

CONCRUSH PTY LIMITED

# **OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN FOR RESORCE RECOVERY FACILITY**

RACECOURSE ROAD, TERALBA NSW  
(DEVELOPMENT CONSENT SDD 8753)

MAY 2022

PUBLIC



# Question today *Imagine tomorrow* Create for the future

## Operational Environmental Management Plan for Resource Recovery Facility Racecourse Road, Teralba NSW (Development Consent SDD 8753)

Concrush Pty Limited

### WSP

Level 27, 680 George Street  
Sydney NSW 2000  
GPO Box 5394  
Sydney NSW 2001

Tel: +61 2 9272 5100  
Fax: +61 2 9272 5101  
wsp.com

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Prepared by:	Hugh Madden	26 May 2022	
Reviewed by:	Hugh Madden	26 May 2022	
Approved by:	Johan Goosen	26 May 2022	



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# ABBREVIATIONS

ARA	Appropriate Regulatory Authority
AS/NZS	Australian Standard/New Zealand Standard
DP	Deposited Plan
DPIE	Department of Planning, Industry and Environment
EES Group (DPIE)	Environment, Energy and Science Group
EIS	Environmental Impact Statement
ENM	Excavated Natural Material
EPA	Environment Protection Authority
EP&A Act	Environmental Planning and Assessment Act 1979
EPL	Environment Protection Licence
EWMS	Environmental Work Method Statement
ISO	International Organisation for Standardisation
ITP	Inspection and Test Plan
JSEA	Job Safety Environmental Assessment
NPWS	National Parks and Wildlife Service (part of DPIE EES Group)
OEH	Office of Environment and Heritage (part of DPIE EES Group)
OEMP	Operational Environmental Management Plan
PIRMP	Pollution Incident Response Management Plan
POEO Act	Protection of the Environment Operations Act 1997
SSD	State Significant Development
RMS	Roads and Maritime Services (now part of Transport for NSW)
RtS	Response to Submission
tpa	Tonnes per Annum
VENM	Virgin Excavated Natural Material

# 1 INTRODUCTION

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## 1.1 BACKGROUND

On 27 March 2020, Concrush Pty Limited received Development Consent (SSD 8753) from the former NSW Department of Planning, Industry and Environment (DPIE) (now Department of Planning and Environment (DPE)) for the staged expansion and increase in the processing capacity of an existing resource recovery facility to 250,000 tonnes per year of general solid waste (non-putrescible) with a maximum storage capacity of 150,000 tonnes at any one time.

The staged expansion consists of two stages:

- Stage 1 Operations - The point at which the site can receive and process between 108,000 tonnes per annum (tpa) and 200,000 tpa of general solid waste (non-putrescible) and store between 40,000 tonnes and 150,000 tonnes of general solid waste (non-putrescible) at any one time within the area identified in the plans in Appendix 1 of the Development Consent (SSD 8753).
- Stage 2 Operations - The point at which the site can receive and process up to 250,000 tpa of general solid waste (non-putrescible) and store up to 150,000 tonnes of general solid waste (non-putrescible) at any one time within the area identified in the plans at Appendix 1 of the Development Consent (SSD 8753).

Specific operational limits in relation to the receiving, processing and storing of waste have been established by the Development Consent (SSD 8753) and are as follows:

**Condition A7** – The Applicant must not:

- (a) Receive or process more than 250,000 tonnes of general solid waste (non-putrescible) per annum, which includes no more than 5,000 tonnes of garden and wood waste; and
- (b) Store more than 150,000 tonnes of general solid waste (non-putrescible) at any one time, which includes 200 tonnes of garden and wood waste.

**Condition A8** - Despite condition A7(a) and condition A7(b), the Applicant must not receive or process more than 108,000 tonnes per annum or store more than 40,000 tonnes of general solid waste (non-putrescible) at any one time until Stage 1 construction is complete and the Planning Secretary has approved the commencement of Stage 1 operations.

**Condition A9** - Despite condition A7(a) and condition A7(b), the Applicant must not receive or process more than 200,000 tonnes per annum or store more than 150,000 tonnes at any one time of general solid waste (non-putrescible) during Stage 1 operations.

**Condition A10** - Despite condition A7(a) and condition A7(b), the Applicant must not proceed to Stage 2 operations (receive and process up to 250,000 tonnes per annum and store up to 150,000 tonnes at any one time of general solid waste) until Stage 1 construction and Stage 2 construction is complete and the Planning Secretary has approved commencement of Stage 2 operations.

**Condition A11** - Stockpiles of processed and/or unprocessed waste on site must not be more than 10 metres in height when measured from the finished ground level of the site.

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## 1.2 SITE LOCATION

The Concrush resource recovery facility location details are as follows:

- Street Address: 21 Racecourse Road, Teralba, 2284 NSW
- Lot / DP: Lot 2 DP 220347 (part of)
- Local Government Area: City of Lake Macquarie

- Concrush Website: <http://www.concrush.com.au/>

### 1.2.1 SURROUNDING ENVIRONMENT

The resource recovery facility is located in the industrial precinct of Teralba and is immediately surrounded by:

- Skyline Supplies Pty Ltd (a car wrecking business) to the north
- B&S Scrap Metal scrap yard to the south
- Cockle Creek, Bundarra Estate (residential and aged care estate) and the former Pasmenco Cockle Creek smelter and remediation site to the east
- the main northern railway and Teralba Colliery to the west.

Cockle Creek is approximately 40 metres from the edge of the site to the east.

The nearest residential areas are as follows:

- 200 m to the east (Oak Tree Residential Village and Bundarra Estate)
- 1.1 km to the north east (residential suburb of Argenton)
- 1.3 km to the south (residential suburbs of Teralba and Speers Point)

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## 1.3 PURPOSE OF THIS OEMP

The purpose of this Operational Environmental Management Plan (OEMP) is as following:

- Provide a framework for the management of environmental elements and issues during the operational phase of the expanded resource recovery facility.
- Demonstrate Concrush’s commitment to environmental management at the resource recovery facility.
- Identification of environmental legislative and regulatory requirements.
- Identification of roles and responsibilities with respect to environmental management requirements.
- Identification of conditions of consent and environmental management and mitigation measures that apply to the operational phase of the resource recovery facility.
- Identification of environmental monitoring and reporting requirements.
- Identification of review processes associated with compliance and continual improvement.

The OEMP has been developed to:

- Assist in the prevention of unauthorised environmental harm and in particular:
  - Ensure environmental requirements (e.g. conditions of consent and environmental management and mitigation measures) are implemented correctly.
  - Ensure specific requirements associated with applicable licences and/or permits are complied with
  - Minimise negative impacts on the community in relation to noise, air quality, traffic and waste
  - Identify valid opportunities to reduce environmental impact and improve environmental performance.

This OEMP also provides details regarding the following:

- Project details including activities to be undertaken.
- Specific mechanisms to comply with applicable polices, approvals, licences, permits, consultation agreements and legislation.



- Sets key environmental performance objectives and targets.
- Describes how the management and mitigation measures as well as controls will be monitored to ensure they are being adequately implemented.

## 1.4 REQUIREMENTS OF OEMP

The Development Consent (SDD 8753, 27 March 2020) details the specific requirements in relation to the OEMP. The following table summarises these requirements and where they addressed within the OEMP and/or supporting documentation (e.g. other management plans and the like).

Table 1-1 Requirements of OEMP

CONDITION	REQUIREMENT	RELEVANT SECTION OF OEMP
<b>C5</b>	The Applicant must prepare an Operational Environmental Management Plan (OEMP) in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.	This OEMP
<b>C6</b>	As part of the OEMP required under condition C5 of this consent, the Applicant must include the following:	
<b>C6(a)</b>	describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;	Section 7.2
<b>C6(b)</b>	describe the procedures that would be implemented to: <ul style="list-style-type: none"> <li>(i) keep the local community and relevant agencies informed about the operation and environmental performance of the development;</li> <li>(ii) receive, handle, respond to, and record complaints;</li> <li>(iii) resolve any disputes that may arise;</li> <li>(iv) respond to any non-compliance;</li> <li>(v) respond to emergencies;</li> </ul>	Section 3.1 Section 7.11, Section 7.12.2 and Section 7.13 Section 3.3 Section 9 Section 8
<b>C6(c)</b>	include the following environmental management plans: <ul style="list-style-type: none"> <li>(i) Waste Management Plan (see condition B3);</li> <li>(ii) Flood Emergency Response Plan (see condition B26);</li> <li>(iii) Operational Air Quality Management Plan (see condition B40);</li> <li>(iv) Operational Noise Management Plan (see condition B47);</li> <li>and</li> <li>(v) Landscape Management Plan (see condition B57).</li> </ul>	Refer to standalone management plans in the planning portal.
<b>C1</b>	<b>Note</b> - the Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.	Refer to supporting environmental management plans (as identified by Condition C6(c))

CONDITION	REQUIREMENT	RELEVANT SECTION OF OEMP
	Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:	
<b>C1(a)</b>	detailed baseline data;	Refer to supporting environmental management plans (as identified by Condition C6(c))
<b>C1(b)</b>	details of: (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions); (ii) any relevant limits or performance measures and criteria; and (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;	Refer to supporting environmental management plans (as identified by Condition C6(c))  Section 6
<b>C1(c)</b>	a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;	Refer to supporting environmental management plans (as identified by Condition C6(c)).  Refer to the Environmental Management and Mitigation Measures.
<b>C1(d)</b>	a program to monitor and report on the: (i) impacts and environmental performance of the development; (ii) effectiveness of the management measures set out pursuant to paragraph (c) above;	Refer to supporting environmental management plans (as identified by Condition C6(c)).  Section 7.8 Section 7.11 Section 7.12
<b>C1(e)</b>	(e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;	Refer to supporting environmental management plans (as identified by Condition C6(c)).  Section 10 Section 9
<b>C1(f)</b>	(f) a program to investigate and implement ways to improve the environmental performance of the development over time;	Refer to supporting environmental management plans (as identified by Condition C6(c)).  Section 10 Section 7.11 Section 7.12

CONDITION	REQUIREMENT	RELEVANT SECTION OF OEMP
<b>C1(g)</b>	(g) a protocol for managing and reporting any:  (i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);  (ii) complaint;  (iii) failure to comply with statutory requirements; and	Section 8  Section 7.13.1 and Section 9  Section 3.3  Section 7.11
<b>C1(h)</b>	(h) a protocol for periodic review of the plan.	Section 10

## 1.5 OBJECTIVES AND TARGETS

The following environmental objectives and targets have been adopted to provide a means of assessing environmental performance during the operational phase of the resource recovery facility.

The **environmental objectives** are as follows:

- provision of a high standard of environmental management which reflects good planning and implementation
- compliance with statutory requirements, regulatory approvals and regulatory reporting
- compliance with all relevant environmental requirements and licences/permits and exemptions/orders
- protection of people, the environment and property.

The **environmental targets** are as follows:

- no damage to wetland area in the western part of the site (treat as environmental protection zone / no go zone)
- no environmental incidents (including fire) that have the potential to cause material harm to the environment
- minimise air quality impacts on sensitive receivers
- minimise noise and vibration impacts on sensitive receivers
- minimise traffic and pedestrian impacts associated with vehicle movements into and out of facility
- minimise amenity impacts on surrounding environment and receivers with respect to waste management practices and maintenance of landscaping
- ensure surface water management system is operated and maintained in accordance with relevant criteria
- low number of complaints directly linked to the operational activities of the facility
- environmental incidents and non-compliances are reported to the appropriate authorities and in the required timeframes

The above objectives and targets are in addition to any specific objectives and targets developed and documented in the following supporting operational management plans:

- Waste Management Plan (Condition B3) and Waste Monitoring Program (Condition B5)
- Discharge Verification and Mitigation Plan (Condition B14)
- Flood Emergency Response Plan (Condition B26)

- Air Quality Management Plan (Condition B39)
  - Noise Management Plan (Condition B47)
  - Emergency Management Plan (Fire) (Condition B55)
  - Landscape Management Plan (Condition B57)
  - Pollution Incident Response Management Plan (Environment Protection Licence requirement)
- 

## 1.6 ENVIRONMENTAL POLICY / STATEMENT OF INTENT

Concrush is committed to the conservation and protection of the environment from further degradation by reducing the amount of waste to landfill, the impact on natural resources and working within the community and local industry towards an ecologically sustainable future.

Concrush acknowledges as a holder of an Environment Protection Licence (EPL, 1335) the following obligations as licensee:

- Ensure persons associated with Concrush comply with the EPL
- Control the pollution of waters and the pollution of air
- Report incidents causing or threatening material harm to the environment.

Having received Development Consent (SSD 8753) from NSW DPIE, Concrush acknowledges that the associated conditions of consent have been established in order to:

- Prevent, minimise, or offset adverse environmental impacts.
  - Set standards and performance measures for acceptable environmental performance.
  - Require regular monitoring and reporting.
  - Provide for the ongoing environmental management of the development.
- 

## 1.7 OEMP APPROVAL

This OEMP requires the approval of the Planning Secretary (DPIE) before the commencement of operations as per Condition C7(a) of Development Consent (SSD 8753).

Concrush will maintain evidence of DPIE approval of OEMP (e.g. DPIE correspondence) in accordance with record keeping requirements specified in Section 11 of this OEMP.

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## 1.8 DISTRIBUTION

All Concrush staff, site personnel and sub-contractors will have access to this OEMP via a hard copy kept on-site and via electronic means (e.g. computer network or company website).

Except for the on-site hard copy, this document is uncontrolled when printed.

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## 1.9 ENVIRONMENTAL PLANNING APPROVAL PROCESS

The expansion of the existing resource recovery facility was subject to an Environmental Impact Statement (EIS) as it was classified as State Significant Development (SSD) pursuant to section 4.36 of the *Environmental Planning and Assessment Act 1979* as it meets the criteria under clause 23(3) of Schedule 1 in the State Environmental Planning Policy

(State and Regional Development 2011), because it involves development for the purpose of a Resource Recovery Facility that handles more than 100,000 tonnes per annum of waste.

The EIS was exhibited from 16 November 2018 to 14 December 2018. Concrush submitted Response to Submission (RtS) Reports in May 2019 and July 2019.

The Department of Planning, Industry and Environment (DPIE) issued Development Consent (SSD 8753) on 27 March 2020.

# 2 PROJECT DESCRIPTION

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## 2.1 PROJECT OVERVIEW

The operations of the expanded resource recovery facility involve the following:

- Increase of the site area from 2.8 hectares to 4.8 hectares
- Increase via two stages of the facility's processing capacity of construction and demolition waste from 108,000 tonnes per annum to 250,000 tonnes per annum
- Increase the maximum storage capacity from 40,000 tonnes to 150,000 tonnes at any given time
- Increase the hours of operation from 7am to 4pm (Monday to Saturday) to 7am to 10pm (Monday to Saturday) and 8am to 6pm (Sundays and Public Holidays)
- Process an additional waste stream including crushed glass
- Upgrade the stormwater and leachate management system
- Establish an aeration system for garden and wood waste pasteurisation.

The wastes permitted to be stored and processed as part of the expanded operations include the following:

- Demolished concrete
- Bricks/pavers/roof tiles
- Ceramic wall and floor tiles
- Concrete wash out
- Wet concrete
- Virgin Excavated Natural Material (VENM)
- Excavated Natural Material (ENM)
- Road base
- Asphalt
- Ballast
- Crushed glass
- Garden and wood waste.

The processing equipment to be used as part of the facility's operations include the following:

- Crushing and screening plant
- Front End Loaders
- Excavators
- Water Cart
- Road Sweeper
- Trommel screening machine for garden and wood waste
- Aeration system for garden and wood waste pasteurisation

- Pug mill.
- 

## 2.2 LOCATION OF WORKS

The operation of the expanded resource recovery facility is to be carried out in accordance with the Development Layout in Appendix 1 of the Development Consent (SSD 8753). The Development Layout comprises the following four figures:

- Figure 1: Stage 1 Conceptual Layout
- Figure 2: Stage 2 Conceptual Layout
- Figures 3 and 4: Weighbridge Office and Amenities

Reference should also be made to figures/maps/plans as provided in the following OEMP supporting documentation:

- Waste Management Plan (Condition B3) and Waste Monitoring Program (Condition B5)
- Discharge Verification and Mitigation Plan (Condition B14)
- Flood Emergency Response Plan (Condition B26)
- Air Quality Management Plan (Condition B39)
- Noise Management Plan (Condition B47)
- Emergency Management Plan (Fire) (Condition B55)
- Landscape Management Plan (Condition B57)
- Surface Water Management System (Condition B16)
- Pollution Incident Response Management Plan (Environment Protection Licence requirement)

# 3 COMMUNITY AND STAKEHOLDER ENGAGEMENT

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## 3.1 ACCESS TO INFORMATION

The following requirements have been established by the Development Consent (SSD 8753) with respect to the access to information. Concrush will implement and maintain these requirements for the life of the development.

**Condition C19** – At least 48 hours before the commencement of construction and for the life of the development, the Applicant must:

- (a) Make the following information and documents (as they are obtained or approved) publicly available on its website:
    - (i) the documents referred to in Condition A2 of this consent (i.e. SSD 8753) and the final layout plans for the development;
    - (ii) all current statutory approvals for the development;
    - (iii) all approved strategies, plans and programs required under the conditions of this consent;
    - (iv) the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged;
    - (v) regular reporting on the environmental performance development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent;
    - (vi) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;
    - (vii) a summary of the current stage and progress of the development;
    - (viii) contact details to enquire about the development or to make a complaint;
    - (ix) a complaints register, updated monthly;
    - (x) the Compliance Reporting of the development;
    - (xi) audit reports prepared as part of any independent audit of the development and the Applicant's response to the recommendations in any audit report;
    - (xii) any other matter required by the Planning Secretary; and
  - (b) keep such information up to date, to the satisfaction of the Planning Secretary.
- 

## 3.2 TELEPHONE ENQUIRIES AND COMPLAINTS CONTACT NUMBER

Concrush has an established telephone contact number of enquiries and complaints, which is provided on the Concrush website. This telephone contact number will be maintained for the operational phases (and associated operating hours) of the facility covered by this OEMP.

- Telephone Contact Number: (02) 4958 3777 (option 2)



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### 3.3 RESPONDING TO ENQUIRIES AND COMPLAINTS

Concrush will maintain a complaints/enquiry register to record all complaints/enquiries made to Concrush (or an employee or agent of Concrush).

The register must include the following details:

- 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 Concrush in relation to the complaint, including and follow-up contact with the complainant
- If no action was taken by Concrush, the reasons why no action was taken.

Records of enquiries and/or complaints and associated details/actions will be maintained as per the requirements specified in Section 11 of this OEMP.

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### 3.4 EVIDENCE OF CONSULTATION

The following requirements have been established by the Development Consent (SSD 8753) with respect to Evidence of Consultation. Concrush will maintain records of required consultation including the specified details of consultation.

**Condition A16** – Where conditions of this consent (i.e. SSD 8753) require consultation with an identified party, the Applicant must:

- (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval;
- (b) provide details of the consultation undertaken including:
  - (i) the outcome of that consultation, matters resolved and unresolved; and
  - (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

# 4 PRE-OPERATIONAL REQUIREMENTS

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## 4.1 HOLD POINTS

The following hold point requirements have been established by the Development Consent (SSD 8753) with respect to the commencement of operational activities. These hold point requirements need to be completed/released prior to the commencement of the operational stage specified. Concrush will maintain records and documented evidence to demonstrate compliance with the following requirements (as per the requirements of Section 11):

**Condition A12** – The date of commencement of each of the following phases of the development must be notified to the Planning Secretary in writing, at least one month before that date, or as otherwise agreed with the Planning Secretary:

- Condition A12(b) operation
- Condition A12(c) cessation of operations; and
- Condition A12(d) decommissioning.

**Condition A13** – If operation or decommissioning of the development is to be staged, the Planning Secretary must be notified in writing at least one month before the commencement of each stage, of the date of commencement and the development to be carried out in that stage, or as otherwise agreed with the Planning Secretary.

**Condition A25** – Prior to the commencement of Stage 1 operations, the Applicant must pay a contribution to Council under section 7.11 of the EP&A Act of \$5.57 for Public Transport Facilities, \$3.43 for Plan Preparation & Administration and an annual haulage contribution of:

- (a) \$6,045.45 when access along The Weir Road between the intersections of Bath Street and The Weir Road and Griffen Road and The Weir Road is not available at any time during the period to which the payment relates (adjusted on a quarterly basis from the date of this consent, to account for movements in the Australian Bureau of Statistics Consumer Price Index Building Construction (NSW)), or
- (b) \$24,050.00 when access along The Weir Road between the intersections of Bath Street and The Weir Road and Griffen Road and The Weir Road is available at all times during the period to which the payment relates (adjusted on a quarterly basis from the date of this consent, to account for movements in the Australian Bureau of Statistics Consumer Price Index Building Construction (NSW)).

**Condition A23 Note** - Under Part 6 of the *Environmental Planning and Assessment Act, 1979*, the Applicant is required to obtain construction and occupation certificates for the proposed building works.

**Condition A31** - Prior to the commencement of Stage 1 operations, works-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the Principal Certifier.

**Advisory Note 1** - All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.

**Condition B4** – The Applicant must:

- (a) Not commence Stage 1 operations until the Waste Management Plan required by Condition B3 is approved by the Planning Secretary.
- (b) Not commence Stage 2 operations until the Waste Management Plan required by Condition B3 is approved by the Planning Secretary.

**Condition B15** – The Applicant must:

- (a) Not commence Stage 1 operations until the Discharge Verification and Mitigation Plan required by Condition B14 is approved by the Planning Secretary;
- (b) Not commence Stage 1 operations until the approved management and mitigation measures required by Condition 14 has been installed and implemented.

**Condition B16** – Prior to the commencement of Stage 1 operations, the Applicant must design, install and operate a wastewater management system for the development.

**Condition B18** – Prior to the commencement of Stage 1 operations, the Applicant must confirm the final dam depths and, if greater than 2 m in depth, provide engineering documentation to Sydney Trains.

**Condition B27 (a)** – The Applicant must not commence Stage 1 operations, until the Flood Emergency Response Plan required by Condition B27 is approved by the Planning Secretary.

**Condition B28** – Prior to the commencement of Stage 1 operations, the Applicant must complete the Racecourse Road access works to the satisfaction of Council.

**Condition B30** – Prior to the commencement of Stage 2 operations, the Applicant must provide 20 car parking spaces within the site (including one accessible space) for staff and visitors.

**Condition B32** – The Applicant must update all site plans prior to the commencement of Stage 2 operations to include the 20 parking spaces.

**Condition B40** – The Applicant must not commence Stage 1 operation until the Operational Air Quality Management Plan required by Condition B39 is approved by the Planning Secretary.

**Condition B45** – Prior to the commencement of Stage 1 operations, the Applicant must construct a concrete block noise wall on the eastern and southern perimeters of the ‘raw material stockpiles and processing area’, as shown in Figure 1 at Appendix 1 of the Development Consent (SSD 8753).

**Condition B48 (a)** – The Applicant must not commence operation until the Operational Noise Management Plan required by Condition B47 is approved by the Planning Secretary.

**Condition B51** – Prior to the commencement of Stage 1 operations, the Applicant must carry out any remediation works required by the Remedial Action Plan (RAP) under Condition B49 using a suitably qualified and experienced contractor(s) in accordance with the approved RAP and relevant guidelines produced or approved under the *Contaminated Land Management Act 1997*.

**Condition B53** – The Applicant must not commence Stage 1 operations until the Site Audit Statement (SAS) required by Condition B52 is approved by a consultant certified under either the CEnvP(SC) or the CPSS CSAM scheme.

**Condition B56** – Prior to the commencement of Stage 1 operations, the Applicant must install FRNSW’s compatible fittings on the water storage tanks near the garden and wood waste area and ensure the provision of fire extinguishers on all machinery.

**Condition C7(a)** – The Applicant must not commence operation until the Operational Environmental Management Plan (OEMP) is approved by the Planning Secretary.

# 5 OPERATIONAL LIMITS

## 5.1 DEVELOPMENT CONSENT OPERATIONAL LIMITS

The following operational limits have been established by the Development Consent (SSD 8753). Concrush will maintain records and documented evidence (as per the requirements of Section 11) to demonstrate compliance with the following operational limits.

### 5.1.1 HOURS OF WORK

**Condition B42** – The Applicant must comply with the following hours, unless otherwise agreed in writing by the Planning Secretary.

Table 5-1 Approved Operational Hours of Work

ACTIVITY	DAY	TIME
Stage 1 and Stage 2 Operations	Monday to Saturday	7am to 10pm
Stage 1 and Stage 2 Operations	Sunday and Public Holidays	8am to 6pm

During the evening period (i.e. 6pm to 10pm), operations are limited to screening and stockpiling or loading and dispatch of trucks. No crushers can be used during the evening period.

Concrush has committed to the following work practice limitation as identified in the environmental management and mitigation measures for the project:

- The cone crusher will not be used when green waste shredding is occurring.

### 5.1.2 OUT OF HOURS WORK

**Condition B43** – Works outside the hours identified in Condition B42 (as detailed in Section 5.1.1) may be undertaken in the following circumstances:

- works that are inaudible at the nearest sensitive receivers;
- for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or
- where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.

### 5.1.3 WASTE

**Condition A6** - The only type of waste permitted to be received or processed at the site is waste classified as general solid waste (non-putrescible).

**Condition A7** – The Applicant must not:

- Receive or process more than 250,000 tonnes of general solid waste (non-putrescible) per annum, which includes no more than 5,000 tonnes of garden and wood waste; and
- Store more than 150,000 tonnes of general solid waste (non-putrescible) at any one time, which includes 200 tonnes of garden and wood waste.

**Condition A8** - Despite condition A7(a) and condition A7(b), the Applicant must not receive or process more than 108,000 tonnes per annum or store more than 40,000 tonnes of general solid waste (non-putrescible) at any one time until Stage 1 construction is complete and the Planning Secretary has approved the commencement of Stage 1 operations.

**Condition A9** - Despite condition A7(a) and condition A7(b), the Applicant must not receive or process more than 200,000 tonnes per annum or store more than 150,000 tonnes at any one time of general solid waste (non-putrescible) during Stage 1 operations.

**Condition A10** - Despite condition A7(a) and condition A7(b), the Applicant must not proceed to Stage 2 operations (receive and process up to 250,000 tonnes per annum and store up to 150,000 tonnes at any one time of general solid waste) until Stage 1 construction and Stage 2 construction is complete and the Planning Secretary has approved commencement of Stage 2 operations.

**Condition A11** - Stockpiles of processed and/or unprocessed waste on site must not be more than 10 metres in height when measured from the finished ground level of the site.

**Condition B24** – The Applicant must ensure garden and wood waste leachate is not reused outside of the garden and wood waste leachate barrier system, unless written approval has been granted by the EPA.

#### 5.1.4 AIR QUALITY AND ODOUR

**Condition B37(h)** – requires the Applicant to cease operations during the adverse weather conditions as identified in the Response to Submission (RtS) Report.

The adverse weather conditions that trigger operations to cease is when an average wind speed greater than 36 km/h is recorded continuously over a 15 minute period from a north or north westerly direction.

The RtS Report identifies that operations are to cease if dust suppression measures appear visually ineffective.

In the event that an engineered dust control measure was to fail, Concrush is committed to stopping operation of the relevant machine or to cease specific dust generating activities within the potentially affected part of the site.

**Condition B41** - The Applicant must ensure the development does not cause or permit the emission of any offensive odour (as defined in the *Protection of the Environment Operations Act 1997*). Offensive odour is defined by the POEO Act as follows:

**Offensive odour** – means an odour –

- (a) that, by reason of its strength, nature, duration, character or quality, or the time at which it is emitted, or any other circumstances –
  - (i) is harmful to (or is likely to be harmful to) a person who is outside the premises from which it is emitted, or
  - (ii) interferes unreasonably with (or is likely to interfere unreasonably with) the comfort of repose of a person who is outside the premises from which it is emitted, or
- (b) that is of a strength, nature, duration, character or quality prescribed by the regulations or that is emitted at a time, or in other circumstances, prescribed by the regulations.

With respect to odour control, Concrush is committed to the following:

- Avoiding the need to conduct potential odour generating activities when the wind direction is blowing towards nearby residential areas.
- Avoiding the need to conduct potential odour generating activities during early morning periods under low wind speed conditions.

#### 5.1.5 NOISE

**Condition B46** – The Applicant must install and operate equipment in line with best practice to ensure that the development does not exceed the noise limits as specified in the EPL applicable to the site (i.e. EPL 1335).

### 5.1.6 TRAFFIC, ACCESS AND PARKING

**Condition B31** - Parking is only permitted within designated parking spaces.

**Condition B33** – The Applicant must ensure that:

- (a) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the development are constructed and maintained in accordance with the latest version of AS 2890.1:2004 Parking facilities Off-street car parking (Standards Australia, 2004) and AS 2890.2:2002 Parking facilities Off-street commercial vehicle facilities (Standards Australia, 2002);
- (b) the swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, is in accordance with the relevant AUSTRROADS guidelines;
- (c) vehicles no larger than 19 m (truck and dog and/or semi-trailer vehicles) are permitted to access the site;
- (d) the development does not result in any vehicles queueing or parking on Racecourse Road;
- (e) heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site;
- (f) all vehicles are wholly contained on site before being required to stop;
- (g) all loading and unloading of materials/waste is carried out on site;
- (h) all trucks entering or leaving the site with loads have their loads covered and do not track dirt onto the public road network; and
- (i) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.

### 5.1.7 LIGHTING

**Condition B59** – The Applicant must ensure that the lighting associated with the development:

- (a) Complies with the latest version of AS4282-1997 – Control of the obtrusive effects of outdoor lighting (Standards Australia 1997); and
- (b) Is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

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## 5.2 DEVELOPMENT CONSENT ADMINISTRATIVE REQUIREMENTS

The following administrative requirements have been established by the Development Consent (SSD 8753) with respect to the operational phase of the expanded resource recovery facility. Concrush will maintain records and documented evidence (as per the requirements of Section 11) to demonstrate compliance with the following administrative requirements.

### 5.2.1 SURRENDER OF EXISTING CONSENTS OR APPROVALS

**Condition A14** – Within 12 months of the date of commencement of development to which this consent applies, or with another timeframe agreed to by the Planning Secretary, the Applicant must surrender the existing development consent DC/02/00558/1N dated 27 February 2002 and issued by Lake Macquarie City Council in accordance with the Environmental Planning and Assessment Regulation.

**Condition A15** – Upon the commencement of development to which this consent applies, and before the surrender of existing development consents or project approvals required under Condition A14, the conditions of this consent (i.e. SSD 8753) prevail to the extent of any inconsistency with the conditions of those consents or approvals.

# 6 LEGAL AND OTHER REQUIREMENTS

## 6.1 LEGISLATIVE REQUIREMENTS

The key environmental legislative requirements applicable to the operation of the resource recovery facility are summarised in the following table.

Table 6-1 NSW legislative requirements

LEGISLATION / REGULATION & ADMINISTERING AUTHORITY	PURPOSE	RELEVANCE TO FACILITY OPERATION
<p><i>Environmental Planning and Assessment Act 1979</i></p> <p>DPiE</p>	<p>The objective of the Act is to promote social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources.</p>	<p>Development Consent (SDD 8753) issued by DPiE. Conditions of Development Consent must be complied with during operational phase.</p>
<p><i>Protection of the Environment Operations Act 1997</i></p> <p>EPA</p>	<p>The relevant objectives of the Act are as follows:</p> <p>To protect, restore and enhance the quality of the environment in NSW, having regard to the need to maintain ecologically sustainable development.</p> <p>To reduce risks to human health and prevent degradation of the environment.</p>	<p>The facility operates under an Environment Protection Licence (EPL) issued by the EPA in accordance with the POEO Act. EPL may require update based on Development Consent.</p> <p>The facility has a Pollution Incident Response Management Plan (PIRMP) as required by the POEO Act. PIRMP may require update based on Development Consent.</p> <p>The POEO Act prohibits the pollution of waters. Pollute waters includes cause or permit any waters to be polluted.</p> <p>The POEO Act in relation to Air and Noise Pollution requires that plant/equipment is maintained in an efficient condition and that plant/equipment is operated in a proper and efficient manner.</p> <p>The POEO Act prohibits the emission of any offensive odour from the premises.</p> <p>Waste from the facility must not be wilfully or negligently disposed of in a manner that harms or is likely to harm the environment.</p>

LEGISLATION / REGULATION & ADMINISTERING AUTHORITY	PURPOSE	RELEVANCE TO FACILITY OPERATION
		<p>Waste must not be transported to a place that cannot lawfully be used as a waste facility for the waste in question.</p> <p>There must be no litter in or on public places or an open private place caused by persons at the facility (including visitors).</p> <p>Any environmental incident that involves actual or potential harm to the health or safety of human beings or to ecosystems must be reported as per the incident reporting requirements (refer to Section 8.3.1 of this OEMP).</p>
<p><b><i>Protection of the Environment (Waste) Regulation 2014</i></b> EPA</p>	<p>The Waste Regulation improves the EPA's ability to protect human health and the environment, and paves the way for a modern and fair waste industry in NSW.</p>	<p>EPA has issued Concrush the following exemptions and orders under the POEO (Waste) Regulation. The requirements of the Exemptions and Orders must be complied with.</p> <ul style="list-style-type: none"> <li>• The Concrush Recovered Aggregate Exemption 2020</li> <li>• The Concrush Recovered Aggregate Order 2021 or as updated</li> <li>• Pasteurised Garden Organics Exemption 2016</li> <li>• Pasteurised Garden Organics Order 2016</li> </ul>
<p><b>Biosecurity Act 2015</b> NSW Department of Primary Industries (DPI)</p>	<p>The primary object of this Act is to provide a framework for the prevention, elimination and minimisation of biosecurity risks posed by biosecurity matter, dealing with biosecurity matter, carriers and potential carriers, and other activities that involve biosecurity matter, carriers or potential carriers</p>	<p>Concrush is required to manage pests, vermin and noxious weeds on site and to ensure that site conditions do not pose an environmental hazard or cause the loss of amenity in the surrounding area.</p>
<p><b><i>National Parks and Wildlife Act 1974</i></b> DPIE (Environment, Energy and Science Group – EES) incorporating the functions of the former Office of Environment and Heritage (OEH).</p>	<p>The objectives of the Act are for the conservation of nature and the conservation of objects, places or features (including biological diversity) of cultural (including</p>	<p>Concrush (including employees and sub-contractors) must follow the unexpected finds protocol (refer to Section 8.3.5 of this OEMP) if suspected Aboriginal Heritage items are encountered.</p>



LEGISLATION / REGULATION & ADMINISTERING AUTHORITY	PURPOSE	RELEVANCE TO FACILITY OPERATION
National Parks and Wildlife Service (NPWS)	Aboriginal Cultural) value within the landscape	

## 6.2 ENVIRONMENT PROTECTION LICENCE

The existing resource recovery facility operates under EPL 1335. Prior to the commencement of Stage 1 and Stage 2 operations, Concrush will review its EPL to determine whether or not changes are required. The review should assess the following EPL aspects (as a minimum):

- Schedule Activities
- Fee Based Activities
- Scale
- Premises Details
- Wastes permitted to be received and associated waste activities as well as other limits
- Authorised amounts of waste

Should the need for change be identified, Concrush will seek the necessary changes via the variation of licence conditions process. Changes to the EPL (where required) must be in place prior to the commencement of Stage 1 and/or Stage 2 operations.

# 7 ENVIRONMENTAL MANAGEMENT FRAMEWORK

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## 7.1 ENVIRONMENTAL MANAGEMENT SYSTEM

### 7.1.1 EXISTING ARRANGEMENTS

Concrush has operated the existing resource recovery facility (i.e. pre-expansion approval) via the following environmental management system components:

- Operational Environmental Management Plan for Concrush Pty Ltd Teralba Facility (Document Filename: Concrush OEMP V1.2 – July 2018). This OEMP is supported by the following management plans:
  - Noise Management Plan
  - Air Quality Management Plan
  - Water Management Plan
  - Waste Management Plan
  - Concrete and Demolition Materials Management Plan
  - Pasteurised Garden Organics Management Plan
- Environment Protection Licence (1335) issued by NSW EPA
- Development Consent (DC/02/00558/1N dated 27 February 2002) issued by Lake Macquarie City Council

### 7.1.2 EXPANSION ARRANGEMENTS

The environmental management system for the operation of the expanded resource recovery facility will comprise the following:

- Operational Environmental Management Plan (this document, as per Condition C5)
- Waste Management Plan (Condition B3) and Waste Monitoring Program (Condition B5)
- Discharge Verification and Mitigation Plan (Condition B14)
- Surface Water Management System (including Waste Water System) (Condition B16)
- Groundwater Management Plan (Condition B20)
- Erosion and Sediment Control Plan (Condition B22)
- Acid Sulfate Soil Management Plan (Condition B25)
- Flood Emergency Response Plan (Condition B26)
- Air Quality Management Plan (Condition B39)
- Traffic Management Plan (Condition B34)
- Noise Management Plan (Condition B47)
- Emergency Management Plan (Fire) (Condition B55)
- Landscape Management Plan (Condition B57)

- Environment Protection Licence (EPL 1335)
  - Pollution Incident Response Management Plan (Environment Protection Licence requirement)
  - Long Term Environmental Management Plan (in relation to site contamination management)
  - The Concrush Recovered Aggregate Exemption 2020
  - The Concrush Recovered Aggregate Order 2021 or as updated
  - Pasteurised Garden Organic Exemption 2016
  - Pasteurised Garden Organic Order 2016
  - Development Consent (SSD 8753) issued by DPIE on 27 March 2020
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## 7.2 ENVIRONMENTAL MANAGEMENT STRUCTURE AND RESPONSIBILITIES

### 7.2.1 ROLES AND RESPONSIBILITIES

The key environmental management roles and responsibilities for the operations of the facility are as follows.

#### 7.2.1.1 DIRECTORS

- Develop, communicate and maintain environmental policy for facility and its operations.
- Define and communicate environmental responsibilities for key roles/positions and general positions.
- Ensure environmental objectives and targets are established, communicated, monitored and achieved.
- Provision of resources (e.g. staff, training, plant/equipment, systems, allocation of funds, etc.) so that personnel are able to discharge their assigned environmental responsibilities and that operations are compliant with legislative and regulatory requirements.
- Undertake periodic environmental audits of operations
- Review environmental incident investigation reports and support implementation of identified corrective and preventative actions.
- Respond to community complaints and enquiries.
- Any dealings with members of the public or key stakeholders are to be done in a courteous manner.
- Promote environmental awareness.

#### 7.2.1.2 BUSINESS MANAGER

- Attend/undertake all required environmental inductions and training/awareness sessions.
- Promote environmental awareness and associated environmental requirements of Concrush to all staff and site based personnel.
- Ensure environmental management systems are established, implemented and maintained.
- Ensure operation of facility comply with the requirements of the Development Consent and EPL.
- Immediate reporting of environmental incidents to regulatory agencies in accordance with the requirements of the Pollution Incident Management Plan (PIRMP) and Section 8.3.1 of this OEMP.

- Reporting of non-compliances to EPA in relation to Exemptions and Orders issued under the POEO (Waste) Regulation 2014.
- Reporting of incidents and non-compliance to DPIE with respect to the requirements of Development Consent.
- Ensure OEMP and supporting management plans (e.g. noise, air, waste and landscape) are implemented and records maintained.
- Ensure environmental monitoring and reporting required by OEMP (including supporting management plans etc.) and EPL is undertaken.
- Ensure waste monitoring program is implemented.
- Ensure discharge verification mitigation plan is implemented
- Ensure surface water management system is operated and maintained.
- Ensure environmental audits and annual reviews are undertaken in accordance with the requirements of Development Consent.
- Ensure annual returns are undertaken in accordance with the requirements of EPL.
- Reporting of environmental performance and improvement opportunities.
- Ensure staff and site personnel are trained in the requirements of the Pollution Incident Response Management Plan (PIRMP), Flood Emergency Response Plan and Emergency Management Plan (Fire).
- Ensure environmental records (e.g. monitoring results/reports, audits, reviews, etc.) are published and maintained on the Concrush website in accordance with the requirements of the Development Consent and EPL.
- Ensure (i.e. verify/check) that corrective and preventative actions have been implemented.
- Support and participate in incident investigations.
- Support and participate in environmental audits.
- Provision of resources to Yard Manager as required to support environmental management of operations.
- Any dealings with members of the public or key stakeholders are to be done in a courteous manner.
- Ensure environmental records are maintained as per the requirements specified in Section 11 of this OEMP.
- Ensure implementation of actions as directed by Directors in relation to environmental management.

### 7.2.1.3 YARD MANAGER

- Attend/undertake all required environmental inductions and training/awareness sessions (e.g. pre-start inspections/meetings, toolbox talks, etc.)
- Immediately reporting environmental incidents to Directors and/or Business Manager
- Ensure that all staff / site personnel on site have completed the required environmental inductions.
- Supervise and inspect works to ensure implementation, compliance with and/or maintenance of environmental management and mitigation measures identified in the OEMP and supporting management plans (e.g. noise, air, waste and landscape).
- Conduct Pre-Start meetings and address environmental management requirements.
- Conduct Toolbox Talks (as required) and address environmental management requirements.
- Maintain records of works to ensure compliance with OEMP and supporting management plans.
- Any dealings with members of the public or key stakeholders are to be done in a courteous manner.

- Conduct environmental incident investigations and ensure the implementation of corrective/preventative actions and improvement opportunities.
- Participate in environmental audits and ensure the implementation of any identified corrective/preventative actions and improvement opportunities.
- Ensure implementation of actions as directed by Business Manager in relation to environmental management.

#### 7.2.1.4 EMPLOYEES / SUB-CONTRACTORS

- Attend/undertake all required environmental inductions and training/awareness sessions (e.g. pre-start inspections/meetings, toolbox talks, etc.).
- Any dealings with members of the public or key stakeholders are to be done in a courteous manner.
- Undertake works in an environmentally responsible manner and in accordance with instructions and/or procedures that apply to their assigned work.
- Perform all works in accordance with this OEMP and supporting management plans.
- Report any environmental concerns, incidents and/or near misses immediately to supervisor, Yard Manager or Business Manager.
- Participate in environmental incident investigations (as appropriate).
- Participate in environmental audits (as appropriate).

#### 7.2.1.5 VISITORS

- To be escorted by a Concrush representative (as nominated by Business Manager or Yard Manager).
- Attend/undertake environmental induction relevant to site visit.
- Follow instructions of escort as relevant to site visit.
- Undertake site visit in an environmentally responsible manner.

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## 7.3 TRAINING AND COMMUNICATIONS

### 7.3.1 ENVIRONMENTAL INDUCTION

All personnel (including sub-contractors) are required to attend a compulsory facility environmental induction prior to commencement of works. The environmental induction will include (but not be limited to) the following topics:

- Relevant details of this OEMP (and supporting management plans) including purpose and objectives.
- Location of surrounding sensitive receivers (i.e. human and environmental) in relation to facility.
- Key environmental issues (as identified by OEMP supporting management plans)
- Key environmental risks (as identified by the Flood Emergency Response Plan, Emergency Management Plan Fire and Pollution Incident Response Plan).
- Key conditions of Development Consent with respect to the conduct of operations (e.g. operational limits and requirements)
- Key conditions of the Environment Protection Licence with respect to the conduct of operations.
- Environmental management and mitigation measures to be implemented (as identified in OEMP and supporting management plans).

- Incident response and reporting requirements.

Concrush will maintain induction records as per the requirements specified in Section 11 of this OEMP.

### 7.3.2 ENVIRONMENTAL INCIDENT TRAINING

Concrush will ensure staff / site personnel are appropriately trained in how to respond to emergency situations (e.g. fire, spill/leak response and pollution incidents) that have the potential to occur on site based on the operations undertaken. Concrush will maintain training records as per the requirements specified in Section 11 of this OEMP.

### 7.3.3 INTERNAL COMMUNICATIONS

Communication of relevant environmental information to staff / site personnel during the operational phase of the facility will be undertaken utilising the following mechanism (as deemed appropriate):

- Daily Pre-Start Meetings – The daily pre-start meeting is a tool for informing site personnel of the day’s activities, safe work practices, environmental protection practices, work restrictions, hazards and other information that may be relevant to the day’s work and/or lessons learnt from the previous days’ activities.
- Tool Box Talks – a meeting whereby specific topics are addressed (e.g. site specific risk assessments, specific activity training, safe/environmental work method statements, requirements in relation to site work practices, site security, or any other relevant topic/issue as needed).
- Post Incident Investigation Briefings – a meeting whereby staff / site personnel are briefed on the findings of environmental incident investigations and the associated corrective/preventative actions and lessons learnt.
- Environmental Performance Briefings – a meeting whereby staff / site personnel are briefed on the results / findings of the following (Development Consent Annual Review, EPL Annual Return, Independent and Internal Environmental Audits and OEMP review).

Concrush will maintain records of the above communications as per the requirements specified in Section 11 of this OEMP.

### 7.3.4 EXTERNAL COMMUNICATIONS

Communications with external parties (e.g. DPIE, EPA, Council etc.) will be responsibility of the Business Manager or Director (as deemed appropriate).

Concrush will maintain records of communications as per the requirements specified in Section 11 of this OEMP.

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## 7.4 ENVIRONMENTAL RISK ASSESSMENT

As part of the EIS process for the expanded resource recovery facility, an environmental risk assessment was undertaken to identify key environmental issues for the operational phase of the facility. The risk assessment methodology utilised followed the general principles outlined in Australian Standard AS/NZS 4360:1999 Risk Management and Environmental Risk Management – Principles and Process (Standards Australia, 2000).

The objectives of risk assessments are to:

- identify activities, events or outcomes that have the potential to adversely affect the local environment, human health and/or property
- qualitatively evaluate and categorise each risk item
- assess whether risk issues can be managed by environmental protection and management measures
- qualitatively evaluate residual risk with implementation of protection and management measures.

The key operational issues identified by the risk assessment and which were assessed in detail via the EIS process included:

- Noise generation and impact to sensitive receivers.
- Dust generation and impact to sensitive receivers and degradation of local air quality.
- Increased traffic as a result of increased throughput capacity.
- Erosion and sedimentation runoff (including surface water run-off from stockpiles).

#### 7.4.1 OTHER ENVIRONMENTAL RISK ASSESSMENT MECHANISMS

Environmental risk assessments typically form part of the following work planning/control documentation:

- Pollution Incident Response Management Plan (PIRMP)
- Environmental Work Method Statements (EWMS) and/or Inspection and Testing Plans (ITPs)
- Safe Work Method Statements (SWMS)
- Job Safety & Environmental Assessments (JSEA)

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## 7.5 SUB-CONTRACTOR MANAGEMENT

All sub-contractors undertaking works at the resource recovery facility will be required to comply with this OEMP, the facilities EPL as well as relevant legislative and regulatory requirements that apply to their scope of works.

Sub-Contractors will be required to develop project specific environmental management documentation to address operational control of their activities unless working under the direct supervision and direction of Concrush.

Specific controls relevant to a Sub-Contractor's work and the management environmental issues can be defined in the following (as appropriate):

- Sub-Contractor's Environmental Management Plan
- Project and task specific Environmental Work Method Statements (EWMS)
- Job Safety Environmental Analysis (JSEA) or Inspection and Test Plans (ITPs)
- Work Instructions / Procedures
- Checklists, Daily Work Reports, Monthly Reports.

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## 7.6 ENVIRONMENTAL MANAGEMENT AND MITIGATION MEASURES

The Environmental Management and Mitigation Measures details the environmental management and mitigation measures that must be implemented to prevent environmental harm and minimise impacts of the environment and community during the operational phase. The environmental management and mitigation measures are based on the requirements specified in the Development Consent and address the following topics:

- Noise
- Air Quality
- Traffic and Access
- Soil and Water

- Ecology
- Bushfire & Fire
- Aboriginal Archaeology & Cultural Heritage
- Historical Heritage
- Visual
- Waste
- Hazard and Risk

The environmental management and mitigation measures will be incorporated into the following OEMP supporting documentation (as appropriate):

- Waste Management Plan (Condition B3) and Waste Monitoring Program (Condition B5)
- Discharge Verification and Mitigation Plan (Condition B14)
- Air Quality Management Plan (Condition B39)
- Noise Management Plan (Condition B47)
- Landscape Management Plan (Condition B57)
- Long Term Environmental Management Plan (in relation to management of site contamination)

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## 7.7 ENVIRONMENTAL INSPECTIONS

### 7.7.1 *PRE-START INSPECTION OF PLANT/EQUIPMENT*

Prior to operating plant/equipment at the facility, daily pre-start inspections will be undertaken and documented (e.g. checklist) by the operator of plant/equipment.

Daily pre-start inspections of plant/equipment will focus on (but not limited to) the following:

- environmental control mechanism are in good working order
- hoses/fittings and seals are in good condition and free of deterioration and distortion
- issues requiring maintenance (i.e. prevent the proper and efficient operation of plant/equipment)
- issues requiring immediate rectification (i.e. pose an unacceptable environmental and/or work health safety risk)

Daily pre-start inspection checklists will be reviewed by the Yard Manager. Maintenance requirements identified by daily pre-start inspections will be co-ordinated by the Yard Manager.

Records of plant/equipment pre-start checks and plant/equipment maintenance are to be maintained as per the requirements specified in Section 11 of this OEMP.

### 7.7.2 *DAILY INSPECTION OF FACILITY OPERATIONS*

The operations of the facility will be inspected on a daily basis by either the Yard Manager and/or Business Manager. The inspection will be documented (e.g. site diary or checklist). The daily inspection of operations will focus on the following (but not limited to):

- general housekeeping
- effectiveness of environmental management and mitigation measures in relation to dust, odour, noise, waste and traffic control



- effectiveness and/or repair needs for environmental control measures
- work practices

Actions (i.e. corrective, preventative and/or continual improvement) identified by daily inspections are to be recorded in the Actions Register. Requirements in relation to the Actions Register are provided in Section 9.2 of this OEMP.

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## 7.8 ENVIRONMENTAL MONITORING

### 7.8.1 OEMP SUPPORTING PLANS AND PROGRAMS

Concrush will ensure that the environmental monitoring as specified in the following supporting management plans and programs is undertaken and reported:

- Waste Management Plan (Condition B3) and Waste Monitoring Program (Condition B5)
- Discharge Verification and Mitigation Plan (Condition B14)
- Air Quality Management Plan (Condition B39)
- Noise Management Plan (Condition B47)
- Landscape Management Plan (Condition B57)

Concrush will ensure that the environmental monitoring and performance measuring as specified in the above supporting documents is undertaken, reported and reviewed. Concrush will maintain environmental monitoring and performance measuring records as per the requirements specified in Section 11 of this OEMP.

### 7.8.2 OPERATIONAL LIMITS

Concrush will monitor its activities against the operational limits detailed in Section 5 of this OEMP.

Identified non-compliances will be recorded in the Non-Compliance Register as per the requirements specified in section 9.1 of this OEMP.

Actions (i.e. corrective and/or preventative) identified to address the non-compliance are to be recorded in the Actions Register. Requirements in relation to the Actions Register are provided in Section 9.2 of this OEMP.

Where improvement opportunities are identified by audits, they are to be recorded and managed via the Actions Register.

Where the non-compliance is in relation to a specific condition of the Development Consent, it must be reported to DPIE as per the requirements of Section 7.13.1.

Concrush will maintain records of monitoring as per the requirements specified in Section 11 of this OEMP.

### 7.8.3 OPERATIONAL REQUIREMENTS

Concrush will monitor its activities against the following operational requirements.

Identified non-compliances will be recorded in the Non-Compliance Register as per the requirements specified in section 9.1 of this OEMP.

Actions (i.e. corrective and/or preventative) identified to address the non-compliance are to be recorded in the Actions Register. Requirements in relation to the Actions Register are provided in Section 9.2 of this OEMP.

Where improvement opportunities are identified by audits, they are to be recorded and managed via the Actions Register.

Where the non-compliance is in relation to a specific condition of the Development Consent, it must be reported to DPIE as per the requirements of Section 7.13.1.

Concrush will maintain records of monitoring as per the requirements specified in Section 11 of this OEMP.

#### 7.8.4 DUST MINIMISATION

- **Condition B36:** The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.
- **Condition B37:** The Applicant must ensure that:
  - (a) all on site carparking areas are sealed;
  - (b) water sprinklers at the stacker above the processed stockpile and transfer points are utilised at all time when the plant is operational;
  - (c) the wheel wash at the heavy vehicle egress point is operational at all times;
  - (d) exposed surfaces and stockpiles are suppressed by regular watering;
  - (e) sealed roads are swept regularly;
  - (f) the seal on the main access road from the wheel wash and weighbridge is maintained;
  - (g) a water cart will remain onsite for use on manoeuvring areas in hot and dry weather;
  - (h) operational limit (refer to Section 5 of OEMP)
  - (i) all trucks entering or leaving the site with loads have their loads covered; and
  - (j) trucks associated with the development do not track dirt onto the public road network.

#### 7.8.5 DANGEROUS GOODS

- **Condition B62:** The Applicant must store all chemicals, fuels and oils used on-site in accordance with:
  - (a) the requirements of all relevant Australian Standards; and
  - (b) the NSW EPA's Storing and Handling of Liquids: Environmental Protection – Participants Manual if the chemicals are liquid.
- **Condition B63:** In the event of an inconsistency between the requirements of B62(a) and B62(b), the most stringent requirement must prevail to the extent of the inconsistency.
- **Condition B64:** The quantities of dangerous goods stored and handled at the site must be below the threshold quantities listed in the Department of Planning's Hazardous and Offensive Development Application Guidelines – Applying SEPP 33 at all times.

#### 7.8.6 BUNDING

- **Condition B65:** All chemicals, fuels and oils used on-site must be stored in appropriately banded areas in accordance with the requirements of all relevant Australian Standards, and/or EPA's Storing and Handling of Liquids: Environmental Protection – Participants Manual (DECC, 2007).

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## 7.9 ENVIRONMENTAL CONTROL PLANS AND MAPS

The operation of the expanded resource recovery facility is to be carried out in accordance with the Development Layout in Appendix 1 of the Development Consent (SSD 8753). The Development Layout comprises the following four figures:

- Figure 1: Stage 1 Conceptual Layout
- Figure 2: Stage 2 Conceptual Layout
- Figures 3 and 4: Weighbridge Office and Amenities

Reference must also be made to plans/maps/figures as provided in the following OEMP supporting documentation:

- Waste Management Plan (Condition B3) and Waste Monitoring Program (Condition B5)
- Discharge Verification and Mitigation Plan (Condition B14)
- Groundwater Management Plan (Condition B20)
- Erosion and Sediment Control Plan (Condition B22)
- Acid Sulfate Soil Management Plan (Condition 25)
- Flood Emergency Response Plan (Condition B26)
- Traffic Management Plan (Condition B34)
- Air Quality Management Plan (Condition B39)
- Noise Management Plan (Condition B47)
- Emergency Management Plan (Fire) (Condition B55)
- Landscape Management Plan (Condition B57)
- Surface Water Management System (Condition B16)
- Pollution Incident Response Management Plan (Environment Protection Licence requirement)
- Long Term Environmental Management Plan (in relation to management of site contamination)

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## 7.10 ENVIRONMENTAL MANAGEMENT DOCUMENTS

The following documents, records, information etc. support this OEMP. Environmental management documents will be maintained as per the requirements of Section 11 of this OEMP.

- Complaints Register
- Incident Register
- Non-Compliance Register
- Actions Register
- Training Records (environmental induction)
- Training Records (as specified by the Emergency Management Plan – Fire)
- Training Records (operators trained in firefighting techniques)
- Training Records (environmental incident training)
- Training Records (Pasteurisation Procedure)
- Records of Inspections, Calibrations, Monitoring and Reporting as specified by OEMP and supporting management plans and programs.
- Internal Audits
- Plant and Equipment Maintenance Schedules
- Plant and Equipment Maintenance Records
- Operator Daily Pre-Start Checklist / Log Book
- Fire Extinguisher Register
- Servicing Records for Fire Extinguishers

- Site Diary or Daily Work Record
- Environmental Checklists and Inspection Records (e.g. daily, weekly)
- Pre-Wet Weather (10mm or more forecasted) Inspection Records (erosion and sediment control)
- Post-Wet Weather (10mm or more actual) Inspection Records (erosion and sediment control)
- Monthly Inspection Record (environment and sediment control)
- Monthly Site Inspection (Pest, Vermin and Noxious Weeds Management)
- Records of pest and vermin control treatments
- Record of noxious weeds control treatments
- Leachate re-use records (including area of use)
- Landscape maintenance records (including details of native plant species utilised)
- Water Volumes Records
- Waste Classification Reports
- Waste Receiving Records
- Waste Processing Records
- Waste Storage Records
- Source of waste information and details of heavy vehicles associated with its delivery to facility
- Provision of material use guidance (and associated limitations) to buyers of products from Concrush
- Dangerous Goods Register (including quantities/volumes stored) and Storage Compliance Assessments
- Chemicals, Fuels and Oils Register (including quantities/volumes stored) and Storage Compliance Assessments.
- Lighting compliance assessment (night time assessment).
- Development Consent Annual Review
- Development Consent Independent Environmental Audit
- EPL Annual Returns
- EPA and DPIE notifications regarding environmental incidents and non-compliances
- Formal correspondence with DPIE, EPA and other regulatory agencies
- Directives from NSW Police Force or other regulatory agencies
- Works as Executed Drawings and details of designers (qualifications and experience)
- Development Consent
- Environment Protection Licence and Pollution Incident Response Management Plan
- EPA issues Exemptions and Orders
- Environmental Risk Assessments
- Concrush Procedures

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## 7.11 COMPLIANCE MONITORING AND REPORTING

### 7.11.1 DEVELOPMENT CONSENT REQUIREMENTS

Concrush will undertake, document and maintain records of Annual Reviews of the environmental performance of the development in accordance with Condition C14 and C15.

**Condition C14** – Within three months after the first year of commencement of operations, and in the same month each subsequent year (or such other timing as may be agreed by the Planning Secretary), the Applicant must submit a report to the Planning Secretary reviewing the environmental performance of the development to the satisfaction of the Planning Secretary. The review must:

- (a) describe the development that was carried out in the previous year, and the development that is proposed to be carried out in the current year;
- (b) include a comprehensive review of the monitoring results and complaints records from the previous year, including a comparison of these against the:
  - (i) relevant statutory requirements, limits or performance measures/criteria;
  - (ii) requirements of any plan or program required under this consent;
  - (iii) monitoring results of previous years; and
  - (iv) the relevant predictions in the EIS and Response to Submissions (RtS) Report;
- (c) identify any non-compliances and any incidents which occurred in the previous year, and describe what actions were (or are being) taken to rectify the non-compliance or incident and avoid recurrence;
- (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

**Condition C15** – Copies of the Annual Review must be submitted to Council and any interested person upon request.

### 7.11.2 EPL REQUIREMENT

The Environment Protection Licence (EPL) requires the submission of an Annual Return in accordance with the requirements as directed by the NSW EPA. Common requirements include the following:

- Statement of Compliance
- Monitoring and Complaints Summary
- Statement of Compliance – Licence Conditions
- Statement of Compliance – Load based Fee
- Statement of Compliance – Requirement to prepare Pollution Incident Response Management Plan
- Statement of Compliance – Requirement to Publish Pollution Monitoring Data
- Statement of Compliance – Environmental Management Systems and Practices

The Annual Return is to cover a reporting period of 20 May (Year) to 19 May (Year + 1).

The Annual Return for the reporting period must be supplied to the EPA via eConnect *EPA* or by registered post not later than 60 days after the end of each reporting period.

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.

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## 7.12 ENVIRONMENTAL AUDITING

Environmental audits of the operational phase of the resource recovery facility will consist of internal environmental audits undertaken by Concrush and external independent environmental audits as required by the Development Consent.

### 7.12.1 INTERNAL ENVIRONMENTAL AUDITS

Concrush will undertake biannual (i.e. twice per calendar year) auditing of the environmental management systems in place at the facility.

The purpose of the internal audit is as follows:

- To assess the overall effectiveness of established environmental controls, procedures and management plans.
- To identify areas of non-compliances and opportunities for continual improvement.
- To identify corrective and preventative actions to be taken in order to address non-compliances and prevent re-occurrence of non-compliances.

The internal environmental audits will be maintained by Concrush as per the requirements specified in Section 11 of this OEMP.

Non-compliances identified by an audit will be recorded in the Non-Compliance Register as per the requirements specified in section 9.1 of this OEMP.

Actions (i.e. corrective, preventative and/or continual improvement) identified by audits are to be recorded in the Actions Register. Requirements in relation to the Actions Register are provided in Section 9.2 of this OEMP.

Where improvement opportunities are identified by audits, they are to be recorded and managed via the Actions Register.

Where the non-compliance is in relation to a specific condition of the Development Consent, it must be reported to DPIE as per the requirements of Section 7.13.1.

### 7.12.2 INDEPENDENT ENVIRONMENTAL AUDITS

Concrush will commission independent environmental audits as per the requirements detailed in Condition C16 and C17. Concrush will maintain records and documented evidence of independent environmental audits to demonstrate compliance with the requirements detailed in Condition C16 and C17 as per the requirements specified in Section 11 of this OEMP.

The requirements of Conditions C16 and C17 are as follows:

**Condition C16** – Within one year of the commencement of operation, and every three years after, unless the Planning Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the development. The Independent Environmental Audits must:

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

- (e) recommend measures or actions to improve the environmental performance of the development, and any strategy, plan or program required under this consent.

**Note** – The audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Planning Secretary.

**Condition C17** – Within three months of commissioning an Independent Environmental Audit, or within another timeframe agreed by the Planning Secretary, a copy of the audit report must be submitted to the Planning Secretary and any other NSW agency that requests it, together with a response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations. The recommendations must be implemented to the satisfaction of the Planning Secretary.

Non-compliances identified by audits will be recorded in the Non-Compliance Register as per the requirements specified in Section 9.1 of this OEMP.

Actions (i.e. corrective, preventative and/or continual improvement) identified by audits are to be recorded in the Actions Register. Requirements in relation to the Actions Register are provided in Section 9.2 of this OEMP.

Where improvement opportunities are identified by audits, they are to be recorded and managed via the Actions Register (refer to Section 9.2 of this OEMP).

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## 7.13 OTHER ENVIRONMENTAL REPORTING

### 7.13.1 NON-COMPLIANCE NOTIFICATIONS

The Development Consent defines Non-Compliance as an occurrence, set of circumstances that is a breach of the consent.

The following notification requirements apply in relation to non-compliances notifications:

**Condition C11** – The Planning Secretary must be notified in writing to [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au) within seven days after the Applicant becomes aware of any non-compliance.

**Condition C12** - A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.

**Condition C13** – A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

### 7.13.2 THE CONCRUSH RECOVERED AGGREGATE ORDER 2021

Concrush will comply with the reporting requirements specified in the Concrush Recovered Aggregate Order 2021 or as updated.

### 7.13.3 PASTEURISED GARDEN ORGANICS ORDER 2016

Concrush will comply with the reporting requirements specified in the Pasteurised Garden Organics Order 2016.

# 8 ENVIRONMENTAL INCIDENT, EMERGENCY PLANNING, PREPAREDNESS AND RESPONSE

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## 8.1 PLANNING AND PREPAREDNESS

The Development Consent and Environment Protection Licence require the following response plans to be developed and implemented as required:

- Flood Emergency Response Plan (as per Condition B26)
  - Fire Emergency Response Plan (as per Condition B55)
  - Pollution Incident Response Management Plans (as per EPL)
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## 8.2 ENVIRONMENTAL INCIDENT RESPONSE

If an incident presents an immediate threat to human health or property, Fire and Rescue NSW, the NSW Police and the NSW Ambulance Service should be contacted first (phone 000) for emergency assistance.

Unless otherwise specified in the above-mentioned response plans, the initial environmental incident response (where safe to do so) is to employ all efforts to contain and limit the environmental and safety impacts of the incident.

The general response process is as follows:

- stop work
  - identify the environmental incident and make sure the area is safe for site personnel and members of the public
  - where safe to do so, respond immediately to minimise the environmental impact of the incident (e.g. contain spills/leaks, extinguish fire, etc.)
  - clean up (e.g. collect and safely store impacted material or spilt material) and arrange appropriate disposal
  - report incident to Concrush management
  - finalise formal reporting and investigation of incident
  - ensure continual improvement via awareness/education (e.g. alerts, post incident briefings, tool box talks, pre-start meetings, updated induction material etc.).
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## 8.3 POLLUTION INCIDENT REPORTING

There is a duty to report pollution incidents under section 148 of the *Protection of the Environment Operations Act 1997* (POEO Act). Specifically, pollution incidents causing or threatening material harm to the environment must be notified.

A 'pollution incident' means an incident or set of circumstances during or as a consequence of which there is or is likely to be a leak, spill, or other escape or deposit of a substance, as a result of which pollution has occurred, is occurring or is likely to occur. It includes an incident or set of circumstances in which a substance has been placed on a premises, but it does not include an incident or set of circumstances involving only the emission of any noise.

Material harm is defined by section 147 of the POEO Act. Harm to the environment is material if:



- it involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial, or
- it results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (or such other amount as is prescribed by the regulations), and
- loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment.
- for the purpose of this Part of the POEO Act (i.e. section 147), it does not matter that harm to the environment is caused only in premises where the pollution incident occurs.

### 8.3.1 NOTIFICATION OF POLLUTION AND MATERIAL HARM INCIDENTS

Concrush 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 POEO Act.

If an incident presents an immediate threat to human health or property, Fire and Rescue NSW, the NSW Police and the NSW Ambulance Service should be contacted first for emergency assistance (phone 000). The other authorities must still be contacted after that to satisfy the notification obligations.

Relevant authority under the POEO Act means:

- the appropriate regulatory authority (ARA) – Environment Protection Authority: phone 131 555.
- the Ministry of Health: phone (02) 4924 6477.
- Safework NSW (formerly WorkCover): phone 131 050
- the local authority - City of Lake Macquarie: phone (02) 4921 0333
- Fire and Rescue NSW: phone 000
- Department of Planning, Industry and Environment: [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au)

Concrush will collate and provide the following information to support its notification of a pollution incident:

- the time, date, nature, duration and location of the incident
- the location of the place where pollution is occurring or is likely to be occurring
- the nature, the estimated quantity or volume and the concentration of any pollutants involved, if known
- the circumstances in which the incident occurred (including the cause of the incident, if known)
- the action taken or proposed to be taken to deal with the incident and any resulting pollution or threatened pollution, if known
- other information prescribed by the regulations.

The information required is the information known to the person notifying the incident when the initial notification is required to be given.

If the information required to be included in a notice of pollution incident is not known to that person when the initial notification is made, but becomes known afterwards, the information must be notified immediately after it becomes known.

Subsequently, Concrush must provide written details of the incident notification to the EPA within 7 days of the date on which the incident occurred.

### 8.3.2 DEVELOPMENT CONSENT (DPIE) REQUIREMENTS

The Development Consent defines an incident as an occurrence or set of circumstances that cause or threatens to cause material harm and which may or may not be or cause a non-compliance.

Material harm is defined by the Development Consent as harm that:

- involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial, or
- results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment).

**Condition C10** requires that the Planning Secretary must be notified in writing to [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au) immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident.

Following the immediate notification of the Planning Secretary, the following written notification and incident reporting requirements (as set out in Appendix 3 of the Development Consent (SSD 8753)) must be complied with:

**1.** A written incident notification addressing the requirements set out below must be emailed to the Planning Secretary at the following address: [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au) within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under Condition C10 or, having given such notification, subsequently forms the view that an incident has not occurred.

**2.** Written notification of an incident must:

- a. identify the development and application number;
- b. provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
- c. identify how the incident was detected;
- d. identify when the applicant became aware of the incident;
- e. identify any actual or potential non-compliance with conditions of consent;
- f. describe what immediate steps were taken in relation to the incident;
- g. identify further action(s) that will be taken in relation to the incident; and
- h. identify a project contact for further communication regarding the incident.

**3.** Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.

**4.** The Incident Report must include:

- a. a summary of the incident;
- b. outcomes of an incident investigation, including identification of the cause of the incident;
- c. details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
- d. details of any communication with other stakeholders regarding the incident.

### 8.3.3 *INCIDENT INVESTIGATION*

Once an incident has been stabilised and required notifications completed, an incident investigation and report will be prepared. The purpose of an incident investigation is to identify the root-cause of the incident and to communicate the investigation findings in order to prevent a recurrence of the incident (i.e. applicable corrective and preventative actions).

Corrective and/or preventative actions identified by incident investigations will be managed as per Section 9 of this OEMP.

### 8.3.4 *INCIDENT REGISTER*

All environmental incidents (including near miss events) are to be recorded in an Incident Register. The incident register is to record the following details:

- date and time of incident
- location of incident and associated operational activity
- type of incident (including description)
- response actions by site based personnel
- did the incident require notification of regulatory agencies
- did the incident require the attendance of emergency services
- has an incident investigation been undertaken

### 8.3.5 *ABORIGINAL HERITAGE UNEXPECTED FINDS*

The Development Consent (Conditions B66 and B67) requires that the following protocol be implemented in the event of any item or object of Aboriginal heritage significance is identified on site:

- All work in the immediate vicinity of the suspected Aboriginal item or object must cease immediately.
- A 10 metre wide buffer area around the suspected item or object must be cordoned off.
- DPIE (EES) must be contacted immediately.
- Works in the immediate vicinity of the Aboriginal item or object may only recommence in accordance with the provision of Part 6 of the *National Parks and Wildlife Act 1974*.

# 9 CORRECTIVE AND PREVENTATIVE ACTIONS

Any member of the resource recovery facility team and sub-contractor(s) may raise a non-compliance or improvement opportunity. A non-compliance is the failure to comply with the requirements of this OEMP, supporting documentation, Development Consent (SSD8753) and EPL (1335).

Non-compliances can be identified via the following mechanisms:

- internal or independent/external audits
- inspections and other observations
- incidents and near miss events
- monitoring and measurement
- reports or suggestions from facility team and sub-contractor(s)
- formal reviews
- formal reporting

Non-compliances are to be recorded in the Non-Compliance Register. Requirements in relation to the Non-Compliance Register are provided in Section 9.1 of this OEMP.

For each non-compliance identified a corrective and/or preventative action must be identified.

Corrective and/or preventative actions are to be recorded and managed via the Actions Register (refer to Section 9.2 of this OEMP).

- A corrective action is an action to eliminate the cause of a detected non-compliance.
- A preventative action is an action taken to reduce or eliminate the probability of a specific undesirable event from happening in the future (e.g. a repeat of non-compliance).

When an improvement opportunity is to be implemented, it is to be recorded and managed via the Actions Register (refer to Section 9.2 of this OEMP).

Where the non-compliance is in relation to a specific condition of the Development Consent, it must be reported to DPIE as per the requirements of Section 7.13.1.

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## 9.1 NON-COMPLIANCE REGISTER

The Non-Compliance Register is to record the following:

- details of the non-compliance
- the date and mechanism by which the non-compliance was identified action was identified
- the corrective and/or preventative action required to address the non-compliance
- the timeframe (i.e. due date) the action is to be completed by
- status of the corrective and/or preventative action (open or closed, if closed date closed).

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## 9.2 ACTIONS REGISTER

The Actions Register is to record the following:

- details of the action
- the mechanism by which the action was identified
- the timeframe (i.e. due date) the action is to be completed by
- the person responsible for completing the action
- the person responsible for confirming the action is completed
- status of the action (open or closed, if closed date closed)

# 10 EMP REVIEW AND REVISION PROCESS

The OEMP and supporting management/mitigation plans and programs will be reviewed on an annual basis unless a review/revision process is triggered as per the following scenarios (identified by **Condition C8 and C9**):

- Within three months of the submission of an incident report under Condition C10.
- Within three months of the submission of an Independent Environmental Report under Condition C16.
- Within three months of any modification of the conditions of the Development Consent (SSD 8753).
- Within three months of the issue of a direction of the Planning Secretary under Condition A2(b) which requires a review.
- Necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction.

If any of the above scenarios are triggered, the Planning Secretary must be notified in writing that a review is being carried out.

Where revisions are required, the revised documents must be submitted to the Planning Secretary for approval within six weeks of the review.

In undertaking the annual review of the OEMP and supporting documentation, the findings and recommendations of the Annual Review (required by Condition 14) and the Annual Return (EPL requirement) will be taken into consideration as part of the OEMP review process.

The outcome of any review is to be documented and maintained as per the requirements specified in Section 11 of this OEMP.

Non-compliances identified by audits will be recorded in the Non-Compliance Register as per the requirements specified in section 9.1 of this OEMP.

Actions (i.e. corrective, preventative and/or continual improvement) identified by audits are to be recorded in the Actions Register. Requirements in relation to the Actions Register are provided in Section 9.2 of this OEMP.

Where improvement opportunities are identified by audits, they will be managed via the Actions Register.

# 11 RECORD KEEPING

Environmental records including (but not limited to) those identified in Section 7.10 are to be maintained (i.e. readily accessible) for a minimum period of 7 years.

For environmental records older than 7 years, electronic archiving will be arranged to ensure records can be accessed as required.