMR submission to Council (sighted)</p>	<p>OFI-04 AEMR Reporting</p> <p>Ensure a copy of the AEMR is provided to Council in accordance with the requirements of Consent condition 8.3 for all future reporting periods. Records of AEMR submissions to both the Department and Council should be maintained.</p>
OFI-04	EPL L4.2	<p>The noise limits above comply when measured or computed at any point within one metre of the boundary of any affected residential premises.</p> <p>5dB(A) must be added to the measured level if the noise is substantially tonal or impulsive in character.</p>	<p>No comments have been made in the noise monitoring reports on the application of tonal or impulsive penalties. Site measurement notes indicate that some observed noise may be impulsive.</p>	<p>1. InfraBuild Recycling Hexham - Quarterly Noise Monitoring Reports (2021, 2022 and 2023).</p> <p>2. Annual Environmental Management Reports (Aecon, 2021, 2022 and 2023).</p>	<p>OFI-05 Noise Monitoring</p> <p>Monitoring reports to include detail of whether observed noise is considered substantially tonal or impulsive.</p>
OFI-05	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 via email to info@epa.nsw.gov.au with attention to the Manager of Regulatory Operations, Metropolitan North.</p>	<p>The Environmental Representative for the site is Paul Smith (Site Manager)- also verified in the 2020 IEA. The Auditee stated InfraBuild received confirmation from the Department that notification was not required, providing details were updated in the relevant site management plans as required. Evidence of this written advice was not available at the time of the audit.</p>	<p>1. Audit interviews.</p> <p>2. Operational Environmental Management Plan (22/04/2021).</p> <p>3. Hexham Emergency Response Plan.</p>	<p>OFI - 06 Consultation Records</p> <p>Ensure consultation records are maintained in the document control system for future compliance requirements.</p>

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Appendix E

Corrective Action Plan

Appendix E Corrective Action Plan

PROPONANT RESPONSE TO AUDIT FINDINGS

Condition Number	Compliance Requirement	Independent Audit Finding	Independent Audit Recommendation	InfraBuild Proposed Action	Proposed Due Date
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 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</p>	<p>Non-Compliant</p> <p>The site is generally being operated in accordance with the requirements of this condition, however non-compliance have been identified as a result of this audit.</p>	<p>InfraBuild to ensure that appropriate processes are developed and implemented to ensure compliance with the requirements of this condition.</p>	<p>InfraBuild will develop and implement a compliance framework, conduct mandatory training, and establish monitoring and reporting mechanisms to ensure adherence. Regular reviews will be scheduled to keep processes up-to-date.</p>	<p>Completed.</p>

Condition Number	Compliance Requirement	Independent Audit Finding	Independent Audit Recommendation	InfraBuild Proposed Action	Proposed Due Date
	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;				
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-Compliant Non-compliances have been identified as a result of this audit, triggering a non-compliance with this condition.			
4.3	¹ 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	Non-Compliant Monitoring reports observed for 2021, 2022, 2023. Overall, compliance reporting is limited to LAeq and does not address LA1 criterion for night time. Reports from 2023 make comment that LA1 is considered to comply due to	The noise monitoring reports should include the following detail - Information regarding weather monitoring data given the criteria are based on weather conditions	A new weather station will be commissioned at the site to collect the required data. The noise consultant has been instructed to comment on tonality and impulsiveness for each monitoring event and to provide a report detailing the	Partially completed. Weather station by 15 November 2024.

Condition Number	Compliance Requirement	Independent Audit Finding	Independent Audit Recommendation	InfraBuild Proposed Action	Proposed Due Date
	<p>periods indicated. The maximum allowable noise contributions apply under:</p> <p>a) wind speeds up to 3 ms-1 (measured at 10 metres above ground level); and</p> <p>b) temperature inversion conditions up to 3oC per 100 metres.</p>	<p>no night time operations, however the report does not include any measurements.</p> <p>A number of non-conformances are measured along with a comment that the site was the dominant noise source. Alternative calculation method is employed to determine the likely contribution at the receptors.</p> <p>Measurement notes indicate that there was impulsive noise, but no indication as to whether a penalty was applied. If applied to R1 in Q4 2023, this would result in an exceedance.</p> <p>The change from ISO9613 to Concawe in 2023 is also noted.</p>	<p>- Comment should be made on tonality and impulsiveness for all measurements.</p> <p>- L1 criteria should be assessed if night time activities take place. Likely that measurements will be dominated by other sources, but this should be documented.</p>	<p>activities conducted at the site during the night-time monitoring period. If the site is not active during monitoring, this must also be noted in the consultant's report.</p>	
EPL L4.1	<p>Noise from the premises must not exceed the limits specified in the table below:</p>	<p>Non-Compliant</p> <p>Leq metrics have been assessed using both receptor measurements, and site boundary measurements with extrapolation. Exceedances of up to 2dB have been reported, however these have been classified by AECOM as insignificant. This is a misclassification and therefore, there have been actual exceedances within the audit period, however it should be noted that there have been no noise complaints made from nearby residents (note: one complaint made in 2022 which was determined not to be related to the sites activities).</p>			

Condition Number	Compliance Requirement	Independent Audit Finding	Independent Audit Recommendation	InfraBuild Proposed Action	Proposed Due Date
		LA1 metrics have not been measured. 2023 reports note that the site was not operating during the night time periods, and therefore the site would be considered in compliance.			
EPL 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.	Non-Compliant Quarterly monitoring has been supplied. AECOM have been engaged to undertake the quarterly reporting and are recognised as having an acoustics specialists group. However the monitoring report lack detail to fully demonstrate compliance with condition L4.1 (refer condition 4.1 findings)			
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.	Non-Compliant Bunded facilities for the storage of chemicals, fuels and oils were observed on site, however during the site inspection, it was identified two jerry cans (unlabelled, however Audit confirmed they contained fuel) and a bowl of what appeared to be waste oily water were located outside of the bunded storage areas. Site personnel were questioned and were unsure as to why they were not within the bunded areas. The site personnel were reminded of why they are required to be stored appropriately and were instructed to move them to appropriate areas (actions observed at the time of the audit).	All chemicals containers to be stored in bunded areas complying with the requirements of the EPA's Environmental Protection Manual - Undertake a toolbox meeting or similar to remind staff of the storage requirements.	To ensure compliance with EPA storage requirements, all chemical containers will be stored in bunded areas. A toolbox meeting will be held within two weeks to remind staff of these storage requirements. Regular inspections by the site manager and quarterly refresher toolbox meetings will be implemented to maintain ongoing compliance. The site manager will oversee this process.	Completed.

Condition Number	Compliance Requirement	Independent Audit Finding	Independent Audit Recommendation	InfraBuild Proposed Action	Proposed Due Date
5.10	26The Applicant shall monitor the parameters specified in Table 5, using the specified units of measure, averaging period, frequency, and sampling method in the table.	Non-Compliant The meteorological station was observed to be located in the north western corner of the site. A review of the Met Summary Data sheets confirmed that the parameters outlined in Table 4 are recorded, however the Auditee confirmed that the wind speed sensor is not returning valid readings (as per AECOM advise). Meteorological monitoring results are reported in the AEMR (wind speed and direction sourced from DPE Mayfield West station).		A new weather station will be commissioned at the site to collect the required data.	Completed.
EPL M4.1	At the point(s) identified below, the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1 of the table below, using the corresponding sampling method, units of measure, averaging period and sampling frequency, specified opposite in the Columns 2, 3, 4 and 5 respectively.		Repair or replace the meteorological meter to ensure valid wind speed readings are recorded.	A new weather station will be commissioned at the site to collect the required data.	Completed.
7.5a)	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	Non-Compliant 7.5a) Noise Management Plan (NMP) The NMP is included in Appendix 5 of the OMEP. The following items have not been adequately addressed: - Potential noise sources has nominated "normal operations" as a noise source. "Normal operations" are not a noise source. This should be specific to noise sources on site - e.g. shredder, forklifts etc. - Night time LA1 noise limit is missing from the table - Does not include weather monitoring requirements (to exclude data) - Does not include overpressure and vibration monitoring	Update the OEMP and the subplans to address all requirements of condition 7.5. Where specific items are addressed in another management plan - reference to the plan should be included. Noise Management Plan: i) include all specific noise sources on site such as shredder, forklifts, etc. iii) Include the following detail - weather monitoring requirements as outlined in Condition 5.10 - overpressure and vibration monitoring requirements	InfraBuild will Update the OEMP and its subplans to ensure full compliance with condition 7.5, including cross-references to other relevant management plans. This will provide a comprehensive and integrated approach to addressing all specified requirements. Specifically, the updated plans will clearly outline how each condition will be met, ensuring no overlaps or gaps in the compliance strategy. Where specific items are covered in other management plans, these should be explicitly referenced within the OEMP to streamline the implementation and monitoring processes.	Completed.

Condition Number	Compliance Requirement	Independent Audit Finding	Independent Audit Recommendation	InfraBuild Proposed Action	Proposed Due Date
	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;	requirements - Does not include any details of the method for determining compliance based on site boundary monitoring - Doesn't state outright the offsite monitoring locations (currently states streets by not actual location of the monitoring location).	- specific details of the location of the offsite monitoring points - details of the method for determining compliance based on site boundary monitoring	The Noise Management Plan will be revised to include detailed information on all specific noise sources on-site, such as the shredder, forklifts, and other machinery. Additionally, it will incorporate the weather monitoring requirements from Condition 5.10, outline overpressure and vibration monitoring protocols, and specify the locations of offsite monitoring points. Furthermore, the plan will describe the method for determining compliance based on site boundary monitoring, ensuring that all noise impacts are accurately assessed and managed according to regulatory standards.	
7.5c)	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:	Non-Compliant 7.5 c) Flood Emergency Management Plan Section 4.3 of the OEMP includes a statement that the Flood Emergency Management Plan to address condition 7.5c) is included in the Hexham Emergency Response Plan (ERP). A review of the ERP (and the surface water management plan) identified the following items in condition 7.5 c) that have not been addressed: i) a detailed description of the	Flood Emergency Management Plan: i) Detailed description of the likely flood behaviour of the area within the vicinity of the site ii) Details of the flood warning systems on site iii) Details of the workforce education awareness program (reference to site induction or PRIMP if relevant would suffice) vi) details of flood preparedness and awareness	InfraBuild will update their current Flood Emergency Management Plan, to address this recommendation, the new plan will include a detailed description of the likely flood behaviour in the area surrounding the site. This will include historical data, flood patterns, and potential impact zones to provide a comprehensive understanding of flood risks. Additionally, it will outline the flood warning systems in place on-site,	Completed.

Condition Number	Compliance Requirement	Independent Audit Finding	Independent Audit Recommendation	InfraBuild Proposed Action	Proposed Due Date
	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.	likely flood behaviour of the area within the vicinity of the site ii) identification of the flood warning systems on site iii) details of the workforce education awareness program v) identification of the designated evacuation routes and flood refuges. The plan includes a statement that site emergency maps illustrate evacuation routes and assembly points and is attached of the back of the ERP, however a copy was not included vi) details of flood preparedness and awareness procedures for residents and visitors to the site.	procedures for residents and visitors to the site (reference to visitor induction or similar would suffice)	including the types of alerts, communication methods, and protocols for activation. This ensures that all personnel are promptly informed and can take necessary precautions in the event of a flood. Furthermore, the plan will detail the training and awareness program, referencing this training in the site induction. This program should ensure that all staff are knowledgeable about flood risks and prepared to respond effectively. Include specific procedures for flood preparedness and awareness for both residents and visitors, referencing visitor inductions or similar programs. This will guarantee that everyone on-site, including temporary visitors, is informed about flood safety measures and knows how to act during a flood event.	
EPL 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').	Non-Compliant A review of the Departments website confirmed that the reporting period is 19 December to 18 December, therefore the is required to be submitted by 16 February. A review of the Departments website confirmed : - 2019 to 2020: received 19/01/2021	Ensure all future annual returns are submitted within 60 days after the end of the reporting period.	InfraBuild will create an alarm within their internal management system to ensure that the AEMR and EPL annual returns are not only submitted to the department on time but also to Council.	Completed.

Condition Number	Compliance Requirement	Independent Audit Finding	Independent Audit Recommendation	InfraBuild Proposed Action	Proposed Due Date
		<ul style="list-style-type: none"> - 2020 to 2021: received 2/03/2022 (late submission) - 2021 to 2022: received 1/02/2023 - 2022 to 2023: received 5/02/2024 			
EPL M2.2	Water and/ or Land Monitoring Requirements (as per table for point 2, 3, 6 and Point 4, 5	Non-Compliant Monitoring occurred in accordance with the requirements of this condition with the exception of monitoring in 2021. There were three occasions where monthly monitoring did not occur at points 4 and 5. This was identified as a NC in the 2021 AEMR.	No action required. Actions were implemented at that time to prevent future NC's.		
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,	Opportunity for Improvement Evidence was supplied that a noise monitor was installed and operating as of March 2021. Raw data only supplied from March April 2021 (no data provided for 2022, 2023), however quarterly monitoring results are included in the AEMRs.	Ensure all raw data is maintained in InfraBuilds document control system and is made available for review upon request.	InfraBuild will request this data as part of the Noise Monitoring Report going forward from their consultant.	Completed.

Condition Number	Compliance Requirement	Independent Audit Finding	Independent Audit Recommendation	InfraBuild Proposed Action	Proposed Due Date
	and only with the agreement of the Director-General.				
5.4	24The 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.	Opportunity for Improvement Texcel blast monitoring data supplied. Details provide for the equipment being used is noted to be from Texcel equipment, although specific specifications, or make and model of the measurement equipment for this clause has not been supplied, typically Texcel equipment is designed to comply with this standard, however this could not be verified during the audit.	Include details of the monitoring instrument (Texcel) in the monitoring reports to demonstrate it complies with the Australian Standard 2187.2 of 1993.	Whilst InfraBuild is in possession of calibration certificates for the equipment, we will also request regular data downloads from our contractor to document and record compliance.	Completed.
EPL 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.			Whilst InfraBuild is in possession of calibration certificates for the equipment, we will also request regular data downloads from our contractor to document and record compliance.	Completed.
7.5b)	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	Opportunity for Improvement 7.5 b) Transport Management Plan (TMP) Section 8 of the OEMP references the Hexam Traffic Management Plan and the Driver Induction address the requirements of this condition. The standalone TMP addresses the safety requirements for vehicle movement on site, hazard identification and controls, driver inductions (there is also a separate Driver Do's and Don'ts document), roles and responsibilities, vehicle and personnel management on site. Although it could be implied that the drivers induction and do's and don'ts is considered the code of conduct, neither the OEMP, TMP or the driver induction documents	Update the TMP to include details for the management of impacts of heavy vehicle movements and management measures to reduce daily heavy vehicle movement.	The TMP will be updated to include relevant details to code of conduct aimed to control impacts from heavy vehicle movements.	Completed.

Condition Number	Compliance Requirement	Independent Audit Finding	Independent Audit Recommendation	InfraBuild Proposed Action	Proposed Due Date
	<p>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 road way 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>vi) details of additional measures that would be implemented should be non-compliance be detected.</p>	<p>specifically outlines management measures for impacts associated with heavy vehicle movements or management measures to reduce daily heavy vehicle movements. Observations on site did confirm a traffic controller effectively managing traffic on site.</p>			
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 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:</p> <p>a) details of compliance with the conditions of this consent;</p> <p>b) a comparison of the environmental impacts and performance of the development</p>	<p>Opportunity for Improvement</p> <p>AEMRs were completed for the audit period and addressed the requirements of this condition. Submission of the AEMR's to the Department for the audit period were:</p> <ul style="list-style-type: none"> - 2020 submitted 9/06/2021 - 2021 submitted 27/04/2022 - 2022: submitted 13/09/2023 - 2023: submitted 3/04/2024 <p>(email confirmation from the Department that they have commenced their assessment of the AEMR)</p> <p>Evidence that the AEMRs had been submitted to Council for 2021 was sighted during the audit. It was identified that there was no record of the 2022 and 2023 AEMRs having been submitted, however</p>	<p>Ensure a copy of the AEMR is provided to Council in accordance with the requirements of Consent condition 8.3 for all future reporting periods. Records of AEMR submissions to both the Department and Council should be maintained</p>	<p>InfraBuild will create an alarm within their internal management system to ensure that the AEMR and EPL annual returns are not only submitted to the department on time but also to Council.</p>	Completed.

Condition Number	Compliance Requirement	Independent Audit Finding	Independent Audit Recommendation	InfraBuild Proposed Action	Proposed Due Date
	<p>against the environmental impacts and performance predicted in those documents listed under condition 1.2 of this consent;</p> <p>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;</p> <p>d) results of all environmental monitoring required under this consent and other approvals, including interpretations and discussion by a suitably qualified person; and</p> <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. 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>	these were emailed through to Council on 23/04/2024.			
EPL L4.2	The noise limits above comply when measured or computed at any point within one metre of the boundary of any affected	<p>Opportunity for Improvement</p> <p>No comments have been made in the noise monitoring reports on the application of tonal or</p>	Monitoring reports to include detail of whether observed noise is considered	The noise consultant has been instructed to comment on tonality and impulsiveness for each monitoring event and to	Completed.

Condition Number	Compliance Requirement	Independent Audit Finding	Independent Audit Recommendation	InfraBuild Proposed Action	Proposed Due Date
	residential premises. 5dB(A) must be added to the measured level if the noise is substantially tonal or impulsive in character.	impulsive penalties. Site measurement notes indicate that some observed noise may be impulsive.	substantially tonal or impulsive.	provide a report detailing the activities conducted at the site during the night-time monitoring period. If the site is not active during monitoring, this must also be noted in the consultant's report.	
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. 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 via email to info@epa.nsw.gov.au with attention to the Manager of Regulatory Operations, Metropolitan North.	Opportunity for Improvement The Environmental Representative for the site is Paul Smith (Site Manager)- also verified in the 2020 IEA. The Auditee stated InfraBuild received confirmation from the Department that notification was not required, providing details were updated in the relevant site management plans as required. Evidence of this written advice was not available at the time of the audit.	Ensure consultation records are maintained in the document control system for future compliance requirements.	To address the auditor's recommendation, we will ensure that all consultation records are systematically maintained within our document control system. This process will involve documenting all consultations, including meeting minutes, correspondence, and any relevant notes, and securely storing them in an organized manner.	Completed.

Appendix F

Air Quality Management Plan (AQMP)

Appendix F Air Quality Management Plan (AQMP)

3 December 2021

Peter Jamieson
Unit Head Regulatory Operations Metropolitan North
Environment Protection Authority
Email: RegOps.MetroRegulation@epa.nsw.gov.au
cc: Emily.Rindfleish@epa.nsw.gov.au

Dear Mr Jamieson

Environment Protection Licence 5345 – Air Quality Management Plan (AQMP)

Condition U3.1 of our licence requires that an Air Quality Management Plan be prepared and submitted to the EPA. The AQMP must address the following:

U3.1 The licensee must prepare an Air Quality Management Plan (AQMP). The AQMP must include, at a minimum:

1. Identification of key dust sources;
2. Identification of relevant control strategies for key dust sources;
3. Identification of dust monitoring procedures for the Premises including an assessment of the current dust deposition monitoring locations and identification of additional dust deposition monitoring locations where required;
4. An Action Plan for the implementation of dust mitigation measures as identified in the Dust Mitigation Study Report (AECOM, 2019), including a proposed timetable for the implementation of each mitigation measure;
5. Operating procedures for weather conditions prone to high dust generation;
6. A schedule for site inspections undertaken by on-site personal to monitor dust; and
7. Identification of training requirements for on-site personal for best practice dust mitigation.

The AQMP must be emailed to the EPA at RegOps.MetroRegulation@epa.nsw.gov.au by no later than 13 December 2021.

This AQMP builds upon the Hexham Dust Mitigation Report submitted to the EPA on 30 January 2020 which outlined key dust control mitigation measures undertaken by the business at that time. InfraBuild has continued to treat dust control as a top priority for its operations and has applied significant capital towards additional concreting, fencing/screening and ongoing monitoring.

The success of the actions contained in the Dust Mitigation Report is evidenced by the ongoing improvement shown in the monthly dust monitoring evidenced by the recent diagram below prepared by AECOM. InfraBuild recognises, however, that it must continue to improve on its dust management performance.

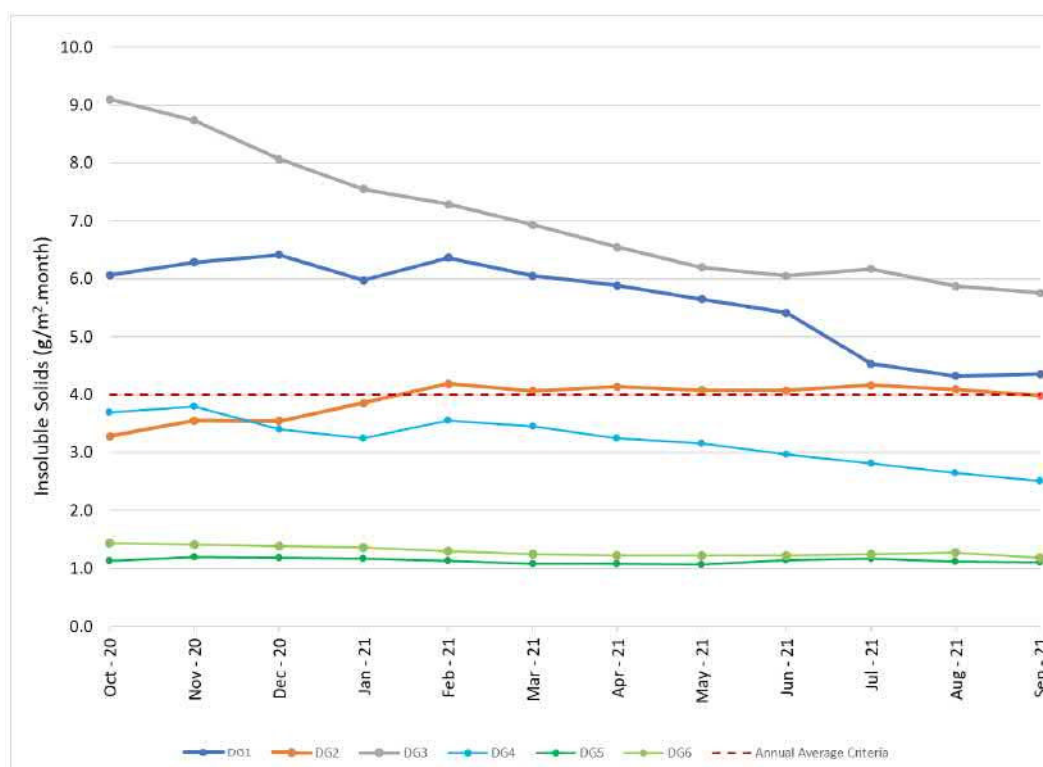


Figure 3 Insoluble Solids Rolling Average Plot

Please accept this submission in fulfillment of condition U3.1 of EPL 5345. If you have any questions regarding this submission, please contact me on 0408 328 471 or Gregor Riese on 0400457926.

Yours sincerely

LESLEY HARPENG

Environment and Systems Manager



InfraBuild

AIR QUALITY MANAGEMENT PLAN

Hexham



Sparke Street, Hexham

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Executive Summary

Condition U3.1 of Licence 5345 requires that an Air Quality Management Plan be prepared and submitted to the EPA. The AQMP must address the following:

License Obligation: Condition U3.1 of EPL 5345

U3.1 The licensee must prepare an Air Quality Management Plan (AQMP). The AQMP must include, at a minimum:

1. Identification of key dust sources;
2. Identification of relevant control strategies for key dust sources;
3. Identification of dust monitoring procedures for the Premises including an assessment of the current dust deposition monitoring locations and identification of additional dust deposition monitoring locations where required;
4. An Action Plan for the implementation of dust mitigation measures as identified in the Dust Mitigation Study Report (AECOM, 2019), including a proposed timetable for the implementation of each mitigation measure;
5. Operating procedures for weather conditions prone to high dust generation;
6. A schedule for site inspections undertaken by on-site personal to monitor dust; and
7. Identification of training requirements for on-site personal for best practice dust mitigation.

The AQMP must be emailed to the EPA at RegOps.MetroRegulation@epa.nsw.gov.au by no later than 13 December 2021.

1 Identification of key dust sources

The AECOM report catalogued three main potential sources of dust:

1.1 Process Related Dust Sources

The following sources attributed to scrap handling and processing have been identified:

- Unloading (primarily tipping) of scrap material upon delivery to Site
- Handling of scrap material by material handlers with hydraulic finger picks including:
 - Sorting scrap material
 - Manipulating scrap material (e.g. preparing vehicles for processing)
 - Moving scrap material in preparation for loading into the shredder
 - Loading scrap material onto the shredder infeed conveyor
- Mobile shearing of large items large items by excavator within the HM Yard and shredder site

- Oxy-Acetylene cutting of large items within the HM Yard
- Operation of the shredder – generating a combination of steam, fumes and dust
- Conveyors open to atmosphere
- Fugitive dust from semi enclosed areas (e.g. picking stations)
- Transfer and drop points including:
 - Conveyor transfer points
 - Rotating magnetic drums
 - Product and floc material dropping to stockpiles or storage bays

1.2 Vehicle & Mobile Plant Dust Sources

- Wheel generated dust sources including:
 - Trucks delivering and removing material from Site
 - Smaller vehicles delivering scrap to Site
 - Wheel loaders & Fork Lifts
- Wheel loaders handling material (scrap, product and waste including dirt)
- Particulate emissions from diesel internal combustion engines

1.3 Fugitive Dust Sources

- The following fugitive sources were identified:
 - Unpaved surfaces – primarily in the HM yard
 - Dirt and other impurities laying on hardstand and roadways
 - Stockpiles – including:
 - Unprocessed scrap material
 - Processed ferrous product
 - Floc/waste material
 - Other product stored bays/stockpiles on both the ferrous and non-ferrous Sites

Source: AECOM (2019) pg 9.

1.4 Ranking of dust sources

The subsequent AECOM emissions inventory attempted to rank the dust sources and ranked them as follows:

Dust Generating Activity	Emission Value	Units	% of Total
Truck Haulage Emissions	21,033	kg/year	33
Transfer Point Emissions	15,410	kg/year	24
Crushing Mill	14,872	kg/year	23
Wind Erosion	10,757	kg/year	17
Stack Emissions	1,026	kg/year	2
Small Vehicle Emissions	817	kg/year	1
Total Site Emissions	63,915	kg/year	-

Source: AECOM (2019) pg 16.

2 Identification of relevant control strategies for key dust sources

The AECOM report (2019) identified and ranked several dust control strategies ranked in the table below. AECOM emphasis in their report that *“It needs to be considered that this scoring system is subjective and has simply been used to assist in ranking the mitigation options. It does not provide any quantitative assessment of the feasibility of the options.”* InfraBuild has taken on all reasonable and practical measures to date in limiting dust generation on site (refer Action Plan in Section 4) and has applied many of the proposed mitigation options identified by AECOM.

Table 10: Evaluation of Mitigation Options (Source: pg 26 AECOM 2019)

Mitigation Option	NPI Control Factor (%)	Source Effectiveness Rating (1 - 3)	Practicality Rating (1 - 3)	Overall Site Effectiveness (Multiplier) (1 – 3)	Feasibility Score (3 – 30)
Reduce the amount of impurities in the scrap being delivered to Site	-	2	3	5	25
Increase frequency and number of existing dust deposition monitoring locations	-	2	3	4	20
Consideration of additional dust deposition monitoring locations	-	2	3	4	20
Road sweeping in combination with water cart (to limit airborne dust generated by the sweeper)	75	3	3	3	18
Reactive mitigation measures during conditions prone to high dust generation	-	2	2	4	16
Improved general house-keeping	-	2	3	3	15
Formalise dust management procedures and activities into the Air Quality Management Plan (AQMP)	-	2	3	3	15 ¹
Increased Site inspections & audits	-	2	3	3	15
Education and training for staff around best practices and minimising dust emissions	-	2	3	3	15
Enclosure of oxy-acetylene cutting activities (with exhaust filtering)	-	3	2	3	15
Specialised fencing to reduce the windspeed in critical areas of the Site	30	2	2	3	12
Enclosure of product bays	70 ²	2	2	3	12
Stabilisation of unsealed areas	40	2	3	2	10
Enclosure of conveyors	70	2	1	3	9
Enclosure of drop points (e.g. magnetic drums, conveyor transfer points)	70 ²	2	1	3	9

3 Identification of dust monitoring procedures for the Premises

InfraBuild has organized independent dust monitoring of the operations on a quarterly basis for several years on a due-diligence basis (this has not been a requirement of the EPA license). In early 2020 following a complaint from an adjoining owner, InfraBuild increased the frequency of this monitoring to monthly. These reports are prepared by AECOM and reviewed by InfraBuild management. Dust deposition results are reported in the following form.

Table 1 Dust Deposition Results – September 2021

Gauge	Insoluble Matter (g/m ² .month)	Ash Content		Combustible Matter (g/m ² .month)	Annual Average Insoluble Matter (g/m ² .month)
		(g/m ² .month)	% of Insoluble Matter		
DG1	3.3	2.5	76	0.8	4.4
DG2	3.6	2.7	75	0.9	4.0
DG3	8.9	7.1	80	1.8	5.8
DG4	2.3	2.0	87	0.3	2.4
DG5	1.0	0.8	80	0.2	1.1
DG6	1.0	0.9	90	0.1	1.2

Bold denotes value above EPL Guideline.

Monitoring locations have been selected on the basis of accessibility and the location of sensitive receptors (see figure).



Figure 1 InfraBuild Recycling Dust Deposition Gauge Sampling Locations

4 An Action Plan for the implementation of dust mitigation measures

The Hexham Dust Mitigation Report (HDMR 2020) was submitted to the EPA on 30 January 2020 and outlined the key dust control mitigation measures undertaken by the business at that time. This table has been updated based on progress made since early 2020.

Table 1 –Dust Mitigation Action Plan, InfraBuild Recycling, Hexham

Dust Mitigation Actions	InfraBuild Status	Delivery
1. Reduce the amount of impurities in the scrap being delivered to Site (AECOM Dust Study Recommendation)	Continued enforcement of existing company policies to limit acceptance of loose non metallics.	Ongoing enforcement by InfraBuild
2. Increase frequency and number of existing dust deposition monitoring location & consideration of additional dust deposition monitoring locations (AECOM Dust Study Recommendation)	Dust deposition monitoring is now occurring near residences near Shamrock St and is done monthly by AECOM.	Ongoing Dust monitoring by AECOM

3. Road sweeping in combination with water cart to limit airborne dust generated by the sweeper (AECOM Dust Study Recommendation)	Use of contract sweeper and purchase of new water cart.	Ongoing use by InfraBuild
4. Reactive mitigation measures during conditions prone to high dust generation (AECOM Dust Study Recommendation)	This specific action duplicates proposed actions which are responsive to climatic conditions.	Ongoing responsibility of InfraBuild. Refer Actions 3, 5 and 10
5. Improved general house-keeping (AECOM Dust Study Recommendation)	General dust management measures as outlined in the Operational Environmental Management Plan	Ongoing responsibility of InfraBuild
6. Tree planting (InfraBuild initiative)	Installation of 266 semi-advance native evergreen species on northern and eastern boundary	Completed
7. Concrete hardstand in non-ferrous and HM yard	Installation of an additional 3,100 sqm of hardstand to reduce dust emissions	Completed
8. Ongoing community engagement with local community	Continued consultation with the local community on site operations	Ongoing
9. Online reporting of environmental performance	Continued reporting of dust, noise, and environmental monitoring results	Ongoing
10. Dust suppression measures on metal shredder mill	Installation of new dust and smoke control measures on the shredder mill including continued use of the Dust-Buster product (or equivalent) as part of shredder operations.	Ongoing
11. Concreting to improve surface around mill in the shredder yard	Reduce dust generation and allowing efficient cleaning/improved drainage	Completed
12. Covering of conveyor belts to reduce dust emissions	Installation of new conveyor covers on the C5 conveyor	Expected to be completed by end 2021

13. Upgrade of water spray systems	Maintenance of existing water spray systems on drum magnets 1 and 2	Ongoing.
14. Installation of windsock	Wind direction/speed indicator to assist site operations	Completed
15. Installation of dust mitigation fencing	Dust fence installed at eastern boundary of shredder yard in 2021	Completed

5 Operating procedures for weather conditions prone to high dust generation

Hexham has a Dust Management Plan which identifies key sources and pathways for dust, and the nearest sensitive receptors to the site. Prevailing wind conditions are identified and mitigations measures for normal operations and high risk days are outlined. A copy of the Dust Management Plan can be downloaded from the Dropbox link below.

6 A schedule for site inspections undertaken by on-site personal to monitor dust

Independent consultants AECOM is accompanied by InfraBuild personnel during the installation and retrieval of the dust collection cartridges during routine dust monitoring. The daily site checklist includes ensuring the Dust Buster liquid used in the shredding process to limit dust emissions is maintained. All loads delivered to the site are inspected for excessive non-metal materials and deductions applied to deliveries as per the company policy outlined in the Unacceptable Scrap Manual.

7 Identification of training requirements for on-site personal

Training of personnel is undertaken in two tranches:

- Environmental Awareness – All Employees
- Introduction to Environment Management System and Manual – Supervisors and above

The first document is a basic induction for all employees of the key environmental aspects and impacts associated with a metal recycling yard operation. The second document is an introduction to the company-wide environment management system and manual for senior personal.

A copy of the both documents Plan can be downloaded from the Dropbox link below.

REFERENCES CITED

<https://www.dropbox.com/sh/jjp9q8y0r9ppf03/AADu8m1vibEwlfw0sPMVGdw5a?dl=0>

AECOM (2019). Dust Mitigation Study, InfraBuild Recycling, Hexham. 30 August 2019

InfraBuild (2020). Hexham Dust Mitigation Report Revised. 30 January 2020

InfraBuild (2021). Hexham Recycling Dust Management Plan. 30 November 2021

InfraBuild Recycling Environmental Awareness – All Employees

InfraBuild Recycling Introduction to Environment Management System and Manual – Supervisors and above

Appendix G

Surface Water Discharge Monitoring Data

Appendix G Surface Water Discharge Monitoring Data



Discharge Monitoring Results

Client Name: Infrabuild
Project Name: Hexham Discharge Monitoring
Project No: 60493017

	Per- and Poly-fluoroalkyl Substances														Metals								
	Perfluorobutane sulfonic acid (PFBS)	Perfluorohexane sulfonic acid (PFHxS)	Perfluorooctane sulfonic acid (PFOS)	Perfluorobutanoic acid (PFBA)	Perfluoropentanoic acid (PFPeA)	Perfluorohexanoic acid (PFHxA)	Perfluoroheptanoic acid (PFHpA)	Perfluorooctanoic acid (PFOA)	4:2 Fluorotelomer sulfonic acid (4:2 FTS)	6:2 Fluorotelomer sulfonic acid (6:2 FTS)	8:2 Fluorotelomer sulfonic acid (8:2 FTS)	10:2 Fluorotelomer sulfonic acid (10:2 FTS)	Sum (PFHxS + PFOS)	Sum of WA DWER PFAS (n=10)*	Aluminium (filtered)	Arsenic (filtered)	Boron (filtered)	Cadmium (filtered)	Chromium (filtered)	Chromium (hexavalent) (filtered)	Copper (filtered)	Iron	Iron (filtered)
	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L
EQL	0.02	0.01	0.01	0.1	0.02	0.02	0.02	0.01	0.05	0.05	0.05	0.05	0.01	0.01	0.01	0.001	0.05	0.0001	0.001	0.01	0.001	0.05	0.05
ANZG (2018) Freshwater 95% LOSP Toxicant DGVs															0.055		0.37	0.0002		0.001	0.0014		
ANZG (2018) Marine Water 95% LOSP Toxicant DGVs																		0.0055		0.0044	0.0013		
PFAS NEMP 2020 Interim Marine 99%			0.00023					19															

Location Code	Alternative Name	Monitoring Round	Date	Perfluorobutane sulfonic acid (PFBS)	Perfluorohexane sulfonic acid (PFHxS)	Perfluorooctane sulfonic acid (PFOS)	Perfluorobutanoic acid (PFBA)	Perfluoropentanoic acid (PFPeA)	Perfluorohexanoic acid (PFHxA)	Perfluoroheptanoic acid (PFHpA)	Perfluorooctanoic acid (PFOA)	4:2 Fluorotelomer sulfonic acid (4:2 FTS)	6:2 Fluorotelomer sulfonic acid (6:2 FTS)	8:2 Fluorotelomer sulfonic acid (8:2 FTS)	10:2 Fluorotelomer sulfonic acid (10:2 FTS)	Sum (PFHxS + PFOS)	Sum of WA DWER PFAS (n=10)*	Aluminium (filtered)	Arsenic (filtered)	Boron (filtered)	Cadmium (filtered)	Chromium (filtered)	Chromium (hexavalent) (filtered)	Copper (filtered)	Iron	Iron (filtered)
EPL Point 2	Ferrous Metal Shredder Yard - Discharge Point	2024-02	8/02/2024	0.13	0.03	0.12	<0.1	0.03	0.06	0.02	0.05	<0.05	0.10	<0.05	<0.05	0.15	0.54	0.04	0.002	0.47	0.0001	0.002	<0.01	0.002	2.15	0.46
		2024-04	5/04/2024	0.08	0.05	0.14	<0.1	0.02	0.06	<0.02	0.05	<0.05	0.05	<0.05	<0.05	0.19	0.45	0.20	0.002	0.34	<0.0001	-	<0.01	0.008	4.98	<0.05
		2024-09	26/09/2024	0.12	<0.01	0.05	<0.1	0.03	0.05	0.03	0.03	<0.05	<0.05	<0.05	<0.05	0.05	0.31	0.02	0.001	0.35	<0.0001	-	<0.01	<0.001	1.77	0.37
EPL Point 3	Spark St Sediment Trap - Discharge Point	2024-02	8/02/2024	0.02	0.01	0.02	<0.1	<0.02	<0.02	<0.02	0.02	<0.05	<0.05	<0.05	<0.05	0.03	0.07	0.12	0.002	0.07	0.0001	0.004	<0.01	0.014	29.5	<0.05
		2024-04	5/04/2024	<0.02	<0.01	0.02	<0.1	<0.02	<0.02	<0.02	<0.01	<0.05	<0.05	<0.05	<0.05	0.02	0.02	0.21	<0.001	<0.05	<0.0001	-	<0.01	0.008	13.2	<0.05
		2024-09	26/09/2024	<0.02	<0.01	0.03	<0.1	<0.02	<0.02	<0.02	<0.01	<0.05	<0.05	<0.05	<0.05	0.03	0.03	0.10	<0.001	0.07	<0.0001	-	<0.01	0.008	76.1	<0.05
EPL Point 4	Non-Ferrous Metal Yard	2024-04	5/04/2024	<0.02	<0.01	0.04	<0.1	<0.02	<0.02	<0.02	0.01	<0.05	0.08	<0.05	<0.05	0.04	0.13	0.22	<0.001	0.35	<0.0001		0.03	0.029	4.05	<0.05
		2024-04	5/04/2024	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.37	<0.001	0.45	<0.0001		0.03	0.039	6.85	0.11
		2024-05	2/05/2024	<0.02	<0.01	0.06	<0.1	0.07	0.03	<0.02	0.02	<0.05	0.08	<0.05	<0.05	0.06	0.26	0.15	<0.001	0.31	<0.0001		<0.01	0.020	3.29	0.09
		2024-07	27/07/2024	0.02	<0.01	0.05	<0.1	0.04	0.02	<0.02	0.02	<0.05	0.12	<0.05	<0.05	0.05	0.27	0.04	<0.001	0.06	<0.0001		<0.01	0.020	11.1	<0.05
		2024-09	26/09/2024	<0.02	0.03	0.10	<0.1	<0.02	<0.02	<0.02	<0.01	<0.05	0.42	<0.05	<0.05	0.13	0.55	0.13	<0.001	0.10	<0.0001		<0.01	0.015	16.0	<0.05
EPL Point 5	Western Boundary Discharge to Ironbark Creek	2024-02	8/02/2024	<0.02	0.01	0.05	<0.1	0.02	0.02	<0.02	<0.01	<0.05	<0.05	<0.05	<0.05	0.06	0.10	0.02	0.002	2.18	0.0001	<0.001	<0.01	0.003	1.67	<0.05
		2024-04	5/04/2024	<0.02	<0.01	0.02	<0.1	<0.02	<0.02	<0.02	<0.01	<0.05	<0.05	<0.05	<0.05	0.02	0.02	0.21	<0.001	<0.05	<0.0001	-	<0.01	0.008	13.8	<0.05
		2024-05	2/05/2024	0.04	0.03	0.07	<0.1	0.09	0.06	0.03	0.03	<0.05	<0.05	<0.05	<0.05	0.10	0.35	0.04	0.001	0.27	<0.0001	-	<0.01	0.005	6.33	<0.05
		2024-07	27/07/2024	<0.02	<0.01	0.04	<0.1	<0.02	<0.02	<0.02	<0.01	<0.05	<0.05	<0.05	<0.05	0.04	0.04	0.02	<0.001	<0.05	0.0001	-	<0.01	0.004	20.2	<0.05
		2024-09	26/09/2024	<0.02	<0.01	0.03	<0.1	<0.02	<0.02	<0.02	<0.01	<0.05	<0.05	<0.05	<0.05	0.03	0.03	0.09	<0.001	0.08	<0.0001	-	<0.01	0.007	51.6	<0.05
EPL Point 6	Upstream Location within Ironbark Creek	2024-04	5/04/2024	<0.02	<0.01	<0.01	<0.1	<0.02	<0.02	<0.02	<0.01	<0.05	<0.05	<0.05	<0.05	<0.01	<0.01	0.021	<0.0005	1.74	<0.0002		<0.01	0.011	6.67	0.03
		2024-09	26/09/2024	<0.02	<0.01	0.01	<0.1	<0.02	<0.02	<0.02	<0.01	<0.05	<0.05	<0.05	<0.05	0.01	0.01	0.005	<0.0005	2.52	<0.0002		<0.01	0.002	2.58	0.025

	Metals						Physio-Chemical Parameters			Physico-Chemical Parameters	Major Ions				Nutrients							Total Recoverable Hydrocarbons	
	Lead (filtered)	Manganese (filtered)	Mercury (filtered)	Molybdenum (filtered)	Nickel (filtered)	Zinc (filtered)	Turbidity	pH (Lab)	Total Suspended Solids	Electrical conductivity (lab)	Calcium (filtered)	Magnesium (filtered)	Potassium (filtered)	Sodium (filtered)	Ammonia (as N)	Nitrate (as N)	Nitrite (as N)	Total Kjeldahl Nitrogen	Nitrite + Nitrate as N	Total Nitrogen (as N)	Phosphate total (as P)	C6-C10 fraction	C6-C10 fraction (minus BTEX)(F1)
	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	NTU	pH Units	mg/L	µS/cm	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	µg/L	µg/L
EQL	0.001	0.001	0.0001	0.001	0.001	0.005	0.1	0.01	5	1	1	1	1	1	0.01	0.01	0.01	0.1	0.01	0.1	0.01	20	20
ANZG (2018) Freshwater 95% LOSP Toxicant DGVs	0.0034	1.9	0.0006		0.011	0.008									0.9	2.4							
ANZG (2018) Marine Water 95% LOSP Toxicant DGVs	0.0044		0.0004		0.07	0.015									0.91								
PFAS NEMP 2020 Interim Marine 99%																							

Location Code	Alternative Name	Monitoring Round	Date																							
EPL Point 2	Ferrous Metal Shredder Yard - Discharge Point	2024-02	8/02/2024	0.010	0.249	<0.0001	0.028	0.008	0.120	26.9	7.67	18	911	85	12	18	98	0.44	0.04	0.01	6.8	0.05	6.8	0.51	<20	<20
		2024-04	5/04/2024	0.003	0.103	<0.0001	0.018	0.008	0.144	120	7.68	89	654	83	6	14	41	0.55	0.05	<0.01	6.6	0.05	6.6	0.51	60	20
		2024-09	26/09/2024	<0.001	0.258	<0.0001	0.030	0.007	0.030	45.6	7.40	39	1,710	141	25	20	180	2.66	<0.01	<0.01	8.5	<0.01	8.5	0.37	<20	<20
EPL Point 3	Spark St Sediment Trap - Discharge Point	2024-02	8/02/2024	<0.001	0.007	<0.0001	0.012	0.002	0.013	620	8.94	308	286	28	2	12	24	0.12	0.03	0.05	2.7	0.08	2.8	0.75	<20	<20
		2024-04	5/04/2024	<0.001	0.002	<0.0001	0.003	<0.001	<0.005	292	9.42	553	97	10	1	2	7	0.03	0.03	0.01	1.6	0.04	1.6	1.05	<20	<20
		2024-09	26/09/2024	<0.001	0.012	<0.0001	0.007	0.001	0.012	2,610	8.73	1,060	202	24	2	4	13	0.12	0.09	0.04	4.9	0.13	5.0	2.07	<20	<20
EPL Point 4	Non-Ferrous Metal Yard	2024-04	5/04/2024	0.002	0.014	<0.0001	0.010	0.003	0.035	139	8.28	71	257	20	2	12	16	1.22	0.19	0.03	2.6	0.22	2.8	0.18	<20	<20
		2024-04	5/04/2024	0.005	0.027	<0.0001	0.010	0.005	0.040	194	8.48	165	248	20	2	7	17	0.45	0.14	0.04	2.8	0.18	3.0	0.33	<20	<20
		2024-05	2/05/2024	0.002	0.033	<0.0001	0.024	0.003	0.034	87.9	8.03	68	307	22	2	4	34	0.03	0.02	0.01	1.9	0.03	1.9	0.14	<20	<20
		2024-07	27/07/2024	<0.001	0.033	<0.0001	0.015	0.003	0.089	265	7.30	138	355	16	3	3	19	0.03	0.11	0.06	2.2	0.17	2.4	0.38	<20	<20
		2024-09	26/09/2024	<0.001	0.059	<0.0001	0.025	0.004	0.047	384	8.32	177	271	27	4	5	22	0.13	0.30	0.10	2.1	0.40	2.5	0.40	<20	<20
EPL Point 5	Western Boundary Discharge to Ironbark Creek	2024-02	8/02/2024	<0.001	0.088	<0.0001	0.014	0.002	0.030	47.9	8.27	44	26,900	253	635	197	5,310	0.19	0.09	0.04	0.7	0.13	0.8	0.14	<20	<20
		2024-04	5/04/2024	<0.001	0.002	<0.0001	0.003	<0.001	<0.005	378	9.37	791	108	11	1	2	8	0.05	0.20	<0.01	1.2	0.20	1.4	0.72	<20	<20
		2024-05	2/05/2024	<0.001	0.228	<0.0001	0.018	0.004	0.040	197	8.48	142	1,040	77	18	10	48	35.9	0.62	0.08	43.0	0.70	43.7	0.37	<20	<20
		2024-07	27/07/2024	<0.001	0.072	<0.0001	0.006	0.002	0.039	421	7.80	246	385	22	6	3	16	0.21	0.48	0.07	1.8	0.55	2.4	0.60	<20	<20
		2024-09	26/09/2024	<0.001	0.027	<0.0001	0.008	0.001	0.029	2,030	9.00	629	359	32	6	5	32	0.13	0.14	0.05	3.2	0.19	3.4	1.23	<20	<20
EPL Point 6	Upstream Location within Ironbark Creek	2024-04	5/04/2024	0.0003	0.106	<0.000005	0.0033	0.0016	0.048	58.9	7.91	91	22,600	200	458	145	3,870	0.20	0.14	<0.01	0.8	0.14	0.9	0.20	<20	<20
		2024-09	26/09/2024	0.0003	0.169	<0.000005	0.0051	0.0023	0.039	30.6	7.60	37	38,700	314	894	264	7,340	0.26	0.04	<0.01	0.6	0.04	0.6	0.08	<20	<20



Discharge Monitoring Results

Client Name: Infrabuild
Project Name: Hexham Discharge Monitoring
Project No: 60493017

	Total Recoverable Hydrocarbons					Total Petroleum Hydrocarbons						Monocyclic Aromatic Hydrocarbons								Polynuclear Aromatic Hydrocarbons			
	>C10-C16 (minus Naphthalene)(F2)	>C10-C16 fraction	>C16-C34 fraction	>C34-C40 fraction	>C10-C40 fraction (sum)	C6-C9 fraction	C10-C14 fraction	C15-C28 fraction	C29-C36 fraction	C10-C36 fraction (sum)	Oil and Grease	Naphthalene (BTEXN)	Benzene	Toluene	Ethylbenzene	m&p-Xylene	o-Xylene	Total Xylenes	Total BTEX	Benzo(a)pyrene TEQ calc (Zero)	Naphthalene	Acenaphthylene	Acenaphthene
	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L
EQL	100	100	100	100	100	20	50	100	50	50	5,000	5	1	2	2	2	2	2	1	0.5	1	1	1
ANZG (2018) Freshwater 95% LOSP Toxicant DGVs													950	180	80		350				16		
ANZG (2018) Marine Water 95% LOSP Toxicant DGVs													700	180	80						70		
PFAS NEMP 2020 Interim Marine 99%																							

Location Code	Alternative Name	Monitoring Round	Date																							
EPL Point 2	Ferrous Metal Shredder Yard - Discharge Point	2024-02	8/02/2024	270	270	560	<100	830	<20	200	510	150	860	<5,000	<5	<1	<2	<2	<2	<2	<1	<0.5	<1.0	<1.0	<1.0	
		2024-04	5/04/2024	640	640	2,560	560	3,760	50	330	2,080	1,200	3,610	<5,000	<5	<1	22	2	7	5	12	36	<0.5	<1.0	<1.0	<1.0
		2024-09	26/09/2024	690	690	3,310	550	4,550	<20	340	2,550	1,480	4,370	14,000	<5	<1	<2	<2	<2	<2	<1	<0.5	<1.0	<1.0	<1.0	
EPL Point 3	Spark St Sediment Trap - Discharge Point	2024-02	8/02/2024	<100	<100	560	100	660	<20	<50	420	220	640	-	<5	<1	<2	<2	<2	<2	<1	<0.5	<1.0	<1.0	<1.0	
		2024-04	5/04/2024	<100	<100	<100	<100	<100	<20	<50	<100	<50	<50	<5,000	<5	<1	<2	<2	<2	<2	<1	<0.5	<1.0	<1.0	<1.0	
		2024-09	26/09/2024	<100	<100	3,780	1,590	5,370	<20	50	2,540	2,010	4,600	25,000	<5	<1	<2	<2	<2	<2	<1	<0.5	<1.0	<1.0	<1.0	
EPL Point 4	Non-Ferrous Metal Yard	2024-04	5/04/2024	110	110	820	150	1,080	<20	50	660	290	1,000	6,000	<5	<1	<2	<2	<2	<2	<1	<0.5	<1.0	<1.0	<1.0	
		2024-04	5/04/2024	190	190	3,170	540	3,900	<20	70	2,560	1,170	3,800	18,000	<5	<1	<2	<2	<2	<2	<1	<0.5	<1.0	<1.0	<1.0	
		2024-05	2/05/2024	160	160	240	<100	400	<20	140	230	<50	370	<5,000	<5	<1	<2	<2	<2	<2	<1	<0.5	<1.0	<1.0	<1.0	
		2024-07	27/07/2024	190	190	3,860	890	4,940	<20	80	2,380	1,740	4,200	15,000	<5	<1	<2	<2	<2	<2	<1	<0.5	<1.0	<1.0	<1.0	
		2024-09	26/09/2024	180	180	3,100	820	4,100	<20	120	1,860	1,780	3,760	9,000	<5	<1	<2	<2	<2	<2	<1	<0.5	<1.0	<1.0	<1.0	
EPL Point 5	Western Boundary Discharge to Ironbark Creek	2024-02	8/02/2024	<100	<100	<100	<100	<100	<20	<50	<100	<50	<50	<5,000	<5	<1	<2	<2	<2	<2	<1	<0.5	<1.0	<1.0	<1.0	
		2024-04	5/04/2024	<100	<100	<100	<100	<100	<20	<50	<100	<50	<50	<5,000	<5	<1	<2	<2	<2	<2	<1	<0.5	<1.0	<1.0	<1.0	
		2024-05	2/05/2024	160	160	300	<100	460	<20	150	280	90	520	<5,000	<5	<1	<2	<2	<2	<2	<1	<0.5	<1.0	<1.0	<1.0	
		2024-07	27/07/2024	<100	<100	1,250	220	1,470	<20	<50	850	490	1,340	10,000	<5	<1	<2	<2	<2	<2	<1	<0.5	<1.0	<1.0	<1.0	
		2024-09	26/09/2024	100	100	5,080	2,230	7,410	<20	70	3,350	2,790	6,210	20,000	<5	<1	<2	<2	<2	<2	<1	<0.5	<1.0	<1.0	<1.0	
EPL Point 6	Upstream Location within Ironbark Creek	2024-04	5/04/2024	<100	<100	<100	<100	<100	<20	<50	<100	<50	<50	<5,000	<5	<1	<2	<2	<2	<2	<1	<0.5	<1.0	<1.0	<1.0	
		2024-09	26/09/2024	<100	<100	<100	<100	<100	<20	<50	<100	<50	<50	<5,000	<5	<1	<2	<2	<2	<2	<1	<0.5	<1.0	<1.0	<1.0	

	Polynuclear Aromatic Hydrocarbons														Glycols						
	Anthracene	Fluorene	Phenanthrene	Fluoranthene	Benz(a)anthracene	Benzo(k)fluoranthene	Benzo(b&g)fluoranthene	Benzo(a)pyrene	Chrysene	Pyrene	Benzo(g,h,i)perylene	Dibenz(a,h)anthracene	Indeno(1,2,3-cd)pyrene	Sum of PAHs	2-butoxyethanol	2-Ethoxyethanol acetate	Diethylene glycol	Diethylene glycol, monobutyl ether	Ethylene glycol	Propylene glycol	Triethylene glycol
	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	mg/L	µg/L
EQL	1	1	1	1	1	1	1	0.5	1	1	1	1	1	0.5	2,000	2,000	2,000	2,000	2,000	2	2,000
ANZG (2018) Freshwater 95% LOSP Toxicant DGVs	0.4		2	1.4				0.2													
ANZG (2018) Marine Water 95% LOSP Toxicant DGVs	0.4		2	1.4				0.2													
PFAS NEMP 2020 Interim Marine 99%																					

Location Code	Alternative Name	Monitoring Round	Date																					
EPL Point 2	Ferrous Metal Shredder Yard - Discharge Point	2024-02	8/02/2024	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<0.5	<1.0	<1.0	<1.0	<1.0	<1.0	<0.5	<2,000	<2,000	<2,000	<2,000	<2,000	<2	<2,000
		2024-04	5/04/2024	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<0.5	<1.0	<1.0	<1.0	<1.0	<1.0	<0.5	<2,000	<2,000	<2,000	<2,000	7,000	<2	<2,000
		2024-09	26/09/2024	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<0.5	<1.0	<1.0	<1.0	<1.0	<1.0	<0.5	<2,000	<2,000	<2,000	<2,000	<2,000	<2	<2,000
EPL Point 3	Spark St Sediment Trap - Discharge Point	2024-02	8/02/2024	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<0.5	<1.0	<1.0	<1.0	<1.0	<1.0	<0.5	<2,000	<2,000	<2,000	<2,000	<2,000	<2	<2,000
		2024-04	5/04/2024	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<0.5	<1.0	<1.0	<1.0	<1.0	<1.0	<0.5	<2,000	<2,000	<2,000	<2,000	<2,000	<2	<2,000
		2024-09	26/09/2024	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<0.5	<1.0	<1.0	<1.0	<1.0	<1.0	<0.5	<2,000	<2,000	<2,000	<2,000	<2,000	<2	<2,000
EPL Point 4	Non-Ferrous Metal Yard	2024-04	5/04/2024	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<0.5	<1.0	<1.0	<1.0	<1.0	<1.0	<0.5	<2,000	<2,000	<2,000	<2,000	<2,000	<2	<2,000
		2024-04	5/04/2024	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<0.5	<1.0	<1.0	<1.0	<1.0	<1.0	<0.5	<2,000	<2,000	<2,000	<2,000	3,000	<2	<2,000
		2024-05	2/05/2024	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<0.5	<1.0	<1.0	<1.0	<1.0	<1.0	<0.5	<2,000	<2,000	<2,000	<2,000	<2,000	<2	<2,000
		2024-07	27/07/2024	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<0.5	<1.0	<1.0	<1.0	<1.0	<1.0	<0.5	<2,000	<2,000	<2,000	<2,000	<2,000	<2	<2,000
		2024-09	26/09/2024	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<0.5	<1.0	<1.0	<1.0	<1.0	<1.0	<0.5	<2,000	<2,000	<2,000	<2,000	<2,000	<2	<2,000
EPL Point 5	Western Boundary Discharge to Ironbark Creek	2024-02	8/02/2024	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<0.5	<1.0	<1.0	<1.0	<1.0	<1.0	<0.5	<2,000	<2,000	<2,000	<2,000	<2,000	<2	<2,000
		2024-04	5/04/2024	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<0.5	<1.0	<1.0	<1.0	<1.0	<1.0	<0.5	<2,000	<2,000	<2,000	<2,000	<2,000	<2	<2,000
		2024-05	2/05/2024	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<0.5	<1.0	<1.0	<1.0	<1.0	<1.0	<0.5	<2,000	<2,000	<2,000	<2,000	<2,000	<2	<2,000
		2024-07	27/07/2024	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<0.5	<1.0	<1.0	<1.0	<1.0	<1.0	<0.5	<2,000	<2,000	<2,000	<2,000	<2,000	<2	<2,000
		2024-09	26/09/2024	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<0.5	<1.0	<1.0	<1.0	<1.0	<1.0	<0.5	<2,000	<2,000	<2,000	<2,000	<2,000	<2	<2,000
EPL Point 6	Upstream Location within Ironbark Creek	2024-04	5/04/2024	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<0.5	<1.0	<1.0	<1.0	<1.0	<1.0	<0.5	<2,000	<2,000	<2,000	<2,000	<2,000	<2	<2,000
		2024-09	26/09/2024	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<0.5	<1.0	<1.0	<1.0	<1.0	<1.0	<0.5	<2,000	<2,000	<2,000	<2,000	<2,000	<2	<2,000