



# Independent Environmental Audit

## Concrush Teralba Resource Recovery Facility

**Prepared for:**  
Concrush Pty Ltd  
Teralba NSW 2282

IEMA Ref: CCR01-001

Version No: v1

20 November 2023

## DOCUMENT VERIFICATION

**Project Title:** Concrush Teralba Resource Recovery Facility Independent Environmental Audit

**Project Number:** CCR01-001 - v1

**Project File Name:** CCR01-001-R01-ConcrushIEA-v1-20231120

| Version | Comment          | Date             | Prepared                         | Authorised  |
|---------|------------------|------------------|----------------------------------|-------------|
| v0.1    | Draft IEA Report | 17 November 2023 | Olivia O'Shannessy & Chris Jones | Chris Jones |
| v1      | Final IEA Report | 20 November 2023 | Olivia O'Shannessy & Chris Jones | Chris Jones |

### DISCLAIMER

This report has been prepared by Integrated Environmental Management Australia (IEMA) with all reasonable skill, care, and diligence, and taking account of the timescale and resources allocated to it by agreement the Client. Information reported herein is based on the interpretation of data collected, which has been accepted in good faith as being accurate and valid.

This report is for the exclusive use of the Client. No warranties or guarantees are expressed or should be inferred by any third parties. This report may not be relied upon by other parties without written consent from IEMA.

IEMA disclaims any responsibility to the Client and others in respect of any matters outside the agreed scope of the work.

**Integrated Environmental Management Australia Pty LTD**

ABN 32 622 237 870

PO Box 3161, MEREWETHER NSW 2291 AUSTRALIA

E: admin@iema.com.au

T: 0409 288 909 | W: www.iema.com.au

# CONTENTS

|  |           |
|--|-----------|
| <b>Document verification .....</b>   | <b>i</b>  |
| <b>1. Introduction .....</b>   | <b>1</b>  |
| 1.1. Background .....  | 1         |
| 1.2. Project definitions.....  | 3         |
| 1.3. Summary of project activities and timeline .....                        | 4         |
| 1.4. Audit team .....  | 6         |
| 1.5. Audit objectives .....  | 6         |
| 1.6. Audit scope .....   | 6         |
| 1.7. Audit period.....   | 7         |
| <b>2. Audit methodology .....</b>  | <b>8</b>  |
| 2.1. Selection and endorsement of audit team .....                           | 8         |
| 2.2. Independent audit scope development.....                                | 8         |
| 2.3. Compliance evaluation.....  | 8         |
| 2.4. Site interviews.....  | 9         |
| 2.5. Site inspections.....   | 9         |
| 2.6. Consultation .....  | 10        |
| 2.7. Compliance status descriptors.....                                      | 10        |
| <b>3. Audit findings .....</b>   | <b>11</b> |
| 3.1. Approval and document list.....   | 11        |
| 3.2. Compliance performance.....   | 11        |
| 3.3. Summary of Agency notices, Orders, Penalty Notices or Prosecutions..... | 11        |
| 3.4. Non-compliances .....   | 12        |
| 3.5. Previous audit recommendations .....                                    | 24        |
| 3.6. EMP, sub-plans, and compliance documents.....                           | 24        |
| 3.7. Environmental performance.....  | 26        |
| 3.8. Consultation outcomes .....   | 26        |
| 3.9. Complaints .....  | 26        |
| 3.10. Incidents.....   | 27        |
| 3.11. Actual vs predicted environmental impacts .....                        | 27        |
| 3.12. Site inspection.....   | 27        |
| 3.13. Site interviews.....   | 27        |
| 3.14. Previous Annual Review or Compliance Report recommendations.....       | 27        |
| 3.15. Improvement opportunities .....  | 28        |
| 3.16. Key strengths.....   | 28        |
| <b>4. Recommendations .....</b>  | <b>29</b> |

---

|   |           |
|---|-----------|
| 4.1. <i>Non-Compliances</i> .....               | 29        |
| 4.2. <i>Opportunities for improvement</i> ..... | 29        |
| <b>5. Conclusion</b> .....                      | <b>32</b> |

## **TABLES**

|   |    |
|---|----|
| Table 1: Key Project Definitions from SSD 8753 .....                  | 3  |
| Table 2: Timeline of General Activities within the Audit Period ..... | 4  |
| Table 3: Auditor Qualifications .....                                 | 6  |
| Table 4: Key Site Contacts.....                                       | 6  |
| Table 5: Meeting Attendees .....                                      | 9  |
| Table 6: Compliance Assessment Criteria.....                          | 10 |
| Table 7: Summary of Non-compliances .....                             | 13 |
| Table 8: Approved Management Plans.....                               | 24 |
| Table 9: Stakeholder Consultation for the IEA.....                    | 26 |
| Table 10: Number of complaints since last IEA .....                   | 27 |
| Table 11: Summary of Non-Compliance Recommendations.....              | 29 |
| Table 12: Opportunities for improvement.....                          | 30 |
| Table 13: Audit Compliance Summary .....                              | 32 |

## **FIGURES**

|  |   |
|--|---|
| Figure 1: Regional Locality (sourced from the Concrush Increase to Capacity Project Environmental Impact Statement, 2018)..... | 2 |
|--|---|

## **APPENDICES**

|  |  |
|--|--|
| Appendix A – DPE Endorsement of the Audit Team                         |  |
| Appendix B – Site Inspection Photographs                               |  |
| Appendix C – Site Aerials 2020 to 2023 (NearMaps)                      |  |
| Appendix D – Compliance Spreadsheet                                    |  |
| Appendix E – Declaration of Independence Form (at time of endorsement) |  |
| Appendix F – Audit Report Declaration Form (20/11/2023)                |  |
| Appendix G – Records of Consultation                                   |  |

# 1. INTRODUCTION

## 1.1. Background

Concrush Pty Ltd operate the Teralba Resource Recovery Facility located at 21 Racecourse Road, Teralba (the site) in the LGA of Lake Macquarie City Council. Under State Significant Development (SSD) 8753, Concrush have the processing capacity of 250,000 tonnes per year of general solid waste (non-putrescible) with a maximum storage capacity of 150,000 tonnes at any one time. From 2002 Concrush operated under a Lake Macquarie City Council (LMCC) Consent. Concrush was granted SSD 8753 on 27 March 2020 to extend the existing facility into the lot to the south, part Lot 2 DP 220347.

The facility provides recycling of concrete, asphalt, other building materials and green waste into products such as roadbase, drainage aggregates, pipe bedding and haunch, packing fines, decorative aggregates and mulches. These products are then sold for commercial, domestic and household applications.

As shown in **Figure 1**, the facility is located within an industrial precinct of Teralba and is surrounded by other industrial land uses including scrap metal recycling, car wreckers, and coal mining. The site is accessible via Racecourse Road and the nearest residential community is located at the Bunderra residential estate 200 metres to the east of the site, on the other side of Cockle Creek.



Legend  
Concrush Recycling Facility

FIGURE 1.1  
Locality Plan

Figure 1: Regional Locality (sourced from the Concrush Increase to Capacity Project Environmental Impact Statement, 2018)

## 1.2. Project definitions

The following table includes the key definitions from SSD 8753 which have been used to assess compliance in this IEA.

**Table 1: Key Project Definitions from SSD 8753**

| Term                                  | Definition (from SSD 8753 Definitions)  |
|---------------------------------------|---|
| CEMP                                  | Construction Environment Management Plan  |
| Construction                          | The demolition and removal of buildings or works, the carrying out of works for the purpose of the development, including bulk earthworks, and erection of buildings and other infrastructure permitted by this consent.  |
| Day                                   | The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays   |
| Development                           | The development described in the EIS and Response to Submissions, including the works and activities comprising resource recovery of waste, as modified by the conditions of this consent.  |
| Development layout                    | The plans at Appendix 1 of this consent   |
| Earthworks                            | Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services, to prepare the site for construction   |
| EIS                                   | The Environmental Impact Statement titled Concrush Increase to Capacity Project Teralba NSW Environmental Impact Statement, prepared by Umwelt (Australia) Pty Limited dated November 2018, submitted with the application for consent for the development, including any additional information provided by the Applicant in support of the application  |
| Evening                               | The period from 6 pm to 10 pm   |
| Garden and wood waste                 | As defined in the Protection of the Environment Operations Act 1997   |
| General solid waste (non-putrescible) | As defined in the Protection of the Environment Operations Act 1997   |
| Incident                              | An occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance<br>Note: "material harm" is defined in this consent   |
| Material harm                         | Is harm that:<br>involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial, or<br>results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment) |
| Non-compliance                        | An occurrence, set of circumstances or development that is a breach of this consent   |
| OEMP                                  | Operational Environmental Management Plan   |
| Operation                             | The receipt, removal or processing of general solid waste (non-putrescible)   |

| Term                    | Definition (from SSD 8753 Definitions)  |
|-------------------------|---|
| Response to submissions | The Response to Submissions titled Concrush Increase in Capacity Project Teralba, NSW Response to Submissions, prepared by Umwelt (Australia) Pty Limited dated May 2019, the Response to Submissions titled Agency Comments on the Concrush Response to Submissions (SSD 8753), prepared by Umwelt (Australia) Pty Limited dated 18 July 2019 and additional information provided Umwelt (Australia) Pty Ltd on 2 October 2019, 20 November 2019 and 29 November 2019 in support of this application |
| Stage 1 construction    | The carrying out of works shown as Stage 1 on the plans at Appendix 1 of this consent, for the purpose of the development, including bulk earthworks and other infrastructure as identified in the EIS  |
| Stage 2 construction    | The carrying out of works shown as Stage 2 on the plans at Appendix 1 of this consent, for the purpose of the development, including bulk earthworks and other infrastructure as identified in the EIS  |
| Stage 1 operations      | The point at which the site can receive and process between 108,000 tpa and 200,000 tpa of general solid waste (non-putrescible) and store between 40,000 tonnes and 150,000 tonnes of general solid waste (non-putrescible) at any one time within the area identified in the plans at Appendix 1 of this consent  |
| Stage 2 operations      | The point at which the site can receive and process up to 250,000 tpa of general solid waste (non-putrescible) and store up to 150,000 tonnes of general solid waste (non-putrescible) at any one time within the area identified in the plans at Appendix 1 of this consent.   |
| Year                    | A period of 12 consecutive months   |

### 1.3. Summary of project activities and timeline

Based on the evidence provided to IEMA, the general timeline of activities is summarised below.

**Table 2: Timeline of General Activities within the Audit Period**

| Date       | Key Event   | Evidence relating to activities   | Activities  |
|------------|---|---|---|
| 27/03/2020 | Granting of SSD 8753 approval.  | SSD 8753 Signed Instrument of Determination.  | -   |
| 30/06/2020 | Aerial imagery show evidence of activities being done in the SSD 8753 Expansion area. | Aerial Photo 3 dated 30/06/2020. Refer to <b>Appendix C</b> .                               | Concrush indicated that at that time the activities included the establishment of the boundary and weed management using a track roller |
| 31/07/2020 | Notification of Commencement of Construction  | Concrush letter to DPE dated 31/07/2020 notifying intention to commence construction phase. | Notification of Commencement to DPE as required by Condition A12.   |
| 29/10/2020 | Approval date of CEMP   | DPE Approval letter for CEMP dated 29/10/2020.  | -   |



| Date       | Key Event                                  | Evidence relating to activities   | Activities   |
|------------|--|---|--|
| 4/11/2020  | Commencement of Construction               | <p>Concrush's response to DPE Notice to Furnish Information dated 2 June 2023.</p> <p>Refer to <b>Section 3.4</b> for a summary of non-compliances. Refer to <b>Appendix D</b> for complete findings.</p> | <p>Concrush's response to the Notice states:</p> <p><i>On 4 November 2020, a full time Site Supervisor and construction crew commenced construction activities in accordance with the approved Construction Environmental Management Plan (CEMP). Works undertaken at this time included implementation of erosion control measures, erection of temporary fencing, site inductions, remediation of site and stockpiling and sorting of waste on site.</i></p> |
| 21/12/2020 | Approval date of OEMP                      | DPE Approval Letter of OEMP dated 21/12/2020.   | -  |
| 16/04/2022 | Construction phase continued.              | Aerial Photo 12 dated 16/04/2022. Refer to <b>Appendix C</b> .  | <p>Aerial photo indicates:</p> <ul style="list-style-type: none"> <li>• Construction continuing at Sediment Basin 2, Leachate Dam, and Constructed Wetlands</li> <li>• Mulched green waste stockpile in SSD Expansion Area</li> <li>• Large stockpiles remain in the SSD Expansion Area</li> </ul>   |
| 4/10/2022  | Construction phase continued.              | Aerial Photo 16 dated 4/10/2022. Refer to <b>Appendix C</b> .   | <p>Aerial photo indicates:</p> <ul style="list-style-type: none"> <li>• Stockpiles remain in SSD Expansion area, and</li> <li>• New red tile stockpile in SSD Expansion Area.</li> </ul> <p>IEMA consider this to mark operations as defined under SSD 8753. Refer also to the definition of general solid waste (non-putrescible) under SSD 8753.</p>   |
| 15/01/2023 | Construction phase continued.              | Aerial Photo 18 dated 15/01/2023. Refer to <b>Appendix C</b> .  | <p>Aerial photo indicates:</p> <ul style="list-style-type: none"> <li>• Crushed red tile stockpiles in SSD Expansion area.</li> </ul>  |
| 28/02/2023 | Notification of Commencement of Operations | Concrush letter to DPE notification of intent to commence operations dated 28/02/2023.  | Notification of Commencement to DPE as required by Condition A12.  |
| 31/03/2023 | Commencement of Operations                 | Based on discussions with Concrush, and evidence of operations commencing including operational monitoring (water monitoring).  | Note, aspects of Stage 1 Operations are not yet in place such as the wheel wash. However, evidence of the purchase of the wheel wash was provided and the auditor observed the use of a water cart during the site inspection and logbooks.  |

## 1.4. Audit team

The Department of Planning and Environment (DPE) endorsed the IEA team in a letter dated 24/08/2023 (refer **Appendix A**). The experience and qualifications of each auditor are provided in **Table 3** below.

**Table 3: Auditor Qualifications**

| Name and Position                                 | Qualifications and Experience  |
|---|--|
| Chris Jones<br>Principal Environmental Consultant | Bachelor of Environmental Science, University of Newcastle<br>Principal Environmental Auditor - Exemplar Global Accreditation<br>17 years of industry experience |
| Olivia O'Shannessy<br>Environmental Consultant    | Bachelor of Environmental Science and Management, University of Newcastle<br>3 years of industry experience  |

The main site contacts for this IEA are provided in **Table 4** with their contact details. Other site personnel who contributed to the IEA are included in **Section 2.4**.

**Table 4: Key Site Contacts**

| Name and Position                   | Contact Details       |
|-------------------------------------|-----------------------|
| Kevin Thompson<br>Managing Director | kevin@concrush.com.au |

## 1.5. Audit objectives

The objectives of this IEA are to address the requirements of SSD 8753, as well as the Independent Audit Post Approval Requirements (PAR) (DPE, 2020). In accordance with the Independent Audit PAR (DPE 2020) the purpose of an Independent Audit is to obtain an independent and objective assessment of the environmental performance and compliance status of a project.

## 1.6. Audit scope

This IEA has been undertaken following Concrush receiving a Direction to Undertake Independent Environmental Audit from the Planning Secretary on 26/07/2023. The letter stated:

*Reference is made to the Notice to Furnish Information and Records issued by the Department of Planning and Environment (the department) dated 4 May 2023 and the response submitted by Concrush Pty Ltd (Concrush) dated 2 June 2023.*

*The department has carefully reviewed the information and records provided in the response and is not satisfied that the information and records wholly proves compliance with the conditions of SSD-8753 (the consent). As such, the Planning Secretary directs Concrush under the provisions of Schedule 2 Part C Condition C16 of the consent to undertake an Independent Environmental Audit (IEA) of the development.*

*The IEA must cover all conditions of the consent commencing from the date of the approval of the consent, being 27 March 2020, up to the date of the auditor site inspection.*

---

*The IEA will be required to be undertaken by a qualified, experienced and independent audit team whose appointment is endorsed by the Planning Secretary, as per Condition C16 of the consent. The lead auditor must be an Exemplar Global Certified Lead Auditor.*

This is the first IEA for the site as required by Condition C16 of SSD 8753.

The audit scope included the following key approval:

- SSD 8753 Consent, including Appendices.

Neither the Independent Audit PAR (DPE 2020) or SSD 8753 include a requirement for Council Consents or Environment Protection Licences (EPLs) to be included in Audits. Therefore, EPL 13351 which applies to the site has not been considered further in this document. It should be noted however the SSD 8753 refers to the EPL a number of times, therefore some EPL conditions were relevant for this audit.

### **1.7. Audit period**

The IEA covers the period from 27 March 2020 to 20 September 2023. This period is based on the date of Consent approval to the first day of the audit inspection.

## 2. AUDIT METHODOLOGY

### 2.1. Selection and endorsement of audit team

As noted in **Section 1.1**, the DPE endorsed the IEA team in a letter dated 26 August 2023 (refer to **Appendix A**). The IEA team are independent of Concrush as defined under Section 3.1.1 of the PAR (DPE, 2020). A Declaration of Independence is included as **Appendix E**.

### 2.2. Independent audit scope development

The scope of the IEA was developed in consultation with Concrush during the proposal phase, and was developed to comply with the requirements of Condition C16 under SSD 8753, as well as the Independent Audit PAR (DPE, 2020).

Condition C16 of SSD 8753 states:

*Within one year of the commencement of operation, and every three years after, unless the Planning Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit (audit) of the development. Audits must:*

- a) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Planning Secretary;*
- b) be carried out in consultation with the relevant agencies;*
- c) assess the environmental performance of the development and assess whether it is complying with the requirements in this consent, and any strategy, plan or program required under this consent;*
- d) review the adequacy of any approved strategy, plan or program required under this consent; and*
- e) recommend measures or actions to improve the environmental performance of the development, and any strategy, plan or program required under this consent.*

Additionally, IEMA consulted with DPE and various agencies during the early stages of the audit to seek input on any additional aspects that were requested to be included in the scope of the audit. This consultation is summarised in **Section 2.6** and **Section 3.8**.

### 2.3. Compliance evaluation

The methodology for evaluating compliance during the IEA consisted of the following key steps:

- Review of key documents provided by Concrush prior to the site component.
- Consultation with relevant government agencies as per the PAR prior to the site component.
- Meeting with key Concrush personnel.
- Site component of the IEA including a field inspection.
- Prior to the site inspection the IEA team undertook a desktop review of the approvals and documentation outlined in **Section 3.1**.
- One round of client review and comments were received on the draft IEA Report prior to finalisation.

A large amount of evidence was viewed and collected as part of the IEA, including monitoring records, reports, and correspondence. While this key evidence has been referenced in this document, it has not been attached to this IEA report.

## 2.4. Site interviews

Site interviews were completed with the following staff during the site inspection:

- Kevin Thompson, Managing Director.
- Helen Milne, Finance and Administration Manager.
- Ross Lo Monaco, Head of Growth.
- David Cross, Maintenance Manager.
- Patrick Bradley, Operation's Manager.

Outcomes from these interviews are included in **Section 3.13**. The auditors also spoke to contractors engaged by Concrush to undertake monitoring and environmental inspections at the site as well.

## 2.5. Site inspections

Chris Jones (Lead Auditor) and Olivia O'Shannessy (Assistant Auditor) visited the site on 20 September and 11 October 2023 to complete a site inspection and verify field components of the audit. Findings from the site inspection are included in **Section 3.12**. Key site areas visited during the site inspection included:

- Main site office and administration building.
- Site weighbridge (operating at time of inspection)
- New weighbridge area under construction, including demountable building.
- Sediment Basin 1 (under construction) and part of northern boundary drain.
- New maintenance shed, office, and car park in the south-western corner of the site.
- Sediment Basin 2 and part of the southern boundary drain.
- Green waste catchment area, including leachate dam, constructed wetland, and south-eastern corner of the site.
- General walk through processing and stockpiling areas (majority of the site area).

Additionally, attendees at the site inspections and meetings are included in **Table 5**.

**Table 5: Meeting Attendees**

| Name  | Role and Company   |
|---|--|
| Site Inspection and Onsite Audit Meeting - 20 September and 11 October 2023 |  |
| Kevin Thompson  | Managing Director, Concrush                              |
| Ross Lo Monaco  | Head of Growth, Concrush                                 |
| Helen Milne   | Finance & Administration Manager, Concrush               |
| Chris Jones   | Principal Environmental Consultant as Lead Auditor, IEMA |
| Olivia O'Shannessy  | Environmental Consultant as Assistant Auditor, IEMA      |
| Close-out Meeting - 13 November 2023  |  |
| Kevin Thompson  | Managing Director, Concrush                              |

| Name               | Role and Company   |
|--------------------|--|
| Chris Jones        | Principal Environmental Consultant as Lead Auditor, IEMA |
| Olivia O'Shannessy | Environmental Consultant as Assistant Auditor, IEMA      |

## 2.6. Consultation

In accordance with the Independent Audit PAR (DPE, 2020) IEMA sought confirmation from DPE as to which Agencies were required to be consulted with during the audit. As directed by DPE, consultation was undertaken with the following agencies during the IEA:

- Department of Planning and Environment (Water Division);
- NSW EPA (Regulatory Operations);
- Lake Macquarie City Council;
- Sydney Trains; and
- CodeWise Certifiers.

The outcomes of this consultation are included in **Section 3.8**.

## 2.7. Compliance status descriptors

The terms used in the IEA to describe the status of compliance of the site with the relevant approval documentation are outlined in **Table 6**. These are requirements of the Independent Audit PAR (DPE, 2020).

**Table 6: Compliance Assessment Criteria**

| Assessment      | Criteria   |
|-----------------|--|
| Compliant       | The Auditor has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with within the scope of the Audit.  |
| Non - Compliant | The auditor has determined that one or more specific elements of the conditions or requirements have not been complied with within the scope of the audit.   |
| Not triggered   | A requirement has an activation or timing trigger that has not been met during the temporal scope of the audit being undertaken (may be a retrospective or future requirement), therefore an assessment of compliance is not relevant. |

### 3. AUDIT FINDINGS

#### 3.1. Approval and document list

Key approvals and documentation reviewed as part of the IEA included, but were not limited to, the following:

- Development Consent (SSD 8753) issued by DPE on 27 March 2020
- Operational Environmental Management Plan (as per Condition C5)
- Waste Management Plan (Condition B3) and Waste Monitoring Program (Condition B5)
- Discharge Verification and Mitigation Plan (Condition B14)
- Surface Water Management System (including Water System) (Condition B16)
- Groundwater Management Plan (Condition B20)
- Erosion and Sediment Control Plan (Condition B22)
- Acid Sulfate Soil Management Plan (Condition B25)
- Flood Emergency Response Plan (Condition B26)
- Air Quality Management Plan (Condition B39)
- Traffic Management Plan (Condition B34)
- Noise Management Plan (Condition B47)
- Emergency Management Plan (Fire) (Condition B55)
- Landscape Management Plan (Condition B57)
- Environment Protection Licence (EPL 1335) (as relevant)
- Long Term Environmental Management Plan (in relation to site contamination management)

There was significant amount of implementation records assessed as part of this IEA.

As noted in **Section 1.1**, based on discussions with Concrush they operated under a Lake Macquarie City Council (LMCC) Consent from 2002 until when activities were commenced in accordance with SSD 8753. The conditions of the LMCC Consent have not been considered for the purpose of this IEA, unless expressly stated otherwise.

#### 3.2. Compliance performance

Non-compliances are outlined in **Section 3.4**. Refer to **Section 5** for overall performance.

#### 3.3. Summary of Agency notices, Orders, Penalty Notices or Prosecutions

The following agency notices, orders, penalty notices or prosecutions were issued to Concrush during the audit period:

- DPE's Notice to Furnish Information and Records dated 4/05/2023.
- Planning Secretary's Direction to Undertake Independent Environmental Audit (Condition C16), dated 26/07/2023.

The Notice to Furnish Information and Records included the following as matters being investigated by the DPE:

- *Schedule 2 Condition A12 of the consent, for failing to notify of commencement of Stage 1 construction at the project within the timeframe required by the condition;*
- *Schedule 2 Condition C4 (a) of the consent, for commencing construction of the project prior to approval of the Construction Environmental Management Plan (CEMP) by the Planning Secretary;*
- *Schedule 2 Condition A12 of the consent, for failing to notify of commencement of Stage 1 operations at the project within the timeframe required by the condition;*
- *Schedule 2 Condition A8 of the consent, for exceeding the waste receipt and processing limits prior to completion of Stage 1 construction and approval of the commencement of Stage 1 of operations by the Planning Secretary;*
- *Schedule 2 Condition B29 of the consent, for failing to complete the Racecourse Road access works to the satisfaction of Council prior to the commencement of Stage 1 operations at the project; and*
- *Schedule 3 Condition B45 of the consent, for failing to construct a concrete block noise wall on the eastern and southern perimeters of the 'raw material stockpiles and processing area' prior to the commencement of Stage 1 of operations.*

Concrush responded to DPE's Notice to Furnish Information and Records on 2 June 2023. It is understood following the receipt of Concrush's response, DPE issued the Planning Secretary's Direction to undertake an IEA under the provisions of Condition C16 of SSD 8753. Therefore, this audit team has been engaged to complete this audit as required by the Planning Secretary's Direction.

### **3.4. Non-compliances**

A summary of non-compliances and recommendations identified during the audit is presented in **Table 7**. Note, the findings in the table below have been amended compared to the complete assessment findings in **Appendix D** to focus on the key non-compliant parts of the condition.



**Table 7: Summary of Non-compliances**

| Condition | Requirement   | Evidence Collected  | Independent Audit Findings and Recommendations  | Compliance Status | Unique Identification Non-compliance |
|-----------|---|---|---|-------------------|--------------------------------------|
| A2.       | The development may only be carried out:<br>(a) in compliance with the conditions of this consent;<br>(b) in accordance with all written directions of the Planning Secretary;<br>(c) in accordance with the EIS and Response to Submissions;<br>(d) in accordance with the Development Layout in Appendix 1. and<br>(e) in accordance with the management and mitigation measures in Appendix 2. | <ul style="list-style-type: none"> <li>• EIS</li> <li>• DPE Notice to Furnish Information and Records, dated 4/05/2023.</li> <li>• DPE Secretary Direction to undertake Independent Environmental Audit, dated 26/07/2023.</li> <li>• General findings</li> </ul> | <p>Although generally compliant with the EIS and Consent, however, there have been some issues which results in a <u>non-compliance</u> with this condition.</p> <p>Areas of non-compliance or improvement included implementation of timing requirements or reporting (e.g. notifications), record keeping for demonstration of implementation of measures during construction, tracking of materials entering and stored on site as per the conditions of this Consent, construction of noise walls, and groundwater monitoring frequency.</p> <p>It should be noted that this Consent is highly detailed and ambiguous in some areas, so the audit team understands this is the reason for many of the non-compliances. Refer to <b>Section 4</b> for recommendations.</p> | Non-Compliant     | NC 1                                 |
| A7.       | The Applicant must not:<br>(a) receive or process more than 250,000 tonnes of general solid waste (non-putrescible) per annum, which includes no more than 5,000 tonnes of garden and wood waste; and<br>(b) store more than 150,000 tonnes of general solid waste (non- putrescible) at any one time, which includes 200 tonnes of garden and wood waste.  | <ul style="list-style-type: none"> <li>• Sales and Tonnes FY 2020-2023</li> <li>• Site inspection</li> </ul>  | <p>b) <u>Non-compliance</u>. At the time of the site inspection there were more than 200 tonnes of garden and wood waste stockpiled in the allocated area at site. Based on discussions with Concrush, the site was receiving at least 200 tonnes of garden and wood waste back in 2018 under the LMCC Consent. Concrush is currently preparing a Modification to increase the 200 tonnes limit relating to garden and wood waste.</p> <p><b>NC REC 1:</b> Concrush to liaise with the DPE immediately regarding the waste limit for garden and wood waste.</p>   | Non-Compliant     | NC 2                                 |

| Condition | Requirement  | Evidence Collected  | Independent Audit Findings and Recommendations  | Compliance Status | Unique Identification Non-compliance |
|-----------|--|---|---|-------------------|--------------------------------------|
| A8.       | Despite condition A7(a) and condition A7(b), the Applicant must not receive or process more than 108,000 tonnes per annum or store more than 40,000 tonnes of general solid waste (non-putrescible) at any one time until Stage 1 construction is complete and the Planning Secretary has approved the commencement of Stage 1 operations. | <ul style="list-style-type: none"> <li>• DPE Notice to Furnish Information and Records, dated 4/05/2023.</li> <li>• Table of conditions Concrush Pty Limited - Signed instrument of determination – SSD-8753, word document, undated (understood to be a live document).</li> <li>• Sales and Tonnages FY 2020-2023</li> <li>• WasteMan volumes for the audit period</li> <li>• Concrush letter to DPE officer regarding one-off exceedance dated 10/08/2021.</li> <li>• Concrush letter to DPE notification of intent to commence operations dated 28/02/2023</li> </ul> | <p>Processing tonnages - <u>Non-compliance</u><br/>                     Based on discussions with Concrush and evidence provided including the volume tracking system and the Concrush letter to DPE dated 10/08/2021, the volumes on site (related to operational activities under the DA and SSD) for the audit period did exceed this limit. SSD Approval was granted March 2020. Stage 1 Operations formally commenced 31 March 2023. The auditors have looked at tonnages between March 2020 and March 2023. The site production numbers have been provided in Financial Years and are summarised below.</p> <p>July 2020 - June 2021:<br/>                     Receival tonnes = 125,507t (over 108,000t limit)<br/>                     Processing tonnes = 132,413t (over limit)</p> <p>July 2021 - June 2022<br/>                     Receival tonnes = 141,575t (over limit)<br/>                     Processing tonnes = 130,387t (over limit)</p> <p>July 2022 - June 2023 tonnages<br/>                     Receival tonnes = 139,472 (over limit)<br/>                     Processing tonnes = 112,584t (over limit)</p> <p>Note the definition of “year” in the SSD Definitions, also presented in <b>Section 1.2</b>. Concrush provided production tonnages in Financial Years, hence the audit team have assessed them accordingly.</p> <p>As the above tonnages exceed the volumes in this condition, this is a <u>non-compliance</u>. Concrush provided a file note of a phone conversation with DPE on 27/8/2021, that state DPE confirmed that until Stage 1 operations commenced, Concrush was still operating under the LMCC Consent which does not have a tonnage limit. Therefore, Concrush believe they are compliant in terms of tonnages received and processed.</p> <p>Summary of <u>Non-compliance</u><br/>                     Concrush provided a letter addressed to a DPE officer</p> | Non-Compliant     | NC 3                                 |

| Condition | Requirement   | Evidence Collected  | Independent Audit Findings and Recommendations  | Compliance Status | Unique Identification Non-compliance |
|-----------|---|---|---|-------------------|--------------------------------------|
|           |   |   | <p>(dated 10/08/2021) and copies in the EPA and LMCC, which requests approval for Concrush to exceed the 108,000 tonnes per annum limit outlined in this condition (Condition A8). Based on discussion with Concrush, Concrush did not receive a response to this letter. It is noted that the file note regarding the phone conversation with DPE to confirm Concrush were operating under the DA consent (and therefore DA tonnage limits) is dated 27/8/2021 which is after Concrush had sent the above letter to DPE.</p> <p><b>NC REC 2:</b> Liaise with DPE to get a letter that confirms the file note from Concrush dated 27/8/2021, regarding the tonnages against the DA limit.</p>   |                   |                                      |
| A12.      | <p>The date of commencement of each of the following phases of the development must be notified to the Planning Secretary in writing, at least one month before that date, or as otherwise agreed with the Planning Secretary:</p> <p>(a) construction;<br/>                     (b) operation;<br/>                     (c) cessation of operations; and<br/>                     (d) decommissioning.</p> | <ul style="list-style-type: none"> <li>• DPE Notice to Furnish Information and Records, dated 4/05/2023.</li> <li>• Concrush letter to DPE dated 31/07/2020 notifying intention to commence construction phase.</li> <li>• Concrush letter to DPE dated 28/02/2023 notifying intention to commence operations phase.</li> </ul> | <p>The CEMP describes construction for the development under Section 3 - Programme of Works. In this section the CEMP describes preliminary activities and Stage 1 construction activities to include the installation of fencing and erosion control measures, remedial works, and transfer of raw and processed material stockpiles from the existing portion to the expansion component of the Project. Therefore, the audit team consider the evidence of clearing activities in the aerial dated 30/06/2020 to be commencing work under the CEMP. Condition A12a is considered <u>non-compliant</u> due to timings.</p> <p>Evidence of Operations commencing prior to the Notification of Commencement of Stage 1 Operations. Refer to Condition C5 for further findings. Condition A12b is considered <u>non-compliant</u>.</p> | Non-Compliant     | NC 4                                 |
| B11.      | <p>The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided for in an EPL.</p>   | <ul style="list-style-type: none"> <li>• Discharge water monitoring records</li> </ul>  | <p>There have been discharges from site during the IEA period, which would mean pollution of waters (hence <u>non-compliance</u>). Concrush has no reporting requirements in the WDMP or DVMP and the criteria in the WDMP and</p>  | Non-Compliant     | NC 5                                 |

| Condition | Requirement   | Evidence Collected  | Independent Audit Findings and Recommendations  | Compliance Status | Unique Identification Non-compliance |
|-----------|---|---|---|-------------------|--------------------------------------|
|           |   |   | <p>DVMP are "goal" criteria based on industry guidelines. The WDMP and DVMP do not require discharges to be reported to DPE. The discharge results are summarised below:</p> <ul style="list-style-type: none"> <li>• Sediment Basin 1 discharge 10/10/2022. Exceedances in pH (9.32), Aluminium (0.13), Hexavalent Chromium (0.01), Ammonia (0.09), Total N (1.4), and Total P (0.14).</li> <li>• Sediment Basin 2 discharge 10/10/2022. Exceedances in pH (9.05), Aluminium (0.16), Ammonia (0.09), Nitrate as Nd (1.12), Nitrite + Nitrate as N (1.49), Total N (3.3), and Total P (0.25).</li> <li>• Sediment Basin 1 discharge on 6/04/2023. Exceedances in pH (8.11), Hexavalent Chromium (0.01), Ammonia (0.03), Total N (1.1), and Total P (0.08).</li> </ul> <p>There are no criteria in the EPL relating to discharge criteria. This condition does not state that Concrush has to report all discharges. We have interpreted this condition that Concrush would need to report discharges that cause or have potential to cause material harm to the environment. There is no evidence of these discharges triggering that reporting (Condition A1 and PIRMP).</p> <p><b>NC REC 3:</b> Liaise with the EPA to update the EPL to be consistent with the WDMP and the DVMP to enable discharge from the site in specified circumstances. This would likely add licensed discharge points to the site as well as adding surface water criteria.</p> |                   |                                      |
| B13.      | <p>The Applicant must:<br/>                     (a) not commence Stage 1 construction until the WDMP required by condition B12 is approved by the Planning Secretary; and<br/>                     (b) implement the most recent version of the WDMP approved by the Planning</p> | <ul style="list-style-type: none"> <li>• DPE Approval letter for CEMP, WDMP, GMP, ESCP, ASSMP, TMP, DCOC, and RAP dated 29/10/2020.</li> <li>• Water Results</li> </ul> | <p>a) WDMP approved on 29/10/2020. Note, the primary Stage 1 Construction Phase activities commenced on 4 November 2020, however construction activities as described under the CEMP are likely to have commenced prior to the WDMP being approved. Refer to the findings under Condition C2 for more information.</p>  | Non-Compliant     | NC 6                                 |

| Condition | Requirement   | Evidence Collected  | Independent Audit Findings and Recommendations   | Compliance Status | Unique Identification Non-compliance |
|-----------|---|---|--|-------------------|--------------------------------------|
|           | Secretary for the duration of the development.  | spreadsheet dated 3/10/2023.  | <p>b) It is understood RCA conduct Concrush's monitoring and based on information provided the monitoring has been completed and records are complete. Concrush consider the monitoring results prior to 1/04/2023 not subject to the criteria in the Water Discharge Management Plan because of the date of the commencement of operations (31/03/2023).</p> <p>Site Surface Water Quality Monitoring records provided. Receiving Surface Water Quality Monitoring "SW1" and "SW2" as described in Table 7.3 of the WDMP were provided. There is no evidence of Surface Water Quantity monitoring/records as described in Table 7.1 of the WDMP. Therefore, <u>non-compliant</u>.</p> <p><b>NC REC 4:</b> Implement a system to monitor discharge volume to satisfy Table 7.1 of the WDMP (as well as Table 5.2 of the DVMP).</p>   |                   |                                      |
| B21.      | The Applicant must:<br>(a) not commence Stage 1 construction until the GMP required by condition B17 is approved by the Planning Secretary; and<br>(b) implement the most recent version of the GMP approved by the Planning Secretary for the duration of the development. | <ul style="list-style-type: none"> <li>• Water Results spreadsheet dated 3/10/2023, BH1 and BH3 results from 4/09/2020</li> <li>• DPE Approval letter for CEMP, WDMP, GMP, ESCP, ASSMP, TMP, DCOC, and RAP dated 29/10/2020.</li> <li>• Site inspection</li> <li>• Water results spreadsheet (4/09/2020-3/10/2023)</li> </ul> | <p>b) Construction Appendix D of GMP commits to monthly groundwater quality monitoring at BH1 and BH3 during construction. The monthly monitoring parameters include Ammonia, Nitrate, and Phosphorous. The construction groundwater monitoring results spreadsheet provided to IEMA by the sampling company identified gaps in the monthly samples. Results for the following months of construction were not provided for this audit: Dec 2020, Jan 2021, March 2021, Oct 2021, Nov 2021, Dec 2021, Jan 2022, Dec 2022, and Feb 2023. Because there was no evidence of this groundwater monitoring being done, this is a <u>non-compliance</u> with monitoring as per the GMP. Based on correspondence with the groundwater monitoring contractor, there was an understanding that because construction activities were not occurring constantly throughout the period groundwater monitoring was not required. Groundwater monitoring was understood to be relevant while</p> | Non-Compliant     | NC 7                                 |

| Condition | Requirement  | Evidence Collected  | Independent Audit Findings and Recommendations   | Compliance Status | Unique Identification Non-compliance |
|-----------|--|---|--|-------------------|--------------------------------------|
|           |  |   | remediation works (under the CEMP) were being done due to potential impacts to groundwater. An improvement recommendation is provided because construction works relevant to groundwater are no longer being done.<br><br><b>IMP REC 4:</b> Once construction activities at the site have been finished (e.g. Stage 2 operations weighbridge), update the GMP to remove construction obligations and an operations-based GMP.  |                   |                                      |
| B35.      | The Applicant must:<br>(a) not commence Stage 1 construction until the TMP required by condition B34 is approved by the Planning Secretary; and<br>(b) implement the most recent version of the TMP approved by the Planning Secretary for the life of the development.  | <ul style="list-style-type: none"> <li>• Traffic Management Plan and Driver Code of Conduct prepared by Intersect Traffic dated 14/07/2020.</li> <li>• DPE Approval of the TMP as part of the CEMP dated 29/10/2020.</li> <li>• HSE Inspection Report prepared by RedInsight dated September 2023.</li> </ul> | b) Signed copies of the Drivers Code of Conduct for heavy vehicle operations on their first visit to the site (Drivers Code of Conduct Declarations) were not provided for this IEA as evidence of implementing the TMP. Therefore, this is considered a <u>non-compliance</u> with implementation of the TMP. Based on discussions with Concrush they propose to update the TMP to update some details.<br><br><b>NC REC 5:</b> Update the TMP to reflect the Concrush site rules in liaison with DPE.                                | Non-Compliant     | NC 8                                 |
| B45.      | Prior to the commencement of Stage 1 operations, the Applicant must construct a concrete block noise wall on the eastern and southern perimeters of the 'raw material stockpiles and processing area', as shown in Figure 1 at Appendix 1 of this consent. The noise wall must be maintained during the life of the development. | <ul style="list-style-type: none"> <li>• DPE Notice to Furnish Information and Records, dated 4/05/2023.</li> <li>• Review of Consent Condition B45 draft report prepared by RCA dated 6/09/2023.</li> </ul>  | A concrete block noise wall was not constructed prior to the Concrush formal date of commencement of Stage 1 operations. At the time of the site inspection the concrete block noise wall was still not constructed. Based on discussions with Concrush, Concrush will not be constructing this concrete block noise wall. The presence of the noise wall will be removed in the next planned Modification.<br><br><b>NC REC 6:</b> Include the removal of the noise wall in the Modification, however this would need to be supported | Non-Compliant     | NC 9                                 |

| Condition | Requirement  | Evidence Collected  | Independent Audit Findings and Recommendations   | Compliance Status | Unique Identification Non-compliance |
|-----------|--|---|--|-------------------|--------------------------------------|
|           |  |   | by a noise assessment. Liaise with the DPE regarding this issue through the process of the Modification.   |                   |                                      |
| B48.      | The Applicant must:<br>(a) not commence construction until the ONMP required by condition B47 is approved by the Planning Secretary; and<br>(b) implement the most recent version of the ONMP approved by the Planning Secretary for the duration of construction. | <ul style="list-style-type: none"> <li>• Operational Noise Management Plan</li> <li>• DPE Letter of approval for the OEMP dated 21/12/2020.</li> <li>• Letter from DPE dated 14/05/2020 for the Endorsement of experts to prepare a Water Discharge Management Plan, Groundwater Management Plan and Operational Noise Management Plan</li> <li>• Quarterly Noise Monitoring Summary of Results table</li> <li>• Site plant servicing records, receipts from purchase of new machines.</li> <li>• Quarterly Noise Performance Reports (Quarter 1, 2, and 3 2023) by RCA.</li> <li>• Site inspection including real-time noise monitor located at the main site office/administration building.</li> </ul> | <p>The concrete walls from Section 10 have not been constructed at the site prior to commencing operations. This is a non-compliance with this condition. These mitigation measures were included in the EIS and Appendix 2 of the Consent.</p> <p>One minor exceedance (1 dB) measured since monitoring began in quarter 3 of 2020 due to green waste shredding. However, this exceedance is not a non-compliance. This finding is further discussed under Condition B44.</p> <p>Based on discussions with Concrush, the site has operated during the Evening Period in the audit period to service "night works" clients. Table 8 "Quarterly noise monitoring locations and noise management levels" in Section 11 Attended Noise Monitoring Program of the ONMP outline "Day noise management levels (LAeq,15min dBA)" as well as "Evening noise management level (LAeq,15min dBA)". The results provided for this IEA only recorded noise results from a Day period (defined under the EPA's Noise Policy for Industry as "the period from 7 am to 6 pm Monday to Saturday or 8 am to 6 pm on Sundays and public holidays"). Concrush has not demonstrated they have been doing quarterly attended noise monitoring in the evening period. The evening period is defined as the period from 6 pm to 10 pm under the EPA's Noise Policy for Industry. This is a non-compliance for implementation of the ONMP.</p> <p><b>NC REC 7:</b> Ensure the quarterly noise monitoring program during the operations phase is being implemented in accordance with Section 11 Attended Noise Monitoring Program of the ONMP. In particular, include evening attended monitoring. The evening period</p> | Non-Compliant     | NC 10                                |

| Condition | Requirement  | Evidence Collected  | Independent Audit Findings and Recommendations  | Compliance Status | Unique Identification Non-compliance |
|-----------|--|---|---|-------------------|--------------------------------------|
|           |  |   | under the EPA's Noise Policy for Industry is defined as the period from 6 pm to 10 pm.  |                   |                                      |
| C4.       | The Applicant must:<br>(a) not commence construction of the development until the CEMP is approved by the Planning Secretary; and<br>(b) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time. | <ul style="list-style-type: none"> <li>• Construction Environment Management Plan (Rev /1), prepared by RCA Australia, dated 25/09/2020.</li> <li>• DPE Approval letter for CEMP, WDMP, GMP, ESCP, ASSMP, TMP, DCOC, and RAP dated 29/10/2020.</li> <li>• DPE Notice to Furnish Information and Records, dated 4/05/2023.</li> <li>• Hold Point Release Form 1 Site Inductions dated 16/11/2020.</li> <li>• Hold Point Release Form 6 Road Entry and Road Widening Project dated 18/05/2022.</li> <li>• Expansion Induction Handouts, dated from 23/11/2020.</li> <li>• Concrush letter to DPE dated 31/07/2020 notifying intention to commence construction phase</li> </ul> | <p>a) The SSD defines construction as: <i>The demolition and removal of buildings or works, the carrying out of works for the purpose of the development, including bulk earthworks, and erection of buildings and other infrastructure permitted by this consent.</i></p> <p>A letter dated 31 July 2020 from Concrush to DPE is the one-month notice of commencement of construction. Concrush records show 29/10/2020 was the date of commencement of the Construction phase.</p> <p>The audit team believe the aerial dated 30/06/2020 indicate preliminary construction works (described under the CEMP) had started. Therefore, since clearing and these preliminary activities occurred the auditors believe this marks the start of the Construction phase. This condition is <u>non-compliant</u> as the CEMP was not approved until 29/10/2020.</p> <p>No further recommendation as the timing component is no longer relevant.</p> | Non-Compliant     | NC 11                                |
| C7.       | The Applicant must:<br>(a) not commence operation until the OEMP is approved by the Planning   | <ul style="list-style-type: none"> <li>• Operational Environmental Management Plan for</li> </ul>   | a) The SSD defines Operation as "the receipt, removal or processing of general solid waste (non-putrescible)."  | Non-Compliant     | NC 12                                |



| Condition              | Requirement   | Evidence Collected   | Independent Audit Findings and Recommendations   | Compliance Status | Unique Identification Non-compliance |
|------------------------|---|--|--|-------------------|--------------------------------------|
|                        | Secretary; and (b) operate the development in accordance with the OEMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time).  | Resource Recovery Facility prepared by WSP dated 26/05/2022.<br>• Hold Point Release Forms, Supplier invoices and receipts<br>• Approval of OEMP from DPE dated 21/12/2020.<br>• Complaints register<br>• PROJECT INFORMATION SHEET No.3 "Concrush Increase to Capacity Project" dated April 2022<br>• Concrush letter to DPE dated 28/02/2023 notifying intention to commence operations phase. | Evidence of processed mulch stockpiles within the SSD expansion area is seen in aerials dated 7/11/2022-16/11/2022. The audit team are considering this as <u>non-compliant</u> for the shredded green waste.<br><br>Based on the clay tile stockpiling that is seen in the aerial imagery between the construction phase and declared operational phase (March 2023), we believe this makes Concrush <u>non-compliant</u> . The fact that Concrush were using the SSD area for laydown, means we have called them <u>non-compliant</u> for commencement of operations (timing).<br><br>In their response to DPE's "Notice to furnish information and records", Concrush states: "Stage 1 operations are expected to commence in June 2023". |                   |                                      |
| Appendix 2 - Operation | • Construct a concrete bund wall to 3.5 m above finished ground level along the eastern side of the 'Raw Material Stockpiles and Processing Area'. The bund is required to block line of sight. The bund will be formed using concrete blocks. Crushers and screens (except for the trommel screen used for green waste) will not be used outside this area. The bund should meet the wall along the southern boundary described below. | • Site inspection  | Concrush knowingly have not completed this concrete bund wall or the 3m concrete block wall. Concrete noise bund wall will be removed in the Modification. Removing the 3.5m concrete bund wall. This will be replaced with concrete bund for stockpile management.<br><br>No further recommendations.   | Non-Compliant     | NC 13                                |
| Appendix 2 - Operation | • Construct a concrete block wall to 3 m above finished ground level along the  | • Site inspection  | Concrush has not completed this and are therefore <u>non-compliant</u> . Concrush has included this in a Modification.   | Non-Compliant     | NC 14                                |

| Condition                 | Requirement   | Evidence Collected   | Independent Audit Findings and Recommendations  | Compliance Status | Unique Identification Non-compliance |
|---------------------------|---|--|---|-------------------|--------------------------------------|
|                           | southern boundary of the 'Raw Material Stockpiles and Processing Area'.   |  | No further recommendations.   |                   |                                      |
| Appendix 2 - Operation    | <ul style="list-style-type: none"> <li>The noise bund and wall will be installed prior to commencing operation of the Project</li> </ul>  | <ul style="list-style-type: none"> <li>Site inspection</li> </ul>                            | <p>No noise wall installed.</p> <p>No further recommendations.</p>  | Non-Compliant     | NC 15                                |
| Appendix 2 - Construction | <ul style="list-style-type: none"> <li>During construction all temporary controls will be inspected:               <ul style="list-style-type: none"> <li>Daily for high risk controls such as within drainage lines</li> <li>Weekly for all other controls</li> <li>Prior to forecasted rainfall events great than or equal to 10 mm</li> <li>After rainfall events greater than or equal to 10 mm in a 24 hour period.</li> </ul> </li> </ul>                                   | <ul style="list-style-type: none"> <li>CEMP</li> </ul>                                       | No method for daily inspections was provided besides being written into the CEMP. No evidence was provided to indicate the inspections were done daily for drainage lines or prior and after rainfall events. However it is understood if all contractors and employees were inducted into the site correctly these activities would be complete. This is a construction phase condition and therefore no further recommendations are provided. | Non-Compliant     | NC 16                                |
| Appendix 2 - Monitoring   | <ul style="list-style-type: none"> <li>Groundwater monitoring bores will be installed up and down the hydraulic gradient from the green waste storage and processing area in accordance with the Environmental Guidelines for Composting and Related Organics Processing Facilities (NSW Department of Conservation, 2004). Water quality samples will be collected from the monitoring bores on a monthly basis and analysed for TSS, EC, pH, TN, TP, NOx and Ammonia</li> </ul> | <ul style="list-style-type: none"> <li>Water Results spreadsheet dated 3/10/2023.</li> </ul> | Based on groundwater results provided, there have been missed sampling events during construction (monthly requirement). However, those parameters had been monitored in the monthly sampling that had occurred in the operations phase in 2023. We have called this non-compliant as this is linked to the monitoring program outlined in the GMP. Refer to Condition B21. No further recommendations.   | Non-Compliant     | NC 17                                |
| Appendix 2 - Monitoring   | <ul style="list-style-type: none"> <li>Concrush will monitor the following water volumes:               <ul style="list-style-type: none"> <li>monthly potable water imported via water cart</li> <li>monthly water storage inventories</li> <li>water inventories of Sediment Dam 1</li> </ul> </li> </ul>   | <ul style="list-style-type: none"> <li>Water Results spreadsheet dated 3/10/2023.</li> </ul> | No records of potable water, stored water, or Sediment Basin 1 and 2 volumes were provided. Therefore, this condition is non-compliant because the site is not keeping a live record of the water volumes on site or leaving site through uncontrolled discharges.  | Non-Compliant     | NC 18                                |

| Condition | Requirement   | Evidence Collected | Independent Audit Findings and Recommendations   | Compliance Status | Unique Identification Non-compliance |
|-----------|---|--------------------|--|-------------------|--------------------------------------|
|           | and Sediment Dam 2 following rainfall<br>o monthly during discharge flows at the Sediment Dam 1 spillway and Sediment Dam 2 spillway<br>o monthly during spill at the Leachate Dam spillway (note that the Leachate Dam spills to Sediment Dam 2 rather than directly off-site) |                    | Note the site has recently been recording volumes through a 'staff pole'.<br><br><b>NC REC 8:</b> Records need to be kept for potable water, stored water, or Sediment Basin 1 and 2 volumes in a monthly spreadsheet. |                   |                                      |

### 3.5. Previous audit recommendations

This is the first audit report for Concrush. Therefore, the status of previous audit recommendations cannot be reported on in this section. The next IEA required by Concrush will need to summarise any outstanding actions from this IEA.

### 3.6. EMP, sub-plans, and compliance documents

Concrush operates under a number of different management plans, as outlined in the Operational Environmental Management Plan. The approved management plans required by SSD 8753 that were reviewed as part of this audit are summarised in

**Table 8**, with compliance assessed in **Appendix D**.

**Table 8: Approved Management Plans**

| Condition of Consent | Management Plan                            | Document Date | Summary of Management Plan  | Compliance Assessment |
|----------------------|--|---------------|---|-----------------------|
| B3                   | Waste Management Plan                      | 8/12/2020     | Waste handling, storage, and disposal. Includes waste as a product and non-conforming waste management. | Compliant             |
| B4                   | Waste Management Plan                      | 8/12/2020     | Implementation of the Waste Management Plan.  | Compliant             |
| B12                  | Water Discharge Management Plan            | July 2020     | Water discharge monitoring and wastewater management system.  | Compliant             |
| B13                  | Water Discharge Management Plan            | July 2020     | Implementation of the Water Discharge Management Plan.  | Non-compliant         |
| B14                  | Discharge Verification and Mitigation Plan | 16/02/2021    | Discharge management and monitoring.  | Compliant             |
| B15                  | Discharge Verification and Mitigation Plan | 16/02/2021    | Implementation of the Discharge Verification and Mitigation Plan.                                       | Compliant             |
| B20                  | Groundwater Management Plan                | 11/09/2020    | Groundwater management and monitoring during operations.  | Compliant             |
| B21                  | Groundwater Management Plan                | 11/09/2020    | Implementation of the Groundwater Management Plan.  | Non-compliant         |
| B25                  | Acid Sulphate Soil Management Plan         | 31/07/2020    | ASS management during construction.   | Compliant             |
| B26                  | Flood Emergency Response Plan              | 7/07/2020     | Flood emergency response procedures, floodplain risk management, and awareness and training.            | Compliant             |

| Condition of Consent | Management Plan                            | Document Date | Summary of Management Plan  | Compliance Assessment |
|----------------------|--|---------------|---|-----------------------|
| B34                  | Traffic Management Plan                    | 14/07/2020    | Traffic rules for the site, traffic management measures on and off-site, and Code of Conduct. | Compliant             |
| B35                  | Traffic Management Plan                    | 14/07/2020    | Implementation of the Traffic Management Plan.  | Non-compliant         |
| B39                  | Air Quality Management Plan                | 24/07/2020    | Operational air quality management and monitoring program.                                    | Compliant             |
| B40                  | Air Quality Management Plan                | 24/07/2020    | Implementation of the Air Quality Management Plan.  | Compliant             |
| B47                  | Operational Noise Management Plan          | 21/07/2020    | Noise management and monitoring program.  | Compliant             |
| B48                  | Operational Noise Management Plan          | 21/07/2020    | Implementation of the Operational Noise Management Plan.                                      | Non-compliant         |
| B57                  | Landscape Management Plan                  | 7/07/2020     | Landscaping and vegetation management, including maintenance program.                         | Compliant             |
| C2                   | Construction Environmental Management Plan | 29/10/2020    | Preparation and submission of CEMP to DPE's satisfaction.                                     | Compliant             |
| C3                   | Construction Environmental Management Plan | 29/10/2020    | Preparation of the CEMP.  | Compliant             |
| C4                   | Construction Environmental Management Plan | 29/10/2020    | Timing and implementation of the CEMP.  | Non-compliant         |
| C5                   | Operational Environmental Management Plan  | 21/12/2020    | Preparation and submission of OEMP to DPE's satisfaction.                                     | Compliant             |
| C6                   | Operational Environmental Management Plan  | 21/12/2020    | Preparation of the OEMP.  | Compliant             |
| C7                   | Operational Environmental Management Plan  | 21/12/2020    | Timing and implementation of the OEMP.  | Non-compliant         |

### 3.7. Environmental performance

During the IEA the site was found to have achieved a high level of environmental performance. Non-compliances are outlined in **Section 3.4** and recommendations are included in **Section 4**. There are no further issues regarding environmental performance identified during the audit.

### 3.8. Consultation outcomes

The stakeholder consultation completed for the IEA undertaken in accordance with the 2020 PAR is summarised in **Table 9**. The responses have been provided as **Appendix G**.

**Table 9: Stakeholder Consultation for the IEA**

| Regulator                                 | Contact Details  | Comment from IEA Team  | Audit Team Response   |
|---|--|--|---|
| Department of Planning and Environment    | Heidi Watters<br><a href="mailto:Heidi.Watters@Planning.nsw.gov.au">Heidi.Watters@Planning.nsw.gov.au</a><br>P: 02 6575 3401 | A meeting between DPE and this audit team was held on 18/09/2023 to discuss the scope of the IEA.            | Key aspects from this consultation included the timing of conditions, and phases of construction and operations.  |
| NSW EPA (Regulatory Operations)           | Steven James<br><a href="mailto:Steven.james@epa.nsw.gov.au">Steven.james@epa.nsw.gov.au</a><br>P: 02 4908 6823              | Request for consultation emails sent to EPA on 18/09/2023. Response received 19/09/2023.                     | This IEA was undertaken as per the 2020 PAR.  |
| Lake Macquarie City Council               | Glen Mathews<br><a href="mailto:gmathews@lakemac.nsw.gov.au">gmathews@lakemac.nsw.gov.au</a><br>P: 02 4921 0399              | Request for consultation emails sent to LMCC on 18/09/2023 and 6/10/2023. Email response received 9/10/2023. | The IEA did not audit Concrush against the Council Consent. However, a number of conditions in SSD 8753 related to Council requirements and compliance against these was assessed.        |
| Sydney Trains                             | Sarkis Yalda<br><a href="mailto:sarkis.yalda@transport.nsw.gov.au">sarkis.yalda@transport.nsw.gov.au</a><br>P: 02 8574 2168  | Request for consultation email sent 18/09/2023. Email response received 20/09/2023.                          | The IEA assessed key areas of non-compliance with SSD 8753. The site inspection included a walk-around site, including on the internal western boundary along the Sydney Trains corridor. |
| CodeWise Certifiers (Principal Certifier) | Des Lynch<br><a href="mailto:office@codewisecert.com">office@codewisecert.com</a><br>P: 02 4001 0937                         | Request for consultation emails sent to Certifiers on 18/09/2023 and 6/10/2023. No response received.        | The IEA considered the timing of documents provided to the Certifiers by Concrush.  |

### 3.9. Complaints

There was 1 complaint made to the site during the audit period. This is noted in the Complaints Log available on the website. It understood this complaint was closed out following an inspection of the road network from the site and water management measures. A summary of complaints during the audit period is provided in **Table 10**.

**Table 10: Number of complaints since last IEA**

| Complaint Number | Date of Complaint | Topic                      |
|------------------|-------------------|----------------------------|
| 1                | 5 April 2023      | Surface water and Traffic. |

### 3.10. Incidents

There were no Annual Review reports provided for this IEA. This is because the Annual Reviews are not due until three months after the first year of commencement of operation under SSD 8753. Therefore, this audit report relies on the information provided by Concrush related to incidents, exceedances, and non-compliances.

Under the definition of incident under the SSD 8753 and based on the information provided for the IEA, there were no incidents which occurred in the audit period.

### 3.11. Actual vs predicted environmental impacts

It is expected Concrush will compare results in the first Annual Review report against the predicted environmental assessment impacts (refer to IMP REC 11). IEMA have not noted significant differences between data and the EIS. It should be noted however that there are no specific environmental criteria in the SSD 8753.

### 3.12. Site inspection

Chris Jones (Lead Auditor) and Olivia O'Shannessy (Assistant Auditor) visited the site on 20 September and 11 October 2023 to complete a site inspection and verify field components of the audit. Photographs from the site inspection are included as **Appendix B**.

IEMA found the areas to be generally well managed. During day 1 of the site inspection, the Lead Auditor inspected part of Sediment Basin 1 which was still being constructed. The shape of the western boundary drain at that time would lead to higher risk of uncontrolled discharge, bypassing capture in Sediment Basin 1 and exit the site at SD1 spillway. Therefore, the Lead Auditor provided an improvement recommendation at the time of the site inspection to temporarily shape the drain to ensure it would flow into Sediment Basin 1.

Additional improvement recommendations were made, and these have been provided in **Section 4**.

### 3.13. Site interviews

Site interviews were held with a number of site personnel during the audit site inspection (refer **Section 2.4**). Findings from these interviews found that:

- Site personnel generally had a good understanding of the environmental compliance obligations for the site and sound record-keeping to demonstrate compliance.
- Site personnel appreciated the risks associated with the project such as dust and were observed to implement measures to mitigate those impacts during the site inspection (days 1 and 2);
- Site leadership team demonstrated commitment to improve environmental management at the site, including investment into measures to reduce greenhouse gas emissions and active management of the constructed wetland and green waste catchment system.

### 3.14. Previous Annual Review or Compliance Report recommendations

Based on the information on timings provided for this IEA, the audit team understand the first Annual Review report required by Concrush will be due 30 June 2024.

At the time of writing the conditions of SSD 8753 do not require Compliance Reports as described by *Compliance Reporting Post Approval Requirements* (DPE, 2020).

### **3.15. Improvement opportunities**

Opportunities for improvement are summarised in **Section 4.2**.

### **3.16. Key strengths**

During the IEA there were several positive environmental management aspects that were observed, and were considered noteworthy:

- Water management system (apart from one minor change);
- Operations and investigations into the constructed wetland;
- Generally positive relationship with the community with only one complaint received during the audit period; and
- The overall Concrush team is aware of environmental responsibilities.



## 4. RECOMMENDATIONS

### 4.1. Non-Compliances

**Table 11** outlines the recommendations made in relation to non-compliance's during the audit. These are referred to as NC RECs.

**Table 11: Summary of Non-Compliance Recommendations**

| Aspect   | Condition Reference     | Non-Compliance REC Number | Recommendation  |
|--|-------------------------|---------------------------|---|
| Limits of Consent (Waste)  | A7.                     | NC REC 1                  | Concrush to liaise with the DPE immediately regarding the waste limit for garden and wood waste.  |
| Limits of Consent (Waste)  | A8.                     | NC REC 2                  | Liaise with DPE to get a letter that confirms the file note from Concrush dated 27/8/2021, regarding the tonnages against the DA limit.   |
| Pollution of Waters (Surface water discharges)                   | B11                     | NC REC 3                  | Liaise with the EPA to update the EPL to be consistent with the WDMP and the DVMP to enable discharge from the site in specified circumstances. This would likely add licensed discharge points to the site as well as adding surface water criteria.   |
| Water Discharge Management Plan (Monitoring of discharge volume) | B13.                    | NC REC 4                  | Implement a system to monitor discharge volume to satisfy Table 7.1 of the WDMP (as well as Table 5.2 of the DVMP). See options in the findings column.   |
| Traffic Management Plan  | B35.                    | NC REC 5                  | Update the TMP to reflect the Concrush site rules in liaison with DPE.  |
| Noise (Noise Wall)   | B45.                    | NC REC 6                  | Include the removal of the noise wall in the Modification, however this would need to be supported by a noise assessment.<br><br>Liaise with the DPE regarding this issue through the process of the Modification.  |
| Operational Noise Management Plan                                | B48.                    | NC REC 7                  | Ensure the quarterly noise monitoring program during the operations phase is being implemented in accordance with Section 11 Attended Noise Monitoring Program of the ONMP. In particular, include evening attended monitoring. The evening period under the EPA's Noise Policy for Industry is defined as the period from 6 pm to 10 pm. |
| Monitoring (Water)   | Appendix 2 - Monitoring | NC REC 8                  | Records need to be kept for potable water, stored water, or Sediment Basin 1 and 2 volumes in a monthly spreadsheet.  |

### 4.2. Opportunities for improvement

Additional recommendations relating to compliant conditions or aspects identified in the field (not captured in **Table 11** above) are included within **Table 12**. These are referred to as improvement recommendations (IMP RECs).

**Table 12: Opportunities for improvement**

| Aspect                                     | Condition Reference | Improvement REC Number | Recommendation   |
|--|---------------------|------------------------|--|
| Structural Adequacy                        | A23.                | IMP REC 1              | Concrush to continue to liaise with CodeWise to get the Occupation Certificate and then send to DPE.   |
| Operational Waste Management Plan          | B9.                 | IMP REC 2              | Table 2.1 Compliance with the Development Consent Conditions of the OWMP refers to Section 3.2 for this condition, however Section 3.1 Waste Receipt better explains this procedure. Review and update Table 2.1 of the OWMP to ensure this table has up-to-date section references.   |
| Discharge Verification and Mitigation Plan | B14.                | IMP REC 3              | Table 1.3 of the CVMP is named "Project Approval Conditions relevant to water management at Invincible Colliery" rather than referring to Concrush and refers to Section 0. Section 1.4.3 Hold Points has incomplete sentences which creates confusion for the reader. Review the DVMP to correct errors in the document.  |
| Groundwater Management Plan                | B21.                | IMP REC 4              | Once construction activities at the site have been finished (e.g. Stage 2 operations weighbridge), update the GMP to remove construction obligations and an operations-based GMP.  |
| Traffic and Access                         | B29.                | IMP REC 5              | Request a letter from the LMCC confirming their satisfaction with the Racecourse Road Upgrade works to close out this condition.   |
| Traffic Management Plan                    | B34.                | IMP REC 6              | Review consultation received back to LMCC to confirm any comments back from the Traffic Engineer and if any updates to the TMP were required.  |
| Dust                                       | B40.                | IMP REC 7              | Section 8 (Dust Emission Monitoring Programme) of the OAQMP outlines the Air Quality Monitoring Assessment Criteria - Dust emissions. However, Section 8 of the OAQMP also clearly states there are no air quality criteria in the DA, EPL, or SSD approvals. The criteria in the OAQMP are sourced from the NSW EPA Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales, 2016, (refer to Section 7).<br>Update the OAQMP to state the site are using the EPA's guideline values as "goal" criteria. As they are in the Management Plan, the criteria are approved through the approval of the OAQMP and are auditable. |
| Hours of Work                              | B43.                | IMP REC 8              | A more detailed noise assessment should be completed for night time noise. The ONMP should also be updated to indicate which activities would be within the noise industry guidelines.   |

| Aspect                                    | Condition Reference          | Improvement REC Number | Recommendation  |
|---|------------------------------|------------------------|---|
| Lighting                                  | B59.                         | IMP REC 9              | Complete a lighting assessment focusing on what lighting can be seen from the adjacent public road. This should focus on assessing against AS4282/1997 to ensure compliance. Include details in the next Annual Review. |
| Operational Environmental Management Plan | C6.                          | IMP REC 10             | Revise the OEMP to better describe the procedures around subcondition a.  |
| Dust                                      | Appendix 2 - Dust            | IMP REC 11             | Ensure the air quality monitoring system is reactivated to ensure text messages are sent to relevant staff to alert of adverse wind speed/direction, as well as air quality.  |
| Reporting (Dust)                          |                              | IMP REC 12             | Compare the air quality results in the Annual Review to the against EIS predictions.  |
| PIRMP                                     | Appendix 2 - Hazard and Risk | IMP REC 13             | Update the PIRMP to be up to date and schedule an annual review of the document to ensure the PIRMP is kept up to date.   |

## 5. CONCLUSION

Integrated Environmental Management Australia (IEMA) was engaged by Concrush to conduct an Independent Environmental Audit (IEA) of the Concrush Resource Recovery Facility Expansion at Teralba, NSW.

This IEA has been prepared to satisfy the requirements of the following approvals and guidelines:

- SSD 8753 Condition C16; and
- *Independent Audit Post Approval Requirements* (DPE 2020).

The IEA covers the period from 27 March 2020 to 20 September 2023. The DPE endorsed the following IEA team in a letter dated 26 August 2023:

- Chris Jones as Lead Auditor; and
- Olivia O’Shannessy as Assistant Auditor.

The audit team visited the site on 20 September 2023 and 11 October 2023 to complete a site inspection and verify field components of the audit.

A summary of the audit outcomes is provided in **Table 13**.

**Table 13: Audit Compliance Summary**

| Compliance Status | SSD 8753 | SSD 8753 Appendix 2 | SSD 8753 Appendix 3 | Total |
|-------------------|----------|---------------------|---------------------|-------|
| Not Triggered     | 22       | 9                   | 3                   | 34    |
| Compliant         | 89       | 59                  | 1                   | 149   |
| Non-Compliant     | 12       | 6                   | 0                   | 18    |
| <b>Total</b>      | 123      | 74                  | 4                   | 201   |



## **APPENDIX A. DPE ENDORSEMENT OF AUDIT TEAM**

Our ref: SSD-8753-PA-42

Mr Kevin Thompson  
Managing Director  
Concrush Pty Limited  
Awabakal Country

Sent via Major Projects Portal only

24/08/2023

---

Subject: Concrush Resource Recovery Facility Expansion – 2023 Independent Environmental Audit auditor endorsement request

Dear Mr Thompson

Reference is made to your post approval matter, SSD-8753-PA-42, request for the Planning Secretary's approval of suitably qualified, experienced, and independent person/s to conduct an Independent Environmental Audit (IEA) of the Concrush Resource Recovery Facility Expansion, submitted as required by Condition C16 of SSD-8753 (the consent) to NSW Department of Planning and Environment (NSW Planning) on 16 August 2023.

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 Condition 16 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 for the 2023 IEA:

- Mr Chris Jones
- Ms Olivia O'Shannessy

Please ensure this correspondence is appended to the IEA Report.

The IEA 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.

Finally, in accordance with condition C17 of the consent, a copy of the IEA report, together with a response to any recommendations within the IEA report, must be submitted to the Planning Secretary within 3 months of commissioning an IEA, or within another timeframe

agreed by the Planning Secretary. For the purposes of this condition, “commissioning” refers to this endorsement of the independent audit team.

Should you wish to discuss the matter further, please contact myself on 02 6575 3401 or email [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au)

Yours sincerely

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

Heidi Watters  
Team Leader Northern  
Compliance

As nominee of the Planning Secretary



## **APPENDIX B. SITE INSPECTION PHOTOGRAPHS**





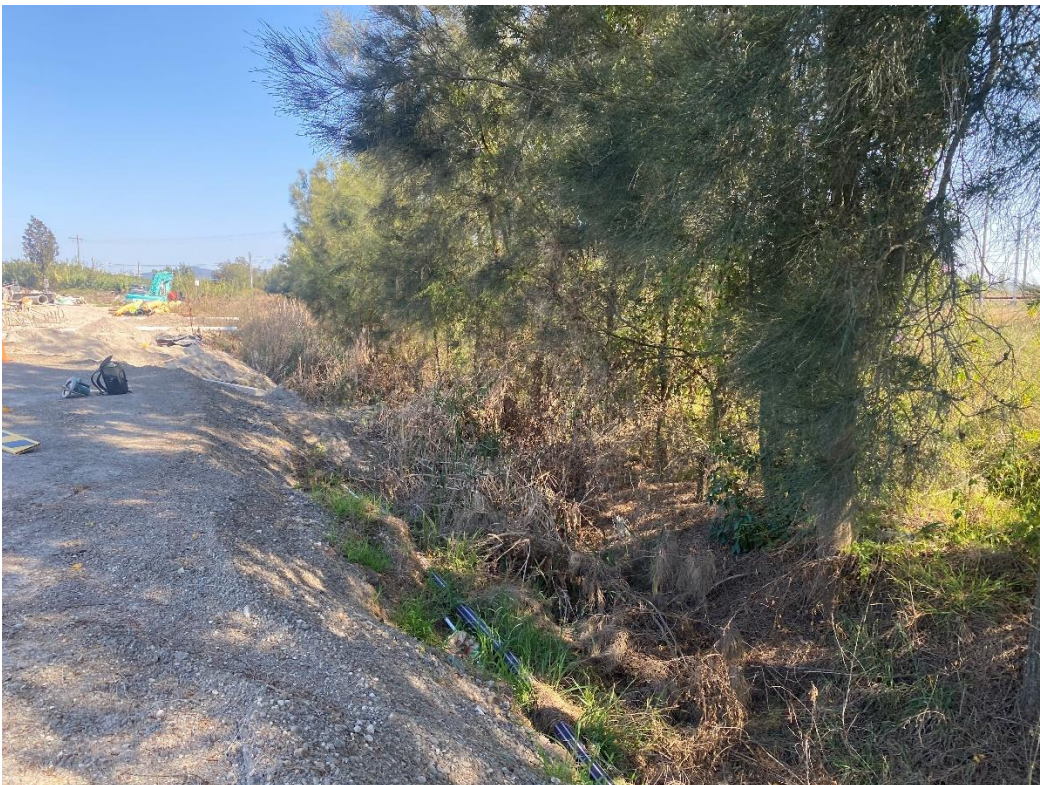
**Photo 1 Clean entrance and intersection on Racecourse Road. Street sweeper and water cart in use during the site inspection.**



**Photo 2 Weighbridge inspection for acceptance of material.**



**Photo 3 Drainage line on northern boundary.**



**Photo 4 Northern drainage line.**



**Photo 5 Sediment Dam 1 construction in the north-western corner of the site.**



**Photo 6 Stage 2 Operations weighbridge area under construction.**



**Photo 7** At the time of Day 1 of the site inspection water was being pumped to Sediment Dam 2 from Sediment Dam 1 to finalise its construction. Auditor advises drain needs minor reshaping to minimise risk of uncontrolled discharge off site.



**Photo 8** Concrete being loaded. No crushing on Day 1 of the site inspection.



**Photo 9 Hydrocarbons stored on bunds.**



**Photo 10 Boundary between SSD Expansion area and Council consent area.**



**Photo 11 Sediment dam 2 is stable.**



**Photo 12 Southern drainage line is mostly vegetated.**



**Photo 13 Crushed tiles and road base stockpiled in SSD Expansion area.**



**Photo 14 Leachate dam is stable.**



**Photo 15 Green waste stockpile next to leachate dam.**



**Photo 16 Raw and mulched green waste in green waste catchment.**





**Photo 17** Depositional dust monitoring gauge and site air quality monitor.



**Photo 18** Dust generating but staying on-site.



**Photo 19 Sprays are running at the top of stockpiles.**



**Photo 20 Height markers for stockpiles.**



## **APPENDIX C. SITE AERIALS 2020 TO 2023 (NEARMAPS)**

NearMap Aerials



Photo 1: NearMaps Aerial dated 21/01/2020. Prior to the approval of SSD.



Photo 2: NearMaps aerial dated 23/04/2020. SSD approval granted on 27 March 2020.



Photo 3: NearMaps aerial dated 30/06/2020.



Photo 4: NearMaps aerial dated 2/09/2020.



Photo 5: NearMaps aerial dated 28/11/2020.





Photo 6: NearMaps aerial dated 9/04/2021.



Photo 7: NearMaps aerial dated 19/04/2021.



Photo 8: NearMaps aerial dated 14/06/2021.



Photo 9: NearMaps aerial dated 1/08/2021.



Photo 10: NearMaps aerial dated 5/10/2021



Photo 11: NearMaps aerial dated 1/02/2022



Photo 12: NearMaps aerial dated 16/04/2022



Photo 13: NearMaps aerial dated 16/05/2022





Photo 14: NearMap aerial dated 2/08/2022



Photo 15: NearMap aerial dated 16/08/2022



Photo 16: NearMap aerial dated 4/10/2022



Photo 17: NearMap aerial dated 26/10/2022



Photo 18: NearMap aerial dated 15/01/2023



Photo 19: NearMap aerial dated 22/05/2023



Photo 20: NearMap aerial dated 19/08/2023



## **APPENDIX D. COMPLIANCE SPREADSHEET**



## Audit Scoring System

Based on 2020 IEA Guidelines

### Compliance Assessment Criteria

|               |  |
|---------------|--|
| Compliant     | The auditor has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with within the scope of the audit.  |
| Non-compliant | The auditor has determined that one or more specific elements of the conditions or requirements have not been complied with within the scope of the audit.   |
| Not triggered | A requirement has an activation or timing trigger that has not been met during the temporal scope of the audit being undertaken (may be a retrospective or future requirement), therefore an assessment of compliance is not relevant. |

### Audit Period

The Audit period is proposed from **27 March 2020 - 20 September 2023** (date of granting of the approval to the day of this IEA site inspection).

Note - First day of the Audit inspection is 20 September 2023.

| Compliance Status | SSD | Appendix 2 | Appendix 3 |
|-------------------|-----|------------|------------|
| Not Triggered     | 22  | 9          | 3          |
| Compliant         | 89  | 59         | 1          |
| Non-Compliant     | 12  | 6          | 0          |
| Total             | 123 | 74         | 4          |

**SSD 8753 Concrush Resource Recovery Facility Expansion**

Audit Period: 27 March 2020 - 20 September 2023

| Condition Number                                      | Condition   | Compliance    | Evidence Requested   | Source of Evidence  | Finding   | Recommended Action   |
|---|---|---------------|--|---|---|--|
| <b>SCHEDULE 2</b>                                     |   |               |  |   |   |  |
| <b>PART A ADMINISTRATIVE CONDITIONS</b>               |   |               |  |   |   |  |
| <b>OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT</b> |   |               |  |   |   |  |
| A1.   | In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development, and any rehabilitation required under this consent.  | Compliant     | <ul style="list-style-type: none"> <li>All Management plans/strategies required under this consent</li> <li>Incident reports or self-reporting documents</li> </ul>  | General findings  | <p>Section 147 of the POEO Act states:</p> <p>(a) <i>harm to the environment is material if—</i></p> <p>(i) <i>it involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial, or</i></p> <p>(ii) <i>it results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (or such other amount as is prescribed by the regulations), and</i></p> <p>(b) <i>loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment.</i></p> <p>Material harm is defined in this Consent as:</p> <p><i>Is harm that:</i></p> <ul style="list-style-type: none"> <li><i>involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial, or</i></li> <li><i>results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)</i></li> </ul> <p>Based on the site inspection, measures are in place to prevent material harm. Evidence of numerous inspections, photos and hold points, and implementation of management plans were provided.</p> <p>No instances of material harm as defined under the POEO Act is believed to have occurred at the site inside this audit period (27 March 2020 - 20 September 2023).</p> |  |
| <b>TERMS OF CONSENT</b>                               |   |               |  |   |   |  |
| A2.   | The development may only be carried out:<br>(a) in compliance with the conditions of this consent;<br>(b) in accordance with all written directions of the Planning Secretary;<br>(c) in accordance with the EIS and Response to Submissions;<br>(d) in accordance with the Development Layout in Appendix 1. and<br>(e) in accordance with the management and mitigation measures in Appendix 2.   | Non-Compliant | <ul style="list-style-type: none"> <li>EPL</li> <li>MOD Assessments</li> <li>Any other relevant approvals e.g. Water Access Licence, Bore Licences.</li> <li>EIS</li> <li>Response to Submissions</li> <li>Project survey/boundary plan</li> </ul> | <ul style="list-style-type: none"> <li>EIS</li> <li>DPE Notice to Furnish Information and Records, dated 4/05/2023.</li> <li>DPE Secretary Direction to undertake Independent Environmental Audit, dated 26/07/2023.</li> <li>General findings</li> </ul>   | <p>The Consent defines a "non-compliance" as:<br/><i>An occurrence, set of circumstances or development that is a breach of this consent.</i></p> <p>Although generally compliant with the EIS and Consent, however there have been some issues which results in a <u>non-compliance</u> with this condition.</p> <p>Areas of non-compliance or improvement included implementation of timing requirements or reporting (e.g. notifications), record keeping for demonstration of implementation of measures during construction, tracking of materials entering and stored on site as per the conditions of this Consent, construction of noise walls, and groundwater monitoring frequency.</p> <p>It should be noted that this Consent is highly detailed and ambiguous in some areas, so the audit team understands this is the reason for many of the non-compliances.</p>   | No further recommendations.  |
| A3.   | Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:<br>(a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and<br>(b) the implementation of any actions or measures contained in any such document referred to in condition A3(a).  | Compliant     | <ul style="list-style-type: none"> <li>All Management Plans for the Project</li> <li>Written directions from the DPE/Planning Secretary</li> </ul>   | <ul style="list-style-type: none"> <li>DPE Notice to Furnish Information and Records, dated 4/05/2023.</li> <li>Concrush Response to DPE notice to provide information and/or records, no date.</li> <li>DPE Secretary Direction to undertake Independent Environmental Audit, dated 26/07/2023.</li> </ul> | Concrush provided documents of DPE consultation, including the Secretary's instruction to Furnish Records. Because Concrush responded to this requirement as well as the request to undertake this IEA, this condition is considered compliant. Evidence the site is working through issues noted by the DPE, through this IEA process.   |  |
| A4.   | The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c), A2(d) and A2(e). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c), A2(d) and A2(e) the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.<br><br><i>Note: For the purposes of this condition, there will be an inconsistency between documents if it is not possible to comply with both documents, or in the case of a condition of consent or direction of the Planning Secretary, and a document, if it is not possible to comply with both the condition or direction, and the document.</i> | Not Triggered | <ul style="list-style-type: none"> <li>Management plans and documents in Condition A2.</li> </ul>  |   | Noted. Based on review of conditions and documentation for the project this condition is not triggered.   |  |
| <b>LIMITS OF CONSENT</b>                              |   |               |  |   |   |  |
| <b>Lapsing</b>  |   |               |  |   |   |  |
| A5.   | This consent lapses five years after the date from which it operates, unless the development has physically commenced on the land to which the consent applies before that date.  | Compliant     |  | <ul style="list-style-type: none"> <li>General evidence</li> </ul>  | Noted. The project has physically commenced by completing work under the CEMP. Based on information provided Concrush formally commenced the expansion on 31 October 2020 by starting the construction phase, however there were works managed under the CEMP which occurred prior to this as well.   |  |
| <b>Waste</b>  |   |               |  |   |   |  |
| A6.   | The only type of waste permitted to be received or processed at the site is waste classified as general solid waste (non-putrescible).  | Compliant     | <ul style="list-style-type: none"> <li>Waste received tracking</li> </ul>  | <ul style="list-style-type: none"> <li>Records of incidents when the weighbridge inspection has rejected materials.</li> <li>Signage at site</li> <li>Sales and Tonnages FY 2020-2023</li> </ul>  | Based on Concrush tonnage and sales information Financial Years 2020-2023, Concrush is compliant. Types of materials accepted clearly outlined.   |  |
| A7.   | The Applicant must not:<br>(a) receive or process more than 250,000 tonnes of general solid waste (non-putrescible) per annum, which includes no more than 5,000 tonnes of garden and wood waste; and<br>(b) store more than 150,000 tonnes of general solid waste (non-putrescible) at any one time, which includes 200 tonnes of garden and wood waste.   | Non-Compliant | <ul style="list-style-type: none"> <li>Weighbridge tracking</li> </ul>   | <ul style="list-style-type: none"> <li>Sales and Tonnages FY 2020-2023</li> <li>Site inspection</li> </ul>  | <p>Concrush uses the program Waste Man/ClearWeigh to monitor and record the tonnages coming into the site and out of the site from the weighbridge. Concrush provided evidence of sales and production records with inbound, ground, and outbound tonnages.</p> <p>a) Based on the tonnages and sales spreadsheet provided from Concrush this is compliant.</p> <p>b) <u>Non-compliance</u>. At the time of the site inspection there were more than 200 tonnes of garden and wood waste stockpiled in the allocated area at site. Based on discussions with Concrush, the site was receiving at least 200 tonnes of garden and wood waste back in 2018 under the DA. Concrush is currently preparing a Modification to increase the 200 tonnes limit.</p>  | NC REC 1: Concrush to liaise with the DPE immediately regarding the waste limit for garden and wood waste. |

| Condition Number                    | Condition  | Compliance    | Evidence Requested  | Source of Evidence  | Finding  | Recommended Action  |
|-------------------------------------|--|---------------|---|---|--|---|
| A8.                                 | Despite condition A7(a) and condition A7(b), the Applicant must not receive or process more than 108,000 tonnes per annum or store more than 40,000 tonnes of general solid waste (non-putrescible) at any one time until Stage 1 construction is complete and the Planning Secretary has approved the commencement of Stage 1 operations.                               | Non-Compliant | • Weighbridge tracking  | <ul style="list-style-type: none"> <li>• DPE Notice to Furnish Information and Records, dated 4/05/2023.</li> <li>• Table of conditions Concrush Pty Limited - Signed instrument of determination – SSD-8753, word document, undated (understood to be a live document).</li> <li>• Sales and Tonnages FY 2020-2023</li> <li>• WasteMan volumes for the audit period</li> <li>• Concrush letter to DPE officer regarding one-off exceedance dated 10/08/2021.</li> <li>• Concrush letter to DPE notification of intent to commence operations dated 28/02/2023</li> </ul> | <p>Concrush provided the following comment for in their compliance tracking table in regards to this condition: <i>Concrush's business is driven by the sale of product aggregates and a key performance indicator is to process raw product as soon as possible. This procedure effectively means that the stockpile limit of 40,000 tonnes in Condition A8 is obsolete.</i></p> <p><b>Processing tonnages - Non-compliance</b><br/>Based on discussions with Concrush and evidence provided including the volume tracking system and the Concrush letter to DPE dated 10/08/2021, the volumes on site (related to operational activities under the DA and SSD) for the audit period did exceed this limit. SSD Approval was granted March 2020. Stage 1 Operations formally commenced 31 March 2023. The auditors have looked at tonnages between March 2020 and March 2023. The site production numbers have been provided in Financial Years and are summarised below.</p> <p><b>July 2020 - June 2021:</b><br/>Receival tonnes = 125,507t (over 108,000t limit)<br/>Processing tonnes = 132,413t (over limit)</p> <p><b>July 2021 - June 2022</b><br/>Receival tonnes = 141,575t (over limit)<br/>Processing tonnes = 130,387t (over limit)</p> <p><b>July 2022 - June 2023 tonnages</b><br/>Receival tonnes = 139,472 (over limit)<br/>Processing tonnes = 112,584t (over limit)</p> <p>As the above tonnages exceed the volumes in this condition, this is a <b>non-compliance</b>. Concrush provided a file note of a phone conversation with DPE on 27/8/2021, that state DPE confirmed that until Stage 1 operations commenced, Concrush was still operating under the DA consent which does not have a tonnage limit. Therefore, Concrush believe they are compliant in terms of tonnages received and processed.</p> <p><b>Summary of Non-compliance</b><br/>Concrush provided a letter addressed to a DPE officer (dated 10/08/2021) and copies in the EPA and LMCC, which requests approval for Concrush to exceed the 108,000 tonnes per annum limit outlined in this condition (Condition A8). Based on discussion with Concrush, Concrush did not receive a response to this letter. On page 1 of the Concrush letter states:<br/><i>Further to our letter of 14th June 2021 and your letter of 22nd July 2021 we request a one-off exceedance of the 108,000 tonne limit referred to in Condition A8 in Schedule 2 of the Concrush Facility Consent (Consent) to enable Concrush to receive up to 138,000 tonnes of waste on site in the current 12 month period for the purposes of constructing the authorised hardstand and carrying out the expansion works approved under the Consent.</i></p> <p>Also, on pages 5-6:<br/><i>In summary, the proposed increased receipt of waste over the 108,000 tpa limit would be used to make materials for the proposed expansion works with bulk earthworks nearing completion. We therefore request that the Planning Secretary issues a direction to allow us to receive up to 138,000 tonnes of waste up to 3/11/2021 solely on the basis that this additional waste will only be used on site for the expansion works and will not be processed for sale purposes.</i></p> <p>It is noted that the file note regarding the phone conversation with DPE to confirm Concrush were operating under the DA consent (and therefore DA tonnage limits) is dated 27/8/2021 which is after Concrush had sent the above letter to DPE.</p> | NC REC 2: Liaise with DPE to get a letter that confirms the file note from Concrush dated 27/8/2021, regarding the tonnages against the DA limit. |
| A9.                                 | Despite condition A7(a) and condition A7(b), the Applicant must not receive or process more than 200,000 tonnes per annum or store more than 150,000 tonnes at any one time of general solid waste (non-putrescible) during Stage 1 operations.  | Compliant     |   | • Sales and Tonnages FY 2020-2023   | Based on sales and tonnage data provided, shows Concrush were under 200,000t.<br><br>Site is well-below the 150,000t limit.  |   |
| A10.                                | Despite condition A7(a) and condition A7(b), the Applicant must not proceed to Stage 2 operations (receive and process up to 250,000 tonnes per annum and store up to 150,000 tonnes at any one time of general solid waste) until Stage 1 construction and Stage 2 construction is complete and the Planning Secretary has approved commencement of Stage 2 operations. | Not Triggered |   | • Sales and Tonnages FY 2020-2023<br>• Site inspection  | Site has not commenced Stage 2. Not triggered.   |   |
| A11.                                | Stockpiles of processed and/or unprocessed waste on site must not be more than 10 metres in height when measured from the finished ground level of the site.   | Compliant     | • Reference to this condition in a Management Plan  | • Site inspection   | Evidence of the 10m marker on poles around the site. IEMA did not see any instances of stockpiles exceeding that height. As part of the live volume tracking system and the live map of the site as outlined by the Operation Waste Management Plan, Concrush have measures to mitigate the risk of stockpiling above this height.   |   |
| <b>NOTIFICATION OF COMMENCEMENT</b> |  |               |   |   |  |   |
| A12.                                | The date of commencement of each of the following phases of the development must be notified to the Planning Secretary in writing, at least one month before that date, or as otherwise agreed with the Planning Secretary:<br>(a) construction;<br>(b) operation;<br>(c) cessation of operations; and<br>(d) decommissioning.   | Non-Compliant | <ul style="list-style-type: none"> <li>• Notifications to the Planning Secretary for Construction and Operations.</li> <li>• Evidence of those commencement dates (e.g. transport/weighbridge tracking with dates)</li> </ul> | <ul style="list-style-type: none"> <li>• DPE Notice to Furnish Information and Records, dated 4/05/2023.</li> <li>• Concrush letter to DPE dated 31/07/2020 notifying intention to commence construction phase.</li> <li>• Concrush letter to DPE dated 28/02/2023 notifying intention to commence operations phase.</li> </ul>   | <p>Key terms defined in SSD 8753:</p> <p><b>Construction</b> - The demolition and removal of buildings or works, the carrying out of works for the purpose of the development, including bulk earthworks, and erection of buildings and other infrastructure permitted by this consent.</p> <p><b>Demolition</b> - The deconstruction and removal of buildings, sheds and other structures on the site.</p> <p><b>Operation</b> - The receipt, removal or processing of general solid waste (non-putrescible).</p> <p><b>Stage 1 Construction</b> - The carrying out of works shown as Stage 1 on the plans at Appendix 1 of this consent, for the purpose of the development, including bulk earthworks and other infrastructure as identified in the EIS</p> <p><b>Stage 2 Construction</b> - The carrying out of works shown as Stage 2 on the plans at Appendix 1 of this consent, for the purpose of the development, including bulk earthworks and other infrastructure as identified in the EIS</p> <p><b>Stage 1 Operations</b> - The point at which the site can receive and process between 108,000 tpa and 200,000 tpa of general solid waste (non-putrescible) and store between 40,000 tonnes and 150,000 tonnes of general solid waste (non-putrescible) at any one time within the area identified in the plans at Appendix 1 of this consent</p> <p><b>Stage 2 Operations</b> - The point at which the site can receive and process up to 250,000 tpa of general solid waste (non-putrescible) and store up to 150,000 tonnes of general solid waste (non-putrescible) at any one time within the area identified in the plans at Appendix 1 of this consent.</p> <p>June 30 2020 aerial indicates construction had commenced. Refer to Condition C4 for further information and findings regarding Construction and the CEMP. The letter dated 31 July 2020 from Concrush to DPE gave them one months notice that construction would start. We believe construction started prior to the notified date as vegetation has been removed in the aerial (refer to NearMaps aerial imagery dated 30/06/2020). Clearing would have meant construction had commenced.</p> <p>Note that the CEMP considers Stage 1 and Stage 2 of Construction. CEMP refers to Appendix A for notifications to DPE on the construction phase of the project, however Appendix A (Works Program) does not include notification to DPE as a task. The CEMP describes construction for the development under Section 3 - Programme of Works. In this section the CEMP describes preliminary activities and Stage 1 construction activities to include the installation of fencing and erosion control measures, remedial works, and transfer of raw and processed material stockpiles from the existing portion to the expansion component of the Project. Therefore, the audit team consider the evidence of clearing activities in the aerial dated 30/06/2020 to be commencing work under the CEMP.</p>   | No further recommendations.   |

| Condition Number   | Condition  | Compliance    | Evidence Requested  | Source of Evidence   | Finding  | Recommended Action |
|--|--|---------------|---|--|--|--------------------|
|  |  |               |   |  | <p>Condition A12a is considered <u>non-compliant</u> due to timings.</p> <p>The SSD describes Operation as:<br/><i>The receipt, removal or processing of general solid waste (non-putrescible).</i></p> <p>2022 to 2023 aerial imagery sourced from NearMaps shows different material stockpiles either being moved around the site or brought (received) onto the SSD expansion area of the site. An aerial dated 1/02/2022 shows stockpiled material in the expansion area (unclear whether this material is for construction of the expansion area or stockpiled processed material from the existing DA area). Aerial imagery dated 16/04/2022 shows the construction of the sediment basins and wetlands progressing, as well as stockpiles persisting in the Expansion area and a stockpile which appears to be mulched green waste in the expansion area. An aerial dated 4/10/2022 shows those stockpiles in the Expansion area remain, as well as a new red stockpile. An aerial dated 15/01/2023 appears to have a finer red stockpile in the same location. Therefore, it is concluded Concrush was receiving and storing material in the Expansion area. This is evidence of Operations commencing prior to the Notification of Commencement of Stage 1 Operations. Refer to Condition C5 for further findings. Condition A12b is considered <u>non-compliant</u>.</p> <p>Subconditions c) and d) are not triggered.</p> |                    |
| A13.   | If the construction, operation or decommissioning of the development is to be staged, the Planning Secretary must be notified in writing at least one month before the commencement of each stage, of the date of commencement and the development to be carried out in that stage, or as otherwise agreed with the Planning Secretary.  | Compliant     |   | <ul style="list-style-type: none"> <li>DPE Notice to Furnish Information and Records, dated 4/05/2023.</li> <li>Site inspection and discussions</li> </ul>   | Noted. The CEMP covers both Stages 1 and 2 of Construction therefore the audit team believe this notification to DPE regarding commencement of Construction covered off on Stage 1 and Stage 2 notifications.  |                    |
| <b>SURRENDER OF EXISTING CONSENTS OR APPROVALS</b>                   |  |               |   |  |  |                    |
| A14.   | Within 12 months of the date of commencement of development to which this consent applies, or within another timeframe agreed to by the Planning Secretary, the Applicant must surrender the existing development consent DC /02/00558/1N dated 27 February 2002 and issued by Lake Macquarie City Council in accordance with the EP&A Regulation.   | Compliant     | <ul style="list-style-type: none"> <li>Evidence of surrender</li> <li>Correspondence with Lake Macquarie Council</li> </ul>   | <ul style="list-style-type: none"> <li>Site inspection and discussions</li> <li>Concrush's Response to DPE Notice to Furnish Information and Records, no date.</li> <li>Correspondence with Lake Macquarie Council</li> </ul>  | <p>Development is defined in the SSD Definitions:<br/><i>The development described in the EIS and Response to Submissions, including the works and activities comprising resource recovery waste, as modified by the conditions of this consent.</i></p> <p>Based on this definition this audit team consider operations is the recovery of waste.</p> <p>During day one of the site inspection, Concrush was planning to surrender the LMCC DA in March 2024 based on their internal date of operations commencement. The date of commencement of Stage 1 Operations was 31 March 2023.</p> <p>However, it is noted Concrush's Response to the DPE's Notice to Furnish Information and Records discusses operations as commencing in June 2023.</p>   |                    |
| A15.   | Upon the commencement of development to which this consent applies, and before the surrender of existing development consents or project approvals required under condition A14, the conditions of this consent prevail to the extent of any inconsistency with the conditions of those consents or approvals.<br><br><i>Note: This requirement does not extend to the surrender of construction and occupation certificates for existing and proposed building works under the former Part 4A of the EP&amp;A Act or Part 6 of the EP&amp;A Act as applies from 1 December 2019. The surrender should not be understood as implying that works legally constructed under a valid consent or approval can no longer be legally maintained or used.</i>   | Not Triggered | Noted   |  | Noted. Refer to each condition.  |                    |
| <b>EVIDENCE OF CONSULTATION</b>                                      |  |               |   |  |  |                    |
| A16.   | Where conditions of this consent require consultation with an identified party, the Applicant must:<br>(a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and<br>(b) provide details of the consultation undertaken including:<br>(i) the outcome of that consultation, matters resolved and unresolved; and<br>(ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.   | Compliant     | General consultation, refer to conditions below.  | <ul style="list-style-type: none"> <li>Site inspection and discussions</li> </ul>  | Refer to the specific Management Plan conditions, however generally compliant.   |                    |
| <b>STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS</b> |  |               |   |  |  |                    |
| A17.   | With the approval of the Planning Secretary, the Applicant may:<br>(a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);<br>(b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and<br>(c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development). | Not Triggered | All management plans  |  | Based on evidence provided for this IEA, this is not applicable.   |                    |
| A18.   | If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.  | Not Triggered | All management plans from audit period (including those that may be superseded now)   |  | Based on evidence provided for this IEA, this is not applicable.   |                    |
| A19.   | If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.   | Not Triggered |   |  | Based on evidence provided for this IEA, this is not applicable.   |                    |
| <b>PROTECTION OF PUBLIC INFRASTRUCTURE</b>                           |  |               |   |  |  |                    |
| A20.   | Prior to the commencement of construction, the Applicant must:<br>(a) consult with the relevant owner and provider of infrastructure and services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure;<br>(b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and<br>(c) submit a copy of the dilapidation report to the Planning Secretary and where Council's assets are affected, Council.   | Compliant     | <ul style="list-style-type: none"> <li>Consultation with service-providers, Council, neighbours, DPE, etc.</li> <li>Evidence of repairing public infrastructure.</li> <li>Evidence of payment to contractors, relevant stakeholders.</li> </ul> | <ul style="list-style-type: none"> <li>Email with Public Works Certificate from LMCC (PWC/29/2020) dated 14/10/2020.</li> <li>Engineering report: Dilapidation Report for Concrush Rail Corridor prepared by Lindsay Dynan dated 15 July 2020.</li> <li>Engineering report: Dilapidation Report for Concrush Racecourse Road, Teralba prepared by Lindsay Dynan dated 15 July 2020.</li> <li>Email from Concrush to LMCC with Dilapidation Reports, discussion of A25 Contributions, discussion of designs of Racecourse Road, and copies of the FERP, TMP, and LMP. Dated 15/07/2020.</li> <li>Email from Concrush to LMCC with Dilapidation Report Racecourse Road attached (for records), dated 27/4/2022.</li> <li>Concrush email to DPE officer with Dilapidation Report, evidence of payment to LMCC, Final FERP, Final TMP, Final LMP, and Consultation with LMCC. Dated 11/09/2020.</li> <li>DPE Major Projects website: Letter from C. Garner to LMCC with Racecourse Road engineering design plans (Document no: 16015-LD-DR-C-10000 to -10700 and Design Certification Report and Design Checklists) dated 16/02/2022.</li> <li>DPE Major Projects website: DA-SSD8753 Road Upgrade at 21 Racecourse Rd, Teralba Certification Report, Lindsay Dynan Consulting Engineers, dated 15/02/2022.</li> </ul> | <p>a) Evidence of consultation with LMCC for finalised Dilapidation Reports. Hunter Water Building Plan Assessment of Stage 2 Conceptual Layout and Concrush application dated 15/06/2022 evidence of consultation and approval from HWC. Emails provided from LMCC dated September 2020 is evidence of the Concrush providing the LMP, FERP, and TMP for review. The design was approved over 2 years and emails were provided across this timeframe which suggest meetings and consultation occurred.</p> <p>b) <i>Dilapidation Report for Concrush Racecourse Road, Teralba</i> prepared by Lindsay Dynan dated 15 July 2020. Report states the inspection was held 28/05/2020.</p> <p>c) Evidence of copies of both Dilapidation Reports being sent to LMCC personnel in emails dated 15/07/2020 and 27/04/2022. Note, evidence of Racecourse road documents being provided to DPE in that they are present on the DPE Major Projects website. Email to DPE officer with Dilapidation Report attached dated 11/09/2020.</p>  |                    |

| Condition Number                        | Condition   | Compliance    | Evidence Requested   | Source of Evidence  | Finding  | Recommended Action  |
|---|---|---------------|--|---|--|---|
| A21.                                    | Unless the Applicant and the applicable authority agree otherwise, the Applicant must:<br>(a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and<br>(b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.<br><br><i>Note: This condition does not apply to any damage to roads caused as a result of general road usage or otherwise addressed by contributions required by A24 of this consent.</i>  | Not Triggered |  | • Site inspection and discussions   | Based on site discussions and evidence provided for this audit, this condition is not triggered.   |   |
| <b>DEMOLITION</b>                       |   |               |  |   |  |   |
| A22.                                    | All demolition must be carried out in accordance with Australian Standard AS 2601-2001 The Demolition of Structures (Standards Australia, 2001).  | Not Triggered | • Demolition certificates<br>• Any asbestos or contaminated material?  | • Site inspection and discussions   | The CEMP describes this obligation. Maintenance shed pulled down and relocated in the site. No mechanical demolitions works. Therefore, this condition is not triggered.   |   |
| <b>STRUCTURAL ADEQUACY</b>              |   |               |  |   |  |   |
| A23.                                    | All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA.<br><br><i>Note:</i><br>• Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.<br>• Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.   | Not Triggered | • Building Certificates<br>• Correspondence with Certifiers  | • DPE Major Projects website: CodeWise Certifiers Application forms for Construction Certificate and Principal Certifier, dated 1/06/2022.<br>• DPE Major Projects website: PCA Stamped Hunter Water Drawing, date processed 15/06/2022.<br>• DPE Major Projects website: ATCO/AllGal site buildings plans dated 7/10/2021, 10/11/2021, 22/03/2022, 3/05/2022, and 5/05/2022.<br>• DPE Major Projects website: Building Drainage Details prepared by Cadence Consulting Surveyors dated 2/06/2022.<br>• PCA Nomination Form and Details confirmation of submission dated 22/06/2022 | The CEMP describes this obligation. Hunter Water Building Plan Assessment of Stage 2 Conceptual Layout and Concrush application dated 15/06/2022 evidence of consultation and approval from HWC. Communication with CodeWise certifiers provided. Based on communications provided, the Construction Certificate was issued in September 2022. Therefore, it is understood this condition is compliant.<br><br>By day 2 of the site inspection (September 2023) the Occupation Certificate had not be issued to Concrush. Based on site discussions in November 2023, there is some ongoing liaison with CodeWise relating to some additional items to be shown on plans. Therefore we can't call this condition compliant yet, hence not triggered.   | IMP REC 1: Concrush to continue to liaise with CodeWise to get the Occupation Certificate and then send to DPE. |
| <b>COMPLIANCE</b>                       |   |               |  |   |  |   |
| A24.                                    | The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.  | Compliant     | • Site inductions<br>• Driver inductions or code of conduct<br>• Toolbox talks<br>• Incident reports                               | • Site inspection and hardcopies<br>• Hold Point Release Form No.1 CEMP site inductions, with signed Site Induction Register attached dated 16/11/2020 and review dated 7/05/2021.  | The CEMP describes this obligation in Section 6.1. Site inductions by employees and contractors were provided at day 1 of the site inspection component of this IEA, and was sufficient evidence of employee inductions.   |   |
| <b>DEVELOPMENT CONTRIBUTIONS</b>        |   |               |  |   |  |   |
| A25.                                    | Prior to the commencement of Stage 1 operations, the Applicant must pay a contribution to Council under section 7.11 of the EP&A Act of \$5.57 for Public Transport Facilities, \$3.43 for Plan Preparation & Administration and an <b>annual haulage contribution</b> of:<br>(a) \$6,045.45 when access along The Weir Road between the intersections of Bath Street and The Weir Road and Griffen Road and The Weir Road is not available at any time during the period to which the payment relates (adjusted on a quarterly basis from the date of this consent, to account for movements in the Australian Bureau of Statistics Consumer Price Index – Building Construction (NSW)), or<br>(b) <b>\$24,050.00</b> when access along The Weir Road between the intersections of Bath Street and The Weir Road and Griffen Road and The Weir Road <b>is available at all times during the period</b> to which the payment relates (adjusted on a quarterly basis from the date of this consent, to account for movements in the Australian Bureau of Statistics Consumer Price Index – Building Construction (NSW)). | Compliant     | • Evidence of sending payment to Council (dated)<br>• Evidence of adjustments of payment<br>• Confirmation of receipt from Council | • Email from Concrush to LMCC with Dilapidation Reports, discussion of A25 Contributions, discussion of designs of Racecourse Road, and copies of the FERP, TMP, and LMP. Dated 15/07/2020.<br>• Cheque "LMCC Annual Haulage Contribu" for \$21,863.64 dated 20/05/2020.<br>• LMCC Receipt for \$24,050.00 dated 04/06/2020.<br>• Email chain: Contributions Levies Paid - MISC/231/2017 - 21 Racecourse Road TERALBA, including email from LMCC dated 24/10/2023   | Evidence of payment prior to Stage 1 Operations (receipts from LMCC dated June 2020). Evidence of the one-off fees of \$5.57 and \$3.43 being paid.<br><br>Based on a LMCC newsletter dated 8/07/2022, the Weir Road and Weir Bridge was closed from early 2021 and reopened 8/07/2022. Therefore the audit team believe the contributions for 28/03/2020-27/03/2021, 28/03/2021-27/03/2022, and 28/03/2022-27/03/2023 were required to be \$6,045.45.<br><br>Email from Concrush to LMCC summarises and attaches receipts of Concrush contribution payments for the year 2020. Concrush note in the email that the receipt from LMCC was for \$24,050 and that Concrush didn't receive a receipt for the lesser fees of \$3.43 and \$5.57.<br><br>At the time of Day 2 of the Site inspection, Concrush was not aware that this contribution was an annually requirement. However, Concrush's June 2020 payment of \$24,050 covered off on 3 years of annual haulage contributions. LMCC confirmed their satisfaction with this contribution from 2020 via email 24/10/2023. Concrush are compliant, despite only making one payment for multiple annual contribution periods.<br><br>The next payment will be due for the period 28/03/2023-27/03/2024. The amount required will likely be \$24,050 because the Weir Road has been available at all times in this period (thus far). |   |
| <b>OPERATION OF PLANT AND EQUIPMENT</b> |   |               |  |   |  |   |
| A26.                                    | All plant and equipment used on site, or to monitor the performance of the development must be:<br>(a) maintained in a proper and efficient condition; and<br>(b) operated in a proper and efficient manner.  | Compliant     | • Maintenance certificates<br>• Invoices from service providers<br>• Driver inductions<br>• Site inductions                        | • Vehicle and equipment maintenance logbook and daily pre-starts.<br>• HSE Inspections  | a) The CEMP addresses this obligation in Table 9. Large amount of evidence certification for range of equipment.<br>b) The site inspection observed good practice and operations.  |   |
| <b>EXTERNAL WALLS AND CLADDING</b>      |   |               |  |   |  |   |
| A27.                                    | The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.  | Compliant     | • Designs/Plans for any new buildings  | • PCA Nomination Form and Details confirmation of submission dated 22/06/2022<br>• ATCO to Concrush to Codewise email thread dated April 2022.<br>• Construction Certificate<br>• Major projects Post-Approval form dated 30/08/2023  | The CEMP addresses this obligation in Section 3.8 and note records of evidence in the Evidence column. New buildings and demountable plans provided.   |   |
| A28.                                    | Before the issue of:<br>(a) any Construction Certificate relating to the construction of external walls (including the installation of finishes and claddings such as synthetic or aluminium composite panels); and<br>(b) an Occupation Certificate,<br>the Applicant must provide the Certifying Authority with documented evidence that the products and systems proposed for use or used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the BCA.  | Compliant     | • Designs/Plans new buildings, including work-as-executed plans which include reference to BCA requirements                        | • PCA Nomination Form and Details confirmation of submission dated 22/06/2022<br>• Construction Certificate<br>• Site inspection discussion of Occupation Certificate   | a) Based on information provided for this IEA, it is understood Concrush provided all relevant documents to the Certifying Authority and DPE. Concrush provided a copy of the Construction Certificate dated 2 September 2022.<br>b) Concrush provided evidence of requesting the Occupation Certificate at the time of the site inspection.   |   |
| A29.                                    | The Applicant must provide a copy of the documentation given to the Certifying Authority under condition A28 to the Planning Secretary within seven days after the Certifying Authority accepts it.   | Not Triggered | • Evidence of submission of plans to Principal Certifier and to DPE  | • Documentation provided to Certifying Authority provided for this IEA (engineers inspection reports, stamped plans, services plans, certificates)<br>• Major projects Post-Approval form dated 30/08/2023  | Evidence of required documents being provided to the Certifying Authority via email from April 2022 to May 2023. Major Project Post-approval form automatic emails are evidence of this information being provided to DPE progressively. Not triggered based on Condition A23.   |   |
| <b>UTILITIES AND SERVICES</b>           |   |               |  |   |  |   |
| A30.                                    | Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.  | Compliant     | • Services approvals   | • DPE Major Projects website: PCA Stamped Hunter Water Drawing, date processed 15/06/2022.<br>• Email confirmation of submission of "PCA Building and Shed Details", "PCA Stamped Hunter Water Drawing", "PCA Building Drainage Detail", and "PCA CodeWise Appointment" by Concrush to the DPE, dated 22/06/2022.<br>• Approval email of the above documents, dated 3/09/2022.<br>• PCA Nomination Form and Details confirmation of submission dated 22/06/2022   | Documents provided to the Principal Certifier and DPE provided for this audit. Emails between Concrush and SydneyTrains also received. Based on evidence received and consultation with SydneyTrains, Concrush have been compliant with condition and worked to the satisfaction of SydneyTrains. Based on the evidence provided for this audit, Concrush obtained relevant approvals from LMCC (Public Works Certificate), DPE (submission of all documents to PC), and Hunter Water (HWC sign off on plans).   |   |
| <b>WORKS AS EXECUTED PLANS</b>          |   |               |  |   |  |   |
| A31.                                    | Prior to the commencement of Stage 1 operations, works-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the Principal Certifier.  | Compliant     | • Surveyors or Works-as-executed plans<br>• Evidence of Principal Certifier sign-off   | • Cadence Consulting Surveyors emails dated 1/09/2023, plans dated July and August 2023.<br>• CONSTRUCTION OF RACECOURSE ROAD & DETAIL SURVEYS letter, Cadence Consulting Surveyors, dated 30/08/2023.<br>• As-Built plans by Cadence Consulting Surveyors. File name: 2055_DWG_SITEWIDE LEVELS-1A. Email subject line: "CCS-2055 Concrush Final Storm Water Levels".   | Cadence Consulting Surveyors as-built plans provided for the entire site and reconstruction of Racecourse Road, including contours and drainage features. However based on evidence provided these plans are being continually updated and CodeWise have requested updates prior to finalisation of the Occupation Certificate. This audit team understand Concrush was compliant prior to the commencement of operations. Evidence of plans being updated as the site progressed (31/05/2023, 10/11/2023) and progressively provided to CodeWise. As this timing has passed, no further recommendations.  |   |
| <b>APPLICABILITY OF GUIDELINES</b>      |   |               |  |   |  |   |

| Condition Number                                | Condition  | Compliance    | Evidence Requested   | Source of Evidence  | Finding  | Recommended Action |
|---|--|---------------|--|---|--|--------------------|
| A32.  | References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.  | Not Triggered | Noted.   | • All Management Plans  | Based on evidence provided for this IEA, this is not applicable.   |                    |
| A33.  | However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.  | Not Triggered | • Any requests to the Planning Secretary/DPE to work to a newer version of a guideline/policy/etc.<br>• Approvals from the Secretary for the above               |   | Based on evidence provided for this IEA, this is not applicable.   |                    |
| <b>ADVISORY NOTES</b>                           |  |               |  |   |  |                    |
| AN1.  | All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.  | Not Triggered |  |   | Noted.   |                    |
| <b>PART B SPECIFIC ENVIRONMENTAL CONDITIONS</b> |  |               |  |   |  |                    |
| <b>WASTE MANAGEMENT</b>                         |  |               |  |   |  |                    |
| <b>Statutory Requirements</b>                   |  |               |  |   |  |                    |
| B1.   | The Applicant must assess and classify all liquid and non-liquid wastes to be taken off site in accordance with the latest version of EPA's Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014) and dispose of all wastes to a facility that may lawfully accept the waste.  | Compliant     | • Correspondence from or inspections done by the EPA<br>• Data captured by weighbridge<br>• Waste recordings<br>• Photo evidence of waste being properly managed | • Cleanaway receipts dated across the audit period<br>• Site stockpile and material tracking<br>• Site inspection and discussions<br>• Remondis receipts from throughout audit period   | Evidence of material tracking provided and evidence of general waste pick up by Cleanaway. This waste that Concrush can't process is picked up routinely by Cleanaway. Scrap steel is removed from site and taken to another recycling facility. Based on site discussions and general evidence, leachate is processed through the Constructed Wetland and is not moved off site.  |                    |
| B2.   | The Applicant must retain all sampling and waste classification data for the life of the development in accordance with the requirements of EPA.   | Compliant     | • Evidence of retained sampling and waste classification data  | • Tonnages and Sales records<br>• Cleanaway receipts dated across the audit period<br>• Site inspection and discussions<br>• Remondis receipts from throughout audit period<br>• Infrabuild receipts from throughout audit period   | Evidence of material tracking provided across the site. Waste tracking and general material accepted and exiting the site is recorded and based on records provided is compliant with the EPL.   |                    |
| <b>Waste Management Plan</b>                    |  |               |  |   |  |                    |
| B3.   | Prior to the commencement of Stage 1 operations and Stage 2 operations, the Applicant must prepare a Waste Management Plan (WMP) for the development to the satisfaction of the Planning Secretary. The WMP must form part of the OEMP required by condition C5 and be prepared in accordance with condition C1. The Plan must:<br>(a) detail the type and quantity of waste to be generated during construction and operation of the development;<br>(b) describe the handling, storage and disposal of all waste streams generated on site, consistent with the Protection of the Environment Operations Act 1997, Protection of the Environment Operations (Waste) Regulation 2014 and the Waste Classification Guideline (EPA, 2014);<br>(c) include details of the waste stockpile limits that will be maintained in the raw waste stockpile and processing area and processed waste stockpile area;<br>(d) include procedures for ensuring no build-up of waste will occur in the unprocessed waste stockpiles area during unexpected machinery break down;<br>(e) detail the waste to be reused or recycled, either on or off site; and<br>(f) detail the requirements for non-conforming waste handling and removal. | Compliant     | • Waste Management Plan - mitigation and monitoring  | • Operational Waste Management Plan, Revision 2 by WSP, dated 24/06/2022. Initial finalised plan dated 8/12/2020. Rev 1 dated 31/05/2022.<br>• Expansion WHS Visitors and Contractors Sign In Sheet, sign-ins dated from 7/1/2021.<br>• Site Induction Handout 23/11/2020, 16/5/2022 (toolbox talk style).  | The previous version of the OWMP was approved by DPE on 21/12/2020. This is prior to the Stage 1 Operations date of commencement. The current OWMP was approved 8/09/2022 prior to Stage 2 Operations. Concrush stated Stage 2 Operations has not yet commenced. Therefore, this is compliant.<br><br>Section 2.2 contains compliance table to demonstrate satisfaction of various Conditions.<br>(a) Section 4.1<br>(b) Section 4<br>(c) Section 3.5<br>(d) Section 3.4<br>(e) Section 3, Section 4.<br>(f) Section 3.9. Appendix A.  |                    |
| B4.   | The Applicant must:<br>(a) not commence Stage 1 operations until the WMP required by condition B3 is approved by the Planning Secretary.<br>(b) not commence Stage 2 operations until the WMP required by condition B3 is approved by the Planning Secretary.<br>(c) implement the most recent version of the WMP approved by the Planning Secretary.  | Compliant     |  | • DPE Letter of Approval of OEMP including OWMP (by WSP dated 8/12/2020), dated 21/12/2020.<br>• DPE Letter of Approval of Waste Management Plan (Rev D, dated 24/06/2022) for Stage 2 operations, dated 8/09/2022.   | a) Evidence provided of the WMP for Stage 1 Operations being approved 21/12/2020 which is prior to the commencement of the operations phase.<br>b) Evidence provided of the WMP for Stage 2 Operations being approved 8/09/2022 which is prior to the commencement of the operations phase.<br>c) Concrush discussed protocols for non-conforming waste including supervision by staff when customers are dumping during the site inspection. Concrush also provide EPA monthly summaries related to the waste received and purchased/taken off-site in accordance with EPL 13351. Evidence generally provided waste is being managed on site as per the OWMP. |                    |
| <b>Waste Monitoring Program</b>                 |  |               |  |   |  |                    |
| B5.   | From the commencement of Stage 1 operations, the Applicant must implement a Waste Monitoring Program for the development. The program must:<br>(a) be prepared by a suitably qualified and experienced person(s) prior to the commencement of Stage 1 operation;<br>(b) include suitable provision to monitor the:<br>(i) quantity, type and source of waste received on site; and<br>(ii) quantity, type and quality of the outputs produced on site; and<br>(c) ensure that:<br>(i) all waste that is controlled under a tracking system has the appropriate documentation prior to acceptance at the site; and<br>(ii) staff receive adequate training in order to be able to recognise and handle any hazardous or other prohibited waste including asbestos.  | Compliant     | • OEMP<br>• Water Management Plan - monitoring<br>• Water Management Plan<br>• Weighbridge tracking<br>• Toolbox talks   | • Operational Waste Management Plan, Revision 2 by WSP, dated 24/06/2022. Initial finalised plan dated 8/12/2020. Rev 1 dated 31/05/2022.<br>• Records exported from WasteMan software for the audit period.  | Sections 3.1, 3.2, 3.7, and 6 of the OWMP.<br><br>OWMP also contains appendices which relate to waste monitoring, including Weighbridge Non-transactions records, Rejected Load Policy and Forms, and Inspection Point Procedures and Forms. The three Inspection Point system was observed during the site inspection. A key requirement in the OWMP is the Competency Training Matrix Needs Analysis and a Training Matrix spreadsheet was provided for this IEA.  |                    |
| <b>Receipt, Storage and Handling of Waste</b>   |  |               |  |   |  |                    |
| B6.   | The Applicant must ensure that the waste screening and inspection protocols operate in a manner which does not cause trucks to queue onto Racecourse Road.   | Compliant     | • Toolbox talks  | • Operational Waste Management Plan, Revision 2 by WSP, dated 24/06/2022. Initial finalised plan dated 8/12/2020. Rev 1 dated 31/05/2022.<br>• Operational Waste Management Plan, Revision 2 by WSP, dated 24/06/2022. Initial finalised plan dated 8/12/2020. Rev 1 dated 31/05/2022.<br>• Site inspection | Traffic Management Plan (Operational phase) and Operational Waste Management Plan.<br><br>Entry road/public road works construction has been completed. Based on the approved site layout allows for enough rooms for vehicles to enter the site without queuing on Racecourse Road. No queuing was observed at the site inspection.   |                    |
| B7.   | Waste must be secured and maintained within designated waste storage areas at all times and must not leave the site onto neighbouring public or private properties.  | Compliant     | • Photo evidence of waste being properly managed   | • Operational Waste Management Plan, Revision 2 by WSP, dated 24/06/2022. Initial finalised plan dated 8/12/2020. Rev 1 dated 31/05/2022.<br>• Site inspection.   | Section 3.3.3 and 3.5 of OWMP. During the site inspection it was observed all waste was contained on site.   |                    |
| B8.   | The Applicant must only receive waste on site that is authorised for receipt by an EPL.  | Compliant     | • Waste recordings<br>• Data captured by weighbridge<br>• Waste receipts authorised by EPL   | • Operational Waste Management Plan, Revision 2 by WSP, dated 24/06/2022. Initial finalised plan dated 8/12/2020. Rev 1 dated 31/05/2022.<br>• Live and current map in the weighbridge office<br>• Rejected load register from October 2014 to September 2023.  | Section 3.1 of OWMP. Waste records provided demonstrate waste volumes received and exiting the site are tracked live.<br><br>Waste is generally recorded in accordance with L2.1.<br><br>Evidence during site inspection of sorting of and refusing waste. Concrush discussed how all staff are trained to refuse people at the weighbridge. Concrush also have a complete Rejected Load Register which is kept up to date.  |                    |

| Condition Number                                  | Condition  | Compliance   | Evidence Requested   | Source of Evidence   | Finding  | Recommended Action  |           |             |            |                           |   |            |                           |                     |                           |  |                               |         |               |                          |  |               |                            |   |
|---|--|--|--|--|--|---|-----------|-------------|------------|---------------------------|---|------------|---------------------------|---------------------|---------------------------|--|-------------------------------|---------|---------------|--------------------------|--|---------------|----------------------------|---|
| B9.   | The Applicant must provide details of the allocated heavy vehicle and source of wastes received on the site to the EPA and the Planning Secretary when requested.  | Compliant  | <ul style="list-style-type: none"> <li>Correspondence of allocated heavy vehicle and waste received on site to EPA and Planning Secretary</li> </ul>   | <ul style="list-style-type: none"> <li>Operational Waste Management Plan, Revision 2 by WSP, dated 24/06/2022. Initial finalised plan dated 8/12/2020. Rev 1 dated 31/05/2022.</li> <li>Records exported from WasteMan software for the audit period.</li> </ul>   | This obligation is described in Section 3.1 of OWMP. Live waste tracking system used by Concrush records this information, therefore the audit team understand Concrush would be in position to provide this information if requested. Concrush records the number plate/Registration of the vehicle coming into site and have a Rejected Load Register.   | IMP REC 2: Table 2.1 Compliance with the Development Consent Conditions of the OWMP refers to Section 3.2 for this condition, however Section 3.1 Waste Receipt better explains this procedure. Review and update Table 2.1 of the OWMP to ensure this table has up-to-date section references. |           |             |            |                           |   |            |                           |                     |                           |  |                               |         |               |                          |  |               |                            |   |
| <b>Pests, Vermin and Noxious Weed Management</b>  |  |  |  |  |  |   |           |             |            |                           |   |            |                           |                     |                           |  |                               |         |               |                          |  |               |                            |   |
| B10.  | The Applicant must: <ul style="list-style-type: none"> <li>(a) implement suitable measures to manage pests, vermin and declared noxious weeds on the site; and</li> <li>(b) inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or noxious weeds are not present on site in sufficient numbers to pose an environmental hazard or cause the loss of amenity in the surrounding area.</li> </ul> <p>Note: For the purposes of this condition, noxious weeds are those species subject to an order declared under the Noxious Weed Act 1993.</p>   | Compliant  | <ul style="list-style-type: none"> <li>Evidence of pest/vermin inspections</li> <li>Proof of purchase for pesticides, herbicides, or other pest/vermin management measures.</li> </ul>   | <ul style="list-style-type: none"> <li>Operational Waste Management Plan, Revision 2 by WSP, dated 24/06/2022. Initial finalised plan dated 8/12/2020. Rev 1 dated 31/05/2022.</li> <li>LMCC Noxious weed consultation including Groundsel</li> </ul>  | <ul style="list-style-type: none"> <li>a) Section 3.6.3 of the OWMP to minimise pests and vermin. Note the site does not have vermin (mouse) but does have snakes visit the site. Consultation with LMCC regarding the noxious weeds received and evidence of weed spraying observed at the site inspection and in HSE and RedInsight inspections.</li> <li>b) Evidence of this during the site inspections. The audit team consider this is compliant.</li> </ul>   |   |           |             |            |                           |   |            |                           |                     |                           |  |                               |         |               |                          |  |               |                            |   |
| <b>WATER QUALITY, HYDROLOGY AND SOILS</b>         |  |  |  |  |  |   |           |             |            |                           |   |            |                           |                     |                           |  |                               |         |               |                          |  |               |                            |   |
| <b>Discharge Limits</b>                           |  |  |  |  |  |   |           |             |            |                           |   |            |                           |                     |                           |  |                               |         |               |                          |  |               |                            |   |
| B11.  | The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided for in an EPL.   | Non-Compliant  | <ul style="list-style-type: none"> <li>Records for all discharges</li> </ul>   | <ul style="list-style-type: none"> <li>Discharge water monitoring records</li> </ul>   | <p>Section 120 of the POEO Act refers to the <b>Prohibition of pollution of waters</b> and states:</p> <p><i>pollute waters includes cause or permit any waters to be polluted.</i></p> <p>There have been discharges from site during the IEA period, which would mean pollution of waters (hence non-compliance). Concrush has no reporting requirements in the WDMP or DVMP and the criteria in the WDMP and DVMP are "goal" criteria based on industry guidelines. The WDMP and DVMP do not require discharges to be reported to DPE. The discharge results are summarised below:</p> <ul style="list-style-type: none"> <li>Sediment Basin 1 discharge 10/10/2022. Exceedances in pH (9.32), Aluminium (0.13), Hexavalent Chromium (0.01), Ammonia (0.09), Total N (1.4), and Total P (0.14).</li> <li>Sediment Basin 2 discharge 10/10/2022. Exceedances in pH (9.05), Aluminium (0.16), Ammonia (0.09), Nitrate as Nd (1.12), Nitrite + Nitrate as N (1.49), Total N (3.3), and Total P (0.25).</li> <li>Sediment Basin 1 discharge on 6/04/2023. Exceedances in pH (8.11), Hexavalent Chromium (0.01), Ammonia (0.03), Total N (1.1), and Total P (0.08).</li> </ul> <p>There are no criteria in the EPL relating to discharge criteria. This condition does not state that Concrush has to report all discharges. We have interpreted this condition that Concrush would need to report discharges that cause or have to potential to cause material harm to the environment. There is no evidence of these discharges triggering that reporting (Condition A1 and PIRMP).</p>  | NC REC 3: Liaise with the EPA to update the EPL to be consistent with the WDMP and the DVMP to enable discharge from the site in specified circumstances. This would likely add licensed discharge points to the site as well as adding surface water criteria.                                 |           |             |            |                           |   |            |                           |                     |                           |  |                               |         |               |                          |  |               |                            |   |
| <b>Water Discharge Management Plan</b>            |  |  |  |  |  |   |           |             |            |                           |   |            |                           |                     |                           |  |                               |         |               |                          |  |               |                            |   |
| B12.  | Prior to the commencement of Stage 1 construction, the Applicant must prepare a Water Discharge Management Plan (WDMP) to the satisfaction of the Planning Secretary. The WDMP must form part of the CEMP required by condition C2 and be prepared in accordance with condition C1. The WDMP must: <ul style="list-style-type: none"> <li>(a) be prepared by a suitably qualified and experienced person(s), whose appointment has been endorsed by the Planning Secretary;</li> <li>(b) be prepared in consultation with the EPA;</li> <li>(c) detail the expected volume and frequency of discharges from each proposed discharge point;</li> <li>(d) characterise the quality of discharges from each proposed discharge point including the concentrations and loads of all pollutants present at non-trivial levels that pose a risk of harm to human health or the environment;</li> <li>(e) detail the potential impact of discharges on the environmental values of the receiving waterways with reference to the relevant Australian and New Zealand Guidelines for Fresh and Marine Water Quality Guideline values;</li> <li>(f) detail the control measures to be implemented to protect receiving waters during the development, including measures to address any identified impacts to receiving waters and contingency measures for any unexpected pollutants with reference to the relevant Australian and New Zealand Guidelines for Fresh and Marine Water Quality Guideline values; and</li> <li>(g) propose any changes to the wastewater management system to address potential impacts.</li> </ul> | Compliant  | <ul style="list-style-type: none"> <li>Water Discharge Management Plan</li> <li>Frequency of expected discharges from each point</li> <li>Quality of discharges</li> <li>Potential impact of discharges</li> <li>Control measures</li> </ul> | <ul style="list-style-type: none"> <li>Specialist endorsement by DPE for Umwelt dated 14/05/2020.</li> <li>Water Discharge Management Plan dated July 2020 prepared by Umwelt.</li> <li>DPE Approval letter for CEMP, WDMP, GMP, ESCP, ASSMP, TMP, DCOC, and RAP dated 29/10/2020.</li> <li>Appendix B of WDMP EPA Consultation dated 16/07/2020.</li> </ul> | <ul style="list-style-type: none"> <li>(a) 29/10/2020 Approval from DPE and CV of suitably qualified person provided.</li> <li>(b) Evidence of consultation provided and also documented in the WDMP. However, it is unclear exactly how the EPA comments in Appendix B dated 16/07/2020 were addressed prior to the finalisation of the WDMP.</li> <li>(c) Section 4</li> <li>(d) Section 5</li> <li>(e) Section 6</li> <li>(f) Section 3 and Section 7.</li> <li>(g) Section 7.2</li> </ul>  |   |           |             |            |                           |   |            |                           |                     |                           |  |                               |         |               |                          |  |               |                            |   |
| B13.  | The Applicant must: <ul style="list-style-type: none"> <li>(a) not commence Stage 1 construction until the WDMP required by condition B12 is approved by the Planning Secretary; and</li> <li>(b) implement the most recent version of the WDMP approved by the Planning Secretary for the duration of the development.</li> </ul>   | Non-Compliant  | <ul style="list-style-type: none"> <li>Approval by the Planning Secretary</li> </ul>   | <ul style="list-style-type: none"> <li>DPE Approval letter for CEMP, WDMP, GMP, ESCP, ASSMP, TMP, DCOC, and RAP dated 29/10/2020.</li> <li>Water Results spreadsheet dated 3/10/2023.</li> </ul>   | <ul style="list-style-type: none"> <li>a) WDMP approved on 29/10/2020. Note, the primary Stage 1 Construction Phase activities commenced on 4 November 2020, however construction activities as described under the CEMP commenced prior to the WDMP being approved. Refer to the findings under Condition C2 in this spreadsheet for more information.</li> <li>b) It is understood RCA conduct Concrush's monitoring and based on information provided the monitoring has been completed and records are complete. Concrush consider the monitoring results prior to 1/04/2023 not subject to the criteria in the Water Discharge Management Plan because of the date of the commencement of operations (31/03/2023).</li> </ul> <p>At the site inspection it was evident that the treated water from the constructed wetland is contained within the Green Waste catchment only (Section 3 of the WDMP) and there is no water coming out of the wetland as it is being run as a dry wetland.</p> <p>Site Surface Water Quality Monitoring records provided. Receiving Surface Water Quality Monitoring "SW1" and "SW2" as described in Table 7.3 of the WDMP were provided. There is no evidence of Surface Water Quantity monitoring/records as described in Table 7.1 of the WDMP. Therefore, non-compliant</p> <table border="1"> <caption>Table 7.1 Surface Water Quantity Monitoring</caption> <thead> <tr> <th>Parameter</th> <th>Frequency</th> <th>Methodology</th> </tr> </thead> <tbody> <tr> <td>SD1 volume</td> <td>Following rainfall events</td> <td rowspan="2">Manual read of staff gauge and dam level - storage relationship</td> </tr> <tr> <td>SD2 volume</td> <td>Following rainfall events</td> </tr> <tr> <td>Leachate Dam volume</td> <td>Following rainfall events</td> <td rowspan="2">Manual read flow meter; or Pump run time and rated pump flow</td> </tr> <tr> <td>Treated leachate reuse volume</td> <td>Monthly</td> </tr> <tr> <td>SD1 Discharge</td> <td rowspan="3">Monthly during discharge</td> <td rowspan="3">Calculation based on:           <ul style="list-style-type: none"> <li>spillway design;</li> <li>data logged sediment basin water level to determine flow height over the spillway; and</li> <li>duration of discharge.</li> </ul> </td> </tr> <tr> <td>SD2 Discharge</td> </tr> <tr> <td>Leachate Dam Spills to SD2</td> </tr> </tbody> </table> <p>The trigger actions for water monitoring results are outlined in the DVMP, so refer for Condition B15 for further findings in terms of implementation of contingency actions.</p> <p>Based on discussions with site, for SD1 there is a plan for a system to pump from SD1 to SD2 (automatic float system). For SD2 there is a plan to have an online alarm system to determine when discharge starts and finishes, giving a more accurate reading of discharge volumes.</p> | Parameter   | Frequency | Methodology | SD1 volume | Following rainfall events | Manual read of staff gauge and dam level - storage relationship | SD2 volume | Following rainfall events | Leachate Dam volume | Following rainfall events | Manual read flow meter; or Pump run time and rated pump flow | Treated leachate reuse volume | Monthly | SD1 Discharge | Monthly during discharge | Calculation based on: <ul style="list-style-type: none"> <li>spillway design;</li> <li>data logged sediment basin water level to determine flow height over the spillway; and</li> <li>duration of discharge.</li> </ul> | SD2 Discharge | Leachate Dam Spills to SD2 | IMP REC at Day 1 of the site inspection - Lead Auditor advised temporary channel be dug out to prevent water bypassing the northern sediment dam and discharging. Concrush immediately rectified so water would flow to Sediment Basin 1 before discharging off-site. |
| Parameter   | Frequency  | Methodology  |  |  |  |   |           |             |            |                           |   |            |                           |                     |                           |  |                               |         |               |                          |  |               |                            |   |
| SD1 volume  | Following rainfall events  | Manual read of staff gauge and dam level - storage relationship  |  |  |  |   |           |             |            |                           |   |            |                           |                     |                           |  |                               |         |               |                          |  |               |                            |   |
| SD2 volume  | Following rainfall events  |  |  |  |  |   |           |             |            |                           |   |            |                           |                     |                           |  |                               |         |               |                          |  |               |                            |   |
| Leachate Dam volume                               | Following rainfall events  | Manual read flow meter; or Pump run time and rated pump flow   |  |  |  |   |           |             |            |                           |   |            |                           |                     |                           |  |                               |         |               |                          |  |               |                            |   |
| Treated leachate reuse volume                     | Monthly  |  |  |  |  |   |           |             |            |                           |   |            |                           |                     |                           |  |                               |         |               |                          |  |               |                            |   |
| SD1 Discharge                                     | Monthly during discharge   | Calculation based on: <ul style="list-style-type: none"> <li>spillway design;</li> <li>data logged sediment basin water level to determine flow height over the spillway; and</li> <li>duration of discharge.</li> </ul> |  |  |  |   |           |             |            |                           |   |            |                           |                     |                           |  |                               |         |               |                          |  |               |                            |   |
| SD2 Discharge                                     |  |  |  |  |  |   |           |             |            |                           |   |            |                           |                     |                           |  |                               |         |               |                          |  |               |                            |   |
| Leachate Dam Spills to SD2                        |  |  |  |  |  |   |           |             |            |                           |   |            |                           |                     |                           |  |                               |         |               |                          |  |               |                            |   |
| <b>Discharge Verification and Mitigation Plan</b> |  |  |  |  |  |   |           |             |            |                           |   |            |                           |                     |                           |  |                               |         |               |                          |  |               |                            |   |

| Condition Number                                    | Condition   | Compliance    | Evidence Requested   | Source of Evidence  | Finding   | Recommended Action   |
|---|---|---------------|--|---|---|--|
| B14.  | Prior to the commencement of Stage 1 operations, the Applicant must prepare a Discharge Verification and Mitigation Plan (DVMP) to the satisfaction of the Planning Secretary. The DVMP must:<br>(a) detail sampling methods to verify the quality of discharges, including:<br>(i) the sampling location/s;<br>(ii) the sampling frequency, number and conditions (ensuring sampling is timed to be representative of operational conditions);<br>(iii) the analytical suite based on a risk assessment of the types of materials that will be processed and stored onsite, the pollutants that could be mobilised from these and monitoring results for similar sites (e.g. the existing development);<br>(b) management triggers to be applied to the characterisation and ongoing monitoring results;<br>(c) mitigation measures to be implemented in response to these triggers (e.g. increasing the size of sediment basins, at-source pollution controls, additional or alternative water treatment measures); and<br>(d) specify the timeframe for implementation of mitigation measures.   | Compliant     | <ul style="list-style-type: none"> <li>Discharge Verification and Mitigation Plan</li> <li>Detail sampling methods, locations and frequency</li> <li>Monitoring and management</li> <li>Mitigation measures and timeframe</li> </ul> | <ul style="list-style-type: none"> <li>Discharge Verification and Mitigation Plan (DVMP) prepared by Umwelt, dated 16/02/2021.</li> <li>DPE Approval of Discharge Verification and Mitigation Plan dated 19/04/2021.</li> <li>Major Projects confirmation of submission of DVMP dated 18/02/2021.</li> <li>As-built plans for site contours and features, prepared by Cadence Consulting Surveyors, dated 23/08/2023.</li> </ul>  | <p>Section 7.2 of the DVMP states: <i>Assessment of contingency mitigation measures (e.g. water treatment measures) will be provided in the Discharge Verification and Mitigation Plan (DVMP) which must be approved by the Planning Secretary prior to commencement of Stage 1 operations.</i></p> <p>Table 1.3 of the DVMP is a cross-referencing table against the SSD.</p> <p>a) Section 5.1<br/>b) Section 5.2<br/>c) Section 6.0, 6.1, and 6.3.<br/>d) Section 6.2</p>  | IMP REC 3: Table 1.3 of the CVMP is named "Project Approval Conditions relevant to water management at Invincible Colliery" rather than referring to Concrush and refers to Section 0. Section 1.4.3 Hold Points has incomplete sentences which creates confusion for the reader. Review the DVMP to correct errors in the document. |
| B15.  | The Applicant must:<br>(a) not commence Stage 1 operations until the DVMP required by condition B14 is approved by the Planning Secretary;<br>(b) not commence Stage 1 operations until the approved management and mitigation measures required by condition B14 have been installed and implemented; and<br>(c) implement the most recent version of the DVMP approved by the Planning Secretary for the duration of the development.   | Compliant     |  | <ul style="list-style-type: none"> <li>DPE Approval of Discharge Verification and Mitigation Plan dated 19/04/2021.</li> <li>Water Results spreadsheet dated 3/10/2023.</li> <li>Discharge Verification and Mitigation Plan (DVMP) prepared by Umwelt, dated 16/02/2021.</li> </ul>   | <p>a) DVMP was approved by DPE on 19/04/2021.</p> <p>b) Based on information provided for this audit, site rarely discharges. Concrush continues to assess the mitigation measures listed in Condition B14 and Section 6 of the DVMP. Concrush note that they have increased the size of basins on the site increasing their capacity as per the mitigation measures outlined in Section 6 of the DVMP (still accordance with site plans).</p> <p>c) Monitoring results collected prior to 1/04/2023 are not subject to the criteria in the Discharge Verification Management Plan (pre-operations monitoring). Therefore, the discharge on 10/10/2022 from SD1 and SD2 is not considered here.</p> <p>Reviewing the water management results for the site for the audit period, a discharge event occurred on 6/04/2023 with pH, Total Nitrogen (TN), and Total Phosphorous (TP) exceeding the discharge management values from Table 5.5 of the DVMP.</p> <p>Based on discussion with Concrush, the Discharge Water Quality TARP (Table 6.1) was actioned following this discharge - including monitoring continued as per Section 5.1 and review of site rainfall/water monitoring five days preceding the discharge. As the DVMP does not require a specific TARP report to be kept, no documents were required to be provided for this 6/04/2023 discharge event. There are no further management or reporting requirements in addition to these outlined in the DVMP.</p> |  |
| <b>Surface Water Management System</b>              |   |               |  |   |   |  |
| B16.  | Prior to the commencement of Stage 1 operations, the Applicant must design, install and operate a wastewater management system (SWMS) for the development. The SWMS must:<br>(a) be designed by a suitably qualified and experienced person(s);<br>(b) be designed in accordance with applicable Australian Standards;<br>(c) be prepared in consultation with the EPA;<br>(d) be constructed in accordance with the management and mitigation measures identified in condition B14;<br>(e) require all wastewater storages (with the exception of the garden and wood waste leachate dam and the constructed wetland) to be lined consistent with the design specifications for leachate dams recommended by the EPA's Environmental Guidelines Solid Waste Landfills, 2016; and<br>(f) require the system capacity to be designed in accordance with Australian Rainfall and Runoff (Engineers Australia, 2016) and Managing Urban Stormwater: Council Handbook (EPA, 1997).  | Compliant     | <ul style="list-style-type: none"> <li>Construction/design plan for Surface Water Management System</li> </ul>   | <ul style="list-style-type: none"> <li>Surface Water Management System (SWMS) Design plan prepared by Umwelt dated 21/07/2020.</li> <li>Stormwater engineering plans package prepared by Northrop dated 29/10/2020.</li> <li>For Construction Stormwater engineering plans package prepared by Northrop dated 22/01/2021.</li> <li>Appendix B of WDMP EPA Consultation dated 16/07/2020.</li> <li>Appendix A of DVMP EPA consultation dated between 11/06/2020 to 2/02/2021.</li> <li>Table of conditions Concrush Pty Limited - Signed instrument of determination – SSD-8753, word document, undated (understood to be a live document).</li> <li>Cadence Consulting Surveyors As-built plans of entire site dated 23/08/203</li> </ul> | <p>The wastewater management system is understood to comprise of the surface water management system at site rather than a Management Plan.</p> <p>(a) The same person approval as suitably qualified person by DPE under Condition B12 prepared the DVMP. Therefore, compliant.<br/>(b) Based on the pre-construction engineering and as-built plans being prepared by qualified engineering or surveying personnel, it is understood this condition is compliant.<br/>(c) Consultation appended to the DVMP. Consultation included the leachate treatment system design report by Hunter H2O as well as plans of the site.<br/>(d) Section 3.0 Water Management System of the DVMP is consistent with the rest of the water management system plans and documents provided by site for this Condition.<br/>(e) Based on the engineering plans provided (in particular Stormwater Engineering Package - Stormwater Management Plan CC-C03.00) all wastewater storages (sediment dams 1 and 2) this condition is compliant.<br/>(f) Based on the pre-construction engineering and as-built plans being prepared by qualified engineering or surveying personnel and the documents provided, it is understood this condition is compliant.</p>   |  |
| B17.  | The WMS must be operated and maintained for the duration of the development.  | Compliant     | <ul style="list-style-type: none"> <li>Evidence of maintain surface water management systems</li> </ul>  | <ul style="list-style-type: none"> <li>Cadence Consulting Surveyors As-built plans of entire site dated 23/08/203</li> </ul>  | <p>Noted. Concrush has current as-built and surveyed plans of the site. Evidence of good practice in the field.</p>   |  |
| B18.  | Prior to the commencement of Stage 1 operations the Applicant must confirm the final dam depths and, if greater than 2 m in depth, provide engineering documentation to Sydney Trains.  | Compliant     | <ul style="list-style-type: none"> <li>Confirmation of the final dam depths</li> <li>Engineering documentation, if applicable</li> </ul>   | <ul style="list-style-type: none"> <li>Cadence Consulting Surveyors As-built plans of entire site dated 23/08/2023</li> <li>CEMP</li> </ul>   | <p>Note, Sediment Dam 1 was under construction and not completed at the time of this IEA. Appendix M of the CEMP contains plans for the "Southern Catchment Dam/Sediment Dam 2 which shows its depth is 1.5m.</p>   |  |
| <b>Discharge Verification and Mitigation Report</b> |   |               |  |   |   |  |
| B19.  | Within 12 months of commencement of Stage 1 operations, the Applicant must prepare a Discharge Verification and Mitigation Report (DMVR) to the satisfaction of the Planning Secretary. The DMVR must:<br>(a) be prepared by a suitably qualified and experienced person(s) in consultation with the EPA; whose appointment has been endorsed by the Planning Secretary;<br>(b) be prepared consistent with the methodology in condition B14(a); and<br>(c) detail where management triggers have been exceeded and associated mitigation measures implemented.   | Not Triggered | <ul style="list-style-type: none"> <li>Discharge Verification and Mitigation Report</li> </ul>   | <ul style="list-style-type: none"> <li>Site inspection and general findings for this IEA</li> </ul>   | <p>Concrush understands the timing requirement for the Discharge Verification and Mitigation Report including that it will need to be completed prior to March 2024. Concrush provided an internal, interim water discharge report as well.</p>   |  |
| <b>Groundwater Management Plan</b>                  |   |               |  |   |   |  |
| B20.  | Prior to the commencement of Stage 1 construction, the Applicant must prepare a Groundwater Management Plan (GMP) to the satisfaction of the Planning Secretary. The GMP must form part of the CEMP required by condition C2 and be prepared in accordance with condition C1. The GMP must:<br>(a) be prepared by a suitably qualified and experienced person(s) whose appointment has been endorsed by the Planning Secretary;<br>(b) be prepared in consultation with the EPA;<br>(c) include, but not limited to:<br>(i) details of the installation of a third groundwater well;<br>(ii) baseline data on groundwater levels and quality for the existing and newly installed third groundwater well;<br>(iii) details of the water table depth compared to the excavation depths of the leachate dam and artificial wetland;<br>(iv) a program to monitor groundwater levels and quality;<br>(v) impact assessment criteria, including trigger levels for investigating any potentially adverse groundwater impacts;<br>(vi) a protocol for the investigation and mitigation where the groundwater impact assessment criteria has been exceeded; and<br>(vii) monitor the effectiveness of management measures and contingency actions for reducing impacts. | Compliant     | <ul style="list-style-type: none"> <li>Groundwater Management Plan - mitigation and monitoring.</li> </ul>   | <ul style="list-style-type: none"> <li>Groundwater Management Plan prepared by RCA Australia dated 11/09/2020.</li> <li>DPE Approval of specialist for Groundwater Management Plan dated 14/05/2020.</li> <li>DPE Approval letter for CEMP, WDMP, GMP, ESCP, ASSMP, TMP, DCOOC, and RAP dated 29/10/2020.</li> <li>Email thread between EPA, DPE, &amp; Concrush to confirm EPA consultation on GMP, dated 10/09/2020. Subject line: SSD 8753 Concrush Management Plan Plans.</li> </ul>  | <p>GMP attached to the CEMP. The GMP includes a cross-reference table against the SSD (Table 1 Approval Conditions Address in this GMP).</p> <p>(a) Approval dated 14/05/2020.<br/>(b) Evidence of consultation with EPA via emails.<br/>(c) (i) Section 2<br/>(ii) Section 2<br/>(iii) Section 3<br/>(iv) Section 4<br/>(v) Section 4.2<br/>(vi) Section 5<br/>(vii) Section 4.2 and 6.</p>  |  |



| Condition Number                         | Condition  | Compliance    | Evidence Requested   | Source of Evidence   | Finding   | Recommended Action   |
|--|--|---------------|--|--|---|--|
| B21.                                     | The Applicant must:<br>(a) not commence Stage 1 construction until the GMP required by condition B17 is approved by the Planning Secretary; and<br>(b) implement the most recent version of the GMP approved by the Planning Secretary for the duration of the development.  | Non-Compliant | • Evidence of approvals  | <ul style="list-style-type: none"> <li>Water Results spreadsheet dated 3/10/2023, BH1 and BH3 results from 4/09/2020</li> <li>DPE Approval letter for CEMP, WDMP, GMP, ESCP, ASSMP, TMP, DCOC, and RAP dated 29/10/2020.</li> <li>Site inspection</li> <li>Water results spreadsheet (4/09/2020-3/10/2023)</li> </ul>  | <p>a) GMP was approved 29/10/2020.</p> <p>b)<br/><b>Construction</b><br/>Appendix D of GMP commits to monthly groundwater quality monitoring at BH1 and BH3 during construction. The monthly monitoring parameters include Ammonia, Nitrate, and Phosphorus. The construction groundwater monitoring results spreadsheet provided to IEMA by the sampling company identified gaps in the monthly samples. Results for the following months of construction were not provided for this audit: Dec 2020, Jan 2021, March 2021, Oct 2021, Nov 2021, Dec 2021, Jan 2022, Dec 2022, and Feb 2023. Because there was no evidence of this groundwater monitoring being done, this is a <u>non-compliance</u> with monitoring as per the GMP. Based on correspondence with the groundwater monitoring contractor, there was an understanding that because construction activities were not occurring constantly throughout the period the groundwater monitoring was not required. Groundwater monitoring was understood to be relevant while remediation works (under the CEMP) were being done due to potential impacts to groundwater.</p> <p>Appendix D of the GMP includes weekly groundwater level monitoring during the construction for the three monitoring boreholes (BH1, BH2, BH3) which is at odds with what is described in Section 4 of the GMP (refer above). These results were not provided for this IEA.</p> <p><b>Operation</b><br/>Appendix D of the GMP commits to monthly monitoring of groundwater level, depth of well, field readings, ammonia, nitrate, and phosphorous during operations. Evidence of the monthly nutrient monitoring was provided. Appendix D of the GMP commits to quarterly monitoring of hydrocarbon (TRH, BTEX, and PAH) during operations. Results were provided for this monitoring.</p> <p>Page 17 of the GMP states:<br/><i>Comparison of the results to the ecological criteria for fresh and marine waters (Ref [5]) as presented in Table 7 below. If there is contamination identified in excess of the criteria where there wasn't prior to the development commencing and/or if there is a greater than 30% increase to the average of the pre-development concentration for that sampling location, further assessment as detailed in Section 5 is to be implemented.</i><br/>The water result spreadsheet provided for this audit displays results which are in excess of the 95% fresh water aquatic ecosystems guidelines or the lowland (coastal) river guidelines in BOLD. Additionally, the water result spreadsheet provided displays results which are in excess of the 95% marine water aquatic ecosystems guidelines by <u>underlining</u> that result. It is not clear how the results are compared to pre-development concentrations, however it was discussed that the monitoring consultant has routine communication with the site to advice on the results and discussions on how these compare to pre-approval results. Therefore, this is considered to be adequate comparison to pre-approval results as required by the GMP.</p> <p>Note, the GMP (Section 5) states exceedances in groundwater will be managed as per the ASSMP and CEMP (Table 8) therefore further findings on the implementation of groundwater contingency actions are presented under Condition C4. No records of ASSMP actions (such as lime mixing being triggered and undertaken) were provided.</p> | IMP REC 4: Once construction activities at the site have been finished (e.g. Stage 2 operations weighbridge), update the GMP to remove construction obligations and an operations-based GMP. |
| <b>Erosion and Sediment Controls</b>     |  |               |  |  |   |  |
| B22.                                     | Prior to the commencement of any construction or other surface disturbance the Applicant must install and maintain suitable erosion and sediment control measures on-site, in accordance with the relevant requirements of the Managing Urban Stormwater: Soils and Construction - Volume 1: Blue Book (Landcom, 2004) guideline and the Erosion and Sediment Control Plan included in the CEMP required by condition C2.  | Compliant     | <ul style="list-style-type: none"> <li>References to Blue Book in key management plans and procedure</li> <li>Evidence of installing erosion and sediment control measures prior to construction (photos, etc)</li> <li>clean/dirty water separation.</li> </ul> | <ul style="list-style-type: none"> <li>Erosion and Sediment Control Plan prepared by Umwelt dated 28/5/2020.</li> <li>DPE Approval letter for CEMP, WDMP, GMP, ESCP, ASSMP, TMP, DCOC, and RAP dated 29/10/2020.</li> <li>Email thread demonstrating Concrush providing Lindsay Dynan with ESCP and ASSMP for Racecourse road changes, dated 14/10/2020.</li> </ul>  | CEMP, OEMP, and Erosion and Sediment Control Plan outline on-site measures. The CEMP outline the sediment control measures in Section 3.1. Site plans dated from the construction phase detail sediment control measures. Site plans, ESCP, and ASSMP provided to LMCC for roadworks. RAP activities also included surface disturbance management measures. During the site inspection the site was generally in accordance with erosion and sediment controls outlined. The exception of this was at Sediment Basin 1 at the time of the site inspection - Refer to recommendation under Condition D13 regarding the temporary drain construction at Sediment Dam 1.   |  |
| <b>Garden and Wood Waste Processing</b>  |  |               |  |  |   |  |
| B23.                                     | The Applicant must ensure the garden and wood waste processing area and leachate storage dam is designed and constructed in accordance with the Environmental Guidelines for Composting and Related Organics Processing Facilities, 2004.  | Compliant     | <ul style="list-style-type: none"> <li>Construction/design plan for the garden and wood waste processing area</li> </ul>   | <ul style="list-style-type: none"> <li>Northrop design plans dated 29/10/2020.</li> </ul>  | Northrop drawings refer to the H2O design, which also is based on this Guideline. It is considered this condition is compliant.   |  |
| B24.                                     | The Applicant must ensure garden and wood waste leachate is not reused outside of the garden and wood waste leachate barrier system, unless written approval has been granted by the EPA.  | Compliant     | <ul style="list-style-type: none"> <li>WMP</li> </ul>  | <ul style="list-style-type: none"> <li>Operational Waste Management Plan, Revision 2 by WSP, dated 24/06/2022. Initial finalised plan dated 8/12/2020. Rev 1 dated 31/05/2022.</li> <li>Site inspection and discussions</li> </ul>   | Section 3.6.2 of OWMP. Based on evidence provided and discussions with site, this has not occurred. Concrush is still experimenting with the leachate dam and constructed wetland to get suitable water quality and leachate levels.  |  |
| <b>Acid Sulfate Soil Management Plan</b> |  |               |  |  |   |  |
| B25.                                     | Prior to the commencement of Stage 1 construction, the Applicant must prepare an Acid Sulfate Soil Management Plan (ASSMP). The ASSMP must form part of the CEMP required by condition C2 and be prepared in accordance with condition C1. The ASSMP must:<br>(a) be prepared by a suitably qualified and experienced person(s);<br>(b) be prepared in accordance with the Acid Sulfate Soils Manual (Acid Sulfate Soils Management Advisory Committee, 1998); and<br>(c) include specific measures to manage acid sulfate soils if excavation depths are to be within 0.5 m of the measured water table.  | Compliant     | <ul style="list-style-type: none"> <li>Acid Sulfate Soil Management Plan - management</li> </ul>   | <ul style="list-style-type: none"> <li>Acid Sulfate Soils Management Plan prepared by RCA Australia dated 31/07/2020.</li> <li>DPE Approval letter for CEMP, WDMP, GMP, ESCP, ASSMP, TMP, DCOC, and RAP dated 29/10/2020.</li> </ul>   | <p>Evidence received that the ASSMP was sent out for consultation and to DPE for approval.</p> <p>(a) Prepared by Environmental Services Manager of RCA, suitably qualified expert.<br/>(b) ASSM referenced in the ASSMP.<br/>(c) Section 4.2. The ASSMP identifies both Sediment Basins and the wheel wash will trigger ASS management measures.</p>   |  |
| <b>Flooding</b>                          |  |               |  |  |   |  |
| B26.                                     | Prior to the commencement of Stage 1 operations, the Applicant must prepare a Flood Emergency Response Plan (FERP) to the satisfaction of the Planning Secretary. The FERP must form part of the OEMP required by condition C5 and be prepared in accordance with condition C1. The FERP must:<br>(a) be prepared by a suitably qualified and experienced person(s);<br>(b) be prepared in consultation with Council;<br>(c) address the provisions of the Floodplain Risk Management Guideline (OEH, 2007);<br>(d) include details of:<br>(i) procedures for managing flood risks during operations including the protection of plant and equipment;<br>(ii) the flood emergency responses for operation phases of the development;<br>(iii) predicted flood levels;<br>(iv) procedures for control of discharges from the site; and<br>(v) awareness training for employees and contractors. | Compliant     | <ul style="list-style-type: none"> <li>Flood Emergency Response Plan</li> <li>OEMP</li> <li>Procedures for managing flood risks</li> <li>Discharge procedures</li> <li>Toolbox talks/training</li> </ul>   | <ul style="list-style-type: none"> <li>Email from Concrush to LMCC with FERP attached for consultation, dated 15/06/2020.</li> <li>Flood Emergency Response Plan prepared by Umwelt dated 7/07/2020.</li> </ul>  | <p>FERP contains a cross-referencing table for the development consent (Table 1.2 Development Consent Requirements - Flood Emergency Response Plan).</p> <p>(a) Section 1.2.7 outlines the author of the FERP as being suitably qualified with 35 years of experience. The author does not need to be approved/endorsed by DPE.<br/>(b) Section 1.2.8. Email from Concrush to LMCC evidence of consultation.<br/>(c) Section 1.2.9<br/>(d) (i) Section 2, 4, and 5<br/>(ii) Sections 5 and 5.4<br/>(iii) Section 2<br/>(iv) Section 5.4.5<br/>(v) Section 5.4.1</p>   |  |
| B27.                                     | The Applicant must:<br>(a) not commence Stage 1 operations, until the FERP required by condition B26 is approved by the Planning Secretary<br>(b) implement the most recent version of the FERP approved by the Planning Secretary for the duration of the development.  | Compliant     | <ul style="list-style-type: none"> <li>Evidence of approvals</li> </ul>  | <ul style="list-style-type: none"> <li>Flood Emergency Response Plan prepared by Umwelt dated 7/07/2020.</li> <li>Site Induction Handout 23/11/2020, 16/5/2022 (toolbox talk style).</li> <li>Approval of OEMP (including FERP) from DPE dated 21/12/2020.</li> </ul>  | <p>a) Compliant, FERP approved by DPE well in advance of Stage 1 operations beginning. However, there is evidence of instances of operational activities being undertaken in the expansion area during the construction phase. Refer to the findings under Condition C in this spreadsheet for more information.</p> <p>b) Sound staff knowledge observed during site inspection. 2020 version of the FERP still being used. The training documents provided were site-inductions and the Training Matrix spreadsheet recorded which employees had done the Flood Awareness training as well.</p>   |  |
| <b>TRAFFIC AND ACCESS</b>                |  |               |  |  |   |  |
| B28.                                     | Prior to the commencement of Stage 1 construction, the Applicant must submit design plans to Council for the Racecourse Road access works. The Applicant must obtain approval for the works under section 138 of the Roads Act 1993.   | Compliant     | <ul style="list-style-type: none"> <li>Evidence of design plans submitted to Council</li> <li>Evidence of approvals</li> </ul>   | <ul style="list-style-type: none"> <li>Public Works Certificate No. PWC/29/2020</li> <li>Email from NRAR to Concrush dated 15/11/2021 confirming controlled activity approval not required in respect of Public Works Certificate No. PWC/29/2020</li> <li>Final Amended Plans for Approval dated 24/02/2022 prepared by Lindsay Dynan.</li> <li>Submission of Plans and Certification Checklist to LMCC dated 18/02/2022</li> </ul> | Evidence received of design plans for Racecourse Road access works submitted by Lindsay Dynan on 13/08/2020 with application for Public Works Certificate/s138 Consent. Copy of Public Works Certificate received on 14/10/2020.  |  |

| Condition Number               | Condition   | Compliance    | Evidence Requested  | Source of Evidence  | Finding  | Recommended Action   |
|--------------------------------|---|---------------|---|---|--|--|
| B29.                           | Prior to the commencement of Stage 1 operations, the Applicant must complete the Racecourse Road access works to the satisfaction of Council.   | Compliant     | • Evidence of completion  | <ul style="list-style-type: none"> <li>• DPE Notice to Furnish Information and Records, dated 4/05/2023.</li> <li>• Concrush Access Plan (16015-LD-DR-C-10300) dated 10/03/2022</li> <li>• Evidence of information provided to LMCC via email including Road conformance plans, Compaction report, etc. in October 2022.</li> <li>• Quality Submission Form dated 7/12/2022 by Concrush signed by LMCC representative.</li> </ul> | <p>Email correspondence between Concrush and LMCC was provided across 2021 and 2022 regarding the Racecourse Road upgrade works. This correspondence suggests Concrush worked to the satisfaction of LMCC. The "Table of Conditions" provided by Concrush states: "Council indicated that the Racecourse Road access works was 'closed out' on 9 December 2022." However, a specific email, letter or report was not provided to confirm LMCC's satisfaction with the work. An improvement recommendation is put forward in the next column.</p> <p>Concrush state the Racecourse Road access works were completed on 1/11/2022. A Quality Submission Form dated 7/12/2022 and signed by a LMCC representative was provided, which indicates this has been closed out. The documents and emails provided indicate that this is the case, however no final report or close-out email with this date was provided.</p>   | IMP REC 5: Request a letter from the LMCC confirming their satisfaction with the Racecourse Road Upgrade works to close out this condition.              |
| <b>Parking</b>                 |   |               |   |   |  |  |
| B30.                           | Prior to the commencement of Stage 2 operations, the Applicant must provide 20 car parking spaces within the site (including one accessible space) for staff and visitors. Parking areas must be constructed in accordance with the latest version of the Australian Standard 2890. All parking associated with the development must be contained on site.  | Not Triggered | • Construction plans  | • Site inspection and general information   | <p>Stage 2 Operations has not yet commenced.</p> <p>Based on site plans and site inspection Concrush will be compliant once Stage 2 Operations begin.</p>  |  |
| B31.                           | Parking is only permitted within designated parking spaces.   | Compliant     |   | • Site inspection   | All cars were parked in allocated spaces at the time of the site inspection.   |  |
| B32.                           | The Applicant must update all site plans prior to the commencement of Stage 2 operations to include the 20 parking spaces.  | Not Triggered |   | • Site inspection and general findings for this IEA   | Noted. Concrush has provided evidence of updating site plans throughout the audit period (including having a live map).  |  |
| <b>Operating Conditions</b>    |   |               |   |   |  |  |
| B33.                           | <p>The Applicant must ensure:</p> <p>(a) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the development are constructed and maintained in accordance with the latest version of AS 2890.1:2004 Parking facilities Off-street car parking (Standards Australia, 2004) and AS 2890.2:2002 Parking facilities Off-street commercial vehicle facilities (Standards Australia, 2002);</p> <p>(b) the swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, is in accordance with the relevant AUSTRROADS guidelines;</p> <p>(c) vehicles no larger than 19 m (truck and dog and/or semi-trailer vehicles) are permitted to access the site;</p> <p>(d) the development does not result in any vehicles queuing or parking on Racecourse Road;</p> <p>(e) heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site;</p> <p>(f) all vehicles are wholly contained on site before being required to stop;</p> <p>(g) all loading and unloading of materials/waste is carried out on site;</p> <p>(h) all trucks entering or leaving the site with loads have their loads covered and do not track dirt onto the public road network; and</p> <p>(i) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.</p> | Compliant     |   | <ul style="list-style-type: none"> <li>• Northrop design plans, including Vehicle Movement Plans</li> <li>• Driver's code of conduct</li> <li>• Site inspection</li> </ul>  | <p>(a) Based on planning phase and construction phase engineering plans, and the as-built plans, this has been met.</p> <p>(b) Northrop designs show vehicle swept path throughout the site.</p> <p>(c) No vehicles observed during site inspection.</p> <p>(d) No evidence provided of incidents of queuing onto Racecourse Road.</p> <p>(e) Based on the evidence provided and the site inspection there are no vehicles related to the site which have parked on Racecourse Road or queued on it.</p> <p>(f) Distance between site access and entry weighbridge sufficient to be whole contained on site.</p> <p>(g) Based on site plans and site inspection, this is compliant.</p> <p>(h) During site inspection all loads were observed to be covered entering and leaving the site. One complaint was received during the audit period regarding mud being tracked onto Racecourse Road.</p> <p>(i) Based on the site inspection all turning areas and car parks were kept clear of obstacles.</p>  |  |
| <b>Traffic Management Plan</b> |   |               |   |   |  |  |
| B34.                           | <p>Prior to the commencement of Stage 1 construction, the Applicant must prepare a Traffic Management Plan (TMP) for the development to the satisfaction of the Planning Secretary. The TMP must form part of the CEMP required by condition C2 and be prepared in accordance with condition C1. The TMP must:</p> <p>(a) be prepared by a suitably qualified and experienced person(s);</p> <p>(b) be prepared in consultation with Council;</p> <p>(c) detail the measures that are to be implemented to ensure road safety and network efficiency during both construction and operations;</p> <p>(d) detail the measures that are to be implemented to ensure construction workers, members of the public and staff will be effectively managed during construction and operation;</p> <p>(e) detail heavy vehicle routes, access and parking arrangements during construction and operation;</p> <p>(f) include a Driver Code of Conduct to:</p> <p>(i) minimise conflicts with other road users;</p> <p>(ii) minimise road traffic noise; and</p> <p>(iii) ensure truck drivers use specified routes;</p> <p>(g) include a program to monitor the effectiveness of these measures; and</p> <p>(h) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.</p>  | Compliant     | <ul style="list-style-type: none"> <li>• Construction Traffic Management Plan</li> <li>• Signed Driver's Code of Conduct (evidence of acknowledgement and induction)</li> <li>• DPE consultation and approval</li> <li>• Council, TfNSW consultation</li> </ul> | <ul style="list-style-type: none"> <li>• Email from Concrush to LMCC with TMP attached for consultation, dated 15/06/2020.</li> <li>• Traffic Management Plan and Driver Code of Conduct prepared by Intersect Traffic dated 14/07/2020.</li> <li>• DPE Approval of the TMP as part of the CEMP dated 29/10/2020</li> <li>• DPE Approval of the TMP as part of the CEMP dated 29/10/2020</li> </ul>                               | <p>(a) Intersect Traffic prepared the TMP</p> <p>(b) Email consultation with LMCC provided. Section 5 mentions no comment had been received from the LMCC Traffic Engineer prior to the finalisation of the TMP. Therefore, an improvement recommendation is put forward.</p> <p>(c) Section 4 and Appendix 1.</p> <p>(d) Appendix 1 (Traffic Control Plan)</p> <p>(e) Figure 2.</p> <p>(f) (i) Section 2</p> <p>(ii) Section 2.4 and 2.5</p> <p>(iii) Section 1.5 contains the haulage routes for the site (Figure 2 - Haulage routes), however this is not contained in the Drivers Code of Conduct (Section 2). An improvement recommendation is put forward to the right.</p> <p>(g) Section 3.3.</p> <p>(h) The TMP does not address this.</p>  | IMP REC 6: Review consultation received back to LMCC to confirm any comments back from the Traffic Engineer and if any updates to the TMP were required. |
| B35.                           | <p>The Applicant must:</p> <p>(a) not commence Stage 1 construction until the TMP required by condition B34 is approved by the Planning Secretary; and</p> <p>(b) implement the most recent version of the TMP approved by the Planning Secretary for the life of the development.</p>  | Non-Compliant | • Evidence of approval  | <ul style="list-style-type: none"> <li>• Traffic Management Plan and Driver Code of Conduct prepared by Intersect Traffic dated 14/07/2020.</li> <li>• DPE Approval of the TMP as part of the CEMP dated 29/10/2020.</li> <li>• HSE Inspection Report prepared by RedInsight dated September 2023.</li> </ul>   | <p>a) TMP was approved as part of the CEMP by DPE prior to Concrush's construction commencement date (November 2020).</p> <p>b) During the site inspection, the Production Manager was observed to be managing the site traffic and vehicles as per the TMP. The latest HSE Inspection documents comparison of the site with obligations in the TMP. The HSE Inspection Report included improvement measures where vehicle direction signs needed to be installed in the site stockpile areas. This is an example of the implementation of obligations in the TMP.</p> <p>There are a few obligations under the TMP Concrush did not provide implementation evidence for. The TMP states: "the Production Manager will undertake formal observations of compliance at three monthly intervals and will document and undertake any remedial actions with employees". No documentation was provided as proof this is being done. Notifications to neighbours on Racecourse Road for the upgrade works were not provided. Signed copies of the Drivers Code of Conduct for heavy vehicle operations on their first visit to the site (Drivers Code of Conduct Declarations) were not provided for this IEA as evidence of implementing the TMP. Therefore, this is considered a <u>non-compliance</u> with implementation of the TMP. Based on discussions with Concrush they propose to update the TMP to update some details.</p> | NC REC 5: Update the TMP to reflect the Concrush site rules in liaison with DPE.   |
| <b>AIR QUALITY</b>             |   |               |   |   |  |  |
| <b>Dust Minimisation</b>       |   |               |   |   |  |  |
| B36.                           | The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.  | Compliant     |   | <ul style="list-style-type: none"> <li>• Email consultation between Concrush and Transport Wash Systems re: Fortress Modular Wheel Wash purchase, dated 29/05/2023.</li> <li>• Site inspection</li> <li>• Quarterly Dust Monitoring Report (April to June 2023) prepared by RCA dated 31/08/2023.</li> </ul>  | <p>During site inspection there were many meetings recorded about dust minimisation and management recorded in inspections, diary notes, and photos. These records were dated from late 2020 to the site inspection. The site inspection was held on a very hot windy day, and the site was managing dust well with no crushing occurring. Concrush is enquiring and purchasing a wheel wash system for Operations.</p>  |  |

| Condition Number                   | Condition   | Compliance    | Evidence Requested  | Source of Evidence   | Finding  | Recommended Action  |              |          |              |                                |                   |               |                            |              |           |  |   |  |  |
|------------------------------------|---|---------------|---|--|--|---|--------------|----------|--------------|--------------------------------|-------------------|---------------|----------------------------|--------------|-----------|--|---|--|--|
| B37.                               | The Applicant must ensure that:<br>(a) all on-site carparking areas are sealed;<br>(b) water sprinklers at the stacker above the processed stockpile and transfer points are utilised at all times when then the plant is operational;<br>(c) the wheel wash at the heavy vehicle egress points is operational at all times;<br>(d) exposed surfaces and stockpiles are suppressed by regular watering;<br>(e) sealed roads are swept regularly;<br>(f) the seal on the main access road from the wheel wash and weighbridge is maintained;<br>(g) a water cart will remain onsite for use on manoeuvring areas in hot and dry weather;<br>(h) cease operations during adverse weather conditions as identified in the RTs;<br>(i) all trucks entering or leaving the site with loads have their loads covered; and<br>(j) trucks associated with the development do not track dirt onto the public road network.   | Compliant     | <ul style="list-style-type: none"> <li>Pre-starts, toolbox talks</li> <li>Environmental site inspection records/checklists</li> <li>Employee induction, site induction</li> </ul>                   | <ul style="list-style-type: none"> <li>HSE Inspection on 4/9/2023</li> <li>Email consultation between Concrush and Transport Wash Systems re: Fortress Modular Wheel Wash purchase, dated 29/05/2023.</li> <li>Watercart Logbook from 2023.</li> <li>Sweeper Logbook from 2023.</li> </ul>   | Table 9 of the CEMP outline dust minimisation measures. A HSE Inspection list was provided which checks these dust minimisation measures.<br><br>(a) At the time of the site inspection all parking was sealed.<br>(b) Sprinklers were operating at the time of the inspection. It is noted that 'stacker' has been taken to mean the crusher/screen which is used by Concrush as per the OAQMP.<br>(c) No wheel wash system was installed at the site at the time of the inspection. The audit team understand that Concrush are sourcing a heavy vehicle wheel wash system from Albury NSW.<br>(d) Sprinklers used at the site at the time of the site inspection. Based on evidence provided, Concrush are implementing the dust minimisation measures.<br>(e) Sweeper logbook provided.<br>(f) Road from the wheel wash and weighbridge was sealed at the time of the site inspection.<br>(g) Water cart was being used during the site inspection day 1, which was a hot, dry and windy day.<br>(h) Based on site discussions this has occurred routinely, including when the site commenced operation activities and on day 1 of the site inspection. Experienced operators and managers at the site are proactive in minimising operations in adverse conditions.<br>(i) All trucks observed at the time of the site inspection to have loads covered. Based on information provided no complaints were received regarding this.<br>(j) At the time of the inspection no dirt was tracked onto Racecourse Road. The sweeper logbook records usage and points when mud has tracked (e.g. 27/7/2023). There was one complaint during the audit period regarding mud being tracked onto Racecourse Road, however it is understood this was immediately closed out. |   |              |          |              |                                |                   |               |                            |              |           |  |   |  |  |
| <b>Air Quality Discharges</b>      |   |               |   |  |  |   |              |          |              |                                |                   |               |                            |              |           |  |   |  |  |
| B38.                               | The Applicant must install and operate equipment in line with best practice to ensure that the development complies with all load limits, air quality criteria/air emission limits and air quality monitoring requirements as specified in the EPL applicable to the site.  | Compliant     | <ul style="list-style-type: none"> <li>Evidence of applicable dust management systems</li> </ul>  | <ul style="list-style-type: none"> <li>Site inspection and discussions</li> <li>Quarterly Dust Monitoring Report (April to June 2023) prepared by RCA dated 31/08/2023.</li> </ul>   | The EPL does not contain criteria for air quality criteria/air emission limits, and no monitoring requirements for dust.<br><br>The site does depositional dust monitoring and continuous air quality monitoring, and compares these results to criteria in the Air Quality Management Plan.   |   |              |          |              |                                |                   |               |                            |              |           |  |   |  |  |
| <b>Air Quality Management Plan</b> |   |               |   |  |  |   |              |          |              |                                |                   |               |                            |              |           |  |   |  |  |
| B39.                               | Prior to the commencement of Stage 1 operations, the Applicant must prepare an Operational Air Quality Management Plan (OAQMP) to the satisfaction of the Planning Secretary. The OAQMP must form part of the OEMP required by condition C5 and be prepared in accordance with condition C1. The OAQMP must:<br>(a) be prepared by a suitably qualified and experienced person(s);<br>(b) detail and rank all emissions from all sources of the development, including particulate emissions;<br>(c) describe a program that is capable of evaluating the performance of the operation and determining compliance with key performance indicators;<br>(d) identify the control measures that that will be implemented for each emission source; and<br>(e) nominate the following for each of the proposed controls:<br>(i) key performance indicator;<br>(ii) monitoring method;<br>(iii) location, frequency and duration of monitoring;<br>(iv) record keeping;<br>(v) complaints register;<br>(vi) response procedures; and<br>(vii) compliance monitoring. | Compliant     | <ul style="list-style-type: none"> <li>Air Quality Management Plan</li> <li>Any results collected thus far for Air quality, meteorological data, and odour.</li> <li>Complaints register</li> </ul> | <ul style="list-style-type: none"> <li>Site inspection and discussions</li> <li>Operational Air Quality Management Plan 24/07/2020</li> <li>Draft Operational Air Quality Management Plan dated 29/06/2023 Version 3 (Word document) and submitted to DPE on 10/07/2023.</li> <li>DPE Approval of OAQMP as part of the OEMP</li> </ul>                           | The OAQMP contains a cross-referencing table against the conditions of the consent (Table 1 SSD Approval Conditions and How Addressed in this OAQMP).<br>(a) Prepared by environmental engineer with 20 years of experience.<br>(b) Table 3 and Table 4.<br>(c) Sections 8-15.<br>(d) Section 7, Table 5, and Table 6.<br>(e) (i) Table 7<br>(ii) Sections 8.2, 8.3, and 9<br>(iii) Sections 8.2, 8.3, and 9<br>(iv) Section 12<br>(v) Section 13<br>(vi) Section 13<br>(vii) Sections 8 and 9.  |   |              |          |              |                                |                   |               |                            |              |           |  |   |  |  |
| B40.                               | The Applicant must:<br>(a) not commence Stage 1 operation until the OAQMP required by condition B39 is approved by the Planning Secretary; and<br>(b) implement the most recent version of the OAQMP approved by the Planning Secretary for the duration of the development.  | Compliant     | <ul style="list-style-type: none"> <li>Evidence of approval</li> </ul>  | <ul style="list-style-type: none"> <li>DPE Approval of OAQMP as part of the OEMP on 21/12/2020</li> <li>Site inductions from contractors during Construction and Operations</li> <li>HSE Inspection on 4/9/2023</li> <li>Draft Operational Air Quality Management Plan dated 29/06/2023 Version 3 (Word document) and submitted to DPE on 10/07/2023.</li> </ul> | a) Evidence of approval dated 21/12/2020 provided.<br><br>b) Evidence of dust monitoring for internal use only. There are no criteria in the DA, SSD, or EPL around air quality criteria and does not specify the form or extent of monitoring that is required.<br><br>A quarterly monitoring report is completed by RCA, with the first being provided from the formal commencement of Stage 1 Operations phase in March 2023. This report included monthly results for depositional dust as per the OAQMP. The report compares the results from the DDG as well as real-time air quality monitoring (TSP, PM10, PM2.5) to Table 7 Air Quality Criteria in Section 8.1 of the OAQMP.<br><br>Based on the information provided, the actions and reporting outlined in Section 12.3 of the OAQMP have been implemented by Concrush in the audit period. Evidence of management measures being implemented following the real-time dust monitor sends an alert to the Site Manager. The site also relies heavily on visual observations of dust as well as a real-time monitor which is not an approved monitor by DPE. The HSE Inspections also review the air quality management measures.<br><br>Crushing was not occurring at the site on day 1 of the site inspection due to hot, dry, windy conditions. Crushing was occurring on day 2 of the site inspection with mitigation measures being implemented and site operations manager supervising works.<br><br>Training Matrix provided includes OAQMP regarding staff training for air quality/dust management measures.  | IMP REC 7: Section 8 (Dust Emission Monitoring Programme) of the OAQMP outlines the Air Quality Monitoring Assessment Criteria - Dust emissions. However, Section 8 of the OAQMP also clearly states there are no air quality criteria in the DA, EPL, or SSD approvals. The criteria in the OAQMP are sourced from the NSW EPA Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales, 2016, (refer to Section 7).<br><br>Update the OAQMP to state the site are using the EPA's guideline values as "goal" criteria. As they are in the Management Plan, the criteria are approved through the approval of the OAQMP and are auditable. |              |          |              |                                |                   |               |                            |              |           |  |   |  |  |
| <b>Odour Management</b>            |   |               |   |  |  |   |              |          |              |                                |                   |               |                            |              |           |  |   |  |  |
| B41.                               | The Applicant must ensure the development does not cause or permit the emission of any offensive odour (as defined in the POEO Act).  | Compliant     | <ul style="list-style-type: none"> <li>Complaints log</li> </ul>  | <ul style="list-style-type: none"> <li>Online complaints log, including from start of operations.</li> <li>Site inspection</li> <li>Approved Operational Air Quality Management Plan 24/07/2020</li> </ul>   | Based on evidence provided for this IEA, there were no odour complaints regarding Concrush in this audit period. Odour was not observed as an issue at the time of the site inspection. Section 9 of the OAQMP addresses odour. There is signage at site about what types of waste can and cant be accepted.   |   |              |          |              |                                |                   |               |                            |              |           |  |   |  |  |
| <b>NOISE</b>                       |   |               |   |  |  |   |              |          |              |                                |                   |               |                            |              |           |  |   |  |  |
| <b>Hours of Work</b>               |   |               |   |  |  |   |              |          |              |                                |                   |               |                            |              |           |  |   |  |  |
| B42.                               | The Applicant must comply with the hours detailed in Table 1, unless otherwise agreed in writing by the Planning Secretary.<br><br><table border="1"> <caption>Table 1 Hours of Work</caption> <thead> <tr> <th>Activity</th> <th>Day</th> <th>Time</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Stage 1 and Stage 2 construction</td> <td>Monday – Friday</td> <td>7 am to 6 pm</td> </tr> <tr> <td>Saturday</td> <td>8 am to 1 pm</td> </tr> <tr> <td rowspan="2">Stage 1 and Stage 2 operations</td> <td>Monday – Saturday</td> <td>7 am to 10 pm</td> </tr> <tr> <td>Sunday and Public Holidays</td> <td>8 am to 6 pm</td> </tr> </tbody> </table><br><br><i>Note: During the evening period operations are limited to screening and stockpiling or the loading and dispatch of trucks. No crushers can be used during the evening period</i>   | Activity      | Day   | Time   | Stage 1 and Stage 2 construction   | Monday – Friday   | 7 am to 6 pm | Saturday | 8 am to 1 pm | Stage 1 and Stage 2 operations | Monday – Saturday | 7 am to 10 pm | Sunday and Public Holidays | 8 am to 6 pm | Compliant | <ul style="list-style-type: none"> <li>Noise Management Plan</li> <li>Complaints register</li> </ul> | <ul style="list-style-type: none"> <li>Construction Environment Management Plan (Rev /1), prepared by RCA Australia, dated 25/09/2020.</li> <li>Operational Environmental Management Plan for Resource Recovery Facility prepared by WSP dated 26/05/2022.</li> <li>Complaints register as of September 2023</li> </ul> | Construction hours are outlined in Section 3 of the CEMP. Internal notes on mitigation measures and debriefs were provided during the site inspection. Concrush also provided site inductions and Hold Point forms which outlined the Construction requirements for the project (including working hours). However, no actual worked hours records for construction were provided.<br><br>The OEMP outline the hours of work in Section 5.1.1 with actual worked hours records provided for this.<br><br>No evidence was provided that work had occurred outside of these hours. The complaints register provided for this IEA did not have any complaints which suggested works occurred outside these hours. |  |
| Activity                           | Day   | Time          |   |  |  |   |              |          |              |                                |                   |               |                            |              |           |  |   |  |  |
| Stage 1 and Stage 2 construction   | Monday – Friday   | 7 am to 6 pm  |   |  |  |   |              |          |              |                                |                   |               |                            |              |           |  |   |  |  |
|                                    | Saturday  | 8 am to 1 pm  |   |  |  |   |              |          |              |                                |                   |               |                            |              |           |  |   |  |  |
| Stage 1 and Stage 2 operations     | Monday – Saturday   | 7 am to 10 pm |   |  |  |   |              |          |              |                                |                   |               |                            |              |           |  |   |  |  |
|                                    | Sunday and Public Holidays  | 8 am to 6 pm  |   |  |  |   |              |          |              |                                |                   |               |                            |              |           |  |   |  |  |
| B43.                               | Works outside of the hours identified in condition B42 may be undertaken in the following circumstances:<br>(a) works that are inaudible at the nearest sensitive receivers;<br>(b) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or<br>(c) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.   | Compliant     | <ul style="list-style-type: none"> <li>Any works outside of approved hours?</li> </ul>  | <ul style="list-style-type: none"> <li>Construction Environment Management Plan (Rev /1), prepared by RCA Australia, dated 25/09/2020.</li> <li>Operational Environmental Management Plan for Resource Recovery Facility prepared by WSP dated 26/05/2022.</li> </ul>  | Concrush have discussed how they have done work in 6pm to 10pm accepting asphalt waste from "Night Works" clients. Therefore, Concrush have undertaken activities as per (a). Based on evidence provided to the auditors, there were no complaints relating to noise in the audit period. There was one monitoring event at night time that was compliant. If there were significant noise generating activities then complaints would have occurred. We have called this compliant, however there is a recommendation.<br><br>Concrush advised they have commenced a more detailed noise assessment report by specialists.  | IMP REC 8: A more detailed noise assessment should be completed for night time noise.<br><br>The ONMP should also be updated to indicate which activities would be within the noise industry guidelines.  |              |          |              |                                |                   |               |                            |              |           |  |   |  |  |
| <b>Construction Noise Limits</b>   |   |               |   |  |  |   |              |          |              |                                |                   |               |                            |              |           |  |   |  |  |

| Condition Number                         | Condition  | Compliance    | Evidence Requested   | Source of Evidence  | Finding  | Recommended Action  |
|--|--|---------------|--|---|--|---|
| B44.                                     | The development must be constructed to achieve the construction noise management levels detailed in the Interim Construction Noise Guideline (DECC, 2009) (as may be updated or replaced from time to time). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures in the Appendix 2.   | Compliant     | • Noise monitoring reports/results - Check CEMP.   | • Review of Consent Condition B45 draft report prepared by RCA dated 6/09/2023.<br>• Quarterly noise monitoring results from March 2020 to September 2023.  | All noise monitoring results were provided for the IEA period, including construction phase and operations phase monitoring.<br><br>There was an exceedance on 25/05/2023 by 1 dB. Because the NMP criteria are based on the EPA's Noise Policy for Industry Table 4.1, this exceedance is less than 2 dB(A) and thus "negligible". Therefore, Concrush did not report this exceedance and this is compliant. This noise exceedance was caused by green waste mulching/shredding at the site.  |   |
| <b>Noise Wall</b>                        |  |               |  |   |  |   |
| B45.                                     | Prior to the commencement of Stage 1 operations, the Applicant must construct a concrete block noise wall on the eastern and southern perimeters of the 'raw material stockpiles and processing area', as shown in Figure 1 at Appendix 1 of this consent. The noise wall must be maintained during the life of the development.   | Non-Compliant | • Construction/design plans for noise wall<br>• Evidence of maintaining noise wall                   | • DPE Notice to Furnish Information and Records, dated 4/05/2023.<br>• Review of Consent Condition B45 draft report prepared by RCA dated 6/09/2023.  | A concrete block noise wall was not constructed prior to the Concrush formal date of commencement of Stage 1 operations. At the time of the site inspection the concrete block noise wall was still not constructed. Based on discussions with Concrush, Concrush will not be constructing this concrete block noise wall. The presence of the noise wall will be removed in the next planned Modification.<br><br>It should be noted no evidence was provided of the site receiving noise complaints.<br><br>The RCA Review of Consent Condition B45 draft report states the condition should be removed from the Consent because there has been only one minor exceedance (1dB) since the approval of the SSD, and older equipment has been decommissioned and replaced with newer, quieter equipment.   | NC REC 6: Include the removal of the noise wall in the Modification, however this would need to be supported by a noise assessment.<br><br>Liaise with the DPE regarding this issue through the process of the Modification.  |
| <b>Operational Noise Limits</b>          |  |               |  |   |  |   |
| B46.                                     | The Applicant must install and operate equipment in line with best practice to ensure that the development does not exceed the noise limits as specified in the EPL applicable to the site.  | Compliant     | • Noise monitoring reports/result  | • Site inspection<br>• HSE Inspection on 4/9/2023<br>• Operational Noise Management Plan<br>• Equipment maintenance logbooks and daily sign-ins   | There are no EPL noise criteria.   |   |
| <b>Operational Noise Management Plan</b> |  |               |  |   |  |   |
| B47.                                     | Prior to the commencement of Stage 1 operations, the Applicant must prepare an Operational Noise Management Plan (ONMP) for the development to the satisfaction of the Planning Secretary. The ONMP must form part of the OEMP required by condition C5 and be prepared in accordance with condition C1. The ONMP must:<br>(a) be prepared by a suitably qualified and experienced noise expert whose appointment has been endorsed by the Planning Secretary;<br>(b) describe the measures to be implemented to manage noise generating activities during operation; and<br>(c) include a complaints management system that would be implemented for the duration of the development. | Compliant     | • Operational Noise Management Plan<br>• Noise management measures<br>• Complaints management system | • Operational Noise Management Plan<br>• DPE Letter of approval for the OEMP dated 21/12/2020.<br>• Letter from DPE dated 14/05/2020 for the Endorsement of experts to prepare a Water Discharge Management Plan, Groundwater Management Plan and Operational Noise Management Plan   | The ONMP was approved as part of the OEMP on 21/12/2020.<br>a) Evidence of endorsement dated 14/05/2020<br>b) Section 10, Section 11, Section 12, Section 14 and Section 15.<br>c) Section 16.   |   |
| B48.                                     | The Applicant must:<br>(a) not commence construction until the ONMP required by condition B47 is approved by the Planning Secretary; and<br>(b) implement the most recent version of the ONMP approved by the Planning Secretary for the duration of construction.   | Non-Compliant | • Evidence of approvals  | • Operational Noise Management Plan<br>• DPE Letter of approval for the OEMP dated 21/12/2020.<br>• Letter from DPE dated 14/05/2020 for the Endorsement of experts to prepare a Water Discharge Management Plan, Groundwater Management Plan and Operational Noise Management Plan<br>• Quarterly Noise Monitoring Summary of Results table<br>• Site plant servicing records, receipts from purchase of new machines.<br>• Quarterly Noise Performance Reports (Quarter 1, 2, and 3 2023) by RCA.<br>• Site inspection including real-time noise monitor located at the main site office/administration building. | Section 10 - Noise Management Measures states:<br><i>The EIS for the Project identified the following mitigation measures:</i><br>• Construct a concrete bund wall to 3.5 m above finished ground level along the eastern side of the 'Raw Material Stockpiles and Processing Area'. The bund is required to block line of sight. The bund will be formed using concrete blocks. Crushers and screens (except for the trommel screen used for green waste) will not be used outside this area. The bund should meet the wall along the southern boundary described below;<br>• Construct a concrete block wall to 3 m above finished ground level along the southern boundary of the 'Raw Material Stockpiles and Processing Area'.<br><br>These walls have not been constructed at the site prior to commencing operations. This is a <u>non-compliance</u> with this condition. These mitigation measures were included in the EIS and Appendix 2 of the Consent.<br><br>One minor exceedance (1 dB) measured since monitoring began in quarter 3 of 2020 due to green waste shredding. However, this exceedance is not a non-compliance. This finding is further discussed under Condition B44.<br><br>Based on discussions with Concrush, the site has operated during the Evening Period in the audit period to service "night works" clients. Table 8 "Quarterly noise monitoring locations and noise management levels" in Section 11 Attended Noise Monitoring Program of the ONMP outline "Day noise management levels (LAeq,15min dBA)" as well as "Even noise management level (LAeq,15min dBA)". The results provided for this IEA only recorded noise results from a Day period (defined under the EPA's Noise Policy for Industry as "the period from 7 am to 6 pm Monday to Saturday or 8 am to 6 pm on Sundays and public holidays"). Concrush has not demonstrated they have been doing quarterly attended noise monitoring in the evening period. The evening period is defined as the period from 6 pm to 10 pm under the EPA's Noise Policy for Industry. This is a <u>non-compliance</u> for implementation of the ONMP. Refer to the NC Rec in the following column.<br><br>The latest noise monitoring report is available on the Concrush website as per Section 14. Employee inductions and toolbox talks from construction and operation phases were provided and included mention of required noise measures. | NC REC 7: Ensure the quarterly noise monitoring program during the operations phase is being implemented in accordance with Section 11 Attended Noise Monitoring Program of the ONMP. In particular, include evening attended monitoring. The evening period under the EPA's Noise Policy for Industry is defined as the period from 6 pm to 10 pm. |
| <b>CONTAMINATION</b>                     |  |               |  |   |  |   |
| <b>Remedial Action Plan</b>              |  |               |  |   |  |   |
| B49.                                     | Prior to the commencement of Stage 1 construction, the Applicant must submit a Remedial Action Plan (RAP) to manage contamination during Stage 1 construction and any remediation works The RAP must form part of the CEMP required by condition C2 and be prepared in accordance with condition C1. The RAP must:<br>(a) be prepared by a suitably qualified and experienced person in accordance with Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites (OEH, 2011); and<br>(b) be prepared in consultation with the EPA.   | Compliant     | • Remedial Action Plan   | • Construction Environment Management Plan (Rev /1), prepared by RCA Australia, dated 25/09/2020.<br>• Remedial Action Plan prepared by RCA dated 30/06/2020.<br>• DPE Approval letter for CEMP, WDMP, GMP, ESCP, ASSMP, TMP, DCOC, and RAP dated 29/10/2020.   | The RAP is attached to the CEMP as Appendix H. The RAP was approved 29/10/2020. There were construction activities conducted prior to this date, however this is further discussed against Condition C5.<br><br>a) The RAP is prepared by a Senior Environmental Scientist and Associate Environmental Engineer.<br><br>b) Consultation is not appended to or summarised in the RAP. Emails with consultation with the EPA and LMCC were provided for the GMP and RAP. However, consultation primarily for the GMP was undertaken in relation to the RAP as well. Therefore, the combined approach in consultation for the GMP and RAP is considered to adequately address this condition.   |   |
| B50.                                     | The Applicant must:<br>(a) not commence Stage 1 construction until the RAP required by condition B49 is approved by the Planning Secretary; and<br>(b) implement the most recent version of the RAP approved by the Planning Secretary for the duration of the development.  | Compliant     | • Evidence of approvals  | • DPE Approval letter for CEMP, WDMP, GMP, ESCP, ASSMP, TMP, DCOC, and RAP dated 29/10/2020.<br>• Remedial Action Plan prepared by RCA dated 30/06/2020.<br>• Validation of Remedial Works report dated 24/03/2023 prepared by RCA.<br>• PROJECT INFORMATION SHEET No.3 "Concrush Increase to Capacity Project" dated April 2022  | a) The RAP was approved by DPE on 29/10/2020. There were construction activities conducted prior to this date, however this is further discussed against Condition C5.<br><br>b) The construction phase of the RAP was signed off through the SAS, therefore satisfactory records would have been provided to close this matter out. The Validation of Remedial Works report also closed out remediation activities on 24/03/2023, prior to the commencement of operations. Concrush provided material tracking in the form of the WasteMan records and productions records, as well as the rejected loads register.<br><br>Each Hold Point described in Section 6.5 of the RAP (Remedial Strategy Process) were repeated in the Validation of Remedial Works report in Table 8 "List of Hold Points" and given a completion date.<br><br>Section 6.14 (Community Relations Plan) of the RAP states:<br><i>The following information will be included in a community notice and distributed to neighbouring residents prior to the development of the site:</i><br>• The site is undergoing some remediation during development earthworks.<br>• Potential effects such as odours and dust and what is being done to prevent them.<br>• Contact numbers in the event of odour, dust or other concerns relating to the site activities.<br><br>There was no evidence provided of community consultation with neighbours prior to commencement of the development. However, it is understood Concrush's capacity to consult would have been impacted by the NSW Covid-19 social isolation rules. Additionally, Concrush spoke about having existing relationships with neighbours and have not provided any evidence to suggest inadequate consultation regarding the expansion. Concrush provided one Community Notice dated April 2022.  |   |
| <b>Remediation Works</b>                 |  |               |  |   |  |   |
| B51.                                     | Prior to the commencement of Stage 1 operations, the Applicant must carry out any remediation works required by the RAP under Condition B49 using suitably qualified and experienced contractor(s) in accordance with the approved RAP and relevant guidelines produced or approved under the Contaminated Land Management Act 1997.   | Compliant     | • Remediation validation report and approval   | • Remedial Action Plan prepared by RCA dated 30/06/2020.  | The RAP and CEMP outlines the remediation work to be undertaken at the site. Based on the evidence provided for the EPA Auditor and the SAS, the works were completed in accordance with the remediation strategy in the RAP. Refer to Condition B52 also.   |   |
| <b>Site Audit Statement</b>              |  |               |  |   |  |   |

| Condition Number                 | Condition  | Compliance | Evidence Requested  | Source of Evidence  | Finding  | Recommended Action  |
|----------------------------------|--|------------|---|---|--|---|
| B52.                             | Within one month of the completion of the remediation works, the Applicant must submit a Section A Site Audit Statement (SAS) to confirm the suitability of the land for its proposed use. The SAS must be prepared, or reviewed and approved, by a consultant certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme.  | Compliant  | <ul style="list-style-type: none"> <li>Evidence of submission of a Site Audit Statement</li> <li>Approval by certified consultant CEnvP(SC) or CPSS CSAM</li> </ul> | <ul style="list-style-type: none"> <li>Site Audit Statement dated 20/03/2023.</li> <li>Long Term Environmental Management Plan prepared by RCA dated 24/03/2023.</li> <li>DPE Approval letter of the Site Audit Statement dated 11/07/2023.</li> <li>Email with finalised SAS from Certified Environmental Practitioner addressed to Concrush, EPA, and LMCC dated 30/03/2023.</li> </ul> | <p>The SAS is dated 20/03/2023. An email with the final SAS to LMCC, EPA, and Concrush is dated 30/03/2023. The DPE approval letter states the SAS was submitted for approval on 30/03/2023. Remediation works are included in the CEMP and written into the construction phase of the expansion.</p> <p>Evidence of the person preparing the SAS was a Certified Environmental Practitioner Site Contamination.</p> <p>The SAS also had a Long Term Environmental Management Plan (LTEMP) attached. DPE's approval of the SAS (dated 11/07/2023) requires Concrush to comply with the LTEMP.</p>  |   |
| B53.                             | The Applicant must not commence Stage 1 operations until the SAS required by Condition B52 is approved by the by a consultant certified under either the CEnvP(SC) or the CPSS CSAM scheme.  | Compliant  | <ul style="list-style-type: none"> <li>Evidence of approvals</li> </ul>   | <ul style="list-style-type: none"> <li>Site Audit Statement dated 20/03/2023.</li> <li>Email with finalised SAS from Certified Environmental Practitioner addressed to Concrush, EPA, and LMCC dated 30/03/2023.</li> </ul>   | <p>The SAS was finalised 20/03/2023 by the qualified auditor. Based on evidence provided, operations in the expansion area commenced after this on 31 March 2023.</p>  |   |
| <b>Asbestos</b>                  |  |            |   |   |  |   |
| B54.                             | The Applicant must ensure that any asbestos encountered during the remediation and Stage 1 and Stage 2 construction is monitored, handled, transported and disposed of by appropriately qualified and licensed contractors in accordance with the requirements of SafeWork NSW and relevant guidelines, including:<br>(a) Work Health and Safety Regulation 2017;<br>(b) SafeWork NSW Code of Practice – How to Manage and Control Asbestos in the Workplace September 2016;<br>(c) SafeWork NSW Code of Practice – How to Safely Remove Asbestos September 2016; and<br>(d) Protection of the Environment Operations (Waste) Regulation 2014. | Compliant  | <ul style="list-style-type: none"> <li>Asbestos monitoring records/reports</li> <li>Evidence asbestos is handled within SafeWork NSW relevant guidelines</li> </ul> | <ul style="list-style-type: none"> <li>Hold Point Release Form No. 10 ACM Surface Inspection updated November 2020 to February 2021</li> <li>Live spreadsheet - Rejected Load Register</li> </ul>   | <p>The Hold Point Release Form dated from 16/11/2020 to February 2021 recorded an asbestos find and records containment and disposal. Based on site inductions during the construction and operations phase (including remediation) It is understood Concrush are compliant.</p>   |   |
| <b>FIRE MANAGEMENT</b>           |  |            |   |   |  |   |
| B55.                             | Prior to the commencement of Stage 1 operations, the Applicant must prepare an Emergency Management Plan (EMP) in accordance with the latest version of the AS 3745-2010, taking into consideration FRNSW's Fire Safety Guideline: Fire Safety in Waste Facilities, 2019.  | Compliant  | <ul style="list-style-type: none"> <li>Emergency Management Plan</li> </ul>   | <ul style="list-style-type: none"> <li>Emergency Management Plan prepared by Umwelt dated 16 July 2020.</li> <li>DPE Approval Letter dated</li> </ul>   | <p>The EMP is dated 16/07/2020 which is prior to the commencement of Stage 1 operations (31/03/2023). The EMP references AS 3745-2010 Planning for emergencies in facilities and the Fire Safety Guideline: Fire Safety in Waste Facilities (Fire and Rescue NSW (FRNSW), 2019).</p> <p>The EMP suitably describes the site and emergency procedures. A review and updated of the EMP is not yet triggered.</p>  |   |
| B56.                             | Prior to the commencement of Stage 1 operations, the Applicant must install FRNSW's compatible fittings on the water storage tanks near the garden and wood waste area and ensure the provision of fire extinguishers on all machinery.  | Compliant  | <ul style="list-style-type: none"> <li>Evidence of installation</li> </ul>  | <ul style="list-style-type: none"> <li>EMP</li> <li>Site inspection</li> <li>Occupation Certificate (retrieved from Concrush after both site inspections).</li> <li>RedInsight HSE Monthly inspection report</li> </ul>   | <p>Based on evidence provided these requirements have been met. Photos taken of records around fire safety inductions, etc. during the site inspection with evidence of implementation. The monthly HSE inspections done by RedInsight have a strong safety focus, including review of fire safety measures.</p> <p>However, there were no documents provided which recorded that the required fittings had been installed prior to commencement of operations. Site photos of the fittings at the water storage tanks are dated 6/09/2023.</p>  |   |
| <b>VISUAL AMENITY</b>            |  |            |   |   |  |   |
| <b>Landscaping</b>               |  |            |   |   |  |   |
| B57.                             | Prior to the commencement of Stage 1 operation, the Applicant must prepare a Landscape Management Plan (LMP) to manage the revegetation and landscaping works on-site, in consultation with Council. The LMP must form part of an OEMP in accordance with conditions C5. The plan must:<br>(a) detail the species to be planted on-site, incorporating locally native species;<br>(b) describe the monitoring and maintenance measures to manage landscaping works; and<br>(c) be consistent with the Applicant's Management and Mitigation Measures at Appendix 2.  | Compliant  | <ul style="list-style-type: none"> <li>Landscape Management Plan Monitoring and maintenance measures</li> <li>OEMP</li> </ul>                                       | <ul style="list-style-type: none"> <li>Email from Concrush to LMCC with LMP attached for consultation, dated 15/06/2020.</li> <li>DPE Approval letter for the OEMP including the LMP dated 21/12/2020.</li> <li>Landscape Management Plan prepared by Umwelt dated 7/07/2020.</li> </ul>  | <p>LMP was approved by DPE on 21/12/2020 which was prior to commencement of operations.</p> <p>a) Section 2.2.3<br/>b) Section 3<br/>c) Generally consistent including in Figure 2.1, however there are no conditions specific to the LMP in Appendix 2. The LMP was prepared with reference to the LMCC's Landscape Design Guidelines (2017).</p>   |   |
| B58.                             | The Applicant must:<br>(a) must implement the most recent version of the LMP; and<br>(b) maintain the landscaping and vegetation on the site in accordance with the approved LMP required by condition B57 for the life of the development.  | Compliant  | <ul style="list-style-type: none"> <li>Landscape Management Plan</li> <li>Evidence of maintaining the landscaping and vegetation</li> </ul>                         | <ul style="list-style-type: none"> <li>Site inspection</li> <li>Landscape Management Plan prepared by Umwelt dated 7/07/2020.</li> </ul>  | <p>a) The original LMP is still up-to-date and is the most recent LMP.</p> <p>b) At the site inspection native plants had been used in the landscape bunds and wetland. Evidence of supplementary planting in the eastern bund. Couch grass has been used for swales. Evidence of spraying weeds was also observed in the field and thus obligations from Section 3 - Monitoring and Maintenance Measures are being implemented.</p> <p>Email from Concrush to LMCC evidence of consultation, with the email thread recording relevant phone conversation topics. Hardcopies of receipts and emails about buying landscaping supplies and tubestock from Lake Macquarie Landcare and suppliers in Newcastle.</p> <p>Concrush discussed how LMCC had provided the site with extensive consultation and information on Groundsel bush (<i>Baccharis halimifolia</i>) as it is a noxious weed in the Hunter Region. Eradication of this weed was a primary reason for clearing occurring in the expansion area prior to the approval of the CEMP.</p> |   |
| <b>Lighting</b>                  |  |            |   |   |  |   |
| B59.                             | The Applicant must ensure the lighting associated with the development:<br>(a) complies with the latest version of AS 4282-1997 - Control of the obtrusive effects of outdoor lighting (Standards Australia, 1997); and<br>(b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.   | Compliant  | <ul style="list-style-type: none"> <li>Complaints register</li> </ul>   | <ul style="list-style-type: none"> <li>Site inspection</li> <li>Complaints register</li> </ul>  | <p>a) Review is required by the Lighting review against Australian Standards.</p> <p>b) No evidence was provided for this condition in this IEA. Based on the site inspection and the complaints register provided this condition is compliant. Given the surrounding properties are also industrial/commercial operations, it was observed this is low risk for the site.</p> <p>At night front light is on, back facing the wetland. Weighbridge light is on. There is limited lighting inside the site at night.</p>  | IMP REC 9: Complete a lighting assessment focussing on what lighting can be seen from the adjacent public road. This should focus on assessing against AS4282/1997 to ensure compliance. Include details in the next Annual Review. |
| <b>Signage and Fencing</b>       |  |            |   |   |  |   |
| B60.                             | All signage and fencing must be erected in accordance with the EIS.<br><i>Note: This condition does not apply to temporary construction and safety related signage and fencing.</i>  | Compliant  |   | <ul style="list-style-type: none"> <li>Site inspection</li> <li>Site plans</li> <li>EIS</li> </ul>  | <p>The EIS has non-specific obligations around signage. Based on the site inspection and other site inspection reports provided for the IEA signage is generally adequate and compliant with site safety obligations. Security fencing is installed around the site. Based on site discussions, no maintenance has been required for the site fencing.</p>   |   |
| B61.                             | Prior to the commencement Stage 1 construction, the Applicant must install appropriate fencing to prevent unauthorised access to the Sydney Trains rail corridor from the development site.  | Compliant  | <ul style="list-style-type: none"> <li>Evidence of appropriate fencing</li> </ul>   | <ul style="list-style-type: none"> <li>Site inspection</li> <li>Concrush correspondence with Sydney Trains dated 24/09/2020.</li> </ul>   | <p>Concrush have records of fencing being installed on the western boundary, along the train corridor. No evidence was provided to suggest this wasn't completed prior to the commencement of construction.</p>  |   |
| <b>HAZARDS AND RISK</b>          |  |            |   |   |  |   |
| <b>Dangerous Goods</b>           |  |            |   |   |  |   |
| B62.                             | The Applicant must store all chemicals, fuels and oils used on-site in accordance with:<br>(a) the requirements of all relevant Australian Standards; and<br>(b) the NSW EPA's Storing and Handling of Liquids: Environmental Protection – Participants Manual' if the chemicals are liquids.  | Compliant  | <ul style="list-style-type: none"> <li>Chemical Application and Storage Report</li> <li>PIRMP</li> </ul>  | <ul style="list-style-type: none"> <li>Site inspection</li> <li>OEMP and CEMP</li> <li>PIRMP dated 27.7.2021</li> </ul>   | <p>Site inspection indicated all oils and hydrocarbons were stored on bunds and there were evidence of spill kits. Double-bunded diesel tank was observed at the site. A chemical and hazardous materials register was not provided to demonstrate compliance, however the CEMP and OEMP describes chemicals, fuels, and oils management and response in accordance with Australian Standards and the EPA's Manual which is considered to be adequate.</p>   |   |
| B63.                             | In the event of an inconsistency between the requirements B62(a) and B62(b), the most stringent requirement must prevail to the extent of the inconsistency.   | Compliant  | Noted   |   | <p>Noted. To the auditors knowledge, no inconsistencies have been identified between those documents which impact Concrush.</p>  |   |
| B64.                             | The quantities of dangerous goods stored and handled at the site must be below the threshold quantities listed in the Department of Planning's Hazardous and Offensive Development Application Guidelines – Applying SEPP 33 at all times.   | Compliant  |   | <ul style="list-style-type: none"> <li>Site inspection</li> </ul>   | <p>Based on observations at the site inspection, Concrush do not store or handle a quantity of dangerous goods which would approach the quantities in the SEPP. Concrush also do monthly safety audits.</p>  |   |
| <b>Bunding</b>                   |  |            |   |   |  |   |
| B65.                             | The Applicant must store all chemicals, fuels and oils used on-site in appropriately bunded areas in accordance with the requirements of all relevant Australian Standards, and/or EPA's Storing and Handling of Liquids: Environmental Protection – Participants Manual (Department of Environment and Climate Change, 2007).   | Compliant  | <ul style="list-style-type: none"> <li>Chemical Application and Storage Report</li> <li>PIRMP</li> </ul>  | <ul style="list-style-type: none"> <li>Site inspection</li> </ul>   | <p>Site inspection indicated all oils and hydrocarbons were stored on bunds and there were evidence of spill kits. Sound chemical storage and handling was discussed at the site inspection and no evidence of non-compliance was observed at the site inspections or provided in documentation.</p>   |   |
| <b>ABORIGINAL HERITAGE</b>       |  |            |   |   |  |   |
| <b>Unexpected Finds Protocol</b> |  |            |   |   |  |   |

| Condition Number   | Condition  | Compliance    | Evidence Requested   | Source of Evidence   | Finding  | Recommended Action |
|--|--|---------------|--|--|--|--------------------|
| B66.   | If any item or object of Aboriginal heritage significance is identified on site:<br>(a) all work in the immediate vicinity of the suspected Aboriginal item or object must cease immediately;<br>(b) a 10 m wide buffer area around the suspected item or object must be cordoned off; and<br>(c) the EES must be contacted immediately.   | Not Triggered | • Report on additional item/object finds (if this occurred in the period).   | • Construction Environment Management Plan (Rev /1), prepared by RCA Australia, dated 25/09/2020.<br>• Site inspection and discussions<br>• General findings, including "Memo" type documents dated from the construction phase recording activities and photos. | Section 3.4 of the CEMP outlines this obligation and control measures. There was no evidence provided that an item or object of Aboriginal heritage was found on site during the audit period. The EIS found minimal risk to Aboriginal artefacts or sites.  |                    |
| B67.   | Work in the immediate vicinity of the Aboriginal item or object may only recommence in accordance with the provisions of Part 6 of the National Parks and Wildlife Act 1974.   | Not Triggered |  |  | As above, based on evidence provided there have been no Aboriginal items or objects found at the site. Clearing managed under CEMP which includes an Unexpected Finds Protocol (Appendix J) and Inductions.  |                    |
| <b>SYDNEY TRAINS RAIL CORRIDOR</b>                             |  |               |  |  |  |                    |
| B68.   | Prior to the commencement of Stage 1 and Stage 2 construction or at any time during the construction period deemed necessary by Sydney Trains, a joint inspection of the rail infrastructure and property in the vicinity of the development is to be carried out by representatives from Sydney Trains.   | Compliant     | • Relevant inspection reports of the rail infrastructure and property  | • Construction Environment Management Plan (Rev /1), prepared by RCA Australia, dated 25/09/2020.<br>• Concrush correspondence with Sydney Trains dated 30/08/2020, 20/09/2020, and 24/09/2020.  | Appendix I of the CEMP outlines correspondence between Sydney Trains and Concrush prior to construction. Emails dated 20/09/2020 and 24/09/2020 between Sydney Trains and Concrush confirm that Sydney Trains is not requiring a site inspection at that time. As per the IEA Guidelines, the auditors for this IEA reached out to Sydney Trains and there were no issues raised by them. Based on evidence provided by Concrush, Sydney Trains have not done an inspection as triggered by Condition B68 across all of this IEA period. Therefore, based on evidence provided, this condition is considered compliant as the agency declined the inspections. |                    |
| B69.   | Prior to the commencement of Stage 1 and Stage 2 construction, the Applicant must prepare in consultation with Sydney Trains:<br>(a) a list of machinery to be used during excavation/construction;<br>(b) a Risk Assessment Management Plan including a detailed Safe Work Method Statements (SWMS);<br>(c) a plan showing all craneage and other aerial operations for the development;<br>(d) a plan detailing the type of fencing to be installed and the method of erection;<br>(e) cross section drawings identifying Sydney Trains' power poles and earth bund in proximity of the Applicant's and Sydney Train site boundary; and<br>(f) a detailed dilapidation report to establish the extent of any existing damage and enable any deterioration during construction to be observed.  | Compliant     | • excavation/construction machinery list<br>• Risk Assessment Management Plan<br>• Plan for craneage and other aerial operation<br>• Fencing details and methods<br>• Identification of power poles and earth bund<br>• Report - establish existing damage or deterioration. | • Construction Environment Management Plan (Rev /1), prepared by RCA Australia, dated 25/09/2020.<br>• Concrush correspondence with Sydney Trains dated 24/09/2020.  | Appendix I of the CEMP outlines correspondence between Sydney Trains and Concrush prior to construction. Email dated 20 September 2020 Sydney Trains confirms they are satisfied with the preparation Concrush had done to address a - f.<br><br>As part of the consultation done for this IEA, Sydney Trains communicated no specific issues for this audit team to assess. Therefore, this condition is considered compliant.  |                    |
| B70.   | During Stage 1 construction and Stage 2 construction, the Applicant must ensure that Safe Approach Distances as per Sydney Trains' requirements are maintained at all times.<br><br><i>Note: Sydney Trains or Transport for NSW and persons authorised by those entities are entitled to inspect the site and all structures to enable it to consider whether those structures have been or are being constructed and maintained in accordance with the approved plans and these conditions of consent, on giving reasonable notice to the principal contractor for the development or the owner or occupier of the part of the site to which access is sought.</i>  | Compliant     |  | • Construction Environment Management Plan (Rev /1), prepared by RCA Australia, dated 25/09/2020.<br>• Concrush correspondence with Sydney Trains dated 24/09/2020.  | Appendix I of the CEMP outlines correspondence between Sydney Trains and Concrush regarding SADs in line with Sydney Trains requirements. There was no evidence provided to suggest the SAD was not maintained when working in proximity to the rail corridor.   |                    |
| <b>PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING</b> |  |               |  |  |  |                    |
| <b>ENVIRONMENTAL MANAGEMENT</b>                                |  |               |  |  |  |                    |
| <b>Management Plan Requirements</b>                            |  |               |  |  |  |                    |
| C1.  | Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:<br>(a) detailed baseline data;<br>(b) details of:<br>(i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);<br>(ii) any relevant limits or performance measures and criteria; and<br>(iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;<br>(c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;<br>(d) a program to monitor and report on the:<br>(i) impacts and environmental performance of the development;<br>(ii) effectiveness of the management measures set out pursuant to paragraph (c) above;<br>(e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;<br>(f) a program to investigate and implement ways to improve the environmental performance of the development over time;<br>(g) a protocol for managing and reporting any:<br>(i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);<br>(ii) complaint;<br>(iii) failure to comply with statutory requirements; and<br>(h) a protocol for periodic review of the plan.<br><br><i>Note: the Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans</i> | Compliant     |  | • All management plans   | Generally compliant across all management plans. Plans prepared to meet this requirement and approved.   |                    |
| <b>CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN</b>              |  |               |  |  |  |                    |
| C2.  | The Applicant must prepare a Construction Environmental Management Plan (CEMP) in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.  | Compliant     | • Construction Environmental Management Plan - implementation.   | • Construction Environment Management Plan (Rev /1), prepared by RCA Australia, dated 25/09/2020.<br>• DPE Approval letter for CEMP, WDMP, GMP, ESCP, ASSMP, TMP, DCOC, and RAP dated 29/10/2020.  | The CEMP was approved by DPE on 29/10/2020.  |                    |
| C3.  | As part of the CEMP required under condition C2 of this consent, the Applicant must include the following:<br>(a) Water Discharge Management Plan (see condition B12);<br>(b) Groundwater Management Plan (see condition B15);<br>(c) Erosion and Sediment Control Plan (see condition B22);<br>(d) Acid Sulfate Soils Management Plan (see condition B25);<br>(e) Traffic Management Plan (see condition B34); and<br>(f) Remediation Action Plan (see condition B49).  | Compliant     | • All relevant plans   | • Construction Environment Management Plan (Rev /1), prepared by RCA Australia, dated 25/09/2020.  | All relevant management plans were attached at the time of the IEA as well as for approval by DPE.<br>(a) Water Discharge Management Plan - Appendix C<br>(b) Groundwater Management Plan - Appendix D<br>(c) Erosion and Sediment Control Plan - Appendix E<br>(d) Acid Sulfate Soils Management Plan - Appendix F<br>(e) Traffic Management Plan - Appendix G<br>(f) Remediation Action Plan - Appendix H  |                    |

| Condition Number                                  | Condition   | Compliance    | Evidence Requested   | Source of Evidence  | Finding  | Recommended Action   |
|---|---|---------------|--|---|--|--|
| C4.   | The Applicant must:<br>(a) not commence construction of the development until the CEMP is approved by the Planning Secretary; and<br>(b) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time.  | Non-Compliant | • Approval of CEMP   | <ul style="list-style-type: none"> <li>• Construction Environment Management Plan (Rev /1), prepared by RCA Australia, dated 25/09/2020.</li> <li>• DPE Approval letter for CEMP, WDMP, GMP, ESCP, ASSMP, TMP, DCOC, and RAP dated 29/10/2020.</li> <li>• DPE Notice to Furnish Information and Records, dated 4/05/2023.</li> <li>• Hold Point Release Form 1 Site Inductions dated 16/11/2020.</li> <li>• Hold Point Release Form 6 Road Entry and Road Widening Project dated 18/05/2022.</li> <li>• Expansion Induction Handouts, dated from 23/11/2020.</li> <li>• Concrush letter to DPE dated 31/07/2020 notifying intention to commence construction phase</li> </ul> | <p>a)<br/>The SSD defines <b>construction</b> as: <i>The demolition and removal of buildings or works, the carrying out of works for the purpose of the development, including bulk earthworks, and erection of buildings and other infrastructure permitted by this consent.</i></p> <p><b>Appendix L</b> of the EIS is the Biodiversity Development Assessment Report includes the following definition for <b>Development footprint</b>: <i>The Development Footprint is predominantly devoid of native vegetation, with the exception of some isolated planted trees which act as a wind break and visual screen for adjacent properties.</i></p> <p>Section 3 of the CEMP states:<br/><i>Works for the Project will be undertaken in the following order, noting that some works may be undertaken with some, or even total, overlap:</i><br/>Stage 1<br/><i>-Site set up (refer Section 3.1) including installation of fencing and erosion control measures.</i></p> <p>Section 3.1 of the CEMP states:<br/><i>Site Set Up</i><br/><i>- Vegetation clearance in the area of proposed fencing. This will comprise slashing to the extent practicable based on the types of vegetation. Shrubs will be cut off at the ground and taken to the existing Concrush facility for processing in accordance with the EPL. No grass will be removed from site.</i></p> <p>A letter dated 31 July 2020 from Concrush to DPE is the one-month notice of commencement of construction. Concrush records show 29/10/2020 was the date of commencement of the Construction phase.</p> <p>In response to the April 2020 aerial Concrush explains that the activity shown in the aerial is establishment of the boundary, weed management, and weed clearing (using a trackroller), rather than vegetation clearing (or construction earthworks). Concrush was wanting to address noxious weeds as per general correspondence with LMCC. Concrush stated to the auditors that weed management may be carried out without the need for development consent and therefore removal of weeds will not trigger commencement of construction pursuant to the Consent. The auditors believe construction started prior to the notified date as vegetation has been removed in the aerial.</p> <p>Based on discussions with Concrush on 20/9/2023, Concrush believe the activities between SSD approval and the approval of the CEMP was the removal of weeds in the SSD area and not bulk earthworks. Based on discussions there's been removal of grass, Groundsel weed, and casuarinas, and works for the capping/RAP and remediation works (including access roads for larger machinery), and the installation of the groundwater sampling bores, and this occurred between June 2020 and November 2020. Based on the aerial photos there doesn't appear to be bulk earthworks however the CEMP describes Stage 1 construction activities to include the installation of fencing and erosion control measures, remedial works, and transfer of raw and processed material stockpiles from the existing portion to the expansion component of the Project (refer to Section 3 - Programme of Works). The audit team believe the aerial dated 30/06/2020 indicate preliminary construction works (described under the CEMP) had started. Therefore, since clearing and these preliminary activities occurred the auditors believe this marks the start of the Construction phase. This condition is <b>non-compliant</b> as the CEMP was not approved until 29/10/2020.</p> <p>After the matter of the commencement of Stage 1 construction, Concrush has good evidence of using the hold points to guide permitted construction and operational activities. Concrush provided many filled-out Hold Point forms around construction including Marker Layers for RAP and specialist reports and assessments by RCA, and who also reported to an EPA-appointed auditor. RedInsight functioned as a third party inspector for the construction inspections.</p> <p>b)<br/>Training and induction records received for contractors and site staff during construction. Toolbox talk minutes relevant to construction activities and mitigation measures outlined in CEMP. Large amount of photo evidence kept by Concrush, indicating good record-keeping. The evidence of implementation of the CEMP throughout the audit period (especially the duration of the construction phase as this was delayed considerably compared to estimates at the time of the approval of the Expansion) had some gaps in dates. Concrush was able to provide evidence and records for majority of construction phase, with much of the evidence in hard-copy form.</p> | No further recommendations.  |
| <b>OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN</b>  |   |               |  |   |  |  |
| C5.   | The Applicant must prepare an Operational Environmental Management Plan (OEMP) in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.   | Compliant     | • Operational Environmental Management Plan                          | <ul style="list-style-type: none"> <li>• Approval of OEMP from DPE dated 21/12/2020.</li> <li>• Operational Environmental Management Plan for Resource Recovery Facility prepared by WSP dated 26/05/2022.</li> </ul>   | The OEMP was approved by DPE on 21/12/2020.  |  |
| C6.   | As part of the OEMP required under condition C5 of this consent, the Applicant must include the following:<br>(a) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;<br>(b) describe the procedures that would be implemented to:<br>(i) keep the local community and relevant agencies informed about the operation and environmental performance of the development;<br>(ii) receive, handle, respond to, and record complaints;<br>(iii) resolve any disputes that may arise;<br>(iv) respond to any non-compliance;<br>(v) respond to emergencies; and<br>(c) include the following environmental management plans:<br>(i) Waste Management Plan (see condition B3);<br>(ii) Flood Emergency Response Plan (see condition B26);<br>(iii) Operational Air Quality Management Plan (see condition B40);<br>(iv) Operational Noise Management Plan (see condition B47); and<br>(v) Landscape Management Plan (see condition B57). | Compliant     | • Approval Letter DPE<br>• Operational Environmental Management Plan | <ul style="list-style-type: none"> <li>• Operational Environmental Management Plan for Resource Recovery Facility prepared by WSP dated 26/05/2022.</li> </ul>  | <p>(a) The OEMP contains a cross-referencing table which refers to Section 7.2 for this requirement.</p> <p>(b) (i) Sections 7.11 - 7.13. However, there is minimal information on the procedures to inform the local community and relevant agencies about the status and environmental performance of the site in this section nor in Section 3 Community and Stakeholder Engagement or 7.3 Training and Communications.</p> <p>(ii) Section 3.3<br/>(iii) Section 9<br/>(iv) Section 9<br/>(v) Section 8</p> <p>(c) The environmental management plans under the OEMP were submitted to the DPE as individual plans. These plans are not appended to the OEMP, however they were provided for this IEA.</p>   | IMP REC 10: Revise the OEMP to better describe the procedures around subcondition a. |
| C7.   | The Applicant must:<br>(a) not commence operation until the OEMP is approved by the Planning Secretary; and<br>(b) operate the development in accordance with the OEMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time).  | Non-Compliant | • Letter from DPE approving the OEMP                                 | <ul style="list-style-type: none"> <li>• Operational Environmental Management Plan for Resource Recovery Facility prepared by WSP dated 26/05/2022.</li> <li>• Hold Point Release Forms, Supplier invoices and receipts</li> <li>• Approval of OEMP from DPE dated 21/12/2020.</li> <li>• Complaints register</li> <li>• PROJECT INFORMATION SHEET No.3 "Concrush Increase to Capacity Project" dated April 2022</li> <li>• Concrush letter to DPE dated 28/02/2023 notifying intention to commence operations phase.</li> </ul>  | <p>a) The SSD defines <b>Operation</b> as "the receipt, removal or processing of general solid waste (non-putrescible)."</p> <p>A review of the NearMaps January 2023 aerial with input from Concrush shows processed tiles and mulch stored in the SSD expansion area. Note the aerial shows stockpiling, with no evidence of actual processing in the new SSD area at that time. Concrush personnel believe the clay tiles was processed on the DA side using the cone crusher, rather than the impactor (Gow Street Recycling receipts). Concrush believe that the mulch was processed in the SSD area was justified because it was used for landscaping bunds, commissioning of the wetlands, and construction stabilisation. The audit team did note the use of mulch for these purposes. Evidence of processed mulch stockpiles within the SSD expansion area is seen via aerials dated 7/11/2022-16/11/2022. The audit team are considering this as <b>non-compliant</b> for the shredded green waste.</p> <p>Aerial imagery dated 26 October 2022 show evidence of stockpiled (storage) material believed to be roadbase in the SSD Expansion area. However, the auditors did not find evidence the roadbase was processed in the SSD Expansion area.</p> <p>Based on the clay tile stockpiling that is seen in the aerial imagery between the construction phase and declared operational phase (March 2023), we believe this makes Concrush <b>non-compliant</b>. The fact that Concrush were using the SSD area for laydown, means we have called them <b>non-compliant</b> for commencement of operations (timing).</p> <p>In their response to DPE's "Notice to furnish information and records", Concrush states: "Stage 1 operations are expected to commence in June 2023".</p> <p>b)<br/>Community complaint recorded in April 2023 about water and tracking mud onto the road. It is understood this complaint was closed out. Based on evidence provided, this is the only complaint Concrush received in the audit period. General evidence including training matrix indicate the site is generally working in accordance with the OEMP. Concrush is also currently reviewing the OEMP with a draft version provided as evidence of review.</p>   | No further recommendations.  |
| <b>REVISION OF STRATEGIES, PLANS AND PROGRAMS</b> |   |               |  |   |  |  |

| Condition Number                                     | Condition  | Compliance    | Evidence Requested  | Source of Evidence   | Finding   | Recommended Action  |  |
|--|--|---------------|---|--|---|---|--|
| C8.  | Within three months of:<br>(a) the submission of an incident report under condition C10;<br>(b) the submission of an Independent Environmental Audit under condition C16;<br>(c) the approval of any modification of the conditions of this consent; or<br>(d) the issue of a direction of the Planning Secretary under condition A2(b) which requires a review, the strategies, plans and programs required under this consent must be reviewed, and the Planning Secretary must be notified in writing that a review is being carried out.   | Not Triggered |   | • Approval of OEMP from DPE dated 21/12/2020.  | Based on information provided, no reviews have triggered under subcondition a-d. However, Concrush will need to review management strategies, plans, and programs if the proposed Modification is approved.<br><br>It should be noted that based on the DPE's approval letter for the OEMP, the DPE expect the OEMP including the Waste Management Plan be updated prior to Stage 2 operations commence. (The current Waste Management Plan only considers Stage 1 Operations).                       |   |  |
| C9.  | If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review.<br><br><i>Note: This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development. :</i>  | Compliant     |   | • Post Approval Document Received email confirmation of OWMP being received by DPE dated 7/06/2022.  | Based on evidence provided, the OWMP was reviewed and updated to reflect personnel changes, a new resource recovery order, and findings from an internal audit. This OWMP was submitted to DPE for approval on 7/06/2022.<br><br>The OEMP and Operational Noise Management Plan will need to be updated if the planned Modification is approved.  |   |  |
| <b>REPORTING AND AUDITING</b>                        |  |               |   |  |   |   |  |
| <b>Incident Notification, Reporting and Response</b> |  |               |   |  |   |   |  |
| C10.   | The Planning Secretary must be notified in writing to compliance@planning.nsw.gov.au immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident. Subsequent notification requirements must be given and reports submitted in accordance with the requirements set out in Appendix 3.  | Compliant     | • Incident or non-compliance reports sent to DPE.   | • Correspondence with DPE including through the Major Project Portal requested<br>• Construction Environment Management Plan (Rev /1), prepared by RCA Australia, dated 25/09/2020.  | Based on the evidence provided, Concrush was not aware of any reportable incidents during this IEA audit period. Concrush did not report any non-compliances after they had occurred.<br><br>Based on information provided there was only one non-compliance event that Concrush self-reported prior to the exceedance occurring. This was the exceedance in the green waste site tonnage limit outlined in the findings against Condition A8.<br><br>Section 8 of the CEMP outlines this obligation. |   |  |
| <b>Non-Compliance Notification</b>                   |  |               |   |  |   |   |  |
| C11.   | The Planning Secretary must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance.  | Compliant     | • Incident reports and non-compliance notifications to DPE, EPA, and any other relevant authority | • General evidence and findings<br>• Construction Environment Management Plan (Rev /1), prepared by RCA Australia, dated 25/09/2020.<br>• Operational Environmental Management Plan for Resource Recovery Facility prepared by WSP (Approved and updated Drafts) | The Consent defines a "non-compliance" as:<br><i>An occurrence, set of circumstances or development that is a breach of this consent.</i><br><br>Based on evidence provided, Concrush were not aware of any incidents to report.<br><br>Many of Concrush's management plans do not require Concrush to report an exceedance to DPE.   |   |  |
| C12.   | A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.  | Compliant     | • Incident and non-compliance notifications   | • General evidence<br>• Green Waste Limit - Request to exceed, Concrush letter to DPE dated 10/08/2021   | No incident reports provided.<br><br>The Request to Exceed Letter by Concrush generally meet these requirements.  |   |  |
| C13.   | A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.   | Not Triggered |   | • General evidence   | This condition is not triggered.  |   |  |
| <b>Annual Review</b>                                 |  |               |   |  |   |   |  |
| C14.   | Within three months after the first year of commencement of operation, and in the same month each subsequent year (or such other timing as may be agreed by the Planning Secretary), the Applicant must submit a report to the Planning Secretary reviewing the environmental performance of the development to the satisfaction of the Planning Secretary. The review must:<br>(a) describe the development that was carried out in the previous year, and the development that is proposed to be carried out in the current year;<br>(b) include a comprehensive review of the monitoring results and complaints records from the previous year, including a comparison of these against the:<br>(i) relevant statutory requirements, limits or performance measures/criteria;<br>(ii) requirements of any plan or program required under this consent;<br>(iii) monitoring results of previous years; and<br>(iv) the relevant predictions in the EIS and Response to Submissions;<br>(c) identify any non-compliances and any incidents which occurred over in the previous year, and describe what actions were (or are being) taken to rectify the non-compliance or incident and avoid recurrence;<br>(d) identify any trends in the monitoring data over the life of the development;<br>(e) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and<br>(f) describe what measures will be implemented over the next year to improve the environmental performance of the development. | Not Triggered | • Annual Reviews (2020 - 2022)  | • Site inspection and discussions  |   | No Annual Reviews have been prepared due to the operational status of the project. The first Annual Review report is expected to be due the end of June 2024.   |  |
| C15.   | Copies of the Annual Review must be submitted to Council and any interested person upon request.   | Not Triggered |   | • Site inspection and discussions  |   | Concrush understood the Annual Review reports will be submitted to Council and any other person upon request. Concrush may decide to upload the Annual Review to their website.   |  |
| <b>Independent Environmental Audit</b>               |  |               |   |  |   |   |  |
| C16.   | Within one year of the commencement of operation, and every three years after, unless the Planning Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit (audit) of the development. Audits must:<br>(a) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Planning Secretary;<br>(b) be carried out in consultation with the relevant agencies;<br>(c) assess the environmental performance of the development and assess whether it is complying with the requirements in this consent, and any strategy, plan or program required under this consent;<br>(d) review the adequacy of any approved strategy, plan or program required under this consent; and<br>(e) recommend measures or actions to improve the environmental performance of the development, and any strategy, plan or program required under this consent.  | Compliant     |   |  |   | This IEA has been undertaken as requested by the DPE. This IEA satisfies the requirements of this condition.  |  |
| C17.   | Within three months of commissioning an Independent Environmental Audit, or within another timeframe agreed by the Planning Secretary, a copy of the audit report must be submitted to the Planning Secretary and any other NSW agency that requests it, together with a response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations. The recommendations must be implemented to the satisfaction of the Planning Secretary.<br><br><i>Note: The audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Planning Secretary.</i>  | Compliant     |   |  |   | This IEA will be provided to Concrush for submission to DPE.  |  |
| <b>Monitoring and Environmental Audits</b>           |  |               |   |  |   |   |  |
| C18.   | Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification and independent environmental auditing.<br><br><i>Note: For the purposes of this condition, as set out in the EP&amp;A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.</i>   | Compliant     |   | • Site inspection and general IEA findings   |   | Noted, refer to specific conditions for monitoring and auditing requirements and findings. Concrush was generally compliant with RCA completing the monitoring required by the site under numerous management plans and programs. |  |
| <b>ACCESS TO INFORMATION</b>                         |  |               |   |  |   |   |  |



| Condition Number | Condition   | Compliance | Evidence Requested | Source of Evidence | Finding   | Recommended Action |
|------------------|---|------------|--------------------|--------------------|---|--------------------|
| C19.             | <p>At least 48 hours before the commencement of construction and for the life of the development, the Applicant must:</p> <p>(a) make the following information and documents (as they are obtained or approved) publicly available on its website:</p> <p>(i) the documents referred to in condition A2 of this consent and the final layout plans for the development;</p> <p>(ii) all current statutory approvals for the development;</p> <p>(iii) all approved strategies, plans and programs required under the conditions of this consent;</p> <p>(iv) the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged;</p> <p>(v) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent;</p> <p>(vi) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;</p> <p>(vii) a summary of the current stage and progress of the development;</p> <p>(viii) contact details to enquire about the development or to make a complaint;</p> <p>(ix) a complaints register, updated monthly;</p> <p>(x) the Compliance Reporting of the development;</p> <p>(xi) audit reports prepared as part of any independent audit of the development and the Applicant's response to the recommendations in any audit report;</p> <p>(xii) any other matter required by the Planning Secretary; and</p> <p>(b) keep such information up to date, to the satisfaction of the Planning Secretary.</p> | Compliant  |                    | • Concrush website | <p>Concrush have a website which also provides a link to the Concrush Expansion Project webpage in the DPE Major Projects site.</p> <p>(a) (i) Concrush refers to this Consent, the EIS, MODs, and plans approved under the consent, as well as provides a link to the DPE webpage for the project.</p> <p>(ii) As above. Large amount of information around the EPL is provided.</p> <p>(iii) These are listed and available for download.</p> <p>(iv) Community information sheet dated April 2022 delivered in person to surrounding area and also available on the website. The stages of the project are also contained in the CEMP.</p> <p>(v) No reporting triggered yet (e.g. Annual Review reports). However, additional reports around air quality at the site were are available on the website, e.g. report titled "Identification of Contributing Factors of PM10 Concentration at Concrush".</p> <p>(vi) Air quality and noise monitoring as of August 2023 were on the Concrush website at the time of the IEA.</p> <p>(vii) Status of development is described in the CEMP and OEMP which are found on the Major Projects website. Better information on the current progress of the project could be provided on the Concrush website.</p> <p>(viii) Contact details available.</p> <p>(ix) Up-to-date Complaints Register.</p> <p>(x) No reporting triggered yet (e.g. Compliance Reports).</p> <p>(xi) Noted. Concrush understand this IEA Report will need to be uploaded to the website.</p> <p>(xii) Noted.</p> <p>(b) Generally information is up to date.</p> |                    |

# SSD 8753 Concrush Pty Limited

## APPENDIX 2 APPLICANT'S MANAGEMENT AND MITIGATION MEASURES

Audit Period: 27 March 2020 - 20 September 2023

| Environmental Issue | Mitigation Measure   | Compliance    | Source of Evidence  | Finding  | Recommended Action          |
|---------------------|--|---------------|---|--|-----------------------------|
| <b>Noise</b>        |  |               |   |  |                             |
| <b>Construction</b> |  |               |   |  |                             |
|                     | <ul style="list-style-type: none"> <li>Undertake work during standard hours (7am - 6pm weekdays, 7am - 1pm Saturday).</li> <li>Turn off plant when not in use.</li> <li>Ensure plant is regularly maintained, and repair or replace plant that becomes noisy.</li> <li>Arrange work site to minimize the use of movement alarms on vehicles and plant.</li> <li>Avoid dropping materials from a height.</li> </ul>   | Compliant     | <ul style="list-style-type: none"> <li>Site inspection</li> <li>Toolbox talks</li> <li>Site inductions</li> <li>Maintenance reports</li> </ul>  | CEMP and OEMP outline standard work hours in line with this condition. During the site inspection, it was observed the site was operating as per this condition including dropping from heights, maintenance of plant, and operation of machinery/plant to reduce alarms and noise.  |                             |
| <b>Operation</b>    |  |               |   |  |                             |
|                     | <ul style="list-style-type: none"> <li>Concrush will undertake a noise monitoring program to assess the effectiveness of the proposed mitigation measures in achieving the predicted noise levels. Concrush will undertake initial noise monitoring of day and evening time activities to compare the actual noise levels against the predicted noise levels. Concrush is committed to looking to improve noise performance across its operations to minimise potential disturbance to the community.</li> </ul> | Compliant     | <ul style="list-style-type: none"> <li>Evidence of noise monitoring program</li> <li>Noise monitoring reports</li> <li>Site inspection</li> <li>Toolbox talks</li> <li>Site inductions</li> </ul> | <p>The noise monitoring program for Concrush is outlined in the Operational Noise Management Plan. Noise monitoring reports for quarter 1, 2, and 3 of 2023 were provided.</p> <p>It is noted, quarter 1 noise monitoring results were not required to be provided. This is because construction noise monitoring is not required by this Consent (and underlying ONMP) or the EPL. Therefore, quarter 1 noise monitoring results do not reflect the operational phase of the project.</p> <p>In addition to the engagement of the noise monitoring contractor to do the quarterly noise monitoring, Concrush have a real time noise monitoring at the site which they use to supplement their noise management measures and records of results at the site.</p> |                             |
|                     | <ul style="list-style-type: none"> <li>Construct a concrete bund wall to 3.5 m above finished ground level along the eastern side of the 'Raw Material Stockpiles and Processing Area'. The bund is required to block line of sight. The bund will be formed using concrete blocks. Crushers and screens (except for the trommel screen used for green waste) will not be used outside this area. The bund should meet the wall along the southern boundary described below.</li> </ul>                          | Non-Compliant | <ul style="list-style-type: none"> <li>Site inspection</li> </ul>   | Concrush knowingly have not completed this concrete bund wall or the 3m concrete block wall. Concrete noise bund wall will be removed in the Modification. Removing the 3.5m concrete bund wall. This will be replaced with concrete bund for stockpile management. Refer to NC REC 5 above.   | No further recommendations. |
|                     | <ul style="list-style-type: none"> <li>Construct a concrete block wall to 3 m above finished ground level along the southern boundary of the 'Raw Material Stockpiles and Processing Area'.</li> </ul>   | Non-Compliant | <ul style="list-style-type: none"> <li>Site inspection</li> </ul>   | Concrush has not completed this and are therefore non-compliant. Concrush has included this in a Modification.   | No further recommendations. |
|                     | <ul style="list-style-type: none"> <li>The noise bund and wall will be installed prior to commencing operation of the Project</li> </ul>   | Non-Compliant | <ul style="list-style-type: none"> <li>Site inspection</li> </ul>   | No noise wall installed.   | No further recommendations. |
|                     | <ul style="list-style-type: none"> <li>Crushers will not be used after 6pm.</li> </ul>   | Compliant     | <ul style="list-style-type: none"> <li>Hours of operations - sign in and sign out records</li> </ul>  | There was no evidence provided to suggest crushers have been used after 6pm.   |                             |
|                     | <ul style="list-style-type: none"> <li>The cone crusher will not be used when green waste shredding is occurring.</li> </ul>   | Compliant     | <ul style="list-style-type: none"> <li>Site discussions</li> </ul>  | There was no evidence provided to suggest crushers were used during green waste shredding. Based on discussions with site, the site is aware crushing and shredding should not be done simultaneously.   |                             |
|                     | <ul style="list-style-type: none"> <li>Only one activity, either 'screening and stockpiling' or 'loading and dispatch of trucks' would be undertaken at any one time during the evening period.</li> </ul>   | Compliant     | <ul style="list-style-type: none"> <li>Site discussions</li> </ul>  | There was no evidence provided to both of these activities were completed during the evening period. At the stage of construction and operations during the audit period, those activities would not have occurred in the evening period.  |                             |
| <b>Air Quality</b>  |  |               |   |  |                             |
| <b>General</b>      |  |               |   |  |                             |
|                     | <ul style="list-style-type: none"> <li>Update the existing AQMP to reflect the Project changes.</li> </ul>   | Compliant     | <ul style="list-style-type: none"> <li>Updated AQMP (Internal version 3) Word document</li> </ul>   | Concrush have been updating management plans where relevant. There is an updated version of the AQMP (Version 3) which is in draft and to be approved by DPE prior to implementation.  |                             |
| <b>Odour</b>        |  |               |   |  |                             |
|                     | <ul style="list-style-type: none"> <li>Avoid conducting potential odour generating activities when the wind direction is blowing towards nearby residential areas (Normally south westerly or westerly).</li> </ul>  | Compliant     | <ul style="list-style-type: none"> <li>Evidence of odour complaint investigations</li> <li>Toolbox talks</li> <li>Site inductions</li> <li>Table 9 CEMP</li> </ul>                                | Concrush management plans note the adverse conditions that the south-westerly or westerly winds.   |                             |
|                     | <ul style="list-style-type: none"> <li>Avoid conducting potential odour generating activities during early morning periods under low wind speed conditions.</li> </ul>   | Compliant     | <ul style="list-style-type: none"> <li>Site inductions</li> <li>Table 9 CEMP</li> </ul>   | Concrush management plans note this commitment.  |                             |
|                     | <ul style="list-style-type: none"> <li>Cover transported loads leaving the Project site to aid in the control of fugitive emission of odours during transport of potential odour generating products.</li> </ul>   | Compliant     | <ul style="list-style-type: none"> <li>Site inductions</li> <li>Site inspection</li> <li>TMP</li> </ul>   | Traffic Management Plan outlines the requirement for loads to be covered. There were no instances of uncovered loads observed during the site inspection. Generally site inductions were completed and provided to the auditors.   |                             |
|                     | <ul style="list-style-type: none"> <li>Turning of windrows during pasteurisation.</li> </ul>   | Compliant     | <ul style="list-style-type: none"> <li>Site discussions</li> <li>OAQMP</li> </ul>   | Included in the OAQMP. Based on discussions with the site, they are turning green waste stockpiles to manage heat as well as.  |                             |

| Environmental Issue              | Mitigation Measure  | Compliance    | Source of Evidence   | Finding   | Recommended Action   |
|----------------------------------|---|---------------|--|---|--|
|                                  | • Odour monitoring.   | Compliant     | • Site inspection  | At the time of the site inspection, the odour generated by the site was minimal. In particular, the green waste area had a mild odour at the time of the site inspection.<br><br>Section 9 of the OAQMP outlines the Odour Emissions Monitoring Programme. Section 9.1 states: <i>Odour monitoring will be undertaken on an as-required basis for the purpose of:</i><br>• Investigating odour emissions following the detection of an odour on-site by Concrush personnel, or<br>• As a result of an odour complaint.<br><br>Based on evidence, odour is kept in mind by staff and Concrush understand the procedures they need to take to comply with the OAQMP if they detect odour off-site or they receive an odour complaint. |  |
|                                  | • Odour complaint investigation.  | Compliant     | • Site discussions<br>• Complaint register   | Based on evidence provided, there were no odour complaints received by the site in the audit period.  |  |
|                                  | • Investigative odour monitoring.   | Not Triggered | • Site inductions  | Because there were no odour complaints during the audit period (see condition above), the auditors believe this condition is not triggered.   |  |
| <b>Dust</b>                      |   |               |  |   |  |
|                                  | • The use of atomising water sprays on crushing and screening equipment. These shall be attached to the crushing point and conveyor belt discharge point to control point source dust emissions.  | Compliant     | • Pre-starts, toolbox talks<br>• Environmental site inspection records/checklists<br>• Signed employee induction, site inductions<br>• Site inspection | Effective water sprays observed at site inspection.<br><br>Air quality monitoring is undertaken at the site. Based on discussions with site, a person has to go up to the Thomson's dust monitor to check the wind speeds manually. The monitor has the capability to send alerts via text message in regard to air quality and wind speed.   | IMP REC 11: Ensure the air quality monitoring system is reactivated to ensure text messages are sent to relevant staff to alert of adverse wind speed/direction, as well as air quality. |
|                                  | • Two coat seal on haul roads.  | Not Triggered |  | The Concrush site has not completed the expansion (Stage 2 Operations), but it should be noted by the site the completed haul roads will need a two-coat seal.  |  |
|                                  | • Minimisation of the drop heights between the excavator or loader bucket and trailers/truck during loading to reduce dust generation.  | Compliant     | • Site inspection  | During the site inspection it was observed drop heights were being followed.  |  |
|                                  | • Dust suppression of stockpiles by water spraying on an as needed basis or when the following meteorological conditions occur:<br>o An average wind speed greater than 18km/h is recorded continuously over a 15 minute period from a north or north westerly direction.   | Compliant     | • Site inspection<br>• Updated AQMP (Internal version 3) Word document   | Based on discussions with site, Concrush provided evidence of working as per this commitment. Monitor at the weighbridge records wind speed and direction.  |  |
|                                  | • Maintenance of clean entry drive as required to minimise dry dust on road.  | Compliant     | • Site inspection<br>• Updated AQMP (Internal version 3) Word document   | Sighted a water cart and street sweeper being used at the site regularly.   |  |
|                                  | • The use of a water cart to water roads and hardstand areas to assist in the control of fugitive dust emissions on an as needed basis, or when the following meteorological conditions occur:<br>o An average wind speed greater than 18km/h is recorded continuously over a 15 minute period from a north or north westerly direction.  | Compliant     | • Site inspection<br>• Updated AQMP (Internal version 3) Word document   | Sighted a water cart and street sweeper being used at the site regularly.   |  |
|                                  | • Cessation of dust emitting activities shall occur during the following conditions:<br>o An average wind speed greater than 36km/h is recorded continuously over a 15 minute period from a north or north westerly direction, or<br>o Dust suppression measures appear visually ineffective.   | Compliant     | • Site inspection<br>• Updated AQMP (Internal version 3) Word document   | Day 1 of the site inspection observed these conditions and site had ceased operations. Based on discussions with site and the documents provided Concrush is aware and works in accordance with this requirement. The general site activities are recorded and track when operations were ceased due to windy conditions.   |  |
|                                  | • In the event that an engineered dust control measure was to fail, Concrush is committed to stopping operation of the relevant machine or to cease specific dust generating activities within the potentially affected part of the site  | Not Triggered | • Site inspection<br>• Updated AQMP (Internal version 3) Word document   | Based on the evidence provided, Concrush have not had this happen within this audit period. During the site inspection it was observed that numerous water sprays were in use.  |  |
|                                  | • The monitoring for deposited dust and PM10 emissions will be undertaken at strategic and representative locations (e.g. the four site boundaries). Monitoring will be undertaken for at least a period of 24 months following the commencement of the expanded operations. This will allow the following:<br>o Comparison of monitoring results with compliance levels and the dust modelling predictions.<br>o Review of the effectiveness of the mitigation measures.           | Compliant     | • Site inspection<br>• Updated AQMP (Internal version 3) Word document<br>• Air quality monitoring results.  | Air quality monitoring reports clearly compare the results to goal levels. However, the reports do not compare the results to "dust modelling predictions". The audit team interpret this condition as the predicted levels of deposited dust and TSP in the EIS. Therefore, an improvement rec is included in the next column.   | IMP REC 12: Compare the air quality results in the Annual Review to the against EIS predictions.   |
| <b>Traffic</b>                   |   |               |  |   |  |
|                                  | The main site entry/exit will be initially widened to 15 metres. Within 12 months of approval the main site entry/exit will be upgraded to consist of an auxiliary left turn with a short turning lane (AUL(s)) and a basic right turn (BAR) treatment to accommodate the anticipated increased movements into and out of the site from Racecourse Road which has an 80 kilometre per hour speed limit. Cycle lane provisions will be accommodated in the turning treatment design. | Compliant     | • Site inspection<br>• Quality Submission Form dated 7/12/2022 by Concrush signed by LMCC representative.  | Racecourse Road Upgrade Works included a bicycle lane and left turn lane into the site from the direction of Teralba. There was no basic right turn lane (from direction of Barnsley) observed at the time of the site inspection. It is unclear what a basic right turn treatment is to determine compliance with this condition.<br><br>However, based on findings for other conditions in the Consent, the LMCC accepted the works to Racecourse Road so this condition is considered compliant.   |  |
| <b>Soil and Water Management</b> |   |               |  |   |  |
| <b>General</b>                   |   |               |  |   |  |

| Environmental Issue | Mitigation Measure   | Compliance    | Source of Evidence   | Finding   | Recommended Action          |
|---------------------|--|---------------|--|---|-----------------------------|
|                     | Water quality measures will be implemented for the Project to minimise impact on the surrounding environment. These controls are designed and constructed to a standard consistent with: <ul style="list-style-type: none"> <li>Managing Urban Stormwater – Soils and Construction, Volume 1 (the Blue Book) (Landcom, 2004).</li> <li>Managing Urban Stormwater – Soils and Construction, Volume 2E: Mines and Quarries (DECC, 2008).</li> </ul>  | Compliant     | • GMP, WMS Plans and designs, OEMP, CEMP, DVMP, and WDMP   | Key plans for the site reference these standards. Concrush were observed to generally work in accordance with Blue Book standards.  |                             |
| <b>Construction</b> |  |               |  |   |                             |
|                     | Construction erosion and sediment control plan (ESCP) will be developed in accordance with the Blue Book for detailing the specific erosion and sediment controls, rehabilitation, monitoring and maintenance requirements for the construction phase of the Project. The construction ESCP will: <ul style="list-style-type: none"> <li>Be prepared on relevant copies of drainage drawings for: <ul style="list-style-type: none"> <li>different construction stages</li> <li>areas of high erosion hazard.</li> </ul> </li> </ul> | Compliant     | • Construction Erosion and Sediment Control Plan, dated 28 May 2020, prepared by Umwelt<br>• References to Blue Book in key management plans and procedure<br>• Evidence of installing erosion and sediment control measures | The site CEMP and ESCP were generally in place for the construction phase of the project. Both documents refer to Blue Book standards, include specific management measures, speak to the main stages of construction ("Early Works", "Bulk Earthworks", and "Construction works and Road Stabilisation"), and areas of high erosion hazard.  |                             |
|                     | • Show sizing and design details for all sediment basins and erosion and sediment controls (such as diversion drains).   | Compliant     | • CEMP<br>• Construction Erosion and Sediment Control Plan, dated 28 May 2020, prepared by Umwelt  | This commitment is included in the CEMP and ESCP and site designs show size and expected volumes for dams and details for swales and drains.  |                             |
|                     | • Be revised when required by changing circumstances, if the site conditions change or if installed controls are not operating effectively.  | Not Triggered | • CEMP   | This commitment is included in the CEMP. Evidence of site inspections of erosion and sediment control measures.   |                             |
|                     | • Be integrated with work procedures, construction method statements, activity statements and their scheduling.  | Compliant     | • CEMP   | This commitment is included in the CEMP. Evidence of site inspections of erosion and sediment control measures.   |                             |
|                     | • Be site specific. The measures are designed to minimise erosion and transport of sediment around and off-site and include:<br>• Clearly identifying and delineating areas required to be disturbed and ensuring that disturbance is limited to those areas.  | Compliant     | • CEMP   | Although there was some disturbance prior to the approval of the CEMP, there was no evidence provided to indicate erosion and sediment had not been controlled during construction.   |                             |
|                     | • Installing appropriate erosion and sediment controls prior to stripping topsoil or disturbing areas.   | Compliant     | • CEMP   | This commitment is included in the CEMP. Evidence of site inspections of erosion and sediment control measures.   |                             |
|                     | • Limiting the number of roads and tracks established.   | Compliant     | • CEMP   | No issues determined.   |                             |
|                     | • Stabilising site entry/exit points to ensure sediment is not tracked onto sealed roadways.   | Compliant     | • CEMP   | At the time of the site inspection the site entry was stable.<br>No evidence of complaints related to this issue during construction.   |                             |
|                     | • Construction of drains upslope of areas to be disturbed to convey clean runoff away from most disturbed areas where required.  | Compliant     | • CEMP   | This commitment is included in the CEMP. Evidence of site inspections of erosion and sediment control measures.   |                             |
|                     | • During construction all temporary controls will be inspected: <ul style="list-style-type: none"> <li>Daily for high risk controls such as within drainage lines</li> <li>Weekly for all other controls</li> <li>Prior to forecasted rainfall events great than or equal to 10 mm</li> <li>After rainfall events greater than or equal to 10 mm in a 24 hour period.</li> </ul>   | Non-Compliant | • CEMP   | No method for daily inspections was provided besides being written into the CEMP. No evidence was provided to indicate the inspections were done daily for drainage lines or prior and after rainfall events. However it is understood if all contractors and employees were inducted into the site correctly these activities would be complete. This is a construction phase condition and therefore no further recommendations are provided. | No further recommendations. |
|                     | All construction erosion and sediment control measures will be maintained in a functioning condition until all construction activities are completed.<br>Further to the above, if excavation into natural soils to depths near to the groundwater table (approximately 3.0 to 5.0 m below ground level) is required, an Acid Sulphate Soils Management Plan will be prepared due to the likely presence of potentially acid sulphate soils (PASS).   | Compliant     | • CEMP and ASSMP   | Evidence of soil testing and groundwater monitoring/testing, with a large amount of data provided as evidence.  |                             |
| <b>Operation</b>    |  |               |  |   |                             |
|                     | The operational water management system will incorporate a range of water quality control measures including erosion and sediment control (ESC) measures and will include: <ul style="list-style-type: none"> <li>construction of appropriately designed and managed Type D sediment basins (Sediment Dam 1 and Sediment Dam 2)</li> </ul>   | Compliant     | • Operational water management system design plans<br>• Design plan for sediment basins<br>• Site inspection<br>• Monthly inspection reports   | Designs for the sediment basins provided and basins observed during the site inspections.   |                             |
|                     | • separation of the green waste storage and processing catchment and the construction of the Leachate Dam to capture a 1 in 10 year 24 hour duration storm event from the Green Waste Catchment  | Compliant     | • Site inspection  | Based on the information provided, including the CEMP (which also references the H2O designs for the leachate dam to the constructed wetland process), the catchment has been designed to capture water for that event.   |                             |
|                     | • installation of a Constructed Wetland to treat water captured in the Leachate Dam  | Compliant     | • Site inspection  | Constructed wetland observed during site inspection. Evidence of numerous files related to the wetland and leachate system.   |                             |
|                     | • roofing the retail area mulch storage bays   | Not Triggered | • Site inspection  | No roofing has been installed in the retail area as of the end of this audit period. Note, there is nothing stored in that retail bay at the moment. Not triggered currently.   |                             |
|                     | • increased on-site stormwater storage to increase reuse of captured stormwater and the prioritised reuse of water discharged from the Constructed Wetland   | Compliant     | • Site inspection  | Original plans for the Water Management System (WMS) is evidence of prioritisation of water storage and security for the site. The constructed wetland is becoming a "dry" wetland, decreasing the water volume required.   |                             |

| Environmental Issue | Mitigation Measure  | Compliance    | Source of Evidence  | Finding   | Recommended Action   |
|---------------------|---|---------------|---|---|--|
|                     | <ul style="list-style-type: none"> <li>a leachate barrier system for Project green waste storage and handling area and the lining of the Leachate Dam and Constructed Wetland</li> </ul>  | Compliant     | <ul style="list-style-type: none"> <li>Site inspection</li> </ul>   | Water Management System (WMS) and internal Leachate Management Plan outlines the leachate barrier system. Based on plans provided and the site inspection it is understood this system is still in a trial phase but it operating as it should.   |  |
|                     | <ul style="list-style-type: none"> <li>containment of the concrete wash out bay catchment and reuse of the reclaimed water</li> </ul>   | Not Triggered | <ul style="list-style-type: none"> <li>Site inspection</li> </ul>   | Concrete wash out bay is not yet constructed. Concrush provided evidence of being in the process of purchasing a wheel wash system.   |  |
|                     | <ul style="list-style-type: none"> <li>monthly inspections of long-term erosion and sediment controls will be undertaken as well as inspections prior to and after forecasted rainfall events greater than or equal to 10 mm.</li> </ul>  | Compliant     | <ul style="list-style-type: none"> <li>Site inspection</li> <li>Site notes, "Memo" styles site notes, site inductions</li> </ul>  | During the operations phase (from March 2023), Concrush provided evidence of site notes or toolbox talks with some of these inspections recorded. Concrush discussed this requirement during the site inspection.   |  |
|                     | <ul style="list-style-type: none"> <li>an inspection and maintenance regime to ensure all control measures are maintained in proper working order at all times during their operational lives.</li> </ul>   | Compliant     | <ul style="list-style-type: none"> <li>Site inspection</li> <li>Evidence of machinery maintenance (receipts, invoices, logbooks)</li> <li>RedInsight inspections</li> </ul>   | Evidence of maintenance regime kept up to date.   |  |
| <b>Monitoring</b>   |   |               |   |   |  |
|                     | <ul style="list-style-type: none"> <li>monthly surface water quality monitoring of the constructed wetland for the following parameters: Total Suspended Solids (TSS), Electrical Conductivity (EC), pH, Total Nitrogen (TN), Total Phosphorus (TP), Nitrite and Nitrate (NOx), Ammonia</li> </ul>  | Compliant     | <ul style="list-style-type: none"> <li>Monthly surface water monitoring reports - constructed wetland, sediment basins, discharges</li> <li>Groundwater monthly monitoring - bores</li> </ul>   | Based on a review of the water monitoring result provided, surface water monitoring has occurred in the audit period with those parameters tested for.  |  |
|                     | <ul style="list-style-type: none"> <li>monthly surface water quality monitoring of the sediment basins (Sediment Dam 1 and Sediment Dam 2) the drainage depression downstream of the Sediment Dam 1 (to the north) and Sediment Dam 2 (to the south) for the following parameters: TSS, EC, pH, TN, TP, NOx, Ammonia Aluminium, Arsenic, Boron, Cadmium, Chromium III, Chromium VI, Cobalt, Copper, Lead, Nickel, Selenium, Zinc</li> </ul>   | Compliant     | <ul style="list-style-type: none"> <li>Water Results spreadsheet dated 3/10/2023.</li> </ul>  | Based on a review of the water monitoring result provided, surface water monitoring has been completed at the site on a monthly basis in those labelled locations and tested for those parameters.  |  |
|                     | <ul style="list-style-type: none"> <li>monthly during discharge surface water quality monitoring of Sediment Dam 1 spillway and Sediment Dam 2 spillway for the following parameters: TSS, EC, pH, TN, TP, NOx, Ammonia Aluminium, Arsenic, Boron, Cadmium, Chromium III, Chromium VI, Cobalt, Copper, Lead, Nickel, Selenium, Zinc</li> </ul>  | Compliant     | <ul style="list-style-type: none"> <li>Surface water monitoring "Discharge" results for the operational period</li> </ul>   | There have been very few discharges from site. However, evidence was provided of monitoring when discharges occurred (Spillway results) and included results for these parameters.  |  |
|                     | <ul style="list-style-type: none"> <li>Groundwater monitoring bores will be installed up and down the hydraulic gradient from the green waste storage and processing area in accordance with the Environmental Guidelines for Composting and Related Organics Processing Facilities (NSW Department of Conservation, 2004). Water quality samples will be collected from the monitoring bores on a monthly basis and analysed for TSS, EC, pH, TN, TP, NOx and Ammonia</li> </ul>   | Non-Compliant | <ul style="list-style-type: none"> <li>Water Results spreadsheet dated 3/10/2023.</li> </ul>  | Based on groundwater results provided, there have been missed sampling events during construction (monthly requirement). However, those parameters had been monitored in the monthly sampling that had occurred in the operations phase in 2023. We have called this non-compliant as this is linked to the monitoring program outlined in the GMP. Refer to Condition B21 above. | No further recommendations.  |
|                     | <ul style="list-style-type: none"> <li>Concrush will monitor the following water volumes: <ul style="list-style-type: none"> <li>monthly potable water imported via water cart</li> <li>monthly water storage inventories</li> <li>water inventories of Sediment Dam 1 and Sediment Dam 2 following rainfall</li> <li>monthly during discharge flows at the Sediment Dam 1 spillway and Sediment Dam 2 spillway</li> <li>monthly during spill at the Leachate Dam spillway (note that the Leachate Dam spills to Sediment Dam 2 rather than directly off-site)</li> </ul> </li> </ul>   | Non-Compliant | <ul style="list-style-type: none"> <li>Water Results spreadsheet dated 3/10/2023.</li> </ul>  | <p>No records of potable water, stored water, or Sediment Basin 1 and 2 volumes were provided. Therefore, this condition is non-compliant because the site is not keeping a live record of the water volumes on site or leaving site through uncontrolled discharges.</p> <p>Note the site has recently been recording volumes through a 'staff pole'.</p>                        | NC REC 8: Records need to be kept for potable water, stored water, or Sediment Basin 1 and 2 volumes in a monthly spreadsheet. |
| <b>Ecology</b>      |   |               |   |   |  |
|                     | <p>The Project design has taken into account the wetland area in the western part of the site which will not be disturbed. Mitigation and management measures for other environmental aspects such as soil and water and air quality will minimise the potential for indirect offsite impacts such as sedimentation of waterways, nutrient discharge and dust impacts.</p> <p>The following mitigation and management measures will be implemented for the Project:</p> <ul style="list-style-type: none"> <li>Areas to be protected during construction works including the wetland area will be clearly marked</li> <li>Any landscape planting will consist of native species.</li> </ul> | Compliant     | <ul style="list-style-type: none"> <li>Evidence that protected areas are marked during construction</li> <li>Planting and native species list</li> </ul>  | Generally we found the wetland area and surface water is being managed adequately.  |  |
| <b>Bushfire</b>     |   |               |   |   |  |
|                     | <p>Concrush have an existing Pollution Incident Response Management Plan (PIRMP) which includes the relevant evacuation procedure for staff and the public in relation to bushfire threat. Threat of the combustion of product on site is managed through appropriate storage of materials and implementation of separation distances between stockpiles. During hot conditions stockpiles are wetted down and all operators are trained in firefighting techniques.</p>  | Compliant     | <ul style="list-style-type: none"> <li>Evidence of installation of Fire and Rescue NSW compatible fittings</li> <li>Site inspection and discussion of stockpile turnover and weed spot spraying or manual removal</li> <li>PIRMP dated 27.7.2021</li> </ul> | Fittings at the site water tanks were observed during the inspection. The site also has mains water access. Concrush discussed their prioritisation of water security and use of water tanks. Evidence was provided of the water storages (tanks) next to the green waste area has a capacity of 224 kL.  |  |
|                     | <p>The following specific bushfire management measures are to be implemented at the site to manage the risk associated with the bushfire hazard:</p> <ul style="list-style-type: none"> <li>installation of Fire and Rescue NSW compatible fittings on the water storage tanks near the green waste area</li> </ul>   | Compliant     | <ul style="list-style-type: none"> <li>Site inspection</li> </ul>   | Fittings were observed at the site inspection with signage to indicate fire-fighting equipment also available.  |  |
|                     | <ul style="list-style-type: none"> <li>management of the pasteurisation process within green waste stockpiles</li> </ul>  | Compliant     | <ul style="list-style-type: none"> <li>Site inspection</li> </ul>   | Water connections and sprays in the green waste area observed during the site inspection.   |  |
|                     | <ul style="list-style-type: none"> <li>ensure machinery is available on site to break up green waste stockpiles in the event of combustion during pasteurisation</li> </ul>   | Compliant     | <ul style="list-style-type: none"> <li>Site inspection</li> </ul>   | Evidence provided of machinery being on site during the entire audit period as operations continued in the DA area of the site while the expansion area was being constructed.  |  |
|                     | <ul style="list-style-type: none"> <li>continued management of vegetation across the site to manage fuel loads and prevent the spread of bushfire across the site</li> </ul>  | Compliant     | <ul style="list-style-type: none"> <li>Site inspection</li> </ul>   | Generally compliant.  |  |

| Environmental Issue                                 | Mitigation Measure  | Compliance    | Source of Evidence  | Finding  | Recommended Action |
|---|---|---------------|---|--|--------------------|
|   | <ul style="list-style-type: none"> <li>continued provision of fire extinguishers on all machinery</li> </ul>  | Compliant     | <ul style="list-style-type: none"> <li>Site inspection</li> </ul>   | Evidence of vehicle and machinery inspections provided, including RedInsight monthly inspections to check this condition.  |                    |
|   | <ul style="list-style-type: none"> <li>ensuring access to the site is maintained at all times.</li> </ul>   | Compliant     | <ul style="list-style-type: none"> <li>Discussions with site</li> </ul>   | Concrush understand access to the site is required at all times. Emergency contacts are clearly displayed at the site in case of a fire.   |                    |
| <b>Aboriginal Archaeology and Cultural Heritage</b> |   |               |   |  |                    |
|   | <p>The following mitigation and management measures will be implemented for the Project:</p> <ul style="list-style-type: none"> <li>Concrush will ensure that its employees and contractors are aware that it is an offence under Section 86 of the National Parks and Wildlife Act 1974 to harm or desecrate an Aboriginal object unless that harm or desecration is the subject of an Aboriginal Heritage Impact Permit.</li> <li>In the unlikely event that an Aboriginal object or objects are uncovered during the proposed construction works, ground disturbance works should cease within 20 m of the object and an archaeologist, OEH and the local Aboriginal parties should be contacted to determine an appropriate management strategy.</li> </ul> | Compliant     | <ul style="list-style-type: none"> <li>Toolbox talks</li> <li>Report on additional item/object finds (if this occurred in the period)</li> </ul>  | The CEMP clearly outline this commitment and outline the requirements for inductions of all employees and in particular construction contractors. Based on the evidence provided, there were no finds during construction and has been no finds in the audit period.                                 |                    |
|   | <ul style="list-style-type: none"> <li>In the unlikely event that an Aboriginal object or objects are uncovered during the proposed construction works, ground disturbance works should cease within 20 m of the object and an archaeologist, OEH and the local Aboriginal parties should be contacted to determine an appropriate management strategy.</li> </ul>  | Not Triggered | <ul style="list-style-type: none"> <li>CEMP</li> <li>Toolbox talks from the construction and operations phases</li> </ul>   | Based on the evidence provided, there were no finds during construction and has been no finds in the audit period.   |                    |
| <b>Historic Heritage</b>                            |   |               |   |  |                    |
|   | <p>The following mitigation and management measures will be implemented for the Project:</p> <ul style="list-style-type: none"> <li>If during the course of proposed works previously unknown historical archaeological material or heritage items are discovered, all work in the area of the item(s) shall cease immediately and Heritage Division, OEH and a qualified heritage consultant will be consulted, in accordance with Section 146 of the Heritage Act, to determine an appropriate course of action prior to the recommencement of work in the area of the item.</li> </ul>   | Not Triggered | <ul style="list-style-type: none"> <li>CEMP</li> <li>Toolbox talks from the construction and operations phases, including Memo-style documents recording key activities being done on site and the scheduling of Hold points</li> </ul>   | Based on the evidence provided, there were no heritage or archaeological finds at the site (particularly the expansion area) in the audit period. The mitigation measures have therefore not been triggered.   |                    |
| <b>Visual</b>                                       |   |               |   |  |                    |
|   | <p>The following management measures would be implemented as part of the Project:</p> <ul style="list-style-type: none"> <li>A landscaped 2 m high earth bund will be established along the eastern boundary (southern half) of the site to complement the existing landscaped earth bund present along the northern half of the eastern site boundary. Landscape plantings will consist of locally endemic species.</li> </ul>   | Compliant     | <ul style="list-style-type: none"> <li>Landscape Management Plan prepared by Umwelt dated 7/07/2020.</li> <li>Site inspection</li> </ul>  | The 2m earthen bund wall was observed during the site inspection, with native plantings and evidence of supplementary plantings to replace plants that had died. The LMP also outlines the design for the 2m bund.   |                    |
|   | <ul style="list-style-type: none"> <li>Additional areas of landscape plantings will be incorporated into the detailed design. This may include tree planting adjacent to the wetland area in the south western portion of the site and potentially incorporating tree planting into the swale drain design along the southern boundary of the site.</li> </ul>  | Compliant     | <ul style="list-style-type: none"> <li>Site inspection</li> <li>Landscape Management Plan</li> </ul>  | Planting of natives including trees has been done around the wetland, on the eastern bund, south-western portion of the site including around Sediment Basin 2. Planted trees were also sighted during the site inspection.  |                    |
| <b>Contamination</b>                                |   |               |   |  |                    |
|   | <p>The following mitigation and management measures will be implemented for the Project:</p> <ul style="list-style-type: none"> <li>A Remedial Action Plan (RAP) will be prepared for the site as part of the CEMP</li> </ul>   | Compliant     | <ul style="list-style-type: none"> <li>Construction Environment Management Plan (Rev /1), prepared by RCA Australia, dated 25/09/2020.</li> <li>Remedial Action Plan prepared by RCA dated 30/06/2020.</li> <li>DPE Approval letter for CEMP, WDMP, GMP, ESCP, ASSMP, TMP, DCOC, and RAP dated 29/10/2020.</li> </ul>         | The Remedial Action Plan was incorporated into the CEMP as an attached plan (Appendix H). The CEMP refers to the RAP in Section 3.3 - Remedial Works.  |                    |
|   | <ul style="list-style-type: none"> <li>The RAP will incorporate a requirement for a third groundwater monitoring well to be established during the construction phase</li> </ul>  | Compliant     | <ul style="list-style-type: none"> <li>Groundwater Management Plan (Section 2)</li> </ul>   | A third groundwater monitoring well was installed, with the RAP referencing these (Drawing 1). The GMP also includes a figure of the location of BH1, BH2, and BH3. The CEMP includes the monitoring of each borehole.   |                    |
|   | <ul style="list-style-type: none"> <li>A clean fill layer of 0.5 m depth be placed across the southern part of the Project site. A marker layer is to be established to distinguish the clean fill layer from the existing soils beneath</li> </ul>   | Compliant     | <ul style="list-style-type: none"> <li>Remedial Action Plan prepared by RCA dated 30/06/2020.</li> <li>Construction Environment Management Plan (Rev /1), prepared by RCA Australia, dated 25/09/2020.</li> <li>A number of photos of the installation of the marker layer was provided during the site inspection</li> </ul> | Based on the plans, VENM records, and photos dated from the construction of the Expansion area (surface works), the audit team have found 0.5m of clean fill and a marker layer was installed during construction.   |                    |
|   | <ul style="list-style-type: none"> <li>If excavation or earthworks into natural soils to depths near to the groundwater table (approximately 3.0 to 5.0 m below ground level) are required an ASSMP will be developed for the Project.</li> </ul>   | Compliant     | <ul style="list-style-type: none"> <li>Acid Sulfate Soils Management Plan prepared by RCA Australia dated 31/07/2020.</li> <li>DPE Approval letter for CEMP, WDMP, GMP, ESCP, ASSMP, TMP, DCOC, and RAP dated 29/10/2020.</li> </ul>  | An ASSMP was provided for this IEA.  |                    |
| <b>Waste</b>  |   |               |   |  |                    |
|   | <p>The following management measures would be implemented as part of the Project:</p> <ul style="list-style-type: none"> <li>Waste streams will be managed in accordance with the principles of the waste hierarchy, with emphasis on reduce, reuse, recycle prior to disposal of its wastes.</li> </ul>  | Compliant     | <ul style="list-style-type: none"> <li>Operational Waste Management Plan, Revision 2 by WSP, dated 24/06/2022. Initial finalised plan dated 8/12/2020. Rev 1 dated 31/05/2022.</li> <li>Site inspection</li> <li>Waste receipts (Remondis, Cleanaway)</li> </ul>  | Commitment outlined in Section 4 of the OWMP. Site inspection showed the site has clear signage for disposal of waste which prioritises reduction of waste and recycling where possible. Division of waste streams evidenced through Concrush providing invoices from the various waste contractors. |                    |

| Environmental Issue    | Mitigation Measure   | Compliance    | Source of Evidence  | Finding   | Recommended Action  |
|------------------------|--|---------------|---|---|---|
|                        | • All material used will be in accordance with the relevant requirements and conditions of the exemptions outlined above.  | Compliant     | • Operational Waste Management Plan, Revision 2 by WSP, dated 24/06/2022. Initial finalised plan dated 8/12/2020. Rev 1 dated 31/05/2022.   | Commitment outlined in Section 3.8 of the OWMP. Copies of exemptions provided for this IEA.   |   |
|                        | • General waste generated by site personnel during operation of the Project will be accommodated through the use of a 240 litre municipal waste bin to be collected by LMCC or a licensed contractor for disposal/recycling at an appropriate waste management facility.   | Compliant     | • Operational Waste Management Plan, Revision 2 by WSP, dated 24/06/2022. Initial finalised plan dated 8/12/2020. Rev 1 dated 31/05/2022.<br>• Waste (Cleanaway) invoices/receipts provided | Commitment outlined in Section 4.1 of the OWMP.   |   |
| <b>Greenhouse Gas</b>  |  |               |   |   |   |
|                        | No mitigation or management measures are required for the Project.   | Not Triggered |   | During the site inspections, Concrush demonstrated procedures and attitude of placing environmental controls and mitigation measures as a priority and necessary for the operations at the site.      |   |
| <b>Hazard and Risk</b> |  |               |   |   |   |
|                        | Concrush has safety management system documents and procedures including a PIRMP. The PIRMP will be applied to ensure that all foreseeable emergency events are considered and adequate site specific systems are put in place to ensure site personnel and equipment are ready and able to deal with an emergency situation. Concrush will store all flammable and combustible liquids in accordance with the requirements of AS1940 The storage and handling of flammable and combustible liquids. | Compliant     | • PIRMP dated 27.7.2021   | The PIRMP addresses emergency systems and responses, the training of personnel, and equipment to satisfy the requirements of the Consent and EPL. The PIRMP is a very simple document and dated 2021. | IMP REC 13: Update the PIRMP to be up to date and schedule an annual review of the document to ensure the PIRMP is kept up to date. |

# SSD 8753 Concrush Pty Limited

## APPENDIX 3 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

Audit Period: 27 March 2020 - 20 September 2023

| Condition Number                                  | Condition  | Compliance    | Evidence Requested                          | Source of Evidence  | Finding  | Recommended Action |
|---|--|---------------|---|---|--|--------------------|
| <b>WRITTEN INCIDENT NOTIFICATION REQUIREMENTS</b> |  |               |   |   |  |                    |
| 1   | A written incident notification addressing the requirements set out below must be emailed to the Planning Secretary at the following address: <a href="mailto:compliance@planning.nsw.gov.au">compliance@planning.nsw.gov.au</a> within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition C10 or, having given such notification, subsequently forms the view that an incident has not occurred.  | Compliant     | • All incident and non-compliance reporting | • Various correspondence from Concrush to DPE requested. Emails from Concrush to DPE or emails generated through the Major Projects Portal across the IEA Period. | <p>Incident is defined in this Consent as:<br/>An occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance Note: "material harm" is defined in this consent.</p> <p>Material harm is defined in this Consent as:<br/>Is harm that:<br/>• involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial, or<br/>• results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)</p> <p>Various correspondence (copies of emails) from Concrush to the DPE were provided to the auditors for this IEA. Based on our interpretation of this condition, we believe it relates to actual or potential material harm. We note there is another condition that relates to non-compliance.</p> |                    |
| 2   | Written notification of an incident must:<br>a. identify the development and application number;<br>b. provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);<br>c. identify how the incident was detected;<br>d. identify when the applicant became aware of the incident;<br>e. identify any actual or potential non-compliance with conditions of consent;<br>f. describe what immediate steps were taken in relation to the incident;<br>g. identify further action(s) that will be taken in relation to the incident; and<br>h. identify a project contact for further communication regarding the incident. | Not Triggered | • All incident and non-compliance reporting |   | Although there were non-compliances during the audit period, there were no incidents (based on evidence received).   |                    |
| 3   | Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.   | Not Triggered | • All incident and non-compliance reporting |   | Although there were non-compliances during the audit period, there were no incidents (based on evidence received).   |                    |
| 4   | The Incident Report must include:<br>a. a summary of the incident;<br>b. outcomes of an incident investigation, including identification of the cause of the incident;<br>c. details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and<br>d. details of any communication with other stakeholders regarding the incident.   | Not Triggered | • All incident and non-compliance reporting |   | Although there were non-compliances during the audit period, there were no incidents (based on evidence received).   |                    |





**APPENDIX E. DECLARATION OF  
INDEPENDENCE FORM (AT  
TIME OF ENDORSEMENT)**

## Concrush Resource Recovery Facility, Teralba NSW

Declaration of Independence - Auditor

**Project Name:** Concrush Resource Recovery Facility

**Consent Number:** SSD 8753

**Description of Project:** Concrush Resource Recovery Facility, Teralba NSW

**Project Address:** 21 Racecourse Road, Teralba NSW (Lot 2 DP 220347)

**Proponent:** Concrush Pty Ltd

**Date:** 4/08/2023

I declare that:

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

Notes:

- a) Under section 10.6 of the *Environmental Planning and Assessment Act 1979* a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an

---

approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and

b) The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both)

---

**Names of Proposed Auditors:**

**Lead Auditor:** Chris Jones

**Assistant Auditor:** Olivia O'Shannessy

---

Signature of Lead Auditor



---

**Qualification:** Bachelor of Environmental Science

Principal Environmental Auditor through Exemplar Global

---

**Company:** Integrated Environmental Management Australia Pty Ltd (IEMA)

---

Signature of Assistant Auditor



---

**Qualification:** Bachelor of Environmental Science and Management

---


**Company:** Integrated Environmental Management Australia Pty Ltd (IEMA)

---



**APPENDIX F.    AUDIT REPORT  
DECLARATION FORM**

NTAL  
IT

| Independent Audit Report Declaration Form   |  |
|---|--|
| <b>Project Name</b>   | Concrush IEA   |
| <b>Consent Number</b>   | SSD 8753   |
| <b>Description of Project</b>   | Teralba Resource Recovery Facility staged expansion and increase in the processing capacity of an existing resource recovery facility to 250,000 tonnes per year of general solid waste (non-putrescible) with a maximum storage capacity of 150,000 tonnes at any one time. |
| <b>Project Address</b>  | 21 Racecourse Road, Teralba (Lot 2 DP 220347)  |
| <b>Proponent</b>  | Concrush Pty Ltd   |
| <b>Title of Audit</b>   | Independent Environmental Audit – Concrush Teralba Resource Recovery Facility  |
| <b>Date</b>   | 20/11/2023   |
| <p>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:</p> <ul style="list-style-type: none"><li>i. the audit has been undertaken in accordance with relevant condition(s) of consent and the Independent Audit Compliance Requirements (Department 2019);</li><li>ii. the findings of the audit are reported truthfully, accurately and completely;</li><li>iii. I have exercised due diligence and professional judgement in conducting the audit;</li><li>iv. I have acted professionally, objectively and in an unbiased manner;</li><li>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;</li><li>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;</li><li>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</li><li>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.</li></ul> <p>Notes:</p> <ul style="list-style-type: none"><li>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</li><li>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)</li></ul> |  |
| <b>Name of Auditor</b>  | Chris Jones  |
| <b>Signature</b>  |   |
| <b>Qualification</b>  | Principal Auditor (Environmental Management Systems Auditor)<br>Exemplar Global  |
| <b>Company</b>  | IEMA   |
| <b>Company Address</b>  | 41 Llewellyn Street Merewether NSW 2291  |



## **APPENDIX G. RECORDS OF CONSULTATION**

**From:** [Olivia Oshannessy](mailto:Olivia.Oshannessy@iema.com.au)  
**To:** [Heidi.Watters@Planning.nsw.gov.au](mailto:Heidi.Watters@Planning.nsw.gov.au)  
**Cc:** [Chris Jones](mailto:Chris.Jones@iema.com.au); [Sheelagh.Laguna@planning.nsw.gov.au](mailto:Sheelagh.Laguna@planning.nsw.gov.au); [zoe.marchant@dpie.nsw.gov.au](mailto:zoe.marchant@dpie.nsw.gov.au)  
**Subject:** Concrush (SSD 8753) Independent Environmental Audit 2023 - Request for Consultation  
**Date:** Friday, 15 September 2023 2:47:00 PM  
**Attachments:** [image002.png](#)  
[\\_230824+SSD-8573-PA-42+Appointment+of+Experts-signed\\_.pdf](#)

---

Dear Ms Watters,

As per the attached endorsement letter, Integrated Environmental Management Australia Pty Ltd (IEMA) have been approved to conduct the Independent Environmental Audit (IEA) for Concrush Resource Recovery Facility ([SSD 8753](#)). The IEA will be completed in accordance with Condition C16 of SSD 8753 and the *Independent Audit Post Approval Requirements* (DPE 2020). This audit team understands to have been contacted after Concrush received a Direction from the Secretary to undertake an IEA (letter dated 26/7/2023). The audit team were endorsed on 24/8/2023 and include:

- Chris Jones, Principal Environmental Consultant at IEMA – Lead Auditor
- Olivia O’Shannessy, Environmental Consultant at IEMA – Assistant Auditor

The audit period will be 27 March 2020 (based on the date the approval was granted) to 20 September 2023 (planned date of the site inspection component).

As per Section 3.2 of the Independent Audit Post Approval Requirements, I am emailing to confirm the parties/agencies the Department would like consulted for this IEA. This consultation will inform the scope of the audit and will be summarised in the final IEA Report.

Furthermore, can I please request the Department’s feedback on the project and/or any key aspects the Department would like reviewed as part of the IEA?

Please let me know if you require this email be directed to an alternate DPE Officer. If you would like to discuss the site or the scope of the IEA, please do not hesitate to contact myself or Chris Jones (0401 800 918).

Kind regards,

**Olivia O’Shannessy**

Environmental Consultant



E: [olivia.oshannessy@iema.com.au](mailto:olivia.oshannessy@iema.com.au)  
M: 0439 423 702 | W: [www.iema.com.au](http://www.iema.com.au)  
ABN 32 622 237 870  
PO Box 3161,  
Ground Floor, 41 Llewellyn Street,  
MEREWETHER NSW 2291 AUSTRALIA



IMPORTANT - PLEASE READ - The information contained in this e-mail message and any attached files may be confidential information, and may

also be subject to professional privilege. If you are not the intended recipient, any use, disclosure or copying of this e-mail is unauthorised. If you have received this e-mail in error, please notify us immediately by reply e-mail to sender and delete the original.



**From:** [Steven James](#)  
**To:** [Olivia Oshannessy](#)  
**Cc:** [Chris Jones](#)  
**Subject:** RE: HPE CM: Concrush (SSD 8753) Independent Environmental Audit 2023 - Request for Consultation  
**Date:** Tuesday, 19 September 2023 10:01:05 AM  
**Attachments:** [image002.png](#)

---

Hi Olivia,

Thanks for your email and providing the EPA with an opportunity to provide feedback on the Independent Environmental Audit 2023. Condition C16 of SSD 8753 and the *Independent Audit Post Approval Requirements* (DPE 2020) are comprehensive and, consequently, the EPA does not have any comment or feedback at this time.

Regards,

## Steven James

### Unit Head

NSW Environment Protection Authority  
+61 2 4908 6823 +61 413 450 328

[www.epa.nsw.gov.au](http://www.epa.nsw.gov.au)  [@NSW\\_EPA](#)  [EPA YouTube](#)

**Report pollution and environmental incidents 131 555 (NSW only) or +61 2 9995 5555**

---

**From:** Olivia Oshannessy <[olivia.oshannessy@iema.com.au](mailto:olivia.oshannessy@iema.com.au)>  
**Sent:** Monday, 18 September 2023 4:53 PM  
**To:** Steven James <[Steven.James@epa.nsw.gov.au](mailto:Steven.James@epa.nsw.gov.au)>  
**Cc:** Chris Jones <[chris.jones@iema.com.au](mailto:chris.jones@iema.com.au)>  
**Subject:** HPE CM: Concrush (SSD 8753) Independent Environmental Audit 2023 - Request for Consultation

Dear Steven James,

As per the attached endorsement letter, Integrated Environmental Management Australia Pty Ltd (IEMA) have been approved to conduct the Independent Environmental Audit (IEA) for Concrush Resource Recovery Facility (SSD 8753). The IEA will be completed in accordance with Condition C16 of SSD 8753 and the *Independent Audit Post Approval Requirements* (DPE 2020). The audit team is:

- Chris Jones, Principal Environmental Consultant at IEMA – Lead Auditor
- Olivia O’Shannessy, Environmental Consultant at IEMA – Assistant Auditor

In accordance with Section 3.2 of the *Independent Audit Post Approval Requirements*, I am emailing to request your feedback on the project and any key aspects the EPA would like reviewed as part of the IEA.

The audit period is **27 March 2020** (based on the date the approval was granted) to **20 September 2023** (planned date of the site inspection component).

If you would like to discuss the site or the scope of the IEA, please do not hesitate to contact myself or Chris Jones (0401 800 918). Please provide your feedback by 3 October 2023 to enable sufficient time for assessment.

Kind regards,

**Olivia O'Shannessy**

Environmental Consultant



E: [olivia.oshannessy@iema.com.au](mailto:olivia.oshannessy@iema.com.au)  
M: 0439 423 702 | W: [www.iema.com.au](http://www.iema.com.au)  
ABN 32 622 237 870  
PO Box 3161,  
Ground Floor, 41 Llewellyn Street,  
MEREWETHER NSW 2291 AUSTRALIA



IMPORTANT - PLEASE READ - The information contained in this e-mail message and any attached files may be confidential information, and may also be subject to professional privilege. If you are not the intended recipient, any use, disclosure or copying of this e-mail is unauthorised. If you have received this e-mail in error, please notify us immediately by reply e-mail to sender and delete the original.

-----  
-----  
This email is intended for the addressee(s) named and may contain confidential and/or privileged information.

If you are not the intended recipient, please notify the sender and then delete it immediately.

Any views expressed in this email are those of the individual sender except where the sender expressly and with authority states them to be the views of the Environment Protection Authority.

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL

**From:** [Glen Mathews](#)  
**To:** [Olivia Oshannessy](#)  
**Cc:** [Chris Jones](#)  
**Subject:** RE: Concrush (SSD 8753) Independent Environmental Audit 2023 - Request for Consultation  
**Date:** Monday, 9 October 2023 3:42:28 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image007.png](#)  
[image008.png](#)  
[image009.png](#)  
[image010.png](#)  
[image013.png](#)

---

Hi Olivia,

I have not been able to find anything in our system that would indicate there are any areas of concern for Council. I have also reached out to our Environmental Management department to ask the question if they have any concerns. Should they provide a response I will let you know as soon as possible.

Regards

**Glen Mathews**  
Principal Development Planner



**T** [+61 2 4921 0399](tel:+61249210399) **M** [+61 439 647 504](tel:+61439647504)  
**E** [gmathews@lakemac.nsw.gov.au](mailto:gmathews@lakemac.nsw.gov.au)  
[lakemac.com.au](http://lakemac.com.au)

---

**From:** Olivia Oshannessy <[olivia.oshannessy@iema.com.au](mailto:olivia.oshannessy@iema.com.au)>  
**Sent:** Friday, October 6, 2023 11:54 AM  
**To:** Glen Mathews <[gmathews@lakemac.nsw.gov.au](mailto:gmathews@lakemac.nsw.gov.au)>  
**Cc:** Chris Jones <[chris.jones@iema.com.au](mailto:chris.jones@iema.com.au)>  
**Subject:** RE: Concrush (SSD 8753) Independent Environmental Audit 2023 - Request for Consultation

Good afternoon Glen,

In regards to my previous email, could you please let us know if you have any comments for the Independent Environmental Audit on the Concrush Resource Recovery Facility Expansion project?

Kind regards,

**Olivia O'Shannessy**  
Environmental Consultant



ABN 32 622 237 870  
PO Box 3161,  
Ground Floor, 41 Llewellyn Street,

MEREWETHER NSW 2291 AUSTRALIA  
e: [olivia.oshannessy@iema.com.au](mailto:olivia.oshannessy@iema.com.au)  
m: 0439 423 702 I w: [www.iema.com.au](http://www.iema.com.au)



IMPORTANT - PLEASE READ

The information contained in this e-mail message and any attached files may be confidential information, and may also be subject to professional privilege. If you are not the intended recipient, any use, disclosure or copying of this e-mail is unauthorised. If you have received this e-mail in error, please notify us immediately by reply e-mail to sender and delete the original.

---

**From:** Olivia Oshannessy  
**Sent:** Monday, September 18, 2023 4:54 PM  
**To:** [gmathews@lakemac.nsw.gov.au](mailto:gmathews@lakemac.nsw.gov.au)  
**Cc:** Chris Jones <[chris.jones@iema.com.au](mailto:chris.jones@iema.com.au)>  
**Subject:** Concrush (SSD 8753) Independent Environmental Audit 2023 - Request for Consultation

Dear Glen Mathews,

As per the attached endorsement letter, Integrated Environmental Management Australia Pty Ltd (IEMA) have been approved to conduct the Independent Environmental Audit (IEA) for Concrush Resource Recovery Facility (SSD 8753). The IEA will be completed in accordance with Condition C16 of SSD 8753 and the *Independent Audit Post Approval Requirements* (DPE 2020). The audit team is:

- Chris Jones, Principal Environmental Consultant at IEMA – Lead Auditor
- Olivia O’Shannessy, Environmental Consultant at IEMA – Assistant Auditor

In accordance with Section 3.2 of the *Independent Audit Post Approval Requirements*, I am emailing to request your feedback on the project and any key aspects Lake Macquarie City Council (LMCC) would like reviewed as part of the IEA.

The audit period is **27 March 2020** (based on the date the approval was granted) to **20 September 2023** (planned date of the site inspection component).

If you would like to discuss the site or the scope of the IEA, please do not hesitate to contact myself or Chris Jones (0401 800 918). Please provide your feedback by 3 October 2023 to enable sufficient time for assessment.

Kind regards,

**Olivia O’Shannessy**

Environmental Consultant



E: [olivia.oshannessy@iema.com.au](mailto:olivia.oshannessy@iema.com.au)  
M: 0439 423 702 | W: [www.iema.com.au](http://www.iema.com.au)

ABN 32 622 237 870  
PO Box 3161,  
Ground Floor, 41 Llewellyn Street,  
MEREWETHER NSW 2291 AUSTRALIA



IMPORTANT - PLEASE READ - The information contained in this e-mail message and any attached files may be confidential information, and may also be subject to professional privilege. If you are not the intended recipient, any use, disclosure or copying of this e-mail is unauthorised. If you have received this e-mail in error, please notify us immediately by reply e-mail to sender and delete the original.

## Disclaimer

This information is intended for the addressee only. The use, copying or distribution of this message or any information it contains, by anyone other than the addressee is prohibited by the sender. Any views expressed in this communication are those of the sender, except where the sender specifically states that the views are of Council. All information provided to us is treated in accordance with Lake Macquarie City Council's Privacy Management Plan ([www.lakemac.com.au/Privacy-Statement](http://www.lakemac.com.au/Privacy-Statement)). Information provided in correspondence, submissions or requests (verbal, electronic or written), including personal information may also be made publicly available, including via Council's website, in accordance with the Government Information (Public Access) Act 2009 (NSW).

**From:** [Sarkis Yalda](#)  
**To:** [Olivia Oshannessy](#)  
**Cc:** [Chris Jones](#); [Mine Kocak](#)  
**Subject:** RE: Concrush (SSD 8753) Independent Environmental Audit 2023 - Request for Consultation  
**Date:** Wednesday, 20 September 2023 4:02:20 PM  
**Attachments:** [image002.png](#)

---

Olivia,

Thank you for your email.

From Sydney Trains' perspective, I am not sure if we are required to participate, as I don't see the need to join the Audit. This said, we still wish to know whether the adjoining Site Owners/Operators are fully complying with all their DA Conditions/Obligations, along with their Local, State, Federal & EPA Statutory obligations.

I assume that the Audit will identify compliance and whether any shortfalls are apparent, thence make recommendations to the Site Owners on their shortfalls (if any) and what level of immediate measures are/should be taken to comply with the above-mentioned obligations, standards etc.

Finally, as part of your pending Audit, Sydney Trains should be immediately advised whether there is &/or any form of pollution entering Rail Land, regardless pre or post Audit inspection. Should there be any negative finding(s), it is assumed that a detailed report will be provided to Sydney Trains and the relevant Authorities notified of any breaches.

I trust the above is self explanatory and helpful.

Regards,

Sarkis Yalda

---

OFFICIAL

**From:** Olivia Oshannessy <[olivia.oshannessy@iema.com.au](mailto:olivia.oshannessy@iema.com.au)>  
**Sent:** Tuesday, 19 September 2023 1:56 PM  
**To:** Sarkis Yalda <[Sarkis.Yalda@transport.nsw.gov.au](mailto:Sarkis.Yalda@transport.nsw.gov.au)>  
**Cc:** Chris Jones <[chris.jones@iema.com.au](mailto:chris.jones@iema.com.au)>  
**Subject:** Concrush (SSD 8753) Independent Environmental Audit 2023 - Request for Consultation

You don't often get email from [olivia.oshannessy@iema.com.au](mailto:olivia.oshannessy@iema.com.au). [Learn why this is important](#)

**CAUTION:** This email is sent from an external source. Do not click any links or open attachments unless you recognise the sender and know the content is safe.

Dear Sarkis,

As per the attached endorsement letter, Integrated Environmental Management Australia Pty Ltd (IEMA) have been approved to conduct the Independent Environmental Audit (IEA) for Concrush Resource Recovery Facility (SSD 8753). The IEA will be completed in accordance with Condition C16 of SSD 8753 and the *Independent Audit Post Approval Requirements* (DPE 2020). The audit team is:

- Chris Jones, Principal Environmental Consultant at IEMA – Lead Auditor
- Olivia O’Shannessy, Environmental Consultant at IEMA – Assistant Auditor

In accordance with Section 3.2 of the *Independent Audit Post Approval Requirements*, I am emailing to request your feedback on the project and/or any key aspects Sydney Trains would like reviewed as part of the IEA.

Please note, the audit period is **27 March 2020** (based on the date the approval was granted) to **20 September 2023** (planned date of the site inspection component).

If you would like to discuss the site or the scope of the IEA, please do not hesitate to contact myself or Chris Jones (0401 800 918). Please provide your feedback by 3 October 2023 to enable sufficient time for assessment.

Kind regards,

**Olivia O’Shannessy**

Environmental Consultant



E: [olivia.oshannessy@iema.com.au](mailto:olivia.oshannessy@iema.com.au)

M: 0439 423 702 | W: [www.iema.com.au](http://www.iema.com.au)

ABN 32 622 237 870

PO Box 3161,

Ground Floor, 41 Llewellyn Street,

MEREWETHER NSW 2291 AUSTRALIA



IMPORTANT - PLEASE READ - The information contained in this e-mail message and any attached files may be confidential information, and may also be subject to professional privilege. If you are not the intended recipient, any use, disclosure or copying of this e-mail is unauthorised. If you have received this e-mail in error, please notify us immediately by reply e-mail to sender and delete the original.

This email is intended only for the addressee and may contain confidential information. If you receive this email in error please delete it and any attachments and notify the sender immediately by reply email. Transport for NSW takes all care to ensure that attachments are free from viruses or other defects. Transport for NSW assume no liability for any loss, damage or other consequences which may arise from opening or using an attachment.

 **Consider the environment. Please don't print this e-mail unless really necessary.**

**From:** [Olivia Oshannessy](mailto:Olivia.Oshannessy@iema.com.au)  
**To:** [office@codewisecert.com](mailto:office@codewisecert.com)  
**Cc:** [Chris Jones](mailto:Chris.Jones@iema.com.au)  
**Subject:** Concrush (SSD 8753) Independent Environmental Audit 2023 - Request for Consultation  
**Date:** Monday, 18 September 2023 4:53:00 PM  
**Attachments:** [image002.png](#)  
[\\_230824+SSD-8573-PA-42+Appointment+of+Experts-signed\\_.pdf](#)

---

Dear CodeWise,

As per the attached endorsement letter, Integrated Environmental Management Australia Pty Ltd (IEMA) have been approved to conduct the Independent Environmental Audit (IEA) for Concrush Resource Recovery Facility (SSD 8753). The IEA will be completed in accordance with Condition C16 of SSD 8753 and the *Independent Audit Post Approval Requirements* (DPE 2020). The audit team is:

- Chris Jones, Principal Environmental Consultant at IEMA – Lead Auditor
- Olivia O’Shannessy, Environmental Consultant at IEMA – Assistant Auditor

Based on our correspondence with Concrush, Des Lynch was the CodeWise Principal Certifier (referred to as the Principal Certifying Authority in the conditions of SSD 8753) for the site. In accordance with Section 3.2 of the *Independent Audit Post Approval Requirements*, I am emailing to request your feedback on the project and any key aspects the Principal Certifier would like reviewed as part of the IEA.

The audit period is **27 March 2020** (based on the date the approval was granted) to **20 September 2023** (planned date of the site inspection component).

If you would like to discuss the site or the scope of the IEA, please do not hesitate to contact myself or Chris Jones (0401 800 918). Please provide your feedback by 3 October 2023 to enable sufficient time for assessment.

Kind regards,

**Olivia O’Shannessy**

Environmental Consultant



**E:** [olivia.oshannessy@iema.com.au](mailto:olivia.oshannessy@iema.com.au)  
**M:** 0439 423 702 | **W:** [www.iema.com.au](http://www.iema.com.au)  
ABN 32 622 237 870  
PO Box 3161,  
Ground Floor, 41 Llewellyn Street,  
MEREWETHER NSW 2291 AUSTRALIA



IMPORTANT - PLEASE READ - The information contained in this e-mail message and any attached files may be confidential information, and may also be subject to professional privilege. If you are not the intended recipient, any use, disclosure or copying of this e-mail is unauthorised. If you have received this e-mail in error, please notify us immediately by reply e-mail to sender and delete the original.