

Independent Environmental Audit

Report for:

Sell and Parker Pty Ltd

SSD 5041

Increasing the processing capacity of the existing metal recycling facility, including configuration and expansion of the facility into the adjoining site at 23-43 Tattersall Road, Kings Park

LR reference:	PRJ1110019083-1
Assessment dates:	21 October, 22-22 November, 13 December 2019
Assessment location:	23-43 and 45 Tattersall Road, Kings Park, NSW
Assessment criteria:	State Significant Development Consent 5041
Assessment team:	Phillip Dews, Makis Galanos, Evan Milton, Evan Smith
LR office:	Melbourne

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1. Report explanation

Compliance Assessment Criteria and Risk Levels for Non-Compliances*

Assessment	Criteria
Compliant	Where 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	Where the auditor has determined that one or more specific elements of the conditions or requirements have not been complied with within the scope of the audit.
Not triggered	A requirement has an activation or timing trigger that has not been met at the time when the audit is undertaken, therefore an assessment of compliance is not relevant.
Note	A statement or fact, where no assessment of compliance is required.
Observation	Observations are recorded where the audit identified issues of concern which do not strictly relate to the scope of the audit or assessment of compliance.
Opportunity for Improvement	Opportunities for Improvement may be noted in relation to any compliance requirement. The terms "partial compliance", "partial non-compliance" or administrative non-compliance must not to be used.

Adapted from Post-approval requirements for State significant developments (June 2018), NSW Government.

Additional information

Confidentiality

We will treat the contents of this report, together with any notes made during the visit, in the strictest confidence and will not disclose them to any third party without written client consent, except as required by the Sell and Parker Pty Ltd and the NSW Department of Planning, Industry and Environment.

Sampling

The assessment process relies on taking a sample of the Development activities for each condition. This is not statistically based but uses representative examples. The compliance table indicating the compliance status of each condition of the approval is dependent on the evidence sampled. The Auditors have relied upon information supplied by the Auditee; conclusions on compliance are contingent upon the accuracy and completeness of data supplied.

Terms and conditions

Please note that, as detailed in the Terms and Conditions of the contract, clients have an obligation to advise LR of any breach of legal, regulatory, or statutory requirements and any pending prosecution. Although proportionality and scale of the situation should be considered, Sell and Parker are required to advise LR of any serious potential risks to our audit conclusions but not, for example, isolated cases of a minor nature.

Acronyms / Terms Used in Report

CEMP	Construction Environmental Management Plan
DPIE	NSW Department of Planning, Industry and Environment (DPIE)
Department	DPIE
EPA	Environment Protection Authority
EPL	Environment Protection Licence

IEA	Independent Environmental Audit
LR	Lloyds Register
NC	Non-compliance
OFI	Opportunity for Improvement
SSD	State Significant Development
ECS	Emissions Collection System
EIS	Environmental Impact Statement

2. Independent Audit Declaration

Project Name Kings Park Waste Metal Recovery Processing and Recycling Facility

Consent Number SSD5041

Description of Project Increasing the processing capacity of the existing metal recycling facility, including configuration and expansion of the facility into the adjoining site at 23-43 Tattersall Road, Kings Park

Project Address 23-43 & 45 Tattersall Road Kings Park NSW

Proponent Sell and Parker Pty Ltd

Title of Audit Independent Environmental Audit

Date 20 March 2020

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:

- the audit has been undertaken in accordance with relevant condition(s) of consent and the *Independent Audit Post Approval Requirements (Department 2018)*;
- the findings of the audit are reported truthfully, accurately and completely;
- I have exercised due diligence and professional judgement in conducting the audit;
- I have acted professionally, objectively and in an unbiased manner;
- 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;
- 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;
- 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
- I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.

Notes:

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

Name of Auditor Phillip Allan Dews

Signature



Qualification B App Sci (VIC), Grad Dip Ind Mic, IRCA Registration No. 01184749

Company Lloyds Register

Company Address Level 16 481 Bourke Street Melbourne Victoria 3000

3. Executive Summary

Assessment outcome:

Conclusion

Based on activities and records sampled, the IEA Team found that the Development remains non-complaint with a number of conditions both in the Development Consent 5041, and in the Environment Protection Licence 11555.

It was noted that there has been significant progress since the 2016 Independent Audit, with areas of previous non-compliance, such as the management of water collected onsite, and the changes to EPL 11555 in the amount of waste allowed to be received onsite.

It is noted that this audit may be considered as an assessment of the business in its operational phase.

Findings

There were a total of 5 non-compliances (NCs) with Consent Conditions, some of which were broken down into non-compliances against sub-clauses within applicable clauses. These are detailed in the Consent Compliance Table (Appendix 1).

NCs with the EPL are itemised in the EPL Compliance Table (Appendix 2) and connected to Consent Conditions in the Findings Log. These are not included separately in the NC number count as they are inclusive rather than additional.

Environmental Performance

The 2016 independent environmental audit reported that, due to the number and range of non-conformances identified, environmental performance related to the development was inadequate. During this audit (2019), it was noted that the works have been completed (with the exception of the installation of the new Pre-Shredder) and commissioned, however, a number of nonconformances were identified during this audit, particularly in the areas of air emissions, noise and vibration. It is therefore concluded that the site, in those areas identified, does not adequately meet the environmental performance required..

Note: DPIE also requested that an assessment of Sell and Parker's response to the Fire Safety Order Number 6 issued 18 January 2018 should be included in this report. The results of this assessment are included in Section 5, below.

4 Project Background and Boundaries

(information extracted from CEMP)

Increasing the processing capacity of the existing metal recycling facility, including configuration and expansion of the facility into the adjoining site at 23-43 Tattersall Road, Kings Park

Key stages include:

At the time of this audit, activities initiated included:

- Pre-Shredder Relocation: part installed, electrical works underway, final assembly once cabling completed.

Works under the Development Approval and subsequent Modifications yet to be commenced:

- Installation of the new Finishing Plant.

The total Project area includes the following parts of the Site:

- Expansion of the site (23-43 Tattersall Road, Kings Park)
- Development related activities on the existing site (45 Tattersall Road, Kings Park)
- Modifications to the original SSD 5041:
 - MOD1: includes amendments to the site layout, design of buildings and structures and alterations and additions to existing buildings and structures.
 - MOD2: minor amendments to the western acoustic wall, entry weighbridge arrangements and alterations and additions to existing buildings and structures.
 - MOD3: changes to plant including conversion of an existing shear, realignment of the overhead conveyor and relocation of the pre-shredder, increase in operational hour for cleaning and maintenance, and administrative changes for the discharge of wastewater.

4.1 Audit Details

AUDIT OBJECTIVES

The objectives of this audit are to:

- Assess the environmental performance of the development and whether it is complying with the conditions in the Consent (SSD 5041) and applicable Environment Protection License 11555
- Review the adequacy of any approved strategy, plan or programme required under these approvals
- Recommend measures or actions to improve the environmental performance of the development, and / or any assessment, plan or programme required under these approvals.

AUDIT SCOPE AND CRITERIA

Condition C9 of the Development Consent (SSD 5041) (includes Appendix B Management and Mitigation Measures), which includes applicable parts of the Environment Protection License 11555 (Latest amended version 10 December 2018).

Note: The EPL License applies to the whole operation; activities within the boundaries of the Development must comply with EPL conditions. The auditors reviewed the relevant impacts of the Development on EPL conditions and whether any EPL non-compliances were attributable to the Development activities.

AUDIT METHODOLOGY

The audit methodology:

- Was conducted in accordance with AS/NZS ISO 19011:2014 and Consent Condition C9
- Includes a compliance table indicating the compliance status of each Consent Condition
- Sampled applicable EPL conditions – includes compliance table with evidence sampled
- Includes recommendations in response to non-compliances where relevant

- Identifies opportunities for improvement

This is the second IEA conducted for this project.

AUDIT TEAM

Phillip Dews Environmental Lead Assessor from Lloyds Register (LR) – Team Leader

Makis Galanos Environmental Lead Assessor from Lloyds Register (LR) – Technical Reviewer

Evan Milton, GHD Noise Specialist

Evan Smith, GHD Air Emissions Specialist

The audit duration for this audit was a total of 9 person days (6 full days site inspection and interviews, 3 days off-site (reviewing of plans, reports, data, communications, report writing) by the LRQA Auditors, plus time spent offsite by the GHD team members.

All auditors received approval, from the Department of Planning & Environment, to conduct this audit. This audit report was peer reviewed by LRQA Technical Management (Melbourne, Australia)

AUDITEES

The following Sell and Parker staff were interviewed / contacted during this audit:

Howard Richards	Group Environment Manager
Jordan Rodgers	Group Property and Development Manager
Brad Scobie	Site Manager – site tour
Robert Ditrih	Maintenance Manager
Anthea Gilmore	General Council (email information exchange / audit planning)

5. Audit Findings Log

From the 2016 IEA report: The table, below, summarises the findings from the 2016 audit, applicable across a number of Consent Conditions and EPL requirements. These findings were reviewed as part of this audit to assess the corrective action taken. It was found that the actions taken had addressed the specific issues raised in the 2016 audit. However, this audit has identified a range of areas of non-compliance with the applicable conditions, and where appropriate in the Compliance Status 2019 column, the reader is directed to relevant sections of this audit report where new findings related to consent conditions or EPL requirements, or parts thereof, are documented, i.e., "See the GHD consultants' report against the clauses listed".

Conditions	Non-compliance raised at the 2016 IEA	2019 Review of Actions taken	Compliance Status 2019
<p>Consent A1, A2, C1, C2</p> <p>EPL A3.1</p>	<p>1, Development commenced without CEMP Approval and Compliance with all Terms of Consent</p> <p>The CEMP has not been approved by the Secretary / DPE. The CEMP was first submitted 25th April 2016 and a revision submitted 21st October 2016. A section 96 1A has been submitted (August 2016) for proposed minor changes but has not received formal approval. The following activities / works commenced without the required approval:</p> <ul style="list-style-type: none"> • Installation of the Emissions Collection System • Installation of the 1400 tonne shearer on the expansion site and commissioning initiated • Expansion Yard is in use for sorting and storage of scrap metal (previous buildings were demolished) • New weighbridge constructed • New wheelwash constructed • Bailer pit established • New 8 metre acoustic fence built (eastern boundary) <p>High Risk Issues include:</p> <ul style="list-style-type: none"> • Processing in excess of the EPL limit of 90,000 tonne per calendar year (or pro rata weekly quantity) without DPE acceptance of the ECS Commissioning Report • Water run-off from the expansion area is going to Breakfast Creek 	<p>The CEMP was approved, sighted letter dated 7/07/17.</p> <p>The Emission Collection System has been installed and commissioned, hence, the EPL limit of 350,000 tonne per calendar year now applies.</p> <p>The Water Management Plan was approved 8/10/19, and all water used or collected from the operational areas flows to the water treatment plant and reservoir for reuse.</p>	<p>Compliant</p>
<p>Consent A7, A8, B17, B18, B19</p> <p>EPL L3.2A, L3.3A</p>	<p>2. Air Quality Management Plan not approved / Exceedance of Waste Limits</p> <p>The Air Quality Management Plan (AQMP) has not been approved by the DPE. Development works have commenced including:</p> <ul style="list-style-type: none"> • The 1400 tonne shear has been installed and is in commissioning on the 	<p>The Air Quality Management Plan has been approved (sighted letter 8/10/19). [See relevant comments in the GHD report]</p>	<p>Compliant</p> <p>See the GHD consultants' report against the clauses</p>

	<p>expansion site</p> <ul style="list-style-type: none"> • The ECS is operational (initial commissioning report <u>not</u> accepted by DPE / EPA) • Air Quality monitors were first operational 25th October. • The facility is processing in excess of the EPL limit of 90,000 tonnes per calendar year (pro rate weekly) 	<p>The volume of waste being processed is less than the revised EPL limit of 350,000 tonnes per calendar year.</p>	<p>listed.</p>
<p>Consent B4, B5, B6</p>	<p>3. Water Management Plan not approved / Proposed Transition Plan for Water Run-Off not implemented (discharge to Breakfast Creek is not approved).</p> <p>The latest draft Water Management Plan BT-DPE-PLA-NMP-16A (September 2016) has yet to be approved by DPE. Works related to the Development have commenced (refer under CEMP Condition C1) At the time of this IEA the following was observed:</p> <ul style="list-style-type: none"> • Expansion yard operational with metal scrap (refer photographs) • The Transition Period plan (draft WMP) refers to use of the existing retention basin for water run-off until the water treatment options are approved and implemented. • Currently the water run-off is going via a drain to Breakfast Creek – there is a sediment bag / device in the drain inlet i.e. not directed to the retention basin • It was stated that the direction of the expansion yard water run-off to the retention basin would take approx. 6 weeks i.e. the current situation is temporary. • In the case of a rainfall event, the plan is to seal the stormwater drain (via a metal plate / silicone sealant) – yet to be used or demonstrated as adequate. <p>Taking into account the quantity and variety of scrap metal (including other potential contaminants), the current water management system has been assessed by the IEA auditors as being inadequate and not meeting Consent Conditions and EPL requirements.</p>	<p>The Water Management Plan has been approved, (letters 5/09/17 & 8/10/19 for the reviewed version), and all collected water is now managed at the water treatment plant and reservoir for reuse. There is no discharge point to Breakfast Creek, and a Trade Waste Agreement (#4301536, 21/12/18) is in place for discharge of excess water to sewer.</p> <p>The tank and reservoir system are designed and maintained to hold a 1:100 year rainfall event.</p>	<p>Compliant</p>
<p>Consent B20, B21 EPL E1.1</p>	<p>4. Emissions Collection System commissioning</p> <p>The Commissioning Air Quality Assessment (ERM August 2016) was conducted with an ECS that was not in accordance with the design criteria approved (stack position, air flow requirements).</p> <p>DPE / EPA responses (as detailed in a DPE email 18th October 2016):</p> <ul style="list-style-type: none"> • The current ECS status is an interim measure while the remainder of the 	<p>The Emission Collection System has been commissioned and is in full operation.</p> <p>See the GHD for relevant comments.</p>	<p>Compliant</p>

	<p>site is being developed</p> <ul style="list-style-type: none"> Recommended that a Commissioning Report is submitted the completion of construction of the final ECS (built in accordance to design specifications) <p>The DPE response stated that the EPA acknowledges the levels of air emissions meet the concentration limits in the EPL for the discharge point, nonetheless other concerns were raised that need to addressed.</p>		
Consent B29, B30	<p>5. Noise Management Plan not Approved</p> <p>Noise and Vibration Management Plan BT-DPE-PLA-NMP-16A (Sept. 2016) has not been approved by the Secretary / DPE. Development works have commenced including:</p> <ul style="list-style-type: none"> The 1400 tonne shear has been installed and is in commissioning on the expansion site The expansion yard is operational – scrap is being handled and sorted prior to processing 	See relevant comments in the GHD report	Compliant See the GHD consultants' report against the clauses listed.
Consent B10 EPL O5.3	<p>6. Inadequate secondary containment / bunding</p> <p>There were some examples of inadequate storage / handling observed or noted from previous inspections:</p> <ul style="list-style-type: none"> 2x1000L containers of oil without secondary containment (see photo) Fresh oil stain outside oil store (see photo) EPA Inspection Report (20th September 2016) noted some inadequate storage / handling i.e. minor oil spill outside oil store, leaking hydraulic oil from a crane claw <p>Note: not major quantities involved but needs to be better controlled especially with current water management setup.</p>	No examples of incorrect storage of liquids were sighted, and the oil store and waste oil storage area were appropriately managed.	Compliant
Consent B13	<p>7. Completion of Excavation Monitoring Checklists</p> <p>Whilst it is noted that soil & water testing is occurring and thus controlled (see below), the specified inspection forms:</p> <ul style="list-style-type: none"> Daily excavation inspection BT-ENV-FOR-EXC Erosion and Sediment Control BT-ENV-PRO-ESC-16A – required once for short jobs and weekly for extended jobs were not completed for the examples listed below. <p>Sighted evidence of disturbed / excavated soil testing (including evaluation) and testing of any groundwater encountered for:</p>	Excavation works records sighted, e.g., for the cabling for the relocation of the pre-Shredder.	Compliant

	<ul style="list-style-type: none"> • Bailer foundation trench soil and groundwater report (Sept. 2016) • Wheelwash trench soil report (Sept. 2016) • Eastern fire service trench soil report (Oct. 2016) • Floc Shed Service Trench soil test (Sept. 2016) 		
Consent B39	<p>8. Landscape Management Plan not approved.</p> <p>Landscape Management Plan BT-DPE-PLA-CEP-16A (Oct. 16) has yet to approved.</p> <p>Technically non-complaint as it needs to be approved by the DPE prior to commencement of development works – the latter have commenced as identified above for other management plans.</p>	Landscape Management Plan approved, sighted letters dated 7/7/19 and 8/10/19.	Compliant

Findings from this IEA relating to SSD 5041. For details and for EPA Licence compliance status, refer to the GHD report in Appendix 3.

Condition	Sub-clauses where applicable
B19	a), b)vi, b)vii, b)viii,
B25	
B27	
B29	b)ii, c)
B33	d)

6. Opportunities for Improvement Log

Improvement Opportunity	Recommendation (Options)
Oil Storage Area: The spill kit adjacent to the oil store was open and had collected rainwater. The contents were, therefore, no longer useful. A supply of absorbent was noted at the rear of the next door truckwash.	The spill kit could be removed, or refilled and used elsewhere.
Truck Tyre Wash area: The water level was noted to be low, reducing the efficiency of the washing process.	Is there a routine monitoring process to ensure that the water level is maintained appropriately?
Sediment Control: The internal sediment trap at the rear is showing signs of age, with the filling starting to come out of the roll.	Review and determine the need for replacement.

Appendix 1 – Consent Compliance Table

Details of the Modifications to SSD 4051 implemented since the 2016 IEA:

(a) Modification Application SSD 5041 MOD 1 and accompanying document titled Statement of Environmental Effects 23-43 and 45 Tattersall Road, Kings Park dated August 2016 prepared by Higgins Planning, additional information from Higgins Planning dated 22 December 2016 and further additional information from Allens and Linklaters dated 9 February 2017

(b) Modification Application SSD 5041 MOD 2 and accompanying document Statement of Environmental Effects 23-43 and 45 Tattersall Road, Kings Park dated December 2017 prepared by Higgins Planning

(c) Modification Application SSD 5041 MOD 3 and accompanying document titled Section 4.55(1A) Application (SS 5041-Mod 3), 23-43 and 45 Tattersall Road, Kings Park dated 4 April 2019 prepared by Arcadis Australia Pacific Pty Ltd

Order Term No.	Order Term	Evidence Gathered at this IEA	IEA Findings and Recommendations (if any)	Compliance Status
	PART A ADMINISTRATIVE CONDITIONS			
	OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT			Note: where used, C = Compliant NC = Non-Compliant
A1	The Applicant shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction, operation or de-commissioning of the Development.	While the initial IEA identified that works had commenced prior to the approval of the relevant Management Plans, all plans were subsequently approved and, where Plans were amended, the new Plans have also been approved.		Compliant
	TERMS OF CONSENT			
A2 MOD3 & MOD1 & MOD2	The Applicant shall carry out the Development in accordance with the: a) EIS prepared by ERM dated July 2014; b) Response to Submissions report prepared by ERM dated 7 January 2015; c) Supplementary Response to Submissions prepared by Mecone dated 30 June 2015; d) Supplementary Response to Submissions prepared by Sell and Parker Pty Ltd dated 3 September 2015; e) Modification Assessments f) Site layout plans and drawings (See Appendix A); g) Management and Mitigation Measures (see Appendix B).	While the CEMP and related Management Plans were not approved at the commencement of the development, these were followed during the development process. Sighted letter 7/07/17 approving the CEMP.		Compliant

A3	If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this consent shall prevail to the extent of any inconsistency.	Statement		Note
A4	The Applicant shall comply with any reasonable requirement/s of the Secretary arising from the Department's assessment of: a) any reports, plans, strategies, programs or correspondence that are submitted in accordance with this consent; and b) the implementation of any actions or measures contained in these reports, plans, strategies, programs or correspondence.	No requests made, other than the Fire Safety Order, see below.		Compliant
STATUTORY REQUIREMENTS				
A5	The Applicant shall ensure that all licences, permits, and approvals/consents are obtained as required by law and maintained as required throughout the life of the Development. No condition of this consent removes the obligation for the Applicant to obtain, renew or comply with such licences, permits or approvals/consents.	Sighted EPL 11555 (now 10 December 2018) Sighted Occupation Certificate D2016-002, application and related documentation. Sighted the Fire Safety Certificate dated 22 August 2018.		Compliant
BUILDING CODE OF AUSTRALIA				
A6	The Applicant shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures are constructed in accordance with the relevant requirements of the <i>Building Code of Australia</i> .	An Occupation Certificate (D2016-002) was issued on 27 August 2018 pursuant to SSD 5041.		Compliant
LIMITS OF CONSENT				
Waste Limits				
A7	The Applicant shall not receive or process on the site more than 350,000 tonnes per calendar year of waste, subject to Condition A8.	The Emissions Collection System has been commissioned and is now in routine operation, the allowable scrap metal receipt amount is now 350,000 tonne per calendar year.		Compliant
A8	Despite Condition A7, the Applicant shall not receive or process on the site more than 90,000 tonnes per calendar year of waste (on a weekly pro-rata basis) until: a) the Emissions Collection System for the hammer mill has been commissioned in accordance with Condition B20 and approved by the Secretary for operation; and b) a Final Occupation Certificate has been issued for the Development.	See under A7, above.		Compliant
A9	In deciding whether to grant approval to operate the Emissions Collection System for the hammer mill in accordance with Condition A8, the Secretary shall take into account the Commissioning Report submitted in accordance with Condition B21.	Statement		Note
A10	The Applicant must record the amount of waste (in tonnes) received at the site on a daily basis	Daily tonnages are recorded in ScrapAssist.		Compliant

	Waste limits																			
A11	The Applicant shall not cause, permit or allow any materials or waste generated outside the site to be received at the site for storage, treatment, processing, reprocessing, or disposal on the site, except as expressly permitted by an EPL.	No non-permitted wastes were observed (IEA site inspection) as being received at the site during this audit.		Compliant																
	DEMOLITION																			
A12	The Applicant shall ensure that all demolition work is carried out in accordance with <i>Australian Standard AS 2601:2001: The Demolition of Structures</i> , or its latest version.	This process was deemed complaint at the first IEA, all demolition works were completed before this IEA.		Compliant																
	SURRENDER OF CONSENT																			
A13	<p>In order for the development of land to proceed in a coordinated and orderly manner and to avoid potential conflicts with this consent, the Applicant shall and in the manner prescribed by clause 97 of the Regulation, surrender the development consents described in Table 1 within 14 days of the issue of a Construction Certificate for the Development.</p> <p>Table 1 - Consents to be surrendered</p> <table border="1"> <tr> <th colspan="2">Development Application No. DA-96-305</th> </tr> <tr> <td>Land description</td> <td>45 Tattersall Road, Kings Park</td> </tr> <tr> <td>Development Description</td> <td>Metal recycling facility on the southern portion of the site.</td> </tr> <tr> <td>Date</td> <td>27 November 1996</td> </tr> <tr> <th colspan="2">Development Application No. 10204 of 2000</th> </tr> <tr> <td>Land Description</td> <td>45 Tattersall Road, Kings Park</td> </tr> <tr> <td>Development Description</td> <td>Establishment of a hammermill and associated components and an approved handling capacity of 60,000 tpa on the northern portion of the site.</td> </tr> <tr> <td>Date</td> <td>11 May 2001</td> </tr> </table>	Development Application No. DA-96-305		Land description	45 Tattersall Road, Kings Park	Development Description	Metal recycling facility on the southern portion of the site.	Date	27 November 1996	Development Application No. 10204 of 2000		Land Description	45 Tattersall Road, Kings Park	Development Description	Establishment of a hammermill and associated components and an approved handling capacity of 60,000 tpa on the northern portion of the site.	Date	11 May 2001	The Auditor sighted evidence at the first IEA that these were all surrendered 26 th May 2016.		Compliant
Development Application No. DA-96-305																				
Land description	45 Tattersall Road, Kings Park																			
Development Description	Metal recycling facility on the southern portion of the site.																			
Date	27 November 1996																			
Development Application No. 10204 of 2000																				
Land Description	45 Tattersall Road, Kings Park																			
Development Description	Establishment of a hammermill and associated components and an approved handling capacity of 60,000 tpa on the northern portion of the site.																			
Date	11 May 2001																			
	STAGED SUBMISSION OF PLANS OR PROGRAMS																			
A14	With the approval of the Secretary, the Applicant may: a) submit any strategy, plan or program required by this consent on a progressive basis; and/or b) combine any strategy, plan or program required by this consent.	Not used		Not triggered																

A15	<p>Until they are replaced by an equivalent strategy, plan or program approved under this consent, the Applicant shall continue to implement existing strategies, plans or programs for operations on site that have been approved by previous consents or approvals.</p> <p><i>Note:</i></p> <p><input type="checkbox"/> If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program must clearly describe the specific stage to which the strategy, plan or program applies, the relationship of this stage to any future stages and the trigger for updating the strategy, plan or program.</p> <p><input type="checkbox"/> There must be a clear relationship between the strategy, plan or programs that are to be combined.</p>	Not used		Not triggered
OPERATION OF PLANT AND EQUIPMENT				
A16	<p>The Applicant shall ensure that all plant and equipment used for the Development is:</p> <p>a) maintained in a proper and efficient condition; and</p> <p>b) operated in a proper and efficient manner.</p>	Sampled the maintenance programme for mobile and fixed plant, and the monitoring equipment (dust, weather,)		Compliant
METEOROLOGICAL MONITORING				
A17	<p>Within 14 days of the issue of a Construction Certificate for the Development, the Applicant shall install a suitable meteorological station on the site that complies with the requirements in the latest version of the <i>Approved Methods for Sampling of Air Pollutants in New South Wales</i>. The Applicant shall operate the meteorological station for the life of the Development.</p>	The meteorological station was in place prior to the first IEA, still in operation.		Compliant
PROTECTION OF PUBLIC INFRASTRUCTURE				
A18	<p>The Applicant shall:</p> <p>a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the Development; and</p> <p>b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the Development.</p>	<p>From the first IEA: "Sighted a Dilapidation Report (collection of photographs of roads, entrances, creek etc.) pre-works. Up to this stage, no damage of public infrastructure has been noted - no damage was observed as part of this audit."</p> <p>No public infrastructure was impacted by the works since the first IEA. The Blacktown City Council undertook footpath extensions at the front of the site, at the request, and cost, of Sell & Parker.</p>		Compliant
DISPUTE RESOLUTION				
A19	<p>In the event of a dispute between the Applicant and a public authority, in relation to an applicable requirement in this consent or relevant matter relating to the Development, either party may refer the matter to the Secretary for resolution. The Secretary's determination of any such dispute shall be final and binding on the parties.</p>	Not used as yet.		Not triggered

	PART B ENVIRONMENTAL PERFORMANCE			
	WASTE MANAGEMENT			
B1	<p>Within 14 days of the issue of a Construction Certificate for the Development, the Applicant shall implement a Waste Monitoring Program for the Development. The program must:</p> <p>a) be prepared by a suitably qualified and experienced person(s);</p> <p>b) include suitable provisions to monitor the:</p> <p>(i) quantity, type and source of waste received on site; and</p> <p>(ii) quantity, type and quality of the outputs produced on site.</p> <p>c) ensure that:</p> <p>(i) all waste that is controlled under a tracking system has the appropriate documentation prior to acceptance at the site; and</p> <p>(ii) staff receive adequate training in order to be able to recognise and handle any hazardous or other prohibited waste including asbestos.</p>	<p>A Waste Monitoring Plan is in place, approved (letter 8/10/19 sighted). The ScrapAssist programme continues to be utilised for the management of incoming scrap metal.</p> <p>No controlled waste was noted in the scrap yard during this audit.</p> <p>Fuel from scrap vehicles is removed through a system designed to contain the waste fuel, which is managed as a controlled waste.</p>		Compliant
	SOIL AND WATER			
	Compliance Certificate			
B2	A Section 73 Compliance Certificate under the <i>Sydney Water Act 1994</i> must be obtained from Sydney Water prior to the commencement of construction.	From the first IEA: "Sighted certificate (28 th September 2016)"		Compliant
	Pollution of waters			
B3	The Development shall comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided in an EPL.	The completed water management works have involved the implementation of a water treatment plant and storage system that removes any discharge to Breakfast Creek, and the implementation of a trade waste agreement with Sydney Water for the discharge of treated water to sewer when the need arises. Sighted the trade waste agreement and evidence of monitoring of discharges to sewer.		Compliant

	Water Management Plan			
B4	<p>Prior to the commencement of construction of the Development, the Applicant shall prepare a Water Management Plan to the satisfaction of the Secretary. The plan must:</p> <ul style="list-style-type: none"> a) be prepared by a suitability qualified and experienced person(s) in consultation with the EPA; b) include a detailed site water balance; c) include details of water management, monitoring and incident response arrangements; d) include the details of the: <ul style="list-style-type: none"> (i) Water Management System for the site (see Condition B6); (ii) Water Management System commissioning, including the time frames for each stage of the commissioning (see Condition B7); (iii) Water Treatment Plant Trial, if required (see Condition B8); (iv) erosion and sediment controls (see Condition B9); (v) bunding (see Condition B10); (vi) flood management (see Condition B11); and (vii) clean water runoff areas that discharge direct to stormwater without treatment (i.e. car parks and roofs). 	<p>While the development works commenced prior to the approval of the Water Management plan, and evidence was sighted at the first IEA of the potential for flows from site to Breakfast Creek; the Water Management Plan was approved 5 September 2017, and a reviewed and amended Plan approved 8 October 2019 (letters sighted)</p> <p>The Water Treatment Plant and reservoir (the Water Management System) is in full operation, operation and maintenance activities were sighted.</p>		Compliant
B5	The Applicant shall carry out the Development in accordance with the Water Management Plan approved by the Secretary (as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary.	See under B4, above.		Compliant
	Water Management System			
B6	<p>The Applicant shall operate a Water Management System for the site. The system must:</p> <ul style="list-style-type: none"> a) be designed by a suitably qualified and experienced person(s) in consultation with the EPA; b) include a treatment system with primary, secondary and tertiary treatment components; c) be consistent with the guidance in <i>Managing Urban Stormwater - Soils and Construction Vol. 1</i> (Landcom, 2004); d) divert clean surface water around operational areas of the site; e) include water quality monitoring that can determine the performance of the water management system against the EPL discharge limits; f) include water reuse based on a risk assessment of environment and human health impacts; and g) be commissioned in accordance with Condition B7. 	See under B4, above		Compliant

	Water Management System commissioning			
B7 MOD3	<p>The Applicant shall commission the Water Management System prior to discharging any water from the site. The commissioning must:</p> <p>a) be completed within 2 years from the date of this consent, or within such other time agreed in writing by the Secretary;</p> <p>b) be undertaken by a suitability qualified and experienced person(s) in consultation with the EPA;</p> <p>c) include a program for acquiring baseline data of receiving waters and the establishment of site specific stormwater discharge criteria in the EPL;</p> <p>d) including testing of the performance of all components of the Water Management System, including the primary, secondary, and tertiary treatment systems;</p> <p>e) identify and implement changes to the Water Management System that may be necessary to achieve compliance with the discharge criteria in the EPL; and</p> <p>f) include off-site trials of treatment technologies if necessary.</p>	See under B4, above		Compliant
	Water Treatment Plant trial			
B8	As part of commissioning the Water Management System, the Applicant may implement off-site trials of components of the Water Management System. Any trial must be conducted by a suitably qualified and experienced person(s) in consultation with the EPA.	<p>From the first IEA: "Sighted evidence of laboratory and full scale trials (Inovin) – final report still to be finalised but laboratory results are available.</p> <p>Further trials are planned with Makwater using a different approach – stated to be planned within the next few weeks"</p> <p>The treatment plant is in routine use, with inspections and maintenance / cleaning operations planned and undertaken.</p> <p>The operation of the Water Treatment Plant was reviewed during the site tour.</p>		Compliant
	Erosion and sediment control			
B9	The Applicant shall implement erosion and sediment control measures on-site in accordance with <i>Managing Urban Stormwater: Soils and Construction Vol. 1</i> (Landcom, 2004).	<p>Erosion and Sediment Control BT-ENV-PRO-ESC-19A (Jan 2019)Feb. 2016)</p> <p>Sighted following evidence:</p> <ul style="list-style-type: none"> • Sediment bags in stormwater drains • Monthly site inspections cover drains & sediment bags, screens in place, stockpiles – sighted check-sheets for February 2019. The inspection includes the dam and transfer processes. • Sediment collection sock along the rear boundary. 		Compliant

	Bunding			
B10	The Applicant shall store all chemicals, fuels and oils used on-site in appropriately banded areas in accordance with the requirements of all relevant Australian Standards, and/or EPA's <i>Storing and Handling Liquids: Environmental Protection – Participant's Manual 2007</i> .	No examples of improper storage of oils or chemicals were noted at this audit.		Compliant
	Flood management			
B11	The Applicant shall ensure that: a) the finished floor level of any new building is a minimum of 0.5 metres above the 1 in 100 year Average Recurrence Interval flood level; b) any part of a new structure below the 1 in 100 year Average Recurrence Interval flood level is designed and constructed to be compatible with flooding; and c) any perimeter fence or wall does not restrict or impede the flow of overland flow.	Two buildings (Amenities, and Trommel Roof – Building K) have been added, these meet the requirements.		Compliant
	Imported soil			
B12	The Applicant shall: a) ensure that only VENM, or ENM, or other material approved in writing by the EPA is used as fill on the site; b) keep accurate records of the volume and type of fill to be used; and c) make these records available to the Department upon request.	No imported soil reported; none sighted during site inspection.		Compliant
	Contamination			
B13	Prior to commencing any excavation works, the Applicant shall: a) identify all potential contaminants that could be disturbed, mobilised and discharged to receiving waters; b) detail the procedures for testing, classifying, handling, storing and disposing of contaminated water, soils and/or groundwater encountered in excavations, in particular during excavation of the stormwater detention basin; and c) detail the measures for periodically testing surface water run-off that may accumulate in excavations, and the procedures for off-site disposal of contaminated water.	Sighted the inspection reports for the Driveway Crossover works, e.g., 10/10/19 (total 10 inspections), and the Eurofins laboratory report # 680955. Procedures have been maintained that control excavation activities on site e.g., Excavation BT-ENV-PRO-EXC-19A Inspection Form BT-ENV-FOR-EXC Stockpile Excavated Material BT-ENV-PRO-SEM-19A (Feb. 19) Sighted evidence of excavation monitoring and soil sampling and testing (Driveway Crossover inspections (10 reports) and soil sampling, e.g., 10/10/19 Eurofins report 680955.		Compliant

B14	The Applicant shall provide a contamination report to the Department detailing any contamination investigation carried out in the immediate vicinity of the existing retention basin. This report shall be provided to the Department on completion of the works to upgrade the retention basin.	A decision was taken to avoid excavations in the vicinity of the retention basin.		Not triggered
	AIR QUALITY			
	Odour			
B15	The Applicant shall ensure the Development does not cause or permit the emission of any offensive odour (as defined in the POEO Act).	Five odour complaints have been received in 2019 year to the audit date, all have been investigated where the information received from the EPA allows (if no date or time is supplied, then a full investigation is difficult). No further actions have been taken by the EPA in response to the complaints.	See relevant comments in the GHD report, attached.	Compliant
	Emissions limits			
B16	The Applicant shall ensure that emissions from the Development do not exceed the emission limits specified in the EPL.		See relevant comments in the GHD report, attached.	Compliant
	Air Quality Management Plan			
B17	<p>Prior to the commencement of construction of the Development, the Applicant shall prepare an Air Quality Management Plan to the satisfaction of the Secretary. The plan must:</p> <ul style="list-style-type: none"> a) be prepared by a suitably qualified and experienced person(s) in consultation with the EPA; b) describe the measures that would be implemented to ensure: <ul style="list-style-type: none"> (i) all reasonable and feasible measures are employed to minimise air emissions; (ii) compliance with the relevant conditions of this consent; (iii) contingency measures are deployed to minimise impacts should adverse air emissions occur or appear likely to occur; c) include well defined triggers for the deployment of construction and operational air quality measures; d) include well defined triggers for ceasing or partially ceasing operations on site during adverse air quality conditions; e) include an Air Quality Monitoring System to evaluate the performance of the Development commensurate with the system proposed in the Air Quality Assessment, prepared by ERM dated September 2015; f) include details of the location, frequency and duration of monitoring; and g) include a protocol to determine the occurrence of any exceedance of the criteria in the EPL should an exceedance occur. 		See relevant comments in the GHD report, attached.	Compliant

	Commissioning Report			
B21	The Applicant shall submit to the Secretary a Commissioning Report detailing the outcomes of the commissioning of the Emissions Collection System for the hammer mill.	Refer B20 above – same comments apply.		Compliant
	Construction emissions mitigation			
B22	During construction, the Applicant shall ensure that: a) all vehicles on site do not exceed a speed of 30 kilometres per hour; b) all loaded construction vehicles entering or leaving the site have their loads covered; and c) all construction vehicles leaving the site are cleaned of dirt, sand and other materials before they leave the site, to avoid tracking the materials on public roads.	Observed during site inspection: <ul style="list-style-type: none"> • Site speed limit is 10km/hr. • Construction Traffic Management BT-ENV-PRO-CTM-19A • No construction vehicle movement sighted during site visit., however, appropriately parked contractor vehicles were at the work area for the cabling of the relocation of the pre-shredder. • Wheel wash facility operational – now only have one exit. • Covers on trucks entering and leaving the site were noted. 		Not triggered
	Stockpile management			
B23	The Application shall manage stockpiles of scrap metal and processed material to ensure air emissions are minimised.	The following procedures are in place: <ul style="list-style-type: none"> • Mist Spray System BT-OPS-PRO-MSS-19A • Dust Monitoring BT-ENV-PRO-DMO-19B • Adverse Air Quality Condition BT-ENV-PRO-AAQ-19B • Monthly Site Inspection records sampled. Above systems are operational; air quality monitoring stations now operational.	See relevant comments in the GHD report, attached.	Compliant
	EXPLOSION LIMITS			
	Airblast overpressure			
B24	The Applicant shall undertake all reasonable and feasible measures necessary to prevent explosions from occurring at the Premises.		See relevant comments in the GHD report, attached.	Compliant

B25	The Applicant shall ensure that the airblast overpressure level from any explosions on the premises does not exceed 120dB (Lin Peak) when measured at the boundary of the premises		It was noted that the overpressure monitor is located at the boundary as required, and that, on the two occasions when overpressure exceedances occurred, these were recorded and self reported.	Compliant																						
NOISE AND VIBRATION																										
Noise criteria																										
B26 MOD3	<p>The Applicant shall ensure that noise generated by the construction and/or operation of the Development does not exceed the noise criteria in Table 2.</p> <p>Table 2: Noise criteria (dB(A))</p> <table border="1" data-bbox="248 683 949 890"> <thead> <tr> <th rowspan="3">Location</th> <th colspan="5">Noise criteria (dB(A))</th> </tr> <tr> <th>Day</th> <th>Evening</th> <th>Night</th> <th colspan="2">Morning Shoulder</th> </tr> <tr> <th>L_{Aeq}(15 minutes)</th> <th>L_{Aeq}(15 minutes)</th> <th>L_{Aeq}(15 minutes)</th> <th>L_{Aeq}(15 minutes)</th> <th>L_{Aeq}(1 minute)</th> </tr> </thead> <tbody> <tr> <td>189 Sunnyholt Road</td> <td>46</td> <td>46</td> <td>38</td> <td>46</td> <td>58</td> </tr> </tbody> </table>	Location	Noise criteria (dB(A))					Day	Evening	Night	Morning Shoulder		L _{Aeq} (15 minutes)	L _{Aeq} (15 minutes)	L _{Aeq} (15 minutes)	L _{Aeq} (15 minutes)	L _{Aeq} (1 minute)	189 Sunnyholt Road	46	46	38	46	58		See relevant comments in the GHD report, attached.	Compliant
Location	Noise criteria (dB(A))																									
	Day		Evening	Night	Morning Shoulder																					
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189 Sunnyholt Road	46	46	38	46	58																					
Noise compliance measurement																										
B27	Noise generated by the Development is to be measured in accordance with the relevant requirements and exemptions (including certain meteorological conditions) of the latest version of the <i>NSW Industrial Noise Policy</i> .		See relevant comments in the GHD report, attached.	Non-Compliant																						
Vibration criteria																										
B28	The Applicant shall ensure that vibration resulting from the Development does not exceed the continuous or impulsive vibration criteria in EPA's <i>Assessing Vibration: A Technical Guideline</i> (February 2006) at residential receivers.		See relevant comments in the GHD report, attached.	Compliant																						

	Noise Management Plan			
B29	<p>Prior to the commencement of construction of the Development, the Applicant shall prepare a Noise Management Plan to the satisfaction of the Secretary. The plan must:</p> <p>a) be prepared by a suitably qualified and experienced persons(s) in consultation with the EPA;</p> <p>b) describe the measures that would be implemented to ensure:</p> <p>(i) all reasonable and feasible measures are employed to minimise noise impacts; <i>NSW Government Department of Planning and Environment 8</i></p> <p>(ii) the installation and maintenance of appropriate physical noise barriers;</p> <p>(iii) air handling devices are designed and located to minimise noise impacts;</p> <p>(iv) truck drivers are aware of suitable truck noise mitigation measures;</p> <p>(v) contingency measures are deployed to minimise impacts should an exceedance of the criteria occur or appear likely to occur; and</p> <p>(vi) compliance with the relevant conditions of this consent;</p> <p>c) include a Noise Monitoring Program to evaluate the performance of the Development; and</p> <p>d) include a protocol to determine the occurrence of an exceedance of the criteria in this consent should such an exceedance occur.</p>		See relevant comments in the GHD report, attached.	a) C b)i C b)ii NC b)iii C b)iv C b)v C c) NC d) C
B30	<p>The Applicant shall carry out the Development in accordance with the Noise Management Plan approved by the Secretary (as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary.</p>		See relevant comments in the GHD report, attached.	Compliant

		Construction and operation hours					
B31	The Applicant shall ensure that noise generated by the construction and/or operation of the Development does not exceed the noise criteria in Table 3.			The EPL was amended to include allowable cleaning activities overnight.		Compliant	
	Table 3: Hours of Construction and Operation						
	Activity		Day				Hours
	Construction		Monday - Friday				7am to 6pm
			Saturday				8am to 1pm
			Sunday & Public Holidays				Nil
	Operation	Oxy-acetylene torch cutting	Monday - Saturday				9am to 3pm
			Sunday & Public Holidays				Nil
			Cleaning and Maintenance				Monday - Saturday
		All other activities	Sunday & Public Holidays				24 hours
Monday - Saturday			6am to 9pm				
Sunday & Public Holidays			Nil				
B32	Despite condition B31, the delivery of material to the site may occur at any time, if that delivery is required by police or other authorities; and/or of there is an on-site emergency that poses an immediate danger to personnel or equipment; and/or the operation or personnel or equipment are endangered. In such circumstances, prior notification shall be provided to the EPA and affected residents as soon as possible, or within a reasonable period in the case of emergency.			No such instances recorded / reported as occurring, unofficial reports relating to early opening of gates.		Compliant	

	Noise mitigation			
B33	<p>The Applicant shall:</p> <ul style="list-style-type: none"> a) implement best management practice, including all reasonable and feasible noise management and mitigation measures to prevent and minimise operational, low frequency and traffic noise generated by the Development; b) minimise the noise impacts of the Development during adverse meteorological conditions; c) maintain the effectiveness of any noise suppression equipment on plant at all times and ensure defective plant is not used operationally until fully repaired; and d) regularly assess noise monitoring data and relocate, modify and/or stop operations to ensure compliance with the noise criteria in this consent. 	<p>Noise complaints are managed appropriately, 6 complaints were received in the year April 2018 to April 2019, 2 issues were self reported (28/05 and 9/07/19).</p>		Compliant
	TRAFFIC AND ACCESS			
B34	<p>The Applicant shall ensure that:</p> <ul style="list-style-type: none"> a) site access, driveways and parking areas are constructed and maintained in accordance with the latest versions of <i>Australian Standard AS 2890.1</i> and <i>AS 2890.2</i>; b) the swept path of the longest vehicle entering and exiting the subject site, as well as manoeuvrability through the site, is in accordance with <i>AUSTROADS Guide to Road Design</i>; c) the Development does not result in any vehicles parking or queuing on the public road network; d) all vehicles are wholly contained on site before being required to stop; e) all loading and unloading of heavy vehicles is carried out on-site; <i>NSW Government Department of Planning and Environment 9</i> f) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times; and g) all vehicles enter and leave the site in a forward direction. 	<p>Procedure Construction Traffic Management BT-ENV-PRO-CTM-19A and the CEMP describe controls. The site plan includes the roads to be used.</p> <p>A dedicated team is in place to manage truck flow through the site, with a single exit for all vehicles.</p>		Compliant

	HAZARD AND RISK			
	Fire management	<p>A Fire Safety Order (Number 6, 17/01/18) under Section 121B of the Environmental Planning and Assessment Act 1979 was issued for the site, with "Periods for Compliance" set for a series of required activities. The requirements have been met, however, (resulting from changes proposed in MOD3), an extension was sought (letter 12/12/18), and granted, for the related works, with the final timeline met.</p> <p>Sampled Fire Safety Certificates, e.g., for Building K, 22/08/18; Building L, 22/08/18 and Final Fire Safety Certificate for Buildings A, B, C.</p>		Compliant
B35	<p>The Applicant shall:</p> <p>a) implement suitable measures to minimise the risk of fire on-site including but not limited to the recommendations in the <i>Preliminary Hazard Analysis of Sell & Parker Pty Ltd Metal Recycling Facility Expansion</i> prepared by Arriscar dated 10 March 2014;</p> <p>b) ensure the height of any stock pile of shredder floc does not exceed 4 metres;</p> <p>c) extinguish any fires on-site promptly; and</p> <p>d) maintain adequate fire-fighting capacity on-site.</p>	<p>See above.</p> <p>Stockpiles are maintained in a wet condition, with ongoing monitoring of the need for further wetting down. Sighted this activity during the site tour.</p>		Compliant
B35A MOD1	<p>Prior to:</p> <p>(i) Expanded operations</p> <p>(ii) The issue of an Occupation Certificate; or</p> <p>(iii) The date being 4 months after the determination of MOD1 (whichever is the sooner), the Applicant must ensure that an appropriate sprinkler system and smoke detection system have been installed within the floc storage area in Building C, to the satisfaction of FRNSW.</p>	See above.		Compliant
B35B MOD1	<p>Prior to:</p> <p>(i) Expanded operations;</p> <p>(ii) The issue of an Occupation Certificate; or</p> <p>(iii) The date being 4 months after the determination of MOD1 (whichever is the sooner), the Applicant must ensure that all fire safety measures required by the NCC for Buildings A, B, & C have been installed and verified through Fire Safety Audit in accordance with the Australian Standard 4655 - Fire Safety Audits, to the satisfaction of FRNSW.</p>	See above.		Compliant
B35C MOD2	<p>Prior to the issue of an occupation certificate for the awning adjacent to Building C, the Applicant must ensure that an appropriate sprinkler system has been installed within the awning annex, to the satisfaction of FRNSW.</p>	See above.		Compliant

B35D MOD3	Prior to the commencement of the operation of the relocated pre-shredder the Applicant shall submit a final Stockpile Plan to the satisfaction of the Secretary and FRNSW.	Sighted the current Stockpile Plan, dated 25/07/18. This will be modified and submitted for approval once the pre-shredder relocation is complete.		Compliant
	Emergency Response			
B36	The Applicant shall prepare and implement an emergency response plan for the site. The plan must: a) include a risk assessment of likely incidents that could occur on-site (e.g. spills, explosion, fire and flood) based on the activities being undertaken, site risks and consequence to the receiving environment; b) include the early warning flood readiness and evacuation plan for the site; c) document the systems and procedures to deal with the types of incidents identified including relevant incident notification procedures; and d) be accessible on the site at all times.	Sighted the 2019 PIRMP document, currently under review to bring it into line with the latest EPA NSW requirements. The 2018 version is also in place. Reviewed the 9/03/19 report on the PIRMP exercise. This was also referenced on the EPA website.		Compliant
	VISUAL AMENITY			
	Lighting			
B37	All external lighting associated with the Development shall be mounted, screened, and directed in such a manner so as not to create a nuisance to the surrounding environment, properties and roadways. The lighting shall be the minimum level of illumination necessary and shall comply with <i>Australian Standard AS 4282 1997</i> .	From the 2016 IEA, "Lighting is directed inwards into site. There is no history of community complaints about lighting. Sighted Certificates of Suitability from Suland Lighting Pty Ltd including their certification to respective parts of AS/NZS 60598(Electrical Product Safety Certification Scheme) i.e. used appropriate service provider to ensure compliance to relevant Australian Standards." There have been no issues arising since then in relation to site lighting.		Compliant
	Signage			
B38	The Applicant shall install any new signage in consultation with Council. <i>Note: This condition does not apply to signage identified as exempt or complying development in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.</i>	MOD3 included some changes to existing signage and erection of new signs. Sighted the report covering MOD3, including descriptions of the proposed signage. The report was referred to Council as part of the approval process, and Council requested that the signs be erected within the site boundaries, with no other comments.		Compliant

	Landscaping			
B39	<p>Prior to the commencement of construction of the Development, the Applicant shall prepare a Landscape Management Plan to the satisfaction of the Secretary. The plan shall:</p> <ul style="list-style-type: none"> a) be prepared by a suitably qualified and experienced person(s); b) detail the landscaping measures including vegetation that would be implemented to minimise the visual impact of the Development, particularly from adjoining premises and public vantage points; c) describe the measures to be implemented to protect and retain the mature trees along the northern boundary of the site; and d) include measures for monitoring and maintenance of revegetated areas. 	<p>Landscape Management Plan has been approved (7/7//17, reviewed and re-approved 8/10/19)</p>		Compliant
B40	<p>The Applicant shall carry out the Development in accordance with the Landscape Management Plan approved by the Secretary (as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary.</p>	<p>The landscaping has been completed to the plan, with the annual review planned for December 2019. Sighted the 2018 review report (30/10/18)</p>		Compliant
	HERITAGE			
B41	<p>The Applicant shall cease all works on site in the event that any Aboriginal cultural object(s) or human remains are uncovered onsite. The NSW Police, the Aboriginal Community and the <i>NSW Government Department of Planning and Environment 10</i> OEH are to be notified. Works shall not resume in the designated area until consent in writing from the NSW Police and/or the OEH has been obtained.</p>	<p>Procedure in place - Unexpected Finds BT-ENV-PRO-UEF-19A.</p> <p>No heritage related items identified onsite during any works to date.</p>		Not Triggered
	SECURITY			
B42	<p>The Applicant shall:</p> <ul style="list-style-type: none"> a) install and maintain a perimeter fence and security gates on the site; and b) ensure that the security gates on site are locked whenever the site is unattended. 	<p>Site has a perimeter fence and is locked when not operational. Night security in place.</p>		Compliant

	PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING			
	ENVIRONMENTAL MANAGEMENT			
	Construction Environmental Management Plan			
C1	<p>Prior to the commencement of construction of the Development, the Applicant shall prepare a Construction Environmental Management Plan to the satisfaction of the Secretary. The Plan must:</p> <ul style="list-style-type: none"> a) be prepared by a suitably qualified and experienced person(s); b) describe all activities to be undertaken on the site during construction, including a clear indication of construction stages; c) identify the statutory approvals that apply to the Development; d) outline all environmental management practices and procedures to be followed during construction (e.g. construction traffic management and construction noise and vibration management), including all reasonable and feasible mitigation measures to protect the amenity of the surrounding environment; e) detail how the environmental performance of construction will be monitored, and what actions will be taken to address identified adverse environmental impacts; f) describe of the roles and responsibilities for all relevant employees involved in construction; g) include arrangements for community consultation and complaints handling procedures during construction; and h) consolidate the construction related parts of any management plans and monitoring programs required in the conditions of this consent; 	The CEMP was approved 7/07/17 (letter sighted), covering the required areas of the works.		Compliant
C2	The Applicant shall carry out the development in accordance with the Construction Environmental Management Plan approved by the Secretary (as revised approved by the Secretary from time to time), unless otherwise agreed by the Secretary.	The CEMP and related Management Plans were followed during the development works.		Compliant

	Operational Environmental Management Strategy			
C3	<p>Within 6 months of the date of this consent, the Applicant shall prepare an Operational Environmental Management Strategy to the satisfaction of the Secretary. This strategy must:</p> <ul style="list-style-type: none"> a) be prepared by a suitably qualified and experienced person(s); b) provide a strategic framework for environmental management of the Development; c) identify the statutory approvals that apply to the Development; d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the Development; e) describe in general how the environmental performance of the Development would be monitored and managed; and f) describe the procedures that would be implemented to: <ul style="list-style-type: none"> (i) keep the local community and relevant agencies informed about the operation and environmental performance of the Development; (ii) receive, handle, respond to, and record complaints; (iii) resolve any disputes that may arise; (iv) respond to any non-compliance; and (v) respond to emergencies 	<p>The OEMP was approved 5/09/17, letter sighted. An amended version was then approved 8/10/19, letter sighted.</p>		Compliant
C4	<p>The Applicant shall carry out the Development in accordance with the Operational Environmental Management Strategy approved by the Secretary (as revised approved by the Secretary from time to time), unless otherwise agreed by the Secretary.</p>	<p>The OEMP requirements were followed during the development works.</p>		Compliant

	Management plan requirements			
C5	<p>The Applicant shall ensure that the environmental management plans/strategies required under this consent are prepared in accordance with any relevant guidelines and include:</p> <p>a) detailed baseline data;</p> <p>b) a description of:</p> <p>(i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);</p> <p>(ii) any relevant limits or performance measures/criteria; <i>NSW Government Department of Planning and Environment 12</i></p> <p>(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;</p> <p>(iv) the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;</p> <p>c) a program to monitor and report on the:</p> <p>(i) impacts and environmental performance of the Development;</p> <p>(ii) effectiveness of any management measures;</p> <p>(iii) a contingency plan to manage any unpredicted impacts and their consequences;</p> <p>(iv) a program to investigate and implement ways to improve the environmental performance of the Development over time;</p> <p>d) a protocol for managing and reporting any:</p> <p>(i) incidents;</p> <p>(ii) complaints;</p> <p>(iii) non-compliances with statutory requirements; and</p> <p>(iv) exceedances of the impact assessment criteria and/or performance criteria; and</p> <p>(v) a protocol for periodic review of the plan.</p>	<p>Management Plans are based on the Department of Infrastructure Planning and Natural Resources Guideline for the Preparation of Environmental Management Plans.</p> <p>They address each of the listed items in C5, and have been approved. Plans have been reviewed, amended and re-approved as appropriate to the site operations.</p>		Compliant
C6	<p>The Secretary may waive some of the requirements in Condition C5 if they are unnecessary or unwarranted for particular management plans/strategies.</p>	Statement		Note

	REPORTING			
	Incident reporting			
C7	The Applicant shall notify, at the earliest opportunity, the Secretary and any other relevant agencies of any incident that has caused, or threatens to cause, material harm to the environment. For any other incident associated with the Development, the Applicant shall notify the Secretary and any other relevant agencies as soon as practicable after the Applicant becomes aware of the incident. Within 7 days of the date of the incident, the Applicant shall provide the Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.	Where required, incidents, e.g., site fire (24/04/17, letter from the EPA NSW, 28/04/17, S&P response, 11/05/17) and noise issues (28/05 and 9/07/19) are reported to the Department and/or the relevant authority, e.g., EPA NSW.		Compliant
	Regular reporting			
C8	The Applicant shall provide regular reporting on the environmental performance of the Development on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent.	Annual Environmental Board Report prepared, sighted the 2017/18 and 2018/19 reports.		Compliant
	INDEPENDENT ENVIRONMENTAL AUDIT			
C9	<p>Within 1 year of the date of this consent, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the Development. This audit must:</p> <ul style="list-style-type: none"> a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary; b) led by a suitably qualified auditor, and include experts in fields specified by the Secretary; c) include consultation with the relevant agencies; d) assess the environmental performance of the Development and assess whether it is complying with the requirements in this consent, and any other relevant approvals and relevant EPL/s (including any assessment, plan or program required under the approvals); e) review the adequacy of any approved strategy, plan or program required under the abovementioned consents; and f) recommend measures or actions to improve the environmental performance of the Development, and/or any strategy, plan or program required under the consents 	This IEA is the first to be undertaken after the initial audit in October 2016. The audit team, including 2 specialist consultants, was approved by the DPIE.		Compliant

C10	Within three months of commissioning this audit, or as otherwise agreed by the Secretary, the Applicant shall submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report.			
	Annual review			
C11	<p>Within 1 year of the date of this consent, and every year thereafter, the Applicant shall review the environmental performance of the Development. This review must:</p> <ul style="list-style-type: none"> a) describe the Development that was carried out in the previous calendar year, and the Development that is proposed to be carried out over the next year; b) include a comprehensive review of the monitoring results and complaints records of the Development over the previous calendar year, which includes a comparison of the results against the: <ul style="list-style-type: none"> (i) the relevant statutory requirements, limits or performance measures/criteria; (ii) requirements of any plan or program required under this consent; (iii) the monitoring results of previous years; and (iv) the relevant predictions in the EIS; c) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance; d) identify any trends in the monitoring data over the life of the Development; e) identify any discrepancies between the predicted and actual impacts of the Development, and analyse the potential cause of any significant discrepancies; and f) describe what measures will be implemented over the next year to improve the environmental performance of the Development. 	An annual Board Environmental Report is prepared to meet these requirements.		Compliant
	Revision of strategies plans and programs			
C12	<p>Within 3 months of the submission of an:</p> <ul style="list-style-type: none"> a) annual review under Condition C11 above; b) incident report under Condition C7 above; c) audit under Condition C9 above; or d) any modification to this consent, <p>the Applicant shall review, and if necessary revise, the strategies, plans, and programs required under this consent.</p> <p><i>Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the Development.</i></p>	<p>The relevant Management Plans have been reviewed and, where appropriate, submitted for review and re-approval.</p> <p>A Fire Safety Order Number 6, under Section 121B of the Environmental Planning and Assessment Act 1979 was imposed by the DPIE. The appropriate actions have been taken to address the Order, with an extension sought and received for the works relating to MOD3 of development consent.</p> <p>A Consent Status register is maintained, sighted the 9/10/19 status report.</p>		Compliant

C13	The Applicant shall ensure that the operation of the Development is undertaken in accordance with all relevant updated and/or amended strategies, management plans and programs approved by the Secretary (or as revised and approved by the Secretary), unless otherwise agreed by the Secretary.	No updates / amendments to approved plans – there are no approved plans as yet.		Not triggered
	ACCESS TO INFORMATION			
C14	The Applicant shall: a) make copies of the following publicly available on its website: (i) the documents referred to in Condition A2; (ii) all current statutory approvals for the Development; (iii) all approved strategies, plans and programs required under the conditions of this consent; (iv) 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; (v) a complaints register, updated on a monthly basis; (vi) the annual reviews of the Development; (vii) any independent environmental audit of the Development, and the Applicant's response to the recommendations in any audit; and (viii) any other matter required by the Secretary; and b) keep this information up to date.	The information required is available on the company website, with the 2019 information to be loaded in April 2020.		Compliant

Appendix 2 – EPL Compliance Table

Compliance as applicable to Development Consent activities

Licence Variations added in RED

1. ADMINISTRATIVE CONDITIONS												
A1	What the licence authorises and regulates											
	<p>A1.1 This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation. Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.</p> <table border="1"> <thead> <tr> <th>Scheduled Activity</th> <th>Fee Based Activity</th> <th>Scale</th> </tr> </thead> <tbody> <tr> <td>Metallurgical Processes</td> <td>Scrap metal processing</td> <td>>100000 – 500000 T Annual production capacity</td> </tr> <tr> <td>Waste storage</td> <td>Waste storage - hazardous, restricted solid, liquid, clinical and related waste and asbestos waste</td> <td>Any listed waste type stored</td> </tr> </tbody> </table>	Scheduled Activity	Fee Based Activity	Scale	Metallurgical Processes	Scrap metal processing	>100000 – 500000 T Annual production capacity	Waste storage	Waste storage - hazardous, restricted solid, liquid, clinical and related waste and asbestos waste	Any listed waste type stored	Statement	Note
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Metallurgical Processes	Scrap metal processing	>100000 – 500000 T Annual production capacity										
Waste storage	Waste storage - hazardous, restricted solid, liquid, clinical and related waste and asbestos waste	Any listed waste type stored										
A1.1	The scheduled activity of "waste storage" and fee based activity of "waste storage - hazardous, restricted solid, liquid, clinical and related waste and asbestos waste" have been added to the licence.	Statement	Note									
A2	Premises or plant to which this licence applies											
	<p>A2.1 The licence applies to the following premises: Premises Details SELL & PARKER PTY LTD 23-43 AND 45 TATTERSALL ROAD KINGS PARK NSW 2148 LOT 5 DP 7086, LOT 2 DP 550522</p>	Statement	Note									
A3	A3 Information supplied to the EPA											
	<p>A3.1 Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence. In this condition the reference to "the licence application" includes a reference to:</p>		Note									

	<p>a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and</p> <p>b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.</p>														
	2. Discharges to Air and Water and Applications to Land														
P1	Location of monitoring/discharge points and areas														
	<p>P1.1 The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point.</p> <p>Air</p> <table border="1"> <thead> <tr> <th>EPA identification no.</th> <th>Type of Monitoring Point</th> <th>Type of Discharge Point</th> <th>Location Description</th> </tr> </thead> <tbody> <tr> <td>3</td> <td>Air discharge and monitoring</td> <td>Air discharge and monitoring</td> <td>Hammermill Stack</td> </tr> </tbody> </table>	EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description	3	Air discharge and monitoring	Air discharge and monitoring	Hammermill Stack	Statement	Note				
EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description												
3	Air discharge and monitoring	Air discharge and monitoring	Hammermill Stack												
	<p>P1.2 The following points referred to in the table below are identified in this licence for the purposes of weather and/or noise monitoring and/or setting limits for the emission of noise from the premises.</p> <p>Noise</p> <table border="1"> <thead> <tr> <th>EPA identification no</th> <th>Type of Monitoring Point</th> <th>Location Description</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Noise monitoring</td> <td>189 Sunnyholt Road, BLACKTOWN, NSW 2148 (Lot 23, DP 1063300)</td> </tr> <tr> <td>11</td> <td>Air blast overpressure monitoring</td> <td>23-43 & 45 Tattersal Road, KINGS PARK, NSW 2148</td> </tr> <tr> <td>12</td> <td>Meteorological Station</td> <td>23-43 & 45 Tattersall Road, KINGS PARK, NSW 2148</td> </tr> </tbody> </table>	EPA identification no	Type of Monitoring Point	Location Description	1	Noise monitoring	189 Sunnyholt Road, BLACKTOWN, NSW 2148 (Lot 23, DP 1063300)	11	Air blast overpressure monitoring	23-43 & 45 Tattersal Road, KINGS PARK, NSW 2148	12	Meteorological Station	23-43 & 45 Tattersall Road, KINGS PARK, NSW 2148	Statement	Note
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	3 Limit Conditions														
L1	Pollution of waters														
	L1.1 Except as may be expressly provided in any other condition of this licence, the licensee must	All site run off and water used in the processes is collected	Compliant												

	comply with section 120 of the Protection of the Environment Operations Act 1997.	in the water treatment plant and reservoir for reuse. Where excess water is collected (after allowing for storage availability for the 1:100 year rainfall event), this is discharged to sewer via trade waste agreement # 4301536.																			
L2	Concentration limits																				
	L2.1 For each monitoring/ discharge point or utilisation area specified in the table\ below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.	Statement	Note																		
	L2.2 Air Concentration Limits	No exceedances reported. Reviewed EPA Return April 2017 / April 2018, and April 2018/2019.	Compliant																		
	<table border="1"> <thead> <tr> <th>Pollutant</th> <th>Unit of Measure</th> <th>100 percentile conc. limit</th> <th>Reference conditions</th> <th>Oxygen correction</th> <th>Averaging period</th> </tr> </thead> <tbody> <tr> <td>Type 1 and Type 2 substances in aggregate</td> <td>Mgms per cubic metre</td> <td></td> <td>Dry 273K, 101.3kPa</td> <td></td> <td>1hr or the min. sampling period specified</td> </tr> <tr> <td>Solid Particles</td> <td>Mgms per cubic metre</td> <td>20</td> <td>Dry, 273K, 101.3kPa</td> <td></td> <td>1hr or the min. sampling period specified</td> </tr> </tbody> </table>	Pollutant	Unit of Measure	100 percentile conc. limit	Reference conditions	Oxygen correction	Averaging period	Type 1 and Type 2 substances in aggregate	Mgms per cubic metre		Dry 273K, 101.3kPa		1hr or the min. sampling period specified	Solid Particles	Mgms per cubic metre	20	Dry, 273K, 101.3kPa		1hr or the min. sampling period specified		
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L3	Waste																				
	<p>L3.1 The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled "Waste" and meeting the definition, if any, in the column titled "Description" in the table below.</p> <p>Any waste received at the premises must only be used for the activities referred to in relation to that waste in the column titled "Activity" in the table below.</p> <p>Any waste received at the premises is subject to those limits or conditions, if any, referred to in relation to that waste contained in the column titled "Other Limits" in the table below.</p> <p>This condition does not limit any other conditions in this licence.</p> <table border="1"> <thead> <tr> <th>Code</th> <th>Waste</th> <th>Description</th> <th>Activity</th> <th>Other Limits</th> </tr> </thead> <tbody> <tr> <td>D220</td> <td>Lead, Lead Compounds</td> <td></td> <td>Waste Storage</td> <td>No more than 100 tonnes of lead; lead compounds are to be stored at any one time.</td> </tr> <tr> <td>NA</td> <td>Scrap Metal</td> <td>N/A</td> <td>Metallurgical Activities</td> <td>As outlined in L3.2, L3.3, L3.4 & L3.5 below</td> </tr> </tbody> </table>	Code	Waste	Description	Activity	Other Limits	D220	Lead, Lead Compounds		Waste Storage	No more than 100 tonnes of lead; lead compounds are to be stored at any one time.	NA	Scrap Metal	N/A	Metallurgical Activities	As outlined in L3.2, L3.3, L3.4 & L3.5 below	Only scrap metal receipt observed during site inspection - receiving and storage processes observed.	Compliant			
Code	Waste	Description	Activity	Other Limits																	
D220	Lead, Lead Compounds		Waste Storage	No more than 100 tonnes of lead; lead compounds are to be stored at any one time.																	
NA	Scrap Metal	N/A	Metallurgical Activities	As outlined in L3.2, L3.3, L3.4 & L3.5 below																	
	<p>L3.2 A maximum of 90,000 tonnes of Scrap Metal is permitted to be received at the Premises per year on a weekly pro-rata basis until:</p> <p>a) The Hammermill Emission Collection System has been commissioned in accordance with Condition</p>	As the Emissions Collection System is in routine use, the annual scrap metal receipt limit is now 350,000 tonne. Sighted the 2018-2019 Annual Waste Report (29/08/19),	Compliant																		

	B20 of development consent No. SSD 5041 and approved by the Secretary of the NSW Department of Planning and Environment (or nominee) for operation; and b) A Final Occupation Certificate has been issued for the development approved by development consent No. SSD 5041.	total scrap metal received was 342,799 tonne.																					
	L3.3 A maximum of 90,000 tonnes of Scrap Metal is permitted to be processed at the Premises per year on a weekly pro-rata basis until: a) The Hammermill Emission Collection System has been commissioned in accordance with Condition B20 of development consent No. SSD 5041 and approved by the Secretary of the NSW Department of Planning and Environment (or nominee) for operation; and b) A Final Occupation Certificate has been issued for the development approved by development consent No. SSD 5041.	As above for L3.2	Compliant																				
	L3.4 Once the Hammermill Emission Collection System has been commissioned and a Final Occupation Certificate issued in accordance with conditions L3.2 and L3.3, a maximum of 350,000 tonnes of scrap metal is permitted to be <i>received</i> at the Premises per year.	The ECS has been commissioned and the Final Occupancy Certificate issued (27/08/18).	Compliant																				
	L3.5 Once the Hammermill Emission Collection System has been commissioned and a Final Occupation Certificate issued in accordance with conditions L3.2 and L3.3, a maximum of 350,000 tonnes of scrap metal is permitted to be <i>processed</i> at the Premises per year.	As above - processing below 350,000 tonnes	Compliant																				
	L3.6 The Licensee must record the amount of waste (in tonnes) received at the premises on a daily basis.	Recorded in ScrapAssist	Compliant																				
L4	Noise limits																						
	L4.1 Noise generated at the premises that is measured at each noise monitoring point established under this licence must not exceed the noise levels specified in Column 4 of the table below for that point during the corresponding time periods specified in Column 1 when measured using the corresponding measurement parameters listed in Column 2. POINT 1	See relevant comments in the GHD report, attached.	Non-Compliant																				
	<table border="1"> <thead> <tr> <th>Time Period</th> <th>Measurement parameter</th> <th>Measurement frequency</th> <th>Noise level bD(A)</th> </tr> </thead> <tbody> <tr> <td>Day</td> <td>LA_{eq} (15 minute)</td> <td>-</td> <td>46</td> </tr> <tr> <td>Evening</td> <td>LA_{eq} (15 minute)</td> <td>-</td> <td>46</td> </tr> <tr> <td>Morning-Shoulder</td> <td>LA_{eq} (15 minute)</td> <td>-</td> <td>46</td> </tr> <tr> <td>Morning -Shoulder</td> <td>L_{max} ORL, 1 min.</td> <td>-</td> <td>58</td> </tr> </tbody> </table>	Time Period	Measurement parameter	Measurement frequency	Noise level bD(A)	Day	LA _{eq} (15 minute)	-	46	Evening	LA _{eq} (15 minute)	-	46	Morning-Shoulder	LA _{eq} (15 minute)	-	46	Morning -Shoulder	L _{max} ORL, 1 min.	-	58		
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	L4.2 For the purpose of condition L4.1; <ul style="list-style-type: none"> Day is defined as the period from 7am to 6pm Monday to Saturday. Evening is defined as the period from 6pm to 10pm Monday to Saturday. Morning Shoulder is defined as the period 6am to 7am Monday to Saturday. 	See relevant comments in the GHD report, attached.	Compliant																				
	L4.3 The noise limits set out in condition L4.1 apply under all meteorological conditions except for the following: a) Wind speeds greater than 3 metres/second at 10 metres above ground level. b) Stability category F temperature inversion conditions and wind speeds greater than 2	See relevant comments in the GHD report, attached.	Compliant																				

	metres/second at 10 metres above ground level; or c) Stability category G temperature inversion conditions								
	L4.4 For the purposes of condition L4.3: a) Data recorded by a meteorological station installed on the premises must be used to determine meteorological conditions; and b) Temperature inversion conditions (stability category) are to be determined by the sigma-theta method referred to in Part E4 of Appendix E to the NSW Industrial Noise Policy.	See relevant comments in the GHD report, attached.	Compliant						
	L4.5 To determine compliance: a) With the LAeq(15 minute) noise limits in condition L4.1, the noise measurement equipment at monitoring point 1 must be located: · Approximately on the property boundary, where any dwelling is situated 30 metres or less from the property boundary closest to the premises; or · Within 30 metres of a dwelling façade, but not closer than 3m, where any dwelling on the property is situated more than 30 metres from the property boundary closest to the premises; or, where applicable within approximately 50 metres of the boundary of a National Park or a Nature Reserve. b) With the LA1,1min noise limits in condition L4.1, the noise measurement equipment at the monitoring point 1 must be located within 1 metre of a dwelling façade. c) With the noise limits in condition L4.1, the noise measurement equipment at the noise monitoring point/s specified in this licence must be located: · At the most affected point at a location where there is no dwelling at the location; or · At the most affected point within an area at a location prescribed by conditions L4.5 (a) or L4.5 (b).	See relevant comments in the GHD report, attached.	Compliant						
	L4.6 A non-compliance of condition L4.1 will still occur where noise generated from the premises in excess of the appropriate limit is measured: • at a location other than an area prescribed by conditions L4.5(a) and L4.5(b); and/or • at a point other than the most affected point at a location.	See relevant comments in the GHD report, attached.	Compliant						
	L4.7 For the purposes of determining the noise generated at the Premises the modification factors in Section 4 of the NSW Industrial Noise Policy must be applied, as appropriate, to the noise levels measured by the noise monitoring equipment. Note: Noise is 'sound pressure levels' for the purposes of conditions L4.1 to L4.7. Note: NSW Industrial Noise Policy is the document entitled "New South Wales Industrial Noise Policy published by the Environment Protection Authority in January 2000."	See relevant comments in the GHD report, attached.	Compliant						
L5	Hours of operation								
	L5.1 The hours of operation for oxy-acetylene torch cutting must be within the following hours: <table border="1" data-bbox="219 1233 1189 1318"> <thead> <tr> <th>Oxy-acetylene torch cutting</th> <th>Hours of operation</th> </tr> </thead> <tbody> <tr> <td>Monday to Saturday</td> <td>9.00am to 3.30pm</td> </tr> <tr> <td>Sunday and Public Holidays</td> <td>Nil</td> </tr> </tbody> </table> Note: The EPA will not permit any changes to hours of oxy-acetylene torch cutting unless the Secretary of the	Oxy-acetylene torch cutting	Hours of operation	Monday to Saturday	9.00am to 3.30pm	Sunday and Public Holidays	Nil	Refer B31 Consent Compliance table. No evidence of operation outside of these hours, no complaints that might have arisen from this operation.	Compliant
Oxy-acetylene torch cutting	Hours of operation								
Monday to Saturday	9.00am to 3.30pm								
Sunday and Public Holidays	Nil								

	NSW Department of Planning and Environment (or nominee) agrees in writing to change the hours of operation specified in development consent No. SSD 5041.								
	<p>L5.2 The hours of operation for all other activities must be within the following hours:</p> <table border="1"> <thead> <tr> <th>All other activities</th> <th>Hours of operation</th> </tr> </thead> <tbody> <tr> <td>Monday to Saturday</td> <td>6.00am to 9.00pm</td> </tr> <tr> <td>Sunday and Public Holidays</td> <td>Nil</td> </tr> </tbody> </table>	All other activities	Hours of operation	Monday to Saturday	6.00am to 9.00pm	Sunday and Public Holidays	Nil	As above	Compliant
All other activities	Hours of operation								
Monday to Saturday	6.00am to 9.00pm								
Sunday and Public Holidays	Nil								
	L5.3 Condition L5.2 does not apply to the delivery of material outside the hours of operation permitted by condition L5.2, if that delivery is required by police or other authorities for safety reasons. In such circumstances, prior notification must be provided to the EPA and affected residents as soon as possible or within a reasonable period in the case of emergency.	Not triggered	Not triggered						
L6	Potentially offensive odour								
	<p>L6.1 No condition of this licence identifies a potentially offensive odour for the purposes of section 129 of the Protection of the Environment Operations Act 1997.</p> <p>Note: Section 129 of the Protection of the Environment Operations Act 1997, provides that the licensee must not cause or permit the emission of any offensive odour from the premises but provides a defence if the emission is identified in the relevant environment protection licence as a potentially offensive odour and the odour was emitted in accordance with the conditions of a licence directed at minimising odour.</p>	See relevant comments in the GHD report, attached.	Compliant						
L7	Other limit conditions Airblast Overpressure								
	L7.1 The airblast overpressure level from explosions on the Premises must not exceed 120dB (Lin Peak) when measured at Monitoring Point 11.	See relevant comments in the GHD report, attached.	Non-Compliant						
	L7.2 The licensee must measure airblast overpressure at the boundary of the premises whilst any activities are being carried out at the premises.	See relevant comments in the GHD report, attached.	Compliant						
	L7.3 The licensee shall undertake all reasonable and feasible measures necessary to prevent explosions from occurring at the premises.	See relevant comments in the GHD report, attached.	Compliant						
	<p>L7.4 The licensee must prepare and implement an Air Blast Overpressure Management Plan. The Plan must include, but not be limited to, a description of all reasonable and feasible measures that will be implemented to achieve the noise limits in condition L7.1 such as:</p> <ul style="list-style-type: none"> - All petrol tanks and other dangerous chemical containers removed from scrap metal prior to shredding; - Any potentially explosive devices including gas cylinders, not entering the shredder; and - All potentially explosive devices, including gas cylinders must be disposed of in an environmentally satisfactory manner. 	See relevant comments in the GHD report, attached.	Compliant						

4 Operating Conditions			
01	Activities must be carried out in a competent manner		
	O1.1 Licensed activities must be carried out in a competent manner. This includes: a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.	As per existing operations – no change for development. Reviewed EPA Return April 2017 / April 2018, and April 2018 / April 2019	Compliant
02	Maintenance of plant and equipment		
	O2.1 All plant and equipment installed at the premises or used in connection with the licensed activity: a) must be maintained in a proper and efficient condition; and b) must be operated in a proper and efficient manner.	Refer Consent Compliance Table A16	Compliant
03	Dust		
	O3.1 All operations and activities occurring at the premises must be carried out in a manner that will minimise emission of dust from the premises.	See relevant comments in the GHD report, attached.	Non-Compliant
	O3.2 The licensee must manage stockpiles of scrap metal and processed material to ensure air emissions are minimised.	See relevant comments in the GHD report, attached.	Non-Compliant
	O3.3 All areas on the premises must be maintained, at all times, in a condition which effectively minimises the emission of wind-blown or traffic-generated dust.	See relevant comments in the GHD report, attached.	Non-Compliant
	O3.4 The licensee must ensure that no material, including sediment or oil, is tracked onto public roads from the premises.	See relevant comments in the GHD report, attached.	Compliant
	O3.5 By 30 September 2016, ambient real time PM10 Dust Monitors must be installed and operated in accordance with the information supplied to the EPA in the report by ERM, Waste Metal Recovery, Processing and Recycling Facility 45 and 23-43 Tattersall Road, Kings Park, Blacktown, Air Quality Assessment, Sell & Parker Pty Ltd, September 2015.	See relevant comments in the GHD report, attached.	Non-Compliant
	O3.6 The licensee must keep a legible record of when dust generating activities are reduced or ceased as a result of the dust monitoring required by Condition O3.4 including: a) the date and time that dust generating activities were reduced or ceased; and b) what activities were reduced or ceased. These records must be made available to the EPA on request.	See relevant comments in the GHD report, attached.	Non-Compliant
04	Emergency response		
	O4.1 The licensee must develop, implement, maintain and test a Pollution Incident Response	Refer B36 Consent Compliance Table	Compliant

	Management Plan (PIRMP) in accordance with the requirements under Part 5.7A of the <i>Protection of the Environment Operations Act 1997</i> and its regulations.		
	Fire Control O4.2 There must be no burning or incineration of waste at the premises. O4.3 After the Final Occupation Certificate is issued for the development approved by development consent No. SSD 5041, the licensee must ensure that the height of any stockpile of shredder floc does not exceed 4 metres.	Refer B35 Consent Compliance Table	Compliant
05	Processes and management		
	O5.1 The licensee must ensure that any waste generated and/or stored at the Premises is assessed and classified in accordance with the EPA's Waste Classification Guidelines as in force from time to time.	Refer B1 Consent Compliance table	Compliant
	O5.2 The licensee must ensure that waste identified for recycling is stored separately from other waste.	Refer B1 Consent Compliance Table	Compliant
	O5.3 The Licensee must store all chemicals, fuels and oils at the Premises in appropriately bunded areas in accordance with the requirements of all relevant Australian Standards, and/or the EPA's <i>Storing and Handling Liquids: Environment Protection - Participant's Manual 2007</i> .	Refer B10 Consent Compliance table	Compliant
06	Other operating conditions		
	O6.1 By 30 September 2016 the hammermill must be serviced by an emission collection system consisting of a wet scrubber and cyclone or other pollution control equipment capable of achieving equivalent emission control performance. The use of alternate control equipment must be approved in writing by the EPA prior to installation.	See relevant comments in the GHD report, attached.	Compliant
	O6.2 (a) Oxy-cutting must be undertaken under wet conditions. (b) Oxy-cutting must be undertaken by only one oxy-cutter at a time.	See relevant comments in the GHD report, attached.	Compliant
	O6.3 Truck unloading of raw materials and output from pre-shredder onto stockpiles must be completed with a water spray suppression control.	See relevant comments in the GHD report, attached.	Compliant
	O6.4 After the Final Occupation Certificate is issued for the development approved by development consent No. SSD 5041, by-product stockpiles, including all automotive shredder residue (floc), must be stored in an enclosed structure.	See relevant comments in the GHD report, attached.	Compliant
	O6.5 After the Final Occupation Certificate is issued for the development approved by development consent No. SSD 5041, all conveyors and conveyor transfer points must be fully enclosed.	See relevant comments in the GHD report, attached.	Compliant
	O6.6 All enclosures required by conditions O6.4 and O6.5 must be designed and operated to minimise the release of fugitive emissions.	See relevant comments in the GHD report, attached.	Compliant
	5. Monitoring and Recording Conditions		
M1	Monitoring records		

	M1.1 The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.	Existing practices – unchanged by development	Compliant																																								
	M1.2 All records required to be kept by this licence must be: a) in a legible form, or in a form that can readily be reduced to a legible form; b) kept for at least 4 years after the monitoring or event to which they relate took place; and c) produced in a legible form to any authorised officer of the EPA who asks to see them.	Existing practices – unchanged by development	Compliant																																								
	M1.3 The following records must be kept in respect of any samples required to be collected for the purposes of this licence: a) the date(s) on which the sample was taken; b) the time(s) at which the sample was collected; c) the point at which the sample was taken; and d) the name of the person who collected the sample.	Existing practices – unchanged by development	Compliant																																								
M2	Requirement to monitor concentration of pollutants discharged																																										
	<p>Air Monitoring Requirements M2.1 For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns: M2.2 Air Monitoring Requirements</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units of Measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>Dry gas density</td> <td>Kgms per cu. m.</td> <td>Yearly</td> <td>TM-23</td> </tr> <tr> <td>Moisture</td> <td>Percent</td> <td>Yearly</td> <td>TM-22</td> </tr> <tr> <td>Molecular weight of stack gases</td> <td>Gms per gram mole</td> <td>Yearly</td> <td>TM-23</td> </tr> <tr> <td>Solid particles</td> <td>Mgms per cu. m.</td> <td>Yearly</td> <td>TM-15</td> </tr> <tr> <td>Temperature</td> <td>Celsius</td> <td>Yearly</td> <td>TM-2</td> </tr> <tr> <td>Type 1 substance</td> <td>Mgms per cu. m.</td> <td>Yearly</td> <td>TM-12</td> </tr> <tr> <td>Type 2 substance</td> <td>Mgms per cu. m.</td> <td>Yearly</td> <td>TM-13</td> </tr> <tr> <td>Velocity</td> <td>Metres per second</td> <td>Yearly</td> <td>TM-2</td> </tr> <tr> <td>Volumetric flowrate</td> <td>Cu.metres per second</td> <td>Yearly</td> <td>TM-2</td> </tr> </tbody> </table> <p>M2.3 The selection of sampling positions for the above air monitoring condition must be selected in accordance with sampling method TM1.</p>	Pollutant	Units of Measure	Frequency	Sampling Method	Dry gas density	Kgms per cu. m.	Yearly	TM-23	Moisture	Percent	Yearly	TM-22	Molecular weight of stack gases	Gms per gram mole	Yearly	TM-23	Solid particles	Mgms per cu. m.	Yearly	TM-15	Temperature	Celsius	Yearly	TM-2	Type 1 substance	Mgms per cu. m.	Yearly	TM-12	Type 2 substance	Mgms per cu. m.	Yearly	TM-13	Velocity	Metres per second	Yearly	TM-2	Volumetric flowrate	Cu.metres per second	Yearly	TM-2	See relevant comments in the GHD report, attached.	Compliant
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M3	Testing methods - concentration limits																																										
	<p>Air Emissions M3.1 Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with: a) any methodology which is required by or under the Act to be used for the testing of the</p>	See relevant comments in the GHD report, attached.	Compliant																																								

	<p>concentration of the pollutant; or b) if no such requirement is imposed by or under the Act, any methodology which a condition of this licence requires to be used for that testing; or</p> <p>c) if no such requirement is imposed by or under the Act or by a condition of this licence, any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.</p> <p>Note: The <i>Protection of the Environment Operations (Clean Air) Regulation 2010</i> requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".</p>																																															
M4	<p>Weather monitoring</p> <p>M4.1 At the point(s) identified below, the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1 of the table below, using the corresponding sampling method, units of measure, averaging period and sampling frequency, specified opposite in the Columns 2, 3, 4 and 5 respectively.</p> <p>POINT 12</p> <table border="1"> <thead> <tr> <th>Parameter</th> <th>Sampling method</th> <th>Units of measure</th> <th>Averaging period</th> <th>Frequency</th> </tr> </thead> <tbody> <tr> <td>Siting</td> <td>AM-1</td> <td>-</td> <td>-</td> <td>-</td> </tr> <tr> <td>Sigma theta</td> <td>AM-2 & AM-4</td> <td>Degrees</td> <td>10 mins</td> <td>continuous</td> </tr> <tr> <td>Temp. at 2m.</td> <td>AM-4</td> <td>Kelvin</td> <td>10 mins</td> <td>continuous</td> </tr> <tr> <td>Temp. at 10m.</td> <td>AM-4</td> <td>Kelvin</td> <td>10 mins</td> <td>continuous</td> </tr> <tr> <td>Total Solar Radiation</td> <td>AM-4</td> <td>Watts per sq.m.</td> <td>10 mins</td> <td>continuous</td> </tr> <tr> <td>Wind Direction at 10m.</td> <td>AM-2 & AM-4</td> <td>Degrees</td> <td>10 mins</td> <td>continuous</td> </tr> <tr> <td>Wind Speed at 10m.</td> <td>AM-2 & AM-4</td> <td>Metres per second</td> <td>10 mins</td> <td>continuous</td> </tr> <tr> <td>Rainfall</td> <td>AM-4</td> <td>mms per hour</td> <td>1 hour</td> <td>continuous</td> </tr> </tbody> </table> <p>M4.2 The meteorological weather station must be maintained so as to be capable of continuously monitoring the parameters specified in Condition M4.1.</p> <p>M4.3 Monitoring of all parameters listed in Column 1 of the table in condition M4.1 must commence by 30 September 2016.</p>	Parameter	Sampling method	Units of measure	Averaging period	Frequency	Siting	AM-1	-	-	-	Sigma theta	AM-2 & AM-4	Degrees	10 mins	continuous	Temp. at 2m.	AM-4	Kelvin	10 mins	continuous	Temp. at 10m.	AM-4	Kelvin	10 mins	continuous	Total Solar Radiation	AM-4	Watts per sq.m.	10 mins	continuous	Wind Direction at 10m.	AM-2 & AM-4	Degrees	10 mins	continuous	Wind Speed at 10m.	AM-2 & AM-4	Metres per second	10 mins	continuous	Rainfall	AM-4	mms per hour	1 hour	continuous	See relevant comments in the GHD report, attached.	Non-Compliant
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M5	<p>Recording of pollution complaints</p> <p>M5.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.</p> <p>M5.2 The record must include details of the following:</p> <ol style="list-style-type: none"> the date and time of the complaint; the method by which the complaint was made; any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect; the nature of the complaint; the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and if no action was taken by the licensee, the reasons why no action was taken. 	<p>The EPA Annual report for 2018/19 listed 5 air pollution and 6 noise complaints, to the audit date in 2019, there had been 5 noise and 1 odour complaints, with 2 self reported to the EPA.</p> <p>It was noted that some complaints were registered without details of timing, hence, the investigation process is made more difficult.</p>	Compliant																																													

	M5.3 The record of a complaint must be kept for at least 4 years after the complaint was made. M5.4 The record must be produced to any authorised officer of the EPA who asks to see them.		
M6	Telephone complaints line		
	M6.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence. M6.2 The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.	The in-house complaints number received 2 complaints in 2017, and 5 in 2018. Three other calls were made directly to the site in 2018.	Compliant.
M7	Other monitoring and recording conditions		
	Airblast overpressure M7.1 An airblast overpressure monitor must be operated continuously whilst any activities are being carried out at the premises to measure and electronically record airblast overpressure levels. M7.2 Instrumentation used to measure and record the airblast overpressure must meet the requirement of Australian Standard AS 2187.2-2006. M7.3 Explosions resulting in an airblast overpressure reading exceeding 120dB (Linear Peak) must be recorded and reported to the EPA's Environment Line within 24 hours of the explosion. The written record and report of the explosion must include: a) the time and date of the explosion; and b) the airblast overpressure for the explosion.	See relevant comments in the GHD report, attached.	Compliant
6 Reporting Conditions			
	R1 Annual return documents R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising: 1. a Statement of Compliance, 2. a Monitoring and Complaints Summary, 3. a Statement of Compliance - Licence Conditions, 4. a Statement of Compliance - Load based Fee, 5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan, 6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data, 7. a Statement of Compliance - Environmental Management Systems and Practices; and At the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA. R1.2 An Annual Return must be prepared in respect of each reporting period, except as provided below. R1.3 Where this licence is transferred from the licensee to a new licensee: a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period. R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee	Sighted EPA Return April 2018 / April 2019. While the final report was supplied to the EPA outside of the required time, the initial report was submitted within the time period, and a request was made by EPA NSW for amendments at a later date (30 September, with a response supplied 8/10/19)	Compliant

	<p>must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:</p> <p>a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or</p> <p>b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.</p> <p>R1.5 The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').</p> <p>R1.6 The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.</p> <p>R1.7 Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:</p> <p>a) the licence holder; or</p> <p>b) by a person approved in writing by the EPA to sign on behalf of the licence holder.</p> <p>Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.</p> <p>Note: An application to transfer a licence must be made in the approved form for this purpose.</p>		
	<p>R2 Notification of environmental harm</p> <p>R2.1 Notifications must be made by telephoning the Environment Line service on 131 555.</p> <p>R2.2 The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.</p> <p>Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.</p>	<p>No incidents relate to development activities</p>	<p>Compliant</p>
	<p>R3 Written report</p> <p>R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:</p> <p>a) where this licence applies to premises, an event has occurred at the premises; or</p> <p>b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.</p> <p>R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.</p> <p>R3.3 The request may require a report which includes any or all of the following information:</p> <p>a) the cause, time and duration of the event;</p> <p>b) the type, volume and concentration of every pollutant discharged as a result of the event;</p> <p>c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;</p> <p>d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;</p> <p>e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;</p> <p>f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and g) any other relevant matters.</p> <p>R3.4 The EPA may make a written request for further details in relation to any of the above matters if it</p>	<p>Not triggered for development activities</p>	<p>Not triggered</p>

	is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.		
	<p>R4 Other reporting conditions</p> <p>R4.1 The licensee must complete and submit to the EPA an Annual Waste Summary Report each financial year commencing in 2016/17, comprising the following information:</p> <ol style="list-style-type: none"> 1. Amount of waste received and removed from the Premises (in tonnes); 2. Waste stream (Municipal, Commercial and Industrial, Construction and Demolition or Other) and waste type (Refer to Table 3.1 of the NSW EPA's Waste Levy Guidelines); and 3. Amount of waste processed to a Resource Recovery Order ("RRO"), if applicable. <p>R4.2 The Annual Waste Summary Report must be submitted to the EPA via the Waste and Resource Reporting Portal (WARRP) within 60 days of the end of the financial year.</p>	The waste summary reporting process is in place, sighted the 29/08/19 report for 2018/19.	Compliant
	7 General Conditions		
	<p>G1 Copy of licence kept at the premises or plant</p> <p>G1.1 A copy of this licence must be kept at the premises to which the licence applies.</p> <p>G1.2 The licence must be produced to any authorised officer of the EPA who asks to see it.</p> <p>G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.</p>	Sighted a copy of the license on the premises during the IEA site visit.	Compliant
	8 Special Conditions		
E1	Air Emissions Commissioning Reports		
	Hammermill Emissions Collection System post commissioning assessment and report		
	E1.1 By 30 September 2016, the licensee must commission the emissions collection system (ECS) for the hammermill	See relevant comments in the GHD report, attached.	Compliant
	<p>E1.2 The licensee must verify the air emissions predicted by the ERM Air Quality Assessment report dated September 2015 (the September 2015 ERM Report) from the hammermill. This verification must include:</p> <ol style="list-style-type: none"> a) Post commissioning sampling of all pollutants from the hammermill assessed in the September 2015 ERM Report. Sampling must be undertaken by suitably qualified personnel. b) Estimate of operating capacity and process rate of the activity at the time of sampling and an explanation of how the estimate was arrived at. c) Sampling of emissions from the hammermill must be undertaken in accordance with the requirements specified in the Approved Methods for Sampling and Analysis of Air Pollutants in NSW or, where no suitable method is prescribed in the Approved Methods for Sampling and Analysis of Air Pollutants in NSW, a method approved in writing by the EPA. d) Results from post commissioning sampling must be compared with the modelled emissions in the September 2015 ERM Report and demonstrate compliance with the ground level criteria in the Approved Methods for the Modelling and Assessment of Air Pollutants in NSW and ground level criteria adopted in the September 2015 ERM Report. e) Identify and implement any changes to the hammermill ECS necessary to achieve environmental air quality performance commensurate with that set out in the September 2015 ERM Report. 	See relevant comments in the GHD report, attached.	

	E1.3 By 31 December 2016, the licensee must submit to the EPA a Commissioning Report for the verification of air emissions from the hammermill. The Commissioning Report must comprehensively address all requirements listed in Condition E1.1 and E1.2. REPLACED BY: By no later than 6 months from the date of the issuing of the Final Occupation Certificate, the licensee must submit to the EPA a Commissioning Report for the verification of air emissions from the hammermill. The Commissioning Report must comprehensively address all requirements listed in Condition E1.1 and E1.2."	See relevant comments in the GHD report, attached.	Compliant
	Oxy-Cutting post commissioning assessment and report		
	E1.4 By 31 January 2017, the licensee must verify the air emissions predicted by the September 2015 ERM Report from the oxy-cutting activities. REPLACED BY: By no later than 6 months from the date of the issuing of the Final Occupation Certificate, the licensee must verify the air emissions predicted by the September 2015 ERM Report from the oxy-cutting activities.	See relevant comments in the GHD report, attached.	Compliant
	E1.5 The verification required by condition E1.4 must include: a) Post commissioning sampling of all pollutants from the oxy-cutting activities assessed in the September 2015 ERM Report. Sampling must be undertaken by suitably qualified personnel. b) Record of the oxy-cutting activities being undertaken at the time of sampling. c) The sampling method used for emissions from oxy-cutting must be clearly described and justified, and the analytical method referenced. d) Results from sampling must be compared with the modelled emissions in the September 2015 ERM Report and demonstrate compliance with the ground level criteria in the Approved Methods for the Modelling and Assessment of Air Pollutants in NSW. e) Identify and implement any changes to the oxy-cutting activities necessary to achieve environmental air quality performance commensurate with that set out in the September 2015 ERM Report.	See relevant comments in the GHD report, attached.	Compliant
	E1.6 By 30 April 2017, the licensee must submit a Commissioning Report to the EPA that comprehensively addresses all requirements listed in Condition E1.4 and E1.5. REPLACED BY: By no later than 6 months from the date of the issuing of the Final Occupation Certificate, the licensee must submit a Commissioning Report to the EPA that comprehensively addresses all requirements listed in Condition E1.4 and E1.5.	See relevant comments in the GHD report, attached.	Compliant
E2	Post Commissioning Noise Validation Report		
	E2.1 After the Final Occupation Certificate is issued for the development approved by development consent No. SSD 5041, the licensee must engage a suitably qualified and experienced expert to prepare a post commissioning noise validation report in accordance with Condition L4.5. The report must include an attended noise monitoring assessment carried out for three consecutive operating days, at monitoring point 1 listed in Condition L4.1. The assessment must be carried out during each day, evening and morning shoulder period as defined in Condition L4.2 for a minimum of: <ul style="list-style-type: none"> • 1.5 hours during the day; • 30 minutes during the evening; and • 1 hour during the morning shoulder. 	The Final Occupation Certificate was issued 27/08/18,	Compliant

	E2.2 The post commissioning noise validation report must be prepared by a suitably qualified and experienced acoustical consultant and include: a) an assessment of compliance with noise limits presented in Condition L4.1; and b) an outline of any management actions taken within the monitoring period to address any exceedances of the limits contained in Condition L4.1.	See relevant comments in the GHD report, attached.	Non-Compliant
	E2.3 The post commissioning noise validation report must be submitted to the EPA within 3 months of the Final Occupation Certificate being issued for the development approved by development consent No. SSD 5041.	The report (dated 21/06/19) was submitted to the EPA on 7/08/19, with a response dated 22/10/19 received. This process was not commenced within the 3 months of the issue of the Final Occupancy Certificate .	Non-Compliant

Appendix 3: Independent Environmental Audit - Air Quality and Noise Supplementary Report

The GHD Report is included, in toto, below.

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Sell & Parker Pty Limited

Kings Park Waste Metal Recovery Processing and Recycling
Facility

Independent Environmental Audit - Air Quality and Noise
Supplementary Report

April 2020

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1. Introduction

1.1 Overview

GHD Pty Ltd were engaged by Sell & Parker Pty Limited to provide specialist air quality and noise advice to assist the Independent Environmental Audit for the State Significant Development Consent 5041 23-43 at 45 Tattersall Road, Kings Park, NSW. The Independent Environmental Audit is being undertaken by Lloyds Register.

Evan Smith and Evan Milton have been endorsed the Department of Planning, Industry and Environment (DPIE) as Air Quality and Noise technical specialists respectively as per the letter from DPIE dated 18 September 2019.

1.2 Scope of works

The scope of works for the technical specialists was as follows:

- Review documentation include Development Consent, Planning Approvals and Management Plans
- Attended site with the auditor to review operations and assist with the audit as required
- Assessed the environmental performance for air quality and noise with respect to the Development Consent and Environmental Protection License (EPL) in the operational phase
- Review the adequacy of the Air Quality Management Plan (AQMP) and Noise Management Plan (NMP)
- Recommend measures or actions to improve the environmental performance of the Development, AQMP or NMP.

A review of the Conditions of consent and EPL have been provided in Section 2.

1.3 Purpose

The purpose of this report is to provide technical advice in relation to air quality and noise to assist the Independent Environmental Audit with specific consideration to Condition C9 (d), (e) and (f).

This audit must:

d) assess the environmental performance of the Development and assess whether it is complying with the requirements in this consent, and any other relevant approvals and relevant EPL/s (including any assessment, plan or program required under the approvals);

e) review the adequacy of any approved strategy, plan or program required under the abovementioned consents; and

f) recommend measures or actions to improve the environmental performance of the Development, and/or any strategy, plan or program required under the consents

The advice is to be used by the auditor to assess compliance against the conditions of consent. The *Independent Audit Post Approval Requirements (DoPE 2018)* was considered in the review.

2. Review of Conditions of consent and EPL

Condition		Assessment of environmental performance	Compliance	Recommend measures or actions to improve the environmental performance
	Development Consent			
	PART B ENVIRONMENTAL PERFORMANCE			
	AIR QUALITY			
	Odour			
B15	The Applicant shall ensure the Development does not cause or permit the emission of any offensive odour (as defined in the POEO Act).	<p>Main sources of odour onsite are the water storage/recycling pond, hammermill exhaust and any contaminants found within incoming waste.</p> <p>The water storage includes filtration and also is aerated.</p> <p>Fuel and oil is removed from vehicles prior to being recycled</p> <p>The Group Environment Manager advised that they have not received any odour complaints.</p> <p>Odour was not found to be</p>	Compliant	No recommendations or actions required

		an issue during the site inspection.		
	Emissions limits			
B16	The Applicant shall ensure that emissions from the Development do not exceed the emission limits specified in the EPL.	Annual sampling is required of the hammermill exhaust (EPL Point 3) .The latest round of sampling demonstrated compliance with the EPL emission limits and is discussed in more detail in this table under M2.	Compliant	
	Air Quality Management Plan			
B17	<p>Prior to the commencement of construction of the Development, the Applicant shall prepare an Air Quality Management Plan to the satisfaction of the Secretary. The plan must:</p> <ul style="list-style-type: none"> a) be prepared by a suitably qualified and experienced person(s) in consultation with the EPA; b) describe the measures that would be implemented to ensure: <ul style="list-style-type: none"> (i) all reasonable and feasible measures are employed to minimise air emissions; (ii) compliance with the relevant conditions of this consent; (iii) contingency measures are deployed to minimise impacts should adverse air emissions occur or appear likely to occur; c) include well defined triggers for the deployment of construction and operational air quality measures; d) include well defined triggers for ceasing or partially ceasing operations on site during adverse air quality conditions; e) include an Air Quality Monitoring System to evaluate the performance of the Development commensurate with the system proposed in the Air Quality Assessment, prepared by ERM dated September 2015; f) include details of the location, frequency and duration of monitoring; and g) include a protocol to determine the occurrence of any exceedance of the criteria in the EPL should an exceedance occur 	Air quality management plan for the site prepared by Arcadis, 11 September 2019. The document checker is a Principal Environmental Planner and all the requirements of this condition are satisfied in the air quality management plan.	Compliant	
B18	The Applicant shall carry out the Development in accordance with the Air Quality Management Plan approved by the Secretary (as revised	Specific reasons for non-	Non-compliant	Recommended action: The

	and approved by the Secretary from time to time), unless otherwise agreed by the Secretary.	<p>compliance of the plan are discussed in more detail below in separate sections of this table.</p> <p>Section 9 of the AQMP provides guidance on what to do when PM₁₀ monitoring shows elevated concentrations above the criteria, which includes promptly addressing the issue, and contingency measures. There is also a requirement in the AQMP (and EPL condition O3.6) to keep records when operations are reduced or ceased as a result of dust monitoring. This was not able to be provided by Sell and Parker during the audit even though there are many occurrences where the measured PM₁₀ levels exceed the criteria.</p>		<p>AQMP needs to be better implemented onsite. There are aspects of the AQMP, which could be more proactively managed and adhered to.</p> <p>This includes undertaking corrective actions as per Section 9 of the AQMP when PM₁₀ sampling shows exceedances of the adopted site criteria.</p> <p>Priority: High</p>
	Air emissions mitigation			
B19	<p>The Applicant shall:</p> <p>a) operate the Development so that air emissions are minimised during all meteorological conditions; and</p> <p>b) implement best management practice, including all reasonable and feasible air and odour emissions mitigation measures to minimise emissions from the Development, including but not limited to:</p> <p>(i) installation of an Emissions Collection System servicing the</p>	<p>a) The site audit identified a number of items relating to this condition. The onsite weather station was not</p>	<p>a) Non-compliant</p>	<p>Refer M4 in this table.</p>

<p>MOD1 (viii)</p>	<p>hammer mill that is capable of achieving emission control performance equivalent to the system described in the Air Quality Assessment prepared by ERM dated September 2015;</p> <p>(ii) operating one oxy-acetylene torch at a time;</p> <p>(iii) operating the oxy-acetylene torch only between the hours of 9 am and 3 pm;</p> <p>(iv) cutting any metal beam that is up to 100 millimetres thick with the shear, where possible;</p> <p>(v) enclosure of all conveyors and conveyor transfer points;</p> <p>(vi) dust suppression through the use of water sprays/misters;</p> <p>(vii) sealing of on-site surfaces and regularly maintaining them to prevent dust re-entrainment from vehicle movements and other equipment use; and</p> <p>(viii) installation of appropriate dust screens at the property boundary and replacement of existing dust screens and shade cloths at the Tattersall Road boundary of the 45 Tattersall Road site.</p>	<p>operational as per the EPL, meaning dust emissions and management can not be adequately managed. This is discussed in this table under item M4. Particulate emissions during site attendance as well as historically reviewed particulate matter levels from onsite samplers were above the trigger levels with no evidence provided of corrective actions and management as per the AQMP. This can include activity cessation if required as per Section 9.1 of the AQMP.</p> <p>b) i) ECS installed and working, and is meeting performance requirements (refer B16 and B20)</p> <p>ii) As per the AQMP, Group Environment Manager advises this is being undertaken. No oxy-acetylene torch was</p>	<p>b)i – compliant</p> <p>b) ii – compliant</p> <p>b)iii – compliant</p> <p>b) iv –</p>	
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		were sighted around the facility.		
	Emissions Collection System commissioning			
B20	The Applicant shall commission the Emissions Collection System for the hammer mill. The commissioning must: a) be undertaken by a suitability qualified and experienced person(s) in consultation with the EPA; <i>NSW Government Department of Planning and Environment 7</i> b) test the performance of the system against the performance parameters set out in the Air Quality Assessment prepared by ERM dated September 2015; and c) identify and implement any changes to the system that may be necessary to achieve environmental air quality performance commensurate with that set out in the Air Quality Assessment prepared by ERM dated September 2015.	ECS system was commissioned and later approved by NSW DPE on 29/11/2018. Documentation was observed during the audit. The commissioning report was prepared by ERM dated 29/11/2018.	Compliant	
	Commissioning Report			
B21	The Applicant shall submit to the Secretary a Commissioning Report detailing the outcomes of the commissioning of the Emissions Collection System for the hammer mill.	As per B20 above.	Compliant	
	Construction emissions mitigation			
B22	During construction, the Applicant shall ensure that: a) all vehicles on site do not exceed a speed of 30 kilometres per hour; b) all loaded construction vehicles entering or leaving the site have their loads covered; and c) all construction vehicles leaving the site are cleaned of dirt, sand and other materials before they leave the site, to avoid tracking the materials on public roads.	Not applicable	Not triggered	
	Stockpile management			
B23	The Application shall manage stockpiles of scrap metal and processed material to ensure air emissions are minimised.	Stockpiles of scrap metal and processed material are managed to ensure air emissions are minimised	Compliant	

	EXPLOSION LIMITS			
	Airblast overpressure			
B24	The Applicant shall undertake all reasonable and feasible measures necessary to prevent explosions from occurring at the Premises.	The airblast overpressure measures contained within the NMP were observed and discussed with the Site Manager. It is considered that reasonable precautions, in accordance with the NMP, are being followed by site personnel to minimise the risk of explosions.	Compliant	
B25	The Applicant shall ensure that the airblast overpressure level from any explosions on the premises does not exceed 120dB (Lin Peak) when measured at the boundary of the premises	The airblast overpressure monitor was observed onsite and the monitoring data log was reviewed. Two events from the site were recorded in the last year which exceed the 120 dB (Lin Peak) limit. The Group Environment Manager confirmed the events were investigated as per the NMP and reported to the EPA. It is noted that the blast monitor is set up at a location representative of the site boundary, however	Non- Compliant	Recommended Action: Maintain implementation of all reasonable and feasible measures as per the NMP to minimise explosions, log any blasts and report to EPA any non-compliances Priority: Ongoing

		slightly closer to the shredder than the boundary. Two exceedances to the limit is not considered significant in an industrial area. The air-blast overpressure levels would likely be compliant with the 120 dB(Lin Peak) limit at residential areas. Adverse impacts are not expected for an infrequent blast event of this magnitude.																									
	NOISE AND VIBRATION																										
	Noise criteria																										
B26	The Applicant shall ensure that noise generated by the construction and/or operation of the Development does not exceed the noise criteria in Table 2.																										
MOD3	<p>Table 2: Noise criteria (dB(A))</p> <table border="1"> <thead> <tr> <th rowspan="2">Location</th> <th colspan="5">Noise criteria (dB(A))</th> </tr> <tr> <th>Day</th> <th>Evening</th> <th>Night</th> <th colspan="2">Morning Shoulder</th> </tr> <tr> <th></th> <th>L_{Aeq}(15 minutes)</th> <th>L_{Aeq}(15 minutes)</th> <th>L_{Aeq}(15 minutes)</th> <th>L_{Aeq}(15 minutes)</th> <th>L_{Aeq}(1 minute)</th> </tr> </thead> <tbody> <tr> <td>189 Sunnyholt Road</td> <td>46</td> <td>46</td> <td>38</td> <td>46</td> <td>58</td> </tr> </tbody> </table>	Location	Noise criteria (dB(A))					Day	Evening	Night	Morning Shoulder			L _{Aeq} (15 minutes)	L _{Aeq} (15 minutes)	L _{Aeq} (15 minutes)	L _{Aeq} (15 minutes)	L _{Aeq} (1 minute)	189 Sunnyholt Road	46	46	38	46	58	<p>Noise monitoring undertaken at 189 Sunnyholt Road, Kings Park approximately 315 m to the southeast of the subject site between 29 May and 31 May 2019 reported compliance with the LAeq(15min) noise criteria and likely comply with the LAeq(1min) morning shoulder period criteria.</p> <p>The reported L_{Amax} noise</p>	Compliant	
Location	Noise criteria (dB(A))																										
	Day	Evening	Night	Morning Shoulder																							
	L _{Aeq} (15 minutes)	L _{Aeq} (15 minutes)	L _{Aeq} (15 minutes)	L _{Aeq} (15 minutes)	L _{Aeq} (1 minute)																						
189 Sunnyholt Road	46	46	38	46	58																						

		<p>level measured between the 29 May and 31 May 2019 exceeds the L_{max} EPL noise limit during the morning shoulder period.</p> <p>Note that the shoulder period noise criteria in this condition B26 (Mod3) is presented as an L_{Aeq}(1 minute) which is not inline with NSW policy and not consistent with the EPL which specifies an L_{max} (of L_{A1}(1min)). The NMP correctly adopts the L_A(max) descriptor. Nevertheless the condition is met as it refers to an L_{Aeq}(1 minute) noise descriptor.</p>		
	Noise compliance measurement			
B27	Noise generated by the Development is to be measured in accordance with the relevant requirements and exemptions (including certain meteorological conditions) of the latest version of the <i>NSW Industrial Noise Policy</i> .	<p>The following two noise monitoring reports were supplied by the Group Environment Manager:</p> <ul style="list-style-type: none"> • TG616-08F02 Noise Monitoring Report (r2) (21 June 2019) detailing monitoring results at 189 Sunnyholt Road, Kings Park approximately 315 m 	Non- Compliant	<p>Recommended action:</p> <p>The NMP should be updated to reference the <i>Noise Policy for Industry (EPA 2017)</i> including the corrections for annoying characteristics and monitoring requirements.</p> <p>The noise monitoring program should be developed in accordance with the <i>Noise</i></p>

		<p>to the southeast of the subject site between 29 May and 31 May 2019.</p> <ul style="list-style-type: none"> • TG616-07F02 Report (r1) (15 May 2018) 17 detailing monitoring results at Camorta Close approximately 650m to the north of the subject site on 3 May 2018. <p>The condition calls for the latest version of <i>NSW Industrial Noise Policy (2000)</i> which is the <i>Noise Policy for Industry (EPA 2017)</i> which was applicable at the time of monitoring in the above reports.</p> <p>The measurements do not consider the <i>Noise Policy for Industry (EPA 2017)</i> corrections for annoying characteristics including low frequency, tonal or impulsive noise characteristics. It is also noted that the Industrial Noise Policy (EPA, 2000) also now adopts the <i>Noise Policy for Industry (EPA 2017)</i> corrections for</p>		<p><i>Policy for Industry (EPA 2017)</i> including Section 7.1.1.</p> <p>Priority: High</p>
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		<p>annoying characteristics through the <i>Industrial Noise Policy</i> (EPA, 2000) application notes published on the EPA website.</p> <p>The $L_{Aeq(15min)}$ noise measurements were reported to be inaudible above background at the receiver location based on a negative 10 dBA correction which was applied to the minimum $L_{Aeq(15min)}$ level to assess compliance. This is not in accordance with the <i>Noise Policy for Industry</i> (EPA 2017) which in Section 7.1.1 provides methods for monitoring compliance where extraneous noise is louder than the noise source under investigation.</p>		
	Vibration criteria			
B28	The Applicant shall ensure that vibration resulting from the Development does not exceed the continuous or impulsive vibration criteria in EPA's <i>Assessing Vibration: A Technical Guideline</i> (February 2006) at residential receivers.	No significant vibration from the shear was observed which is consistent with the Supplementary Noise and Vibration Impact Assessment (Renzo Tonin	Compliant	

		3 September 2015)		
	Noise Management Plan			
B29	<p>Prior to the commencement of construction of the Development, the Applicant shall prepare a Noise Management Plan to the satisfaction of the Secretary. The plan must:</p> <p>a) be prepared by a suitably qualified and experienced persons(s) in consultation with the EPA;</p> <p>b) describe the measures that would be implemented to ensure:</p> <p>(i) all reasonable and feasible measures are employed to minimise noise impacts; <i>NSW Government Department of Planning and Environment 8</i></p> <p>(ii) the installation and maintenance of appropriate physical noise barriers;</p> <p>(iii) air handling devices are designed and located to minimise noise impacts;</p> <p>(iv) truck drivers are aware of suitable truck noise mitigation measures;</p> <p>(v) contingency measures are deployed to minimise impacts should an exceedance of the criteria occur or appear likely to occur; and</p> <p>(vi) compliance with the relevant conditions of this consent;</p> <p>c) include a Noise Monitoring Program to evaluate the performance of the Development; and</p> <p>d) include a protocol to determine the occurrence of an exceedance of the criteria in this consent should such an exceedance occur.</p>	<p>b) ii) Physical noise barriers were inspected and in compliance with the NMP. However, some gaps were present in the Trommel semi enclosure including the exhaust ducting penetration from the ECU, which should be inspected.</p> <p>c) The NMP has been reviewed and it is noted that it does not include an adequate Noise Monitoring Program that addresses the requirements of Condition B29 (c). Note that Section 7, 7.3 of the NMP refers to airblast overpressure and there is no mention of the <i>Noise Policy for Industry (EPA 2017)</i> which was applicable at the time of the updated NMP dated 12/09/19. No adequate Noise Monitoring Program could be found within the</p>	<p>Non- Compliant with B29 (b)(ii)</p> <p>Non- Compliant with B29 (c)</p>	<p>Recommended actions: It is recommended that all gaps in the Trommel semi enclosure be rectified as per the NMP.</p> <p>Priority: Medium</p> <p>Recommended action: It is recommended that a Noise Monitoring Program required by Condition B29 (c) should be developed in accordance with the Noise Policy for Industry (EPA 2017) (which is the latest version of the Industrial Noise Policy (EPA, 2000) referred to in the consent) including the measurement methods recommended in Section 7.1.1.</p> <p>Priority: High</p>

		NMP.		
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B30	The Applicant shall carry out the Development in accordance with the Noise Management Plan approved by the Secretary (as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary.	In general, the development has been carried out in accordance with the noise management plan, with the	Compliant	

		exception of items raised within this audit.		
	Noise mitigation			
B33	<p>The Applicant shall:</p> <p>a) implement best management practice, including all reasonable and feasible noise management and mitigation measures to prevent and minimise operational, low frequency and traffic noise generated by the Development;</p> <p>b) minimise the noise impacts of the Development during adverse meteorological conditions;</p> <p>c) maintain the effectiveness of any noise suppression equipment on plant at all times and ensure defective plant is not used operationally until fully repaired; and</p> <p>d) regularly assess noise monitoring data and relocate, modify and/or stop operations to ensure compliance with the noise criteria in this consent.</p>	<p>The shredder, pre-shredder, floc building, shear and workshop were inspected.</p> <p>Maintenance records were discussed with the Maintenance Manager and the equipment was considered to be appropriately fitted with noise suppression.</p> <p>Regular noise monitoring is not being undertaken as part of the NMP.</p> <p>Monitoring data is not being used to <i>'relocate, modify and/or stop operations to ensure compliance with the noise criteria'</i>.</p>	Non- Compliant with B33 d)	<p>It is recommended that the Noise Monitoring Program should be developed so that measurements are undertaken on a regular basis. The compliance monitoring should be used to identify activities contributing to the exceedances and adjusting those activities with the aim to reducing noise levels to the noise limits, so as to comply with Condition 33 d).</p> <p>Priority: High</p>
	Environmental Protection License 11555			
	3 Limit Conditions			
L4	Noise limits			
	L4.1 Noise generated at the premises that is measured at each noise monitoring point established under this licence must not exceed the noise levels specified in Column 4 of the table below for that point during the corresponding time periods specified in Column 1 when measured using the corresponding measurement parameters listed in Column 2.	Noise monitoring undertaken at 189 Sunnyholt Road, Kings Park approximately 315 m	Non- Compliant	Recommended action: It is recommended that additional monitoring and management measures be considered to

	<p>POINT 1</p> <table border="1" data-bbox="383 316 1048 571"> <thead> <tr> <th>Time Period</th> <th>Measurement parameter</th> <th>Measurement frequency</th> <th>Noise level bD(A)</th> </tr> </thead> <tbody> <tr> <td>Day</td> <td>L_{Aeq} (15 minute)</td> <td>-</td> <td>46</td> </tr> <tr> <td>Evening</td> <td>L_{Aeq} (15 minute)</td> <td>-</td> <td>46</td> </tr> <tr> <td>Morning-Shoulder</td> <td>L_{Aeq} (15 minute)</td> <td>-</td> <td>46</td> </tr> <tr> <td>Morning - Shoulder</td> <td>L_{max} or LA1, 1 min.</td> <td>-</td> <td>58</td> </tr> </tbody> </table>	Time Period	Measurement parameter	Measurement frequency	Noise level bD(A)	Day	L _{Aeq} (15 minute)	-	46	Evening	L _{Aeq} (15 minute)	-	46	Morning-Shoulder	L _{Aeq} (15 minute)	-	46	Morning - Shoulder	L _{max} or LA1, 1 min.	-	58	to the southeast of the subject site between 29 May and 31 May 2019 reported exceedances to the LA _{max} noise limit during the morning shoulder period.		prevent future exceedances during the morning shoulder period for LA _{max} events. Priority: High
Time Period	Measurement parameter	Measurement frequency	Noise level bD(A)																					
Day	L _{Aeq} (15 minute)	-	46																					
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Morning-Shoulder	L _{Aeq} (15 minute)	-	46																					
Morning - Shoulder	L _{max} or LA1, 1 min.	-	58																					
	<p>L4.2 For the purpose of condition L4.1;</p> <ul style="list-style-type: none"> • Day is defined as the period from 7am to 6pm Monday to Saturday. • Evening is defined as the period from 6pm to 10pm Monday to Saturday. • Morning Shoulder is defined as the period 6am to 7am Monday to Saturday. 	No comment	Compliant																					
	<p>L4.3 The noise limits set out in condition L4.1 apply under all meteorological conditions except for the following:</p> <ol style="list-style-type: none"> a) Wind speeds greater than 3 metres/second at 10 metres above ground level. b) Stability category F temperature inversion conditions and wind speeds greater than 2 metres/second at 10 metres above ground level; or c) Stability category G temperature inversion conditions 	No comment	Compliant																					
	<p>L4.4 For the purposes of condition L4.3:</p> <ol style="list-style-type: none"> a) Data recorded by a meteorological station installed on the premises must be used to determine meteorological conditions; and b) Temperature inversion conditions (stability category) are to be determined by the sigma-theta method referred to in Part E4 of Appendix E to the NSW Industrial Noise Policy. 	No comment	Compliant																					
	<p>L4.5 To determine compliance:</p> <ol style="list-style-type: none"> a) With the LA_{eq}(15 minute) noise limits in condition L4.1, the noise measurement equipment at monitoring point 1 must be located: <ul style="list-style-type: none"> · Approximately on the property boundary, where any dwelling is situated 30 metres or less from the property boundary closest to the premises; or · Within 30 metres of a dwelling façade, but not closer than 3m, where 	No comment	Compliant																					

	<p>any dwelling on the property is situated more than 30 metres from the property boundary closest to the premises; or, where applicable within approximately 50 metres of the boundary of a National Park or a Nature Reserve.</p> <p>b) With the LA1,1min noise limits in condition L4.1, the noise measurement equipment at the monitoring point 1 must be located within 1 metre of a dwelling façade.</p> <p>c) With the noise limits in condition L4.1, the noise measurement equipment at the noise monitoring point/s specified in this licence must be located:</p> <ul style="list-style-type: none"> · At the most affected point at a location where there is no dwelling at the location; or · At the most affected point within an area at a location prescribed by conditions L4.5 (a) or L4.5 (b). 			
	<p>L4.6 A non-compliance of condition L4.1 will still occur where noise generated from the premises in excess of the appropriate limit is measured:</p> <ul style="list-style-type: none"> • at a location other than an area prescribed by conditions L4.5(a) and L4.5(b); and/or • at a point other than the most affected point at a location. 	No comment	Compliant	
	<p>L4.7 For the purposes of determining the noise generated at the Premises the modification factors in Section 4 of the NSW Industrial Noise Policy must be applied, as appropriate, to the noise levels measured by the noise monitoring equipment.</p> <p>Note: Noise is ‘sound pressure levels’ for the purposes of conditions L4.1 to L4.7.</p> <p>Note: NSW Industrial Noise Policy is the document entitled “New South Wales Industrial Noise Policy published by the Environment Protection Authority in January 2000.”</p>	No comment	Compliant	
L6	Potentially offensive odour			
	<p>L6.1 No condition of this licence identifies a potentially offensive odour for the purposes of section 129 of the Protection of the Environment Operations Act 1997.</p> <p>Note: Section 129 of the Protection of the Environment Operations Act 1997, provides that the licensee must not cause or permit the emission of any offensive odour from the premises but provides a defence if the emission is identified in the relevant environment protection licence as a potentially offensive odour and the odour was emitted in accordance with the conditions of a licence directed at minimising</p>	Refer to condition B15 in this table	Compliant	

	odour.			
L7	Other limit conditions Airblast Overpressure			
	L7.1 The airblast overpressure level from explosions on the Premises must not exceed 120dB (Lin Peak) when measured at Monitoring Point 11.	<p>The airblast overpressure monitor was observed onsite and the monitoring data log was reviewed. Two events from the site were recorded in the last year which exceed the 120 dB (Lin Peak) limit. The Group Environment Manager confirmed the events were investigated as per the NMP and reported to the EPA.</p> <p>Two exceedances to the limit is not considered significant in an industrial area. The air-blast overpressure levels would likely be compliant with the 120 dB(Lin Peak) limit at residential areas. Adverse impacts are not expected for an infrequent blast event of this magnitude.</p>	Non- Compliant	<p>Recommended Action: Maintain implementation of all reasonable and feasible measures as per the NMP to minimise explosions, log any blasts and report to EPA any non-compliances</p> <p>Priority: Ongoing</p>
	L7.2 The licensee must measure airblast overpressure at the boundary of the premises whilst any activities are being carried out at the premises.	It is noted that the blast monitor is set up at a location representative of	Compliant	

		the site boundary, however slightly closer to the shredder than the boundary. The site location is considered representative of the site boundary.		
	L7.3 The licensee shall undertake all reasonable and feasible measures necessary to prevent explosions from occurring at the premises.	The airblast overpressure measures contained within the NMP were observed and discussed with the Site Manager. It is considered that reasonable precautions, in accordance with the NMP, are being followed by site personnel to minimise the risk of explosions.	Compliant	
	L7.4 The licensee must prepare and implement an Air Blast Overpressure Management Plan. The Plan must include, but not be limited to, a description of all reasonable and feasible measures that will be implemented to achieve the noise limits in condition L7.1 such as: - All petrol tanks and other dangerous chemical containers removed from scrap metal prior to shredding; - Any potentially explosive devices including gas cylinders, not entering the shredder; and - All potentially explosive devices, including gas cylinders must be disposed of in an environmentally satisfactory manner.	The Air Blast Overpressure Management Plan is incorporated into the NMP. Measures to minimise blast event were observed and discussed with the Site Manager. It is considered that reasonable precautions, in accordance with the NMP, are being followed by site personnel to minimise the risk of explosions.	Compliant	

4 Operating Conditions				
O3	Dust			
	O3.1 All operations and activities occurring at the premises must be carried out in a manner that will minimise emission of dust from the premises.	<p>During the audit, visible dust plumes were observed from stockpiles (see 3.2 below) and internal roads. Dust and dirt had built up on internal roads, most prominent on the eastern side of the site. Visible dust plumes were observed from trucks as well as small site vehicles such as front end loaders. Based on observations during the audit operations and activities were not being carried out in a manner that minimises dust emissions.</p> <p>Corrective actions as identified in the AQMP were not being undertaken onsite to reduce or prevent dust from leaving the site.</p>	Non-compliant	<p>Recommended Action – management of dust onsite needs to link back to the required measures outlined in the AQMP. This includes corrective actions in the form of applying dust mitigation such as water sprays, reducing or stopping works. The two street sweepers are to operate on a scheduled time which prevents the build-up of dust on roadways, and not just as a reactive methods once dust has become an issue.</p> <p>Priority: High</p>
	O3.2 The licensee must manage stockpiles of scrap metal and processed material to ensure air emissions are minimised.	<p>During the audit, stockpiles on the western side of the site were observed to be satisfactorily watered and emissions of dust were being controlled.</p>	Non-compliant	<p>Recommended Action – Dust suppression is to be applied across the entire site (including the eastern side of the site). If required, more resources are required to</p>

		<p>Stockpile on the eastern side of the site (near the shear) were not adequately controlled, with dust plumes visibly leaving the stockpile area and off the eastern site boundary. No dust suppression was being undertaken when this was occurring.</p>		<p>ensure that this can be undertaken on all areas where visible dust plumes are seen leaving the site. Priority: High</p>
	<p>O3.3 All areas on the premises must be maintained, at all times, in a condition which effectively minimises the emission of wind-blown or traffic-generated dust.</p>	<p>During the audit, areas of the site including access roads, were observed to have a build-up of dust which was becoming wind blown and also traffic generated dust.</p> <p>The site owns two street sweepers (one big and one small) and these were not observed to be in use during site attendance. Group Environment Manager advised that these were undergoing maintenance.</p> <p>Corrective actions as identified in the AQMP were not being undertaken onsite to reduce or prevent dust from leaving the site.</p>	<p>Non-compliant</p>	<p>Recommended action: Hire a street sweeper when on-site equipment is unavailable.</p>

	O3.4 The licensee must ensure that no material, including sediment or oil, is tracked onto public roads from the premises.	A wheel wash is located before the site exit. No excessive sediment was observed on the surrounding roads.	Compliant	
	O3.5 By 30 September 2016, ambient real time PM10 Dust Monitors must be installed and operated in accordance with the information supplied to the EPA in the report by ERM, Waste Metal Recovery, Processing and Recycling Facility 45 and 23-43 Tattersall Road, Kings Park, Blacktown, Air Quality Assessment, Sell & Parker Pty Ltd, September 2015.	Two real time PM ₁₀ dust monitors (eBAM plus) are installed onsite. Table 6-1 of the ERM report states ambient PM ₁₀ monitors are to be installed in accordance with the Approved Methods for the Measurement and Assessment of Air Pollutants in New South Wales. The ERM report also states that where the rolling 4 hour average indicates that the site contribution is resulting in ambient concentrations above 50 µg/m ³ dust generating activities will be reduced or ceased until such time as the ambient concentration is sufficiently below the standard to accommodate the site contribution.	Non - compliant	<p>Recommended Action: All PM₁₀ sampling equipment is to be located in areas which comply with requirements of the Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales. Siting requirements are outlined in AS 2922-1987 Guide for the siting of sampling units Priority: Medium</p> <p>All data going forward needs to be analysed against the data from the weather station to determine if the exceedances are due to on-site activities or external activities. Where it is determined they are from internal activities control and mitigation measures outlined in the AQMP are to be implemented.</p>

		<p>During site attendance one of the PM₁₀ meters was not operational. This was the PM₁₀ sampler located in the southwest corner behind the water pond.</p> <p>The second PM₁₀ sampler was located within a building/enclosure on the southeast corner of the site. This is not an appropriate location in accordance with the Approved Methods.</p> <p>No information was provided upon request of how long the samplers have been located in current positions.</p>		<p>Priority: Medium</p> <p>Recommended Action: Recommended that a study be undertaken to determine whether the adopted site emission limit criteria of 50 µg/m² over a 4 hour averaging period, measured onsite with the two PM₁₀ samplers, can be increased to a level which still ensure compliance at off-site receptors.</p> <p>Priority: Medium</p>
	<p>O3.6 The licensee must keep a legible record of when dust generating activities are reduced or ceased as a result of the dust monitoring required by Condition O3.4 including:</p> <p>a) the date and time that dust generating activities were reduced or ceased; and</p> <p>b) what activities were reduced or ceased.</p> <p>These records must be made available to the EPA on request.</p>	<p>This information was not provided when requested during the audit. The Environment Group Manager showed evidence of some text messages where he had requested water suppression but there is no evidence of this linking to any measured site PM₁₀ levels.</p>	Not-compliant	<p>The Environment Group Manager to keep an official log/record as required by this condition.</p> <p>Priority: High</p>
06	Other operating conditions			

	O6.1 By 30 September 2016 the hammermill must be serviced by an emission collection system consisting of a wet scrubber and cyclone or other pollution control equipment capable of achieving equivalent emission control performance. The use of alternate control equipment must be approved in writing by the EPA prior to installation.	As per B20	Compliant	
	O6.2 (a) Oxy-cutting must be undertaken under wet conditions. (b)Oxy-cutting must be undertaken by only one oxy-cutter at a time.	Oxy cutting was not in use during the site inspection	Compliant	
	O6.3 Truck unloading of raw materials and output from pre-shredder onto stockpiles must be completed with a water spray suppression control.	During site attendance, truck unloading was being undertaken in a wet area, or large 'puddle' which helps to minimise dust. Water cannons were also in use in this area.	Compliant	
	O6.4 After the Final Occupation Certificate is issued for the development approved by development consent No. SSD 5041, by-product stockpiles, including all automotive shredder residue (floc), must be stored in an enclosed structure.	During the site inspection, by-product stockpiles, including all automotive shredder residue (floc), were all observed to be stored in an enclosed structure.	Compliant	
	O6.5 After the Final Occupation Certificate is issued for the development approved by development consent No. SSD 5041, all conveyors and conveyor transfer points must be fully enclosed.	Conveyors and transfer points observed to be covered.	Compliant	
	O6.6 All enclosures required by conditions O6.4 and O6.5 must be designed and operated to minimise the release of fugitive emissions.	No comment	Compliant	
M2	Requirement to monitor concentration of pollutants discharged			
	Air Monitoring Requirements M2.1 For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant	Emission discharge monitoring is undertaken as	Compliant	

specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:

M2.2 Air Monitoring Requirements

Pollutant	Units of Measure	Frequency	Sampling Method
Dry gas density	Kgms per cu. m.	Yearly	TM-23
Moisture	Percent	Yearly	TM-22
Molecular weight of stack gases	Gms per gram mole	Yearly	TM-23
Solid particles	Mgms per cu. m.	Yearly	TM-15
Temperature	Celsius	Yearly	TM-2
Type 1 substance	Mgms per cu. m.	Yearly	TM-12
Type 2 substance	Mgms per cu. m.	Yearly	TM-13
Velocity	Metres per second	Yearly	TM-2
Volumetric flowrate	Cu.metres per second	Yearly	TM-2

M2.3 The selection of sampling positions for the above air monitoring condition must be selected in accordance with sampling method TM1.

per the EPL for emission point 3 (Hammermill Stack), by Ektimo. The last sampling report was observed, dated 11 October 2019. Testing was observed to be as required satisfying Condition M2.1, M2.2 and M2.3.

M3

Testing methods - concentration limits

Air Emissions

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

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

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

Emissions sampling undertaken annually at Point 3 as per the EPL (refer M2 above)

Compliant

	Methods for the Sampling and Analysis of Air Pollutants in NSW".																																																
M4	<p>Weather monitoring</p> <p>M4.1 At the point(s) identified below, the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1 of the table below, using the corresponding sampling method, units of measure, averaging period and sampling frequency, specified opposite in the Columns 2, 3, 4 and 5 respectively.</p> <p>POINT 12</p> <table border="1"> <thead> <tr> <th>Parameter</th> <th>Sampling method</th> <th>Units of measure</th> <th>Averaging period</th> <th>Frequency</th> </tr> </thead> <tbody> <tr> <td>Siting</td> <td>AM-1</td> <td>-</td> <td>-</td> <td>-</td> </tr> <tr> <td>Sigma theta</td> <td>AM-2 & AM-4</td> <td>Degrees</td> <td>10 mins</td> <td>continuous</td> </tr> <tr> <td>Temp. at 2m.</td> <td>AM-4</td> <td>Kelvin</td> <td>10 mins</td> <td>continuous</td> </tr> <tr> <td>Temp. at 10m.</td> <td>AM-4</td> <td>Kelvin</td> <td>10 mins</td> <td>continuous</td> </tr> <tr> <td>Total Solar Radiation</td> <td>AM-4</td> <td>Watts per sq.m.</td> <td>10 mins</td> <td>continuous</td> </tr> <tr> <td>Wind Direction at 10m.</td> <td>AM-2 & AM-4</td> <td>Degrees</td> <td>10 mins</td> <td>continuous</td> </tr> <tr> <td>Wind Speed at 10m.</td> <td>AM-2 & AM-4</td> <td>Metres per second</td> <td>10 mins</td> <td>continuous</td> </tr> <tr> <td>Rainfall</td> <td>AM-4</td> <td>mms per hour</td> <td>1 hour</td> <td>continuous</td> </tr> </tbody> </table> <p>M4.2 The meteorological weather station must be maintained so as to be capable of continuously monitoring the parameters specified in Condition M4.1.</p> <p>M4.3 Monitoring of all parameters listed in Column 1 of the table in condition M4.1 must commence by 30 September 2016.</p>	Parameter	Sampling method	Units of measure	Averaging period	Frequency	Siting	AM-1	-	-	-	Sigma theta	AM-2 & AM-4	Degrees	10 mins	continuous	Temp. at 2m.	AM-4	Kelvin	10 mins	continuous	Temp. at 10m.	AM-4	Kelvin	10 mins	continuous	Total Solar Radiation	AM-4	Watts per sq.m.	10 mins	continuous	Wind Direction at 10m.	AM-2 & AM-4	Degrees	10 mins	continuous	Wind Speed at 10m.	AM-2 & AM-4	Metres per second	10 mins	continuous	Rainfall	AM-4	mms per hour	1 hour	continuous	<p>During the audit, the Environment Group Manager advised the anemometer and pyronmeter had been sent for calibration which can take 6 weeks. 6 weeks is over 10% of the year, and all weather data including wind and solar cannot be accessed during this time.</p>	<p>Non-compliant</p>	<p>Recommendation: Ensure the weather station is operating as per the EPL and provides continuous measurements at all times. This may include swapping units while calibration is undertaken.</p> <p>Priority: Medium</p>
Parameter	Sampling method	Units of measure	Averaging period	Frequency																																													
Siting	AM-1	-	-	-																																													
Sigma theta	AM-2 & AM-4	Degrees	10 mins	continuous																																													
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Wind Speed at 10m.	AM-2 & AM-4	Metres per second	10 mins	continuous																																													
Rainfall	AM-4	mms per hour	1 hour	continuous																																													
M7	<p>Other monitoring and recording conditions</p> <p>Airblast overpressure</p> <p>M7.1 An airblast overpressure monitor must be operated continuously whilst any activities are being carried out at the premises to measure and electronically record airblast overpressure levels.</p> <p>M7.2 Instrumentation used to measure and record the airblast overpressure must meet the requirement of Australian Standard AS 2187.2-2006.</p>	<p>The airblast overpressure unit and logs were observed onsite.</p> <p>The Group Environment Manager provided evidence</p>	<p>Compliant</p>																																														

	M7.3 Explosions resulting in an airblast overpressure reading exceeding 120dB (Linear Peak) must be recorded and reported to the EPA's Environment Line within 24 hours of the explosion. The written record and report of the explosion must include: a) the time and date of the explosion; and b) the airblast overpressure for the explosion.	that the confirmed events were submitted to the EPA's Environment Line.		
E1	Air Emissions Commissioning Reports			
	Hammermill Emissions Collection System post commissioning assessment and report			
	E1.1 By 30 September 2016, the licensee must commission the emissions collection system (ECS) for the hammermill	ECS has been commissioned	Compliant	
	E1.2 The licensee must verify the air emissions predicted by the ERM Air Quality Assessment report dated September 2015 (the September 2015 ERM Report) from the hammermill. This verification must include: a) Post commissioning sampling of all pollutants from the hammermill assessed in the September 2015 ERM Report. Sampling must be undertaken by suitably qualified personnel. b) Estimate of operating capacity and process rate of the activity at the time of sampling and an explanation of how the estimate was arrived at. c) Sampling of emissions from the hammermill must be undertaken in accordance with the requirements specified in the Approved Methods for Sampling and Analysis of Air Pollutants in NSW or, where no suitable method is prescribed in the Approved Methods for Sampling and Analysis of Air Pollutants in NSW, a method approved in writing by the EPA. d) Results from post commissioning sampling must be compared with the modelled emissions in the September 2015 ERM Report and demonstrate compliance with the ground level criteria in the Approved Methods for the Modelling and Assessment of Air Pollutants in NSW and ground level criteria adopted in the September 2015 ERM Report. e) Identify and implement any changes to the hammermill ECS necessary to achieve environmental air quality performance commensurate with that set out in the September 2015 ERM Report.	ECS has been commissioned	Compliant	
	E1.3 By 31 December 2016, the licensee must submit to the EPA a Commissioning Report for the verification of air emissions from the	ECS has been	Compliant	

<p>hammermill. The Commissioning Report must comprehensively address all requirements listed in Condition E1.1 and E1.2. REPLACED BY: By no later than 6 months from the date of the issuing of the Final Occupation Certificate, the licensee must submit to the EPA a Commissioning Report for the verification of air emissions from the hammermill. The Commissioning Report must comprehensively address all requirements listed in Condition E1.1 and E1.2."</p>	<p>commissioned</p>		
<p>Oxy-Cutting post commissioning assessment and report</p>			
<p>E1.4 By 31 January 2017, the licensee must verify the air emissions predicted by the September 2015 ERM Report from the oxy-cutting activities. REPLACED BY: By no later than 6 months from the date of the issuing of the Final Occupation Certificate, the licensee must verify the air emissions predicted by the September 2015 ERM Report from the oxy-cutting activities.</p>	<p>A copy of the report “Oxy-cutting commissioning report for Sell and Parker Pty Ltd, Kings Park metal Recycling Facility” (ERM, 2019) was provided. The report satisfies requirements of the conditions in E1.5.</p>	<p>Compliant</p>	
<p>E1.5 The verification required by condition E1.4 must include: a) Post commissioning sampling of all pollutants from the oxy-cutting activities assessed in the September 2015 ERM Report. Sampling must be undertaken by suitably qualified personnel. b) Record of the oxy-cutting activities being undertaken at the time of sampling. c) The sampling method used for emissions from oxy-cutting must be clearly described and justified, and the analytical method referenced. d) Results from sampling must be compared with the modelled emissions in the September 2015 ERM Report and demonstrate compliance with the ground level criteria in the Approved Methods for the Modelling and Assessment of Air Pollutants in NSW. e) Identify and implement any changes to the oxy-cutting activities necessary to achieve environmental air quality performance commensurate with that set out in the September 2015 ERM Report.</p>		<p>Compliant</p>	

	E1.6 By 30 April 2017, the licensee must submit a Commissioning Report to the EPA that comprehensively addresses all requirements listed in Condition E1.4 and E1.5. REPLACED BY: By no later than 6 months from the date of the issuing of the Final Occupation Certificate, the licensee must submit a Commissioning Report to the EPA that comprehensively addresses all requirements listed in Condition E1.4 and E1.5.		Compliant	
E2	Post Commissioning Noise Validation Report			
	E2.1 After the Final Occupation Certificate is issued for the development approved by development consent No. SSD 5041, the licensee must engage a suitably qualified and experienced expert to prepare a post commissioning noise validation report in accordance with Condition L4.5. The report must include an attended noise monitoring assessment carried out for three consecutive operating days, at monitoring point 1 listed in Condition L4.1. The assessment must be carried out during each day, evening and morning shoulder period as defined in Condition L4.2 for a minimum of: <ul style="list-style-type: none"> • 1.5 hours during the day; • 30 minutes during the evening; and • 1 hour during the morning shoulder. 	The following noise monitoring reports were supplied by the Group Environment Manager <ul style="list-style-type: none"> • TG616-08F02 Noise Monitoring Report (r2) (21 June 2019) detailing monitoring results at 189 Sunnyholt Road, Kings Park approximately 315 m to the southeast of the subject site between 29 May and 31 May 2019. Monitoring was undertaken at the reasonably most effected receiver over the required time period. 	Compliant	
	E2.2 The post commissioning noise validation report must be prepared by a suitably qualified and experienced acoustical consultant and include: <ol style="list-style-type: none"> a) an assessment of compliance with noise limits presented in Condition L4.1; and b) an outline of any management actions taken within the monitoring period to address any exceedances of the limits contained in Condition L4.1. 	The post commissioning noise validation report presented non-compliances however does not, outline any management actions as required by E2.2 b)	Non- Compliant	Management actions should be provided by the suitably qualified and experienced acoustical consultant.

	E2.3 The post commissioning noise validation report must be submitted to the EPA within 3 months of the Final Occupation Certificate being issued for the development approved by development consent No. SSD 5041.	The report was issued on 21 June 2019	Non- Compliant	
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Appendices

Appendix A – Endorsement of Specialists



Planning,
Industry &
Environment

Contact: Chris Mathieson
Phone: (02) 8289 6818
Email: compliance@planning.nsw.gov.au

Sell and Parker Pty Ltd
11 Meadow Way
BANKSMEADOW NSW 2036

18 September 2019

Attention: Anthea Gilmore

Email: antheag@sellparker.com.au

Dear Ms Gilmore,

Sell and Parker Pty Ltd (SSD 5041) – Endorsement of IEA Auditors

I refer to your letter to the Department of Planning, Industry and Environment (**Department**) on 27 August 2019, requesting approval to engage Mr Makis Galanos as lead auditor and Mr Phillips Dews as lead assessor, with assistance from experts Mr Evan Smith (air quality) and Mr Evan Milton (noise) (**Audit Team**), to complete the 2019 Independent Environmental Audit (**IEA**), as required under Development Consent SSD 5041 (**Consent**).

The Department endorses the proposed Audit Team having considered their qualifications and experience. This approval is conditional upon their independence from the project.¹

In preparing the IEA, you should ensure the audit:

- Is conducted in accordance with AS/NZS ISO 19011 Australian/New Zealand Standard: Guidelines for quality and/or environmental management systems auditing and ideally the Department's Independent Audit Post Approval Requirements (IAPAR), dated June 2018, available at <https://www.planning.nsw.gov.au/~media/Files/DPE/Other/independent-audit-post-approval-requirements-2018-06.ashx>. Please note that as the Consent was already in existence when the IAPAR was released, you may elect to voluntarily comply with the IAPAR but compliance with the Conditions of Consent take priority.
- Includes a compliance table indicating the compliance status of each condition of the Consent (and any other statutory instrument required to be audited);
- Avoids terms such as "partial compliance". An audit is to make findings of either "compliant" or "non-compliant";
- Includes recommended actions in response to non-compliances; and
- Identifies opportunities for improved environmental management and performance.

Finally, the Department requests that you:

- Review the IEA to ensure it complies with the relevant conditions of consent, prior to submitting it to the Secretary; and

¹ Please note that auditors must declare any actual, potential or perceived conflicts of interest. Please refer to the Department's Independent Audit Post Approval Requirements linked in the body of this letter.



- Submit an action plan with the IEA detailing your response to the auditor's recommendations and timeframes to implement any adopted recommendations.

Should you have any further enquiries about this matter, please contact me on (02) 8289 6818 or at compliance@planning.nsw.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'cmath', with a long horizontal flourish extending to the right.

Chris Mathieson
Team Leader – Compliance (Metro)
As Nominee of the Secretary

GHD

Level 3

22 Giffnock Avenue

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Document Status

Revision	Author		Approved for Issue		
	Name	Signature	Name	Signature	Date
0	E Milton (Noise and vibration)		E Smith		14/2/20
	E Smith (Air Quality)				

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