

URS

Final Report

Compliance Assessment

AUSTRALIA



Site Inspection at Always Recycling Facility, Chester Hill NSW

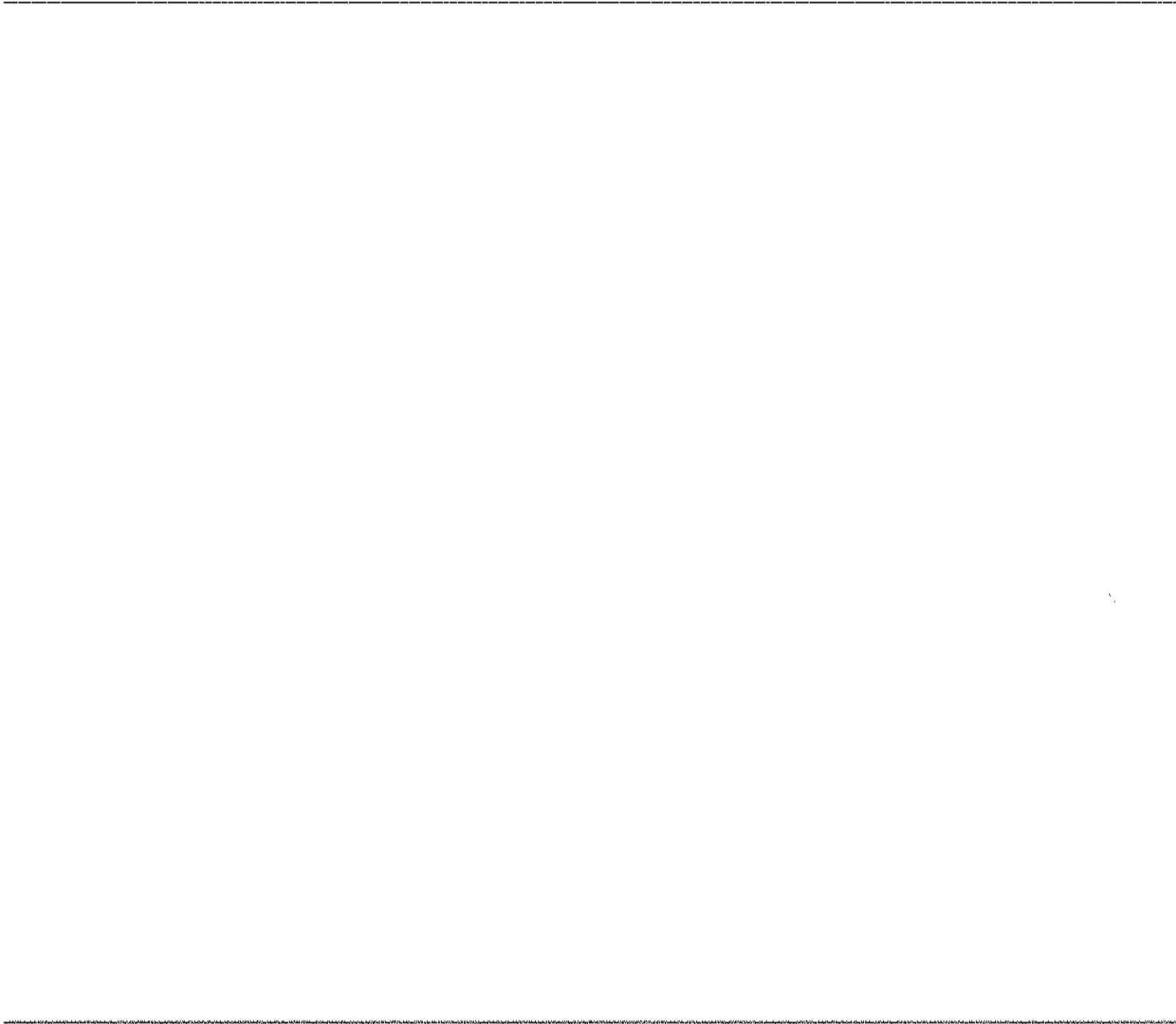
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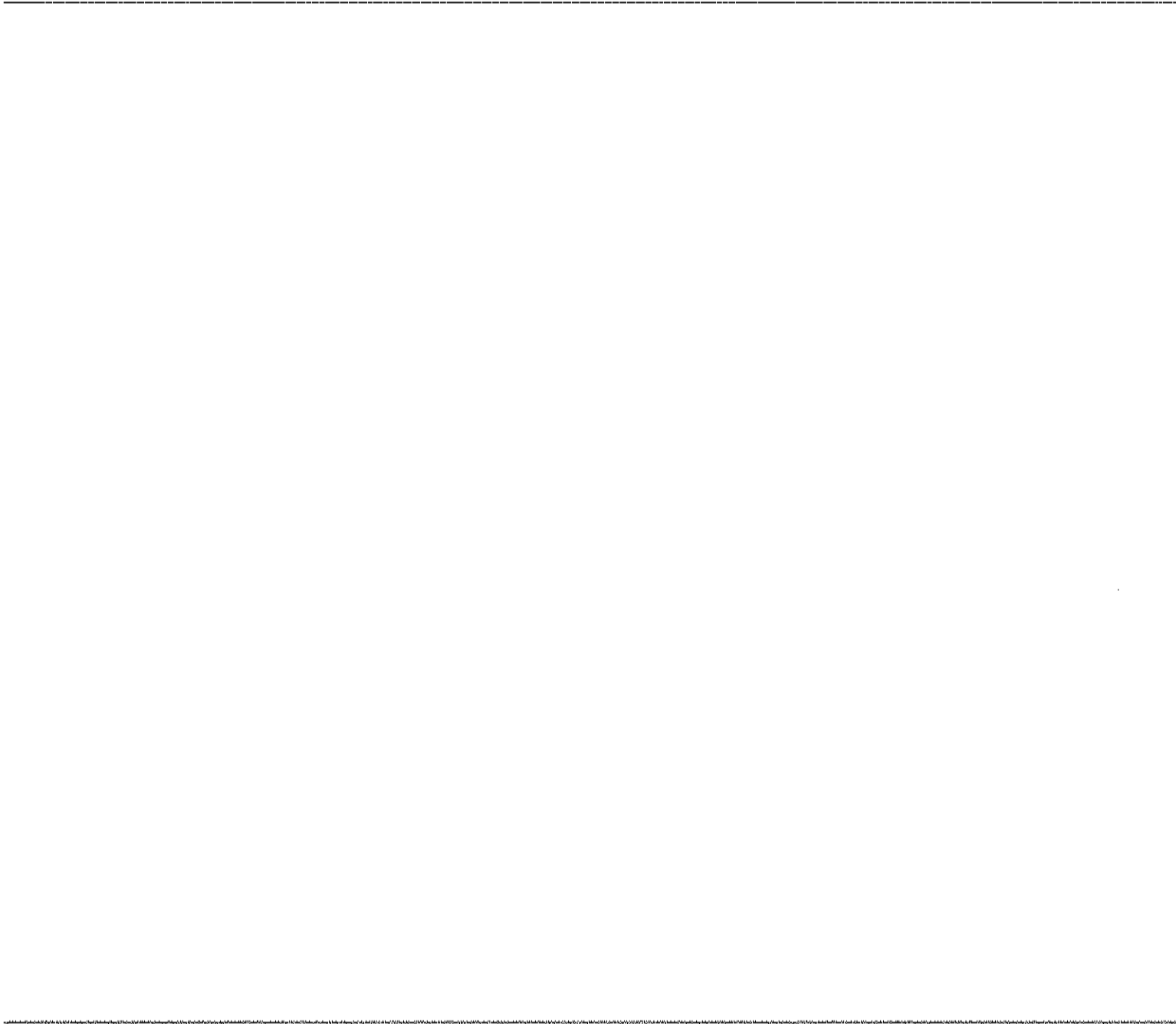


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ABBREVIATIONS

Abbreviation	Description
ACM	Asbestos containing material
ADG	Australian Dangerous Goods
AHD	Australian Height Datum
BMA	Brunskill McClenahan & Associates Pty Ltd
cm	centimetre
DECC	Department Environment & Climate Change (now called OEH)
DPI	Department of Planning and Infrastructure
EA	Environmental Assessment
EP&A Act	Environmental Planning and Assessment Act 1979
EPA	Environment Protection Authority
EPL	Environment Protection Licence
HDPE	High density polyethylene
m	metre
mm	millimetre
MOD	Modification
NMP	Noise Management Plan
NSW	New South Wales
OEH	Office of Environment and Heritage
OEMP	Operational Environmental Management Plan
OMP	Operational Management Plan
PA	Project Approval
POEO Act	Protection of the Environment Operations Act 1997
PPE	Personal Protective Equipment
PVC	Polyvinyl chloride
SoC	Statement of Commitments
SWMP	Stormwater Management Plan
the "Site"	191 Miller Road, Chester Hill, NSW
TNMP	Traffic Noise Management Plan
TNMS	Traffic Noise Management Strategy
UST	Underground storage tank
WMP	Waste Management Plan

1 INTRODUCTION

1.1 Background

URS Australia Pty Ltd (URS) was commissioned by the Department of Planning and Infrastructure (DPI) to undertake a compliance assessment of No 1 Demolition and Excavation (NSW) Pty Ltd trading as Always Recycling Pty Ltd, waste storage and processing site located at 191 Miller Road, Chester Hill, NSW (the "Site"). The nature of the compliance assessment was limited to a site inspection and review of planning and licensing documents.

The DPI has responsibility under the Environmental Planning and Assessment Act 1979 (the EP&A Act) involving the issuance of development consent and accompanying conditions for certain industrial facilities to be established and operated in NSW. A facility must comply with issued development consent conditions or make an application to the DPI to change or generally alter those conditions. A modification to the development consent conditions must be approved by DPI prior to any requested changes being implemented on site.

Facility operators must ensure that development consent conditions (including modifications to the original project approval) are being met. The DPI have the regulatory authorization to make inquiries and inspections of various facilities under their permitting control as given in the Act. This is to ensure that the facilities are acting within the requirements of the issued consent conditions.

1.2 Objective and Scope of Work

The objective of this compliance assessment is to identify if the Site is operating in compliance with its regulatory and licence requirements.

The DPI identified that Always Recycling required a site inspection and compliance assessment of their operations against their current development consent conditions and associated approvals, particularly in relation to:

- The current layout of the facility as compared to the Site Plan (Borg Architects, 2009) as provided in PA 06_0052 Modification 1, statement of commitments (SoC);
- The types and quantities of materials accepted, processed, stored and exported from site;
- Stockpile heights and volume of waste stored on site; and
- Other key environmental management areas such as stormwater and noise management.

1.3 Compliance Assessment Methodology

In order to determine the Site's compliance with their development consent, URS conducted a review of the Project Approval, Environment Protection Licence (EPL), environmental assessments (EAs) and statement of commitments (SoC). The requirements under these approvals which could be visually audited were identified. The Site's was then assessed against these conditions for compliance and the results of this assessment are provided in this report.

URS undertook a one day site inspection at Always Recycling in Chester Hill on the 26 November 2013. The site personnel were not made aware of the inspection prior to arrival on the Site. The inspection involved:

- A site walkover; and
- A topographical survey of the approved operational area by a registered surveyor.

As part of the site walk over, URS focused on the following areas and issues:

- Operations currently being carried out on site including waste processing methods and stockpile heights and locations;
- Type of waste streams present on site, in stockpiles and skip bins and where possible inside shipping containers;
- Stormwater management, in particular water diversion and treatment measures; and
- Dust and noise management.

These issues are discussed in Section 3 and Table 2-2.

1.3.1 Compliance Assessment Definitions

The assessment of compliance was based on the definitions provided in Table 1-1.

Table 1-1 Compliance Assessment Definitions

Assessment	Definition
Compliant	The intent and requirement of the condition has been met.
Not Compliant	All of the specific components of a condition have not been met. If one sub component of a requirement has not been met (e.g. timing), the entire requirement is assessed as non-compliant.
Not Assessed	The requirement has been assessed as either not triggered or not able to be visually assessed at the time of the site inspection on the 26 November 2013.
Indeterminate	The compliance assessment auditors have been unable to assess whether the requirement of the condition has been met.

1.3.2 Documents Reviewed

The following information was reviewed by URS as part of the compliance assessment process:

- Project Approval 06_0052 (February 2007) (PA 06_0052)
- Environmental Assessment (November 2006) (EA, 2006)
- Statement of Commitments (2006) (SoC)
- Project Approval 06_0052, Modification 1 (2 June, 2009) (PA 06_0052 MOD 1)
- Environmental Assessment (Moody & Doyle, 2008) (EA, 2008)
- Statement of Commitments (2009) (SoC, 2009)

- Environment Protection Licence (EPL) 13098.

The compliance assessment did not include a review of site documentation or records, such as monitoring records or inspection checklists, however management plans listed below were provided by DPI for review. The implementation of control measures documented within the Site's environmental management plans were visually inspected, where possible, during the site inspection as required under PA 06_0052 MOD 1. The management plans reviewed include:

- Operation Management Plan (Aargus Australia, November 2009)
- Noise Management Plan (Spectrum Acoustics, September 2009)
- Traffic Noise Management Plan (Spectrum Acoustics, September 2009)
- Stormwater Management Plan (Emerson Associates, August 2009)
- Waste Management Plan (Number 1 Demolition & Excavation, October 2009).

1.4 Personnel and Timing

The site inspection was carried out by a qualified, independent and experienced team, approved as Authorised Officers by the DPI. The site inspection was conducted on the 26 November 2013.

The site inspection team comprised:

- Chani Lokuge, Principal Civil/Environmental Engineer (URS)
- Adam Sullivan, Principal Environmental Scientist (URS)
- Katherine Dodd, Environmental Scientist (URS)
- Richard McClenahan – Director & Registered Surveyor (Brunskill McClenahan & Associates Pty Ltd)

Personnel interviewed during the site inspection included:

- Danny Gallagher – Site Representative for Always Recycling

1.5 Format of Report

The format of this report is as follows:

- **Section 1** provides an introduction and defines the scope and nature of the compliance assessment.
- **Section 2** describes Always Recycling's operations at the time of the site inspection.
- **Section 3** describes the implementation of environmental management plans on Site.
- **Section 4** provides a summary of Always Recycling's compliance against the relevant statutory requirements.
- **Appendix A** provides a copy of the Site Plan prepared by Borg Architects, 2009.
- **Appendix B** provides a topographic survey of Always Recycling, Chester Hill on the 26 November 2013.

- **Appendix C** contains a tabulated review of the results of the assessment against the PA, SoC and EPL conditions.

1.6 Limitations of Compliance Assessment

In addition to the limitations given in Section 6 of the report, the following project specific limitations apply:

- The assessment of compliance against the respective development approval conditions is based on the observations made during the site inspection carried out on the 26 November 2013.
- URS did not carry out any subsurface investigations, environmental monitoring or sampling and characterisation of waste streams, the exception being one sample of a broken fragment of a fibro cement sheet that is potential asbestos containing material (potential ACM) from Stockpile 4, as described in Section 3.1 of the report.

2 SITE DESCRIPTION

This Section provides a brief overview of the operations carried out on the Site.

2.1 Site Location and History

The Site is located at 191 Miller Road, Chester Hill, NSW, in the Bankstown City Council Local Government Area. The project Site is defined as the land identified in Schedule 1 of PA 06_0052 (i.e. Lot 8 DP 1039882).

The Site originally received Project Approval under PA 06_0052, issued by DPI on 27 February 2007 to No.1 Demolition and Excavations (NSW) Pty Ltd (trading as Always Recycling Pty Ltd). The facility was originally designed as a material recycling facility, of up to 100,000 tonnes of metal per year. In 2008, No.1 Demolition and Excavations (NSW) Pty Ltd (Always Recycling) submitted an EA under Section 75W of the EP&A Act for the modification of the Project Approval to allow the recycling of not more than 100,000 tonnes of building and construction waste including metal. Approval for the Project, subject to Conditions of Consent (CoC) in PA 06_0052 (MOD 1), was issued by DPI on the 2 June 2009.

Always Recycling has operated under EPL 13198 since the 21 December 2009, for waste storage and non-thermal treatment of general waste. Under EPL 13198 Always Recycling (formally Number 1 Demolition and Excavation Pty Ltd) are licensed to accept, store and process:

- Building and demolition waste
- Virgin excavated natural material
- Asphalt waste
- Garden Waste
- Wood Waste
- General or specific exempt waste.

Plate 2-1 Aerial Image of stockpiles at 191 Miller Road, Chester Hill



2.2 Activities Occurring During the Site Inspection

URS was escorted around the Site by the Site Representative Danny Gallagher. Danny reported that he had been working on the Site since early October 2013. Danny reported that since his appointment Always Recycling has been working to undertake the required actions to assist the facility in becoming compliant with their regulatory requirements. Danny identified that the NSW Environment Protection Authority (EPA) conducted a survey of the Site on 26-29 August 2013. This survey has not been reviewed as part of this assessment.

As identified in Plate 2-1, there were seven main stockpiles on the Site at the time of the site inspection (26 November 2013). In addition to the large stockpiles identified in Plate 2-1 small stockpiles of mulch and waste designated for landfill were present on the north eastern edge of stockpile 1. Stockpiles 1, 2, 3, 4 and 5 exceeded the 3 metre (m) allowable height requirement set by PA 06_0052 MOD 1, Schedule 3, Condition 3. The tallest stockpile was stockpile 4, measured at 15.5 m from the existing ground surface. The measured heights of each stockpile are provided in Section 2.3.

These stockpiles are photographed and described in more detail in Table 2-2. The material contained in each stockpile was visually inspected at the surface except stockpile 7 which was vegetated.

The Site Representative reported that no metals are currently being processed on site, however scrap metal was observed on site. The Site was observed to be accepting construction and demolition (C&D) waste by a range of heavy transport vehicles. As identified in Section 4.1 of the EA (2009):

- Materials will be sorted and crushed through a crushing plant.
- Concrete and brick products will be crushed and sorted into an aggregate ranging from 30 millimetre (mm) to 40mm and DGB road base, which is used under roads and under pavers for pathways.
- All timber received will be mulched on site for use as mulch in gardens.
- The topsoil collected within the material will be screened through a 'screener' to filter any materials left over from the recycling process. This will then be produced into top grade soil.
- The steel will be sent to separate steel recyclers for future reuse.
- Any material that is not recyclable will be transported to landfill.

Section 4.1 of the EA (2009) identifies two excavators, two rubber wheel loaders, a crusher, a screener and a trundle will be operational on site. The following machinery was observed on site:

- a picking station was set up as part of the waste separation process;
- a crusher;
- three excavators; and
- two machines at the workshop recently purchased for processing were present on site, refer to photo # 140 in Table 2-2.

2.3 Site Layout – Topographic Survey

As identified in the SoC (2009) the Site will be developed generally in accordance with the Site Plan prepared by Acoustic Fencing Plan, dated February 2009, and provided in Appendix A of this report.

Brunskill McClenahan & Associates Pty Ltd (BMA) undertook a topographic survey of the Site on the 26 November 2013 to identify the layout of the waste processing area, identify the heights and volumes of the waste stockpiles, and the heights of acoustic barriers. Acoustic barrier heights are discussed in Section 3.3, while measured heights of stockpiles are presented in Table 2-1 below.

The topographic survey is provided in Appendix B. The survey identifies that the Site has not been developed in accordance with the Site Plan (Acoustic Fencing Plan, 2009). The following non-conformances with the Site Plan include:

- The work areas proposed including the crushing/screening of inert materials area, aggregate and soil screening area and storage (future expansion) area have not been constructed. These areas have been used for stockpiling of C&D waste, soil and processed construction material.
- Acoustic barriers which were proposed to separate the aforementioned areas have not been constructed. The acoustic barriers have been constructed on the perimeter of the waste processing area; refer to topographic survey, Appendix B.
- Two of the existing buildings, on the Site Plan in the eastern corner and south western corner (to the left of the future expansion area) where no longer present on site.
- The truck parking area, at the rear of the administration building has not been constructed. The area was used at the time of inspection for waste storage.
- Waste has been stockpiled outside of the approved development area (Appendix A), refer to Plate 2-1, at stockpile 5, 6 and 7.

Table 2-1 Stockpile heights and volumes recorded on the 26 November 2013

Stockpile #	Plan Area (m ²)	Max. Height (m)	Max. Allowable Height (m)	Volume (m ³)
Stockpile 1	4,600	11.5	3	30,400
Stockpile 2	1,100	8.0	3	3,700
Stockpile 3	400	5.0	3	1,000
Stockpile 4	7,900	15.5	3	51,300
Stockpile 5	850	6.5	3	2,300
Stockpile 6	120	2.5	3	100
Total	14,970	-	-	88,800

2.4 Site Inspection Observations

Table 2-2 presents the observations made during the site inspection that are relevant to the Site's PA, EPL and management plans. The photos presented have been selected from the photos taken during the site inspection.

Table 2-2 Observations of Always Recycling, Chester Hill on the 26 November 2013

Site Operations - Processes	
 Photo # 106: Weighbridge at entrance of the Site.	 Photo # 359: Waste receival area at stockpile 1.
 Photo # 294: The view from the large stockpile (1) on the eastern boundary showing the sorting process for waste received on site. Waste is received at the top of the photo and loaded onto a conveyor system using excavators from where metals, timber and stone are separated out. This is carried out in the portable picking station (elevated demountable) where up to 10 staff manually separate the waste streams. The residual waste is sent off-site to landfill.	 Photo # 317: A close up shot of the conveyor fed sorting system used at Always Recycling. Items picked out include wood and metal and dropped into the trucks below.



Photo #225: Following sorting of construction waste received on site the residual waste which is not able to be processed into a marketable product is sent off-site to landfill. This photo shows an excavator filling a truck with waste which is being disposed of to landfill.



Photo # 329: Close-up shot of residual waste sent to offsite landfill.



Photo # 217: Crusher and screening of C&D waste.



Photo # 220: Soil amendment product after processing..

Site Operations – Stockpile Heights



Photo # 118: Stockpile 1: Height of 11.5m, located in the centre of the Site, refer to aerial in Section 4.1, consisting of unprocessed waste.



Photo # 217: Stockpile 2: Height of 8.0m, located in the southern corner of the Site, refer to aerial in Section 4.1. Made of separated brick, concrete and gravel materials, ready for processing.



Photo # 220: Stockpile 3: Height of 5m, containing soil on the southern boundary of the Site. Sorted and processed.



Photo # 245: Stockpile 4: Height of 15.5m, the large stockpile on the eastern boundary of the Site. The stockpile is comprised primarily of processed soil product at different stages of processing.



Photo # 240 Stockpile 5: Height of 6.5m, a stockpile with vegetation cover at the most eastern part of the Site.



Photo # 392: Stockpile 7: A vegetated stockpile on the left hand side of the entrance. This area is not within the development zone of PA 06_0052, as identified in the Site Plan (SoC, 2009).

Waste Streams



Photo # 213: Stockpile 2: Construction materials sorted into bricks and concrete.



Photo # 154: Waste material (fibro cement potential ACM) stored in skip bins on the south western corner of the Site.



Photo # 200: Waste material (potential ACM) stored in skip bins on the south western corner of the Site.



Photo # 009: Waste material (confirmed ACM) found in processed soil stockpile 4, refer to section 3.1.1 of discussion of laboratory results and Appendix B for laboratory report.



Photo # 290: Stockpile 4: Soil processed and ready for export off site.



Photo # 316: Mulch product processed from timber and green waste processed through a mulching machine on site, located at the base of Stockpile 1.



Photo # 166: Used tyres stockpiled on site.



Photo # 113: Example of the waste received on site through the weighbridge during the site inspection.



Photo # 170: Materials stored in shipping containers.



Photo # 208: Materials stored in shipping containers.



Photo # 300: A shipping container which has been opened at the top.



Photo # 346: Example of the soil and rock type material stored within the boundary shipping containers.

Stormwater Management



Photo # 098: The final drainage point on site to the Villawood culvert.



Photo # 100: Inside the final drainage point on site which flows to the Villawood culvert. Note sediment build-up, and black substance which may be oil.



Photo # 104: Villawood culvert (offsite). Site discharge pipe on left wall.



Photo # 132: Runoff from the waste processing area (Stockpile 1) running into the visitors car park.



Photo # 110: Stormwater drain on the driveway, near the visitor's car park. Covered with hay bales as a sediment control measure.



Photo # 178: Drainage from the wheel wash area and sediment control hay bales.



Photo # 144: Runoff from vehicle that was being washed down outside the workshop area into a stormwater drain which drains into the Villawood culvert.



Photo # 163: Stormwater hole surrounded by hay bales as a sediment trap. No lid present.



Photo # 232: A sediment dam which had been dug out of waste deposited on site as a stormwater control measure to the west of stockpile 5.



Photo # 250: View to the east from stockpile 5 looking at stockpile 6.

Dust and Noise Mitigation Measures



Photo # 261: One of two fogging machines used on site to reduce dust emissions from the Site. Also note in this picture the temporary noise bund, which will reportedly be constructed into a noise bund at the southern boundary of the Site.



Photo # 353: Fogging machine is used for dust suppression over stockpile 1, and where waste is received and processed.



Photo # 118: Shipping containers on the perimeter of the waste processing area.



Photo # 267: Irrigation piping (black PVC piping at the top of the fence line) reportedly installed in the last two months to reduce dust emissions. Also note gaps in the temporary noise wall.



Photo # 177: The current wheel wash area. However, it was observed during the site inspection that a vehicle was being washed in front of the workshop area not in the wheel wash. (refer to Photo # 144).



Photo # 366: The new wheel wash and sediment tank area under construction. The wheel wash infrastructure (cattle grid) can be seen the back of the photo.

Other Observations



Photo # 281: Stockpile 4: The northern boundary of the Always Recycling facility.



Photo # 140: Machinery purchased for waste processing on site.



Photo # 410: The Always Recycling "Conditions of Entry" sign at the entrance to 191 Miller Road. Note operational hours start at 6:30am Monday to Friday, and 7:00am to 2:00pm on Saturdays, which is not in compliance with schedule 3, condition 7 of PA 06_0052 MOD 1, which states operational hours from 7:00am to 6:00pm Monday to Friday and 8:00am to 1:00pm on Saturday.



Photo # 303: Mud tyre tracks made on the exit of trucks from the waste processing area on the access driveway.



Photo # 142: Vehicles being washed outside the Workshop area which is not in the designated vehicle wash area.



Photo # 241: Internal access road on the eastern boundary of the Site.



Photo # 206: A vent pipe and fill/dip point metal gatic cover was observed along with a raised concrete pad at the western end of the Site. No bowser dispenser was observed on or near the raised concrete pad, which suggests that refuelling activities are no longer undertaken. However the presence of the surface infrastructure may indicate the presence of underground storage tanks, which may contain fuel.



Photo # 149: Oil drums, containers, stored outside the workshop, filled with rain water. The green small drums were labelled as liquid emulsifier.

3 IMPLEMENTATION OF ENVIRONMENTAL MANAGEMENT PLANS

3.1 Waste Management Plan

3.1.1 Waste Streams

Waste types present on Site included C&D waste including bricks, timber, green waste, rubber, tiles, concrete and soil. In addition, fibro cement waste that is potential ACM was observed on site as noted below. Asbestos waste receipt or processing is not licenced under 06_0052 MOD 1 or EPL 13198.

Potential ACM was observed at several points across the Site. These include:

- Skip bins at the paved area next to the visitors car park, refer to Table 2-2, photo # 154 and 200;
- Stockpile 1; and
- Stockpile 4.

Fragments of broken fibre cement material were observed on the surface of stockpile 4 as individual pieces at random and occasional locations, the exception being at the south east corner of this stockpile where numerous fragments were observed in a localised area (refer to Table 2-2 – photo # 009). The fragments at this location were observed to be of various sizes up to approximately 30 centimetres (cm). The fragments across other areas of the main soil stockpile were observed to be approximately 5cm in size. The fragments of broken fibro cement sheets have the potential to be Asbestos Containing Material (ACM). A fragment was collected from the location of the main soil stockpile where numerous fragments were observed and was sent to EnviroLab Services for analysis to confirm the presence and type of asbestos in the fragment.

The laboratory analysis report identified that the fibro sheet found at stockpile 4 contained Chrysotile asbestos, Amosite asbestos and Crocidolite asbestos. Refer to Attachment 1 for the laboratory report.

Fragments of broken fibre sheeting were also observed at two locations at ground level on the surface of stockpile 1 (western side of the Site). At one of these locations two fragments were observed to be present as individual pieces and both were approximately 40cm in length. The fragments were visually similar to the fragments observed in the main soil stockpile.

Other waste such as tyres, oil containers, drums of emulsifier, gas cylinders were present on site next to the workshop as shown in photo # 149.

3.2 Stormwater Management Plan

Under EPL 13198 offsite discharges of dirty water are not permitted. As identified in the Stormwater Management Plan the Site has a 1.6% gradient towards the west where the Site drains to an outlet pipe on the western boundary with an easement to Villawood Drain.

The Stormwater Management Plan (SWMP) proposes that the Site be separated into 'clean' and 'dirty' areas. The 'dirty' area of the catchment is that part of the facility which *'will receive, process, store and handle demolition and excavation products'* (SWMP, 2009). In the SWMP

dirty water was proposed to be diverted to a pollution control facility to remove pollutants and thence connect to the underground pipe network. The pollution control facility proposed in the SWMP, had not been constructed. The Site did not appear to have implemented an effective bund around the waste processing areas to restrict 'dirty' water flowing into the stormwater drains in the car park and workshop area, which flows offsite to the Villawood culvert, refer to photo # 132. The final stormwater drain from the 'clean' area is shown in photo # 100, with a build-up of sediment and a black substance that is potential oil.

A vehicle was also observed being washed in the 'clean' water area, outside the workshop. Runoff from the wash run directly into the stormwater drain to the Villawood easement, refer to photo # 100 and 144.

The Site uses hay bales as the main form of sediment control at inlets to the stormwater drains, refer to photos #110, 168 and 178.

Within the waste processing area temporary stormwater dams had been dug into the waste to capture runoff from stockpiles, refer to photo # 232.

3.3 Noise Management Plan

From the site inspection the following observations relating to noise management on Site were identified:

- Acoustic barriers were present on the Site and were characterised by one (non-continuous) wall around the perimeter of the waste processing area. On the east, north and west perimeter the acoustic walls were built from shipping containers, two stacked on top of one another (5 m tall), refer to photo # 118. The southern wall acoustic barriers were made of shipping containers and concrete slabs. The concrete slabs were built to 1.8 m, refer to photo # 267. The configuration of acoustic barriers was not in accordance with the proposed acoustic barrier locations and heights as identified in Figure 2 of the Noise Management Plan (NMP) and reproduced as Figure 3-1 below. Refer to Table 3-1 for proposed and actual heights of acoustic barriers on site.
- An excavator was positioned on Stockpile 1, at a height greater than the height of the acoustic barrier (two shipping containers). As identified in EA (2006) and Section 4.6 of the NMP, the processing of materials should not be carried out at heights greater than one meter lower than the nearest noise barrier. Photo # 118 shows an excavator operating above the height of the shipping containers.

As identified in Table 3-1 the acoustic barriers on the northern and southern boundaries were not constructed in accordance with the heights identified in the NMP.

Table 3-1 Acoustic barrier proposed and actual heights

Perimeter	Proposed NMP Height (Figure 3-1) (m)	Actual Height (Appendix B) (m)
Northern	8	5
Eastern	5	5
Southern	3.5	1.8 – 2.5
Western	5-8	No data

Figure 3-1 Proposed acoustic barrier locations and heights (NMP, Figure 2, 2009)



3.4 Additional Observations

A vent pipe and fill/dip point metal gatic cover were observed along with a raised concrete pad at the western end of the Site (Table 2-2, photo # 206). This is evidence of former fuel storage and dispensing at or proximal to this location, and there is potential for an Underground Storage Tank/s (USTs) and associated pipework to exist beneath the ground in this area. No bowser dispenser was observed on or near the raised concrete pad, which suggests that refuelling activities are no longer undertaken. The presence of a non-operational UST/s onsite may breach the provisions of the *Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2008* and may also breach the provisions of s367 of the *Work Health and Safety Regulation 2011* if the UST/s have been non-operational for a period greater than 2 years.

4

COMPLIANCE ASSESSMENT

This Section summaries the assessment as to whether the project is complying with the requirements of its approvals as well as statutory requirements. Table 4-1 identifies the major approvals and licences held by Always Recycling, and which were assessed as part of the compliance assessment.

Table 4-1 Summary of Major Approvals and Licences

Issuing / Responsible Authority	Type of Lease, Licences, Approval	Date of Approval
Minister for Planning and Infrastructure (DPI)	Project Approval (PA 06_0052) EA & Statement of Commitments	27 February 2007
Minister for Planning and Infrastructure (DPI)	Project Approval (PA 06_0052 MOD 1) EA & Statement of Commitments	2 June 2009
Environment Protection Authority (EPA)	EPL 13198	21 December 2009

The detailed assessment of compliance against the requirements of the CoC, SoC and EPL conditions is presented in Appendix C.

Comments and observations are listed alongside each condition to provide context and reasons for each compliance finding.

A summary of conditions assessed as either non-compliant or indeterminate have been presented in Table 4-2 in the following section. The table includes a discussion of the compliance status.

4.1

Summary of Non Compliances

The compliance assessment has identified conditions that are either not compliant or indeterminate. These conditions have been consolidated and are summarised in Table 4-2.

Table 4-2 Summary of Conditions / Requirements assessed as Not Compliant or Indeterminate

Title	Condition No	Requirement	Comments / Observations	Compliance Status
PA 06 - 0052	1.1	The Proponent shall implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the construction, operation, or decommissioning of the project.	URS carried out a site inspection on the 26 November 2013. From the observations made during the inspection it was identified that Always Recycling are not operating in full compliance with PA 06_0052. Key environmental issues observed during the site inspection include: • Potentially contaminated stormwater flowing offsite; • Dust emissions from windblown waste / soil moving offsite. • Stockpiles of waste exceeding 3m in height potentially resulting in increased off-site impacts such as air emissions, and visual impact.	Not Compliant
PA 06 - 0052	1.2	The Proponent shall carry out the project generally in accordance with the: a) EA; b) Final Statement of Commitments; c) Modification application 06_0053 MOD 1 and accompanying Environmental Assessment Report titled Modification of the Chester Hill Materials Recycling Facility (06_MOD1) to Include the Recycling of Additional Types of Material dated February 2009; and d) conditions of this approval. If there is any inconsistency between the above, the conditions of this approval shall prevail to the extent of the inconsistency.	Based on the site inspection undertaken, the site is generally not operating in accordance with the development application documentation for the reasons described in the main compliance assessment report and this table. Refer to the compliance assessment of : - Environmental Assessment (EA, BBC Consulting Planners, 2008) - EA Modification 1 - SoC	Not Compliant
PA 06 - 0052	3.3	The Proponent shall ensure that the height of stockpiles of unprocessed or baled materials do not exceed 3m.	As observed during the site inspection on the 26 November 2013 stockpiles of C&D waste was observed at the following heights as identified in Appendix B, survey plan: • Stockpile 1 - 15.5 m • Stockpile 2 - 8.0 m • Stockpile 3 - 5 m • Stockpile 4 - 15.5 m • Stockpile 5 - 6.5 m • Stockpile 6 - 2.5 m Stockpiles 1 to 5 exceeded the 3 m maximum height therefore the Site is not compliance with this condition.	Not Compliant

Title	Condition No	Requirement	Comments / Observations	Compliance Status
PA 06 - 0052	3.4	The Proponent shall prepare and implement a revised Noise Management Plan for the project to the satisfaction of the Director-General. The Plan must be prepared in consultation with DECC, and must: a) be submitted to the Director-General prior to carrying out any development; b) identify all specific activities that will be carried out during construction and operation and associated noise sources; c) identify all potentially affected sensitive receivers; d) specify noise criteria (based on the based on the formerly published Noise Control Guideline – Construction Noise and noise limits presented in Table 1); e) describe management methods and procedures and specific noise mitigation treatments that will be implemented to control noise emissions, including the early installation of operational noise control barriers; f) detail a noise monitoring program to be prepared by a qualified acoustic consultant and implemented to monitor the effects of the project on the acoustic environment during operation, including road traffic noise, with details of procedures to be undertaken if any non-compliance is detected; g) detail procedures to receive, record and respond to complaints; and g) include a revised Traffic Noise Management Strategy.	Implementation: The following observations were made in regards to the operations of the site in accordance with the Noise Management Plan (NMP): - Acoustic barriers were present on the site and was characterised by one wall around the perimeter of the waste processing area. On the east, north and west perimeter the acoustics walls were built from shipping containers, two high (5 meters tall). The southern wall acoustic barriers were made of shipping containers and concrete slabs. The concrete slabs were built to 1.8 meters. The configuration of acoustic barriers was not in accordance with the proposed acoustic carrier locations and heights as identified in Figure 2 of the NMP. - Section 4.6 of the NMP states, barriers should be lined with a resilient layer where reasonably practical to prevent metal impact on the barrier walls. This was not observed on site. It should be noted however that the site report that it does not process metal, however a small quantity was present on site. - Section 4.6 of the NMP states, the processing of materials should not be carried out at heights greater than one meter lower than the nearest noise barrier. As shown in Table2-1, photo # 118, stockpile heights were up to 15.5m high and exceeded the noise barrier height. As noise management has not been carried out in accordance with the NMP Always Recycling has been considered not compliant with the implementation of their NMP.	Implementation: Not Compliant

Title	Condition No	Requirement	Comments / Observations	Compliance Status																				
PA 06 - 0052	3.5	The Proponent shall prepare, and following approval implement a revised Traffic Noise Management Strategy (TNMS) to the satisfaction of the Director-General. The Strategy must: a) be submitted to the Director-General prior to carrying out any development; a) detail measures to ensure that noisy practices such as the use of compression engine brakes are not unnecessarily used when approaching or leaving the premises; b) detail best noise practice in the selection and maintenance of vehicle fleets; c) include communication and management strategies for non-company owned and operated vehicles to ensure the provisions of the TNMS are implemented; and d) detail a system of audited management practices that assesses the implementation and improvement of the TNMS.	Implementation: Section 2.2 of the revised Traffic Noise Management Strategy (TNMS) (Sept, 2009), states that the approved hours for transport of raw materials and products are 7:00am to 6:00pm Monday to Friday and 8:00am to 1:00pm Saturdays. The 'Condition of Entry' sign at the front of the site states that the trading hours are 6:30am to 5:30pm Monday to Friday and 7:00am to 2:00pm Saturdays, which demonstrates none compliance with the approved operational hours. These operational hours are also approved under condition 3.7 of this approval. Traffic on and around site was coordinated via the weighbridge. URS did not observed heavy or loud braking at the time of the site inspection. As the site appears to be operating outside of the approved trading hours Always Recycling is considered not compliant with implementation of the TNMS.	Implementation: Not Compliant																				
PA 06 - 0052	3.7	The Proponent shall comply with the construction and operation hours in Table 2, unless otherwise agreed with the Director-General. Table 2: Construction and Operation Hours for the Project <table><tr><th>Activity</th><th>Day</th><th>Time</th></tr><tr><td rowspan="3">Construction</td><td>Monday – Friday</td><td>7:00am to 6:00pm</td></tr><tr><td>Saturday</td><td>8:00am to 1:00pm</td></tr><tr><td>Sunday and Public Holidays</td><td>Nil</td></tr><tr><td rowspan="3">Operation</td><td>Monday – Friday</td><td>7:00am to 6:00pm</td></tr><tr><td></td><td>7:00am to 5:30pm For the operation of heavy machinery</td></tr><tr><td>Saturday</td><td>8:00am to 1:00pm</td></tr><tr><td></td><td></td><td>No operation of heavy machinery on Saturday</td></tr></table>	Activity	Day	Time	Construction	Monday – Friday	7:00am to 6:00pm	Saturday	8:00am to 1:00pm	Sunday and Public Holidays	Nil	Operation	Monday – Friday	7:00am to 6:00pm		7:00am to 5:30pm For the operation of heavy machinery	Saturday	8:00am to 1:00pm			No operation of heavy machinery on Saturday	This compliance audit has been carried out as a visual assessment of compliance at the time of the site inspection on the 26 November 2013; therefore construction of the site has not been reviewed as part of this compliance assessment. The 'Condition of Entry' sign at the front of the site states that the trading hours are: - Monday to Friday - 6:30am to 5:30pm; - Saturdays - 7:00am to 2:00pm; which demonstrates non compliance with the approved operational hours.	Not Compliant
Activity	Day	Time																						
Construction	Monday – Friday	7:00am to 6:00pm																						
	Saturday	8:00am to 1:00pm																						
	Sunday and Public Holidays	Nil																						
Operation	Monday – Friday	7:00am to 6:00pm																						
		7:00am to 5:30pm For the operation of heavy machinery																						
	Saturday	8:00am to 1:00pm																						
		No operation of heavy machinery on Saturday																						
PA 06 - 0052	3.8	The Proponent shall only discharge water from the site in accordance with the DECC Environment Protection Licence, or in accordance with Section 120 of the Protection of the Environment Operations Act 1997.	Under EPL 13198 the site does not require any monitoring of surface water discharge points. Condition L1 however identifies that the site must comply with section 120 of the Protection and Environment Operations (POEO) Act 1997. As noted in Section 3.2 of the report, based on the observations during the site inspection, the Site did not have appropriate bunding to prevent the runoff of 'dirty' water from the waste processing area to the clean water system. A truck was also observed being washed in the 'clean' runoff area, which discharged turbid water directly to	Not Compliant																				

Title	Condition No	Requirement	Comments / Observations	Compliance Status
			the offsite drainage system (refer to Table 2-2, photo # 144). The sediment trap within the final discharge point was also observed to be filled with sediment and potentially contaminated with oil. The Stormwater Management Plan (SWMP) identifies a program for the installation, inspection and maintenance of pollution control facilities which would manage pollution of waters of the site. These include the installation of a: - primary sedimentation tank and truck wash facility; - fine sedimentation tank and recycle water storage; and - Ecosol RSF 4500. The pollution control devices listed in the SWMP were not observed during the site inspection on the 26 November 2013. A sediment trap in the final stormwater drain (refer to Table 2-2, photo # 098) where water is discharged from site was identified, and had a build-up of fine and coarse sediment, and what appeared to be black oil (refer to Table 2-2, photo # 100). Following the installation of the pollution control infrastructure listed above a stormwater quality monitoring program was provided in the SWMP. This included inspection and cleaning of the primary and secondary tanks every four weeks. A record of quantity of little, sediment and hydrocarbons was to be recorded. Given that Always Recycling could not demonstrate that the aforementioned pollution control devices were installed, stormwater infrastructure on site had a build-up of sediment, runoff from the 'dirty' area of site was not appropriately bunded and vehicles from the waste processing area were being washed in the 'clean' drainage area this condition is considered not compliant. However no water monitoring records were reviewed as part of this assessment.	

Title	Condition No	Requirement	Comments / Observations	Compliance Status
PA 06 - 0052	3.10	The Proponent shall prepare, and following approval implement a revised Stormwater Management Plan for the project to the satisfaction of the Director-General. The Plan must be prepared in consultation with Council and DECC, and must: a) be submitted to the Director-General prior to carrying out any development; b) include detailed plans showing the design of the stormwater control infrastructure; c) demonstrate that the stormwater control infrastructure (including discharge rates and detention volumes) will conform with, or exceed all relevant requirements and guidelines, particularly of any requirements of Council and those documented in the EA; d) describe of the procedures for the installation, inspection and maintenance of the stormwater control infrastructure, including stormwater pollution control devices; and e) detail a stormwater quality monitoring program as it relates to the operation of the development and procedures to be undertaken if any non-compliance is detected.	Implementation: As discussed in condition 3.8 the site was not able to demonstrate during the site inspection on the 26 November 2013 that stormwater control infrastructure was constructed, and therefore monitored in accordance with the SWMP. The 'dirty' water system, which includes the area of waste processing, did not appear to be adequately banded to restrict discharge of dirty water off site. During the site inspection vehicles were witnessed being washed outside the workshop area, where drainage flows into the 'clean' water system, which then flows off site. The site had two temporary stormwater runoff ponds which had been excavated out of waste stockpiles in the east of the site. Always Recycling have been assessed as not compliant with this condition as the SWMP was not implemented on site.	Implementation: Not Compliant
PA 06 - 0052	3.11	The Proponent shall store and handle all dangerous goods, as defined by the Australian Dangerous Goods Code, strictly in accordance with: a) all relevant Australian Standards; b) a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and c) the DECC's Environment Protection Manual Technical Bulletin Bunding and Spill Management.	This compliance audit has been carried out as a visual assessment of compliance at the time of the site inspection on the 26 November 2013. No documentation was reviewed as part of this compliance assessment. From site observations the waste processing area did not appear to be appropriately banded, with driveways from the clean area to the dirty area not installed with a raised bund for stormwater containment. Waste material potentially containing asbestos material was identified on site in skip bins around the workshop, in stockpile 1 and stockpile 4. A sample of material from stockpile 4 was tested and identified as containing Chrysotile asbestos, Amosite asbestos and Crocidolite asbestos, refer to Appendix B for the EnviroLab Report. Empty oil drums and tins were stockpiled outside; the green tins (refer to Table2-1, photo # 149) were labelled as liquid emulsifier. Their contents was not verified. Dangerous goods were stored in the workshop. A detailed assessment of storage against the ADG Standard was not undertaken as part of this assessment.	Not Compliant

Title	Condition No	Requirement	Comments / Observations	Compliance Status
PA 06 - 0052	3.14	The Proponent must not cause, permit or allow the storage, treatment, processing, reprocessing or disposal of any waste requiring an EPL except as permitted by an EPL.	EPL 13198 licences the waste storage and non-thermal treatment of the following waste types: - Building and demolition waste; - Virgin excavated natural material; - Asphalt waste; - Garden waste; - Wood waste; and - General or specific exempted waste (activity as specified in each particular resource recovery exemption). The stockpile on site contained largely construction and demolition materials generally in accordance with the EPL based on the surface observation. However potential ACM was observed in stockpiles 1 and 4, and in skip bins in the area outside the workshop. The asbestos found in the skip bins was wrapped in HDPE and taped. A sample of material from stockpile 4 was tested and identified as Chrysotile asbestos, Amosite asbestos and Crocidolite asbestos, refer to Appendix B for the EnviroLab Report. Always Recycling has been assessed as not compliant with this condition as asbestos was present on site, and was found in processed soil material (Stockpile 4).	Not Compliant
PA 06 - 0052	3.15	The Proponent shall prepare, and following approval implement a Waste Management Plan for the project to the satisfaction of the Director-General. This plan must: a) be submitted to the Director-General prior to carrying out any development; b) identify the types and quantities of waste that would be generated during construction and operation, and the standards and performance measures for dealing with this waste; c) detail procedures to monitor the amount of waste generated by the project; d) outline measures to minimise the production and impact of all wastes (excluding processed metal) generated by the project, including details of how this waste would be reused, recycled, and if necessary, appropriately treated and disposed of in accordance with the DECC's guidelines on the Assessment, Classification & Management of Liquid and Non-Liquid Waste; e) describe how the effectiveness of these actions and measures would be monitored over time; and f) a description of what procedures would be followed to ensure compliance if any non-compliance is detected.	Implementation: The construction of the Always Recycling site was not able to be reviewed as part of this assessment. Operation of the facility under the WMP identifies that: - The process of sorting of waste types; - The process for receiving of materials, including ticketing/tracking system; - Recycling process; and - Asbestos management (including an Asbestos Management Plan). The waste acceptance and sorting process observed on site included: - The receipt of trucks via the weighbridge, which were issued a waste tracking ticket and sent to one of two locations the general waste tipping area, or the brick and concrete tripping area. - When waste was received at the general tipping area the load was checked for excluded wastes. Excavators then moved the material onto a conveyor sorting line. The waste passed through a elevated sorting station which used	Implementation: Not Compliant

Title	Condition No	Requirement	Comments / Observations	Compliance Status
PA 06 - 0052	3.16	During the life of the project, the Proponent shall carry out all reasonable and feasible measures to minimise dust generated by the project, to the satisfaction of the Director-General.	manual sorting to separate bricks and concrete from wood, and general waste. General waste not processed on site where stockpiled for transport off site to a landfill. - Once sorted the materials would be further processed via mulching or grinding into resalable products. - Asbestos was observed on site as discussed in condition 3.11 and 3.14. Always Recycling has been assessed as not compliant with this condition as asbestos was observed on site; therefore the asbestos management plan was not observed to be implemented. A review of waste analysis records was not undertaken as part of this review. The following dust mitigation measures were observed on site: - Two fog machines. Reported installed on site in the last two months. - Water cart. - Perimeter PVC pipe irrigation system on the southern boundary. Reported installed in the last two months. - Internal roads were covered in waste soil (not sealed). Complaints and incident reports were not reviewed as part of this assessment; therefore the adequacy of these measures could not be fully verified. During the site inspection dust emissions were noted on site on two occasions. This condition has been assessed as not compliant as the internal roads were not cleared and maintained in a way that may minimise dust.	Not Compliant
PA 06 - 0052	3.18	The Proponent shall ensure that all internal road surfaces are paved and regularly cleaned.	As identified in Table 2-2 in the main report internal roads were covered with soil and gravel material (waste product). The entrance road for trucks through the weigh bridge and for vehicle traffic to the visitor car park was paved. A street sweeper was present on the day of inspection cleaning the roads at the entrance to the facility. Always Recycling has been assessed as not compliant with this condition as interior roads were obstructed by waste material.	Not Compliant

Title	Condition No	Requirement	Comments / Observations	Compliance Status
PA 06 - 0052	4.1	The Proponent shall prepare and implement an Environmental Management Plan for the project, to the satisfaction of the Director-General. This Plan shall be submitted to the Director-General prior to construction commencing and must: a) provide the strategic context for environmental management of the project; b) identify the statutory and other obligations that apply to the project; c) outline the environmental management and monitoring practices and procedures that would be implemented during construction and operation; d) describe in general how the environmental performance of the project would be monitored and managed throughout the life of the project; e) describe the procedures that would be implemented to: • keep the local community and relevant agencies informed about the construction, operation and; • environmental performance of the project; • receive, handle, respond to, and record complaints; • resolve any disputes that may arise during the course of the project; • respond to any non-compliance; and • respond to emergencies. f) describe the role, responsibility, authority, and accountability of all the key personnel involved in environmental management of the project; and g) incorporate the various studies required under this approval.	This compliance audit has been carried out as a visual assessment of compliance at the time of the site inspection on the 26 November 2013. The Environmental Management Plan is referred to as the Operation Management Plan (OMP) (Nov, 2009) has been viewed for its implementation on site. The OMP states the following: - Regular sampling of stockpiles will be undertaken to comply with OEH exemption guidelines; - Required PPE (steel capped boots, high visibility vest or jacket, hard hat and long sleeved shirt, pants, chemical resistant gloves (if in direct contact with soil), if appropriate the following will be available, a P2 dust mask, disposable overalls, air purifying respirator, safety goggles, ear muffs/plugs. - Induction, training and complaints procedures. - A 24 hour contact number is to be provided at the front of the site. The OMP refers to the sub management plans including the NMP, SWMP, WMP and TNMP or details on environmental management and monitoring measures. However a detailed list of sampling of stockpiles of exempt materials, and suspect asbestos contamination is included. No records were reviewed as part of this compliance assessment to assess compliance with these requirements. However potentially ACM was observed in two stockpiles and outside the workshop, as discussed in condition 3.11 and 3.14, which demonstrates the OMP has not been adequately implemented. Workers on site were also observed not wearing hard hats, or long sleeve shirt and pants. The front entrance sign did not list a 24 hour contact number for complaints. Always Recycling has been assessed as not compliant with this condition as asbestos was found to be present on site, a 24 hour contact number was not displayed and appropriate PPE required under the plan was not worn by all staff on site.	Not Compliant

Title Condition No		Requirement		Comments / Observations		Compliance Status
EPL 13198	L1.1	Pollution of waters Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.			As noted in Section 3.2 of the report, based on the observations during the site inspection, the Site did not have appropriate bunding to prevent the runoff of 'dirty' water from the waste processing area to the clean water system. It was also noted that a truck was being washed in the 'clean' runoff area, which discharged turbid water to the offsite drainage system (refer to Table 2-2, photo # 144). The sediment trap within the final discharge point was also observed to be filled with sediment and potentially contaminated with oil.	Not Compliant
EPL 13198	L5.1	Waste The licensee must not cause, permit or allow waste to be received at the premises, except the wastes expressly referred to in the column titled "Waste" and meeting the definition, if any, in the column titled "Description" in the table below. Any waste received at the premises must not only be used for the activities referred to in relation to that waste in the column title "Activity" in the table below. Any waste received at the premises is subject to the those limits or conditions, if any, referred to in relations to that waste contained in the column titled "Other Limits" in the table below. Condition L5.1 does not limit any other condition in this licence.			As noted in Section 3.1 a sample of fibro-cement sheet was found on stockpile 4 the Site and later analysed and found to be Asbestos Containing Material (ACM) therefore this condition has been assessed as not compliant. It was also noted that potentially ACM was observed on stockpile 1 and in skip bins next to the visitor car park and outside the workshop area.	Not Compliant

Title	Condition No	Requirement	Comments / Observations	Compliance Status
EPL 13198	L5.2 L5.2.1	Stockpile Height The height of any stockpile of any material (whether of waste or any other materials) on the premises, where any part of the stockpile is within eight (8) meters of the southern boundary must not exceed 24.24 meter AHD. The height of any stockpile of any material (whether of waste or any other materials) on the premises, where any part of the stockpile is within eight (8) meters of the north east boundary must not exceed 26.21 meter AHD. The height of any other stockpile must not exceed 26.00 meters AHD.	As observed during the site inspection on the 26 November 2013 stockpiles of C&D waste was observed at the following heights as identified in Appendix B, survey plan: • Stockpile 1 - 15.5 m • Stockpile 2 - 8.0 m • Stockpile 3 - 5 m • Stockpile 4 - 15.5 m • Stockpile 5 - 6.5 m • Stockpile 6 - 2.5 m Stockpiles 1 and 4 exceed 30 AHD therefore the Site is not compliance with this condition.	Not Compliant
EPL 13198	L5.2.2	Any stockpile of processed or unprocessed material along the southern boundary must be kept (1) meter away from the fence line at all times.	At the time of the site inspection a stockpile of processed soil was observed against the southern boundary shipping container wall, refer to Table 2-2, photo # 232. As this stockpile was not located 1m from the southern fence line this condition has been assessed as not compliant.	Not Compliant
EPL 13198	L6.2	Hours of operation Activities on the premises, including construction work or transport of waste or other material, may only be carried on between Monday to Friday 7:00am to 6:00pm, and Saturdays 8:00am to 1:00pm, and at no time on Sunday and Public Holidays.	The 'Condition of Entry' sign at the front of the site states that the trading hours are: • Monday to Friday - 6:30am to 5:30pm; • Saturdays - 7:00am to 2:00pm; which demonstrates that the site operates outside of the approved hours under the EPL, therefore this condition has been assessed as not compliant.	Not Compliant
EPL 13198	L7	Asbestos The licensee must comply with the conditions as specific in this licence or where no specific condition outlined in this licence, the licensee must comply with the POEO (Waste) Regulation 2005.	As noted in Section 3.1 of the main report, a sample of fibro-cement sheet was found on the site and later analysed and found to be Asbestos Containing Material (ACM), therefore the Site has been assessed as not compliant with this condition. It was also noted that potentially ACM was observed on stockpile 1 and in skip bins next to the visitor car park and outside the workshop area.	Not Compliant
EPL 13198	O3.1	Dust Control All operations and activities occurring at the premises must be carried out in a manner that will minimise the emission of dust from the premises.	During the site inspection it was observed that several areas of the Site, which according to the Project Approval are to be sealed surfaces, were covered in waste soil, resulting in traffic generated dust emissions, therefore this condition has been assessed as not compliant.	Not Compliant
EPL 13198	O3.2	All areas must be maintained, at all times, in a condition which effectively minimise the emission of wind-blown or traffic generated dust.	During the site inspection it was observed that several areas of the Site, which according to the Project Approval are to be sealed surfaces, were covered in waste soil, resulting in traffic generated dust emissions, therefore this condition has been assessed as not compliant.	Not Compliant

Title	Condition No	Requirement	Comments / Observations	Compliance Status
EPL 13198	O3.3	The licensee must ensure that no material, including sediment or oil, is tracked onto public road from the premises.	Vehicles leaving the site currently do not pass through a wheel wash after moving on unsealed surfaces, potentially resulting in sediment being tracked onto public road (Miller Road); refer to Table 2-2, photo # 303 of mud tracks left on the Site's driveway after exiting the site.	Not Compliant
EPL 13198	U1	Stockpile Marker By 15 June 2010, the licensee must install a permanent stockpile height marker that shows the height of 26.00 metres AHD, so that a visual check can be made against the marker to determine the height of the stockpiles.	No permanent stockpile height marker was observed on the Site; therefore this condition has been assessed as not compliant.	Not Compliant
EPL 13198	U2	Dust Suppression By Monday 6 September 2010, a dust suppression device in the form of a wheel wash or cattle grid must be installed at the premises to minimise dust and sediment tracking from the premises.	A dust suppression device in the form of a wheel wash or cattle grid was not installed at the premises, at the time of the site inspection, therefore this condition has been assessed as not compliant.	Not Compliant
SoC (2006)	1.1 A	The development will be undertaken generally in accordance with the Environmental Assessment report prepared by BBC Consulting Planners, including accompanying appendices.	Based on the site inspection undertaken, the site is generally not operating in accordance with the Environmental Assessment for the reasons described in the main compliance assessment report and this table.	Not Compliant
SoC (2009)	1.1 A	The development will be undertaken generally in accordance with the original Environmental Assessment report prepared by BBC Consulting Planners (November 2006) and accompanying appendices as modified the Environmental Assessment Report prepared by Moody & Doyle Consulting Planners (February 2009).	Refer to the main report for an assessment of the operations as described in the EA. It was observed that the Site was not constructed in accordance with the Site Plan and Asbestos was identified on site, as discussed in Section 3.1 of the Main Report. Based on these two non-compliances with the EA the Site has been assessed as not compliant.	Not Compliant

Title	Condition No	Requirement	Comments / Observations	Compliance Status
SoC (2009) SoC (2006) "2006 plans updated in 2009"	1.1 B	The development will be undertaken generally in accordance with the following drawings: - Environmental Assessment (Doertler Borg Architects) - Site Plan (as modified by Acoustic Fencing Plan specified below) (February 2009) - Stormwater Management Plan (Wade Consulting) - Catchment Plan (August 2006) - Indicative Stormwater Treatment Plan (August 2006) - Indicative Erosion and Sediment Control Plan (August 2006) "Copa Water" Filterator Details - Standard Drawings - Acoustic Fencing Plan (Noise and Sound Services) - Site Plan with Indication of Minimum Height and Positions of Acoustic Barriers (February 2009)	Site Plan As identified in Section 2.3 of the main report the Site at 191 Miller Road, Chester Hill has not been constricted in accordance with the Site Plan. Refer to the topographic survey in Appendix B for a layout of the site on the 26 November 2013. Stormwater Management As identified in the stormwater management plans in the SWMP, Appendix D, prepared by Moody & Doyle Pty Ltd the stormwater management system has not been developed in accordance with these plans. The 'clean' area is identified as the area on the east of the site where existing buildings are located, including the administration building, visitor carpark and three steel frame buildings. As identified in Section 2.3 of the report, the site has not been constructed in accordance with the Site Plan, therefore the 'clean' area has not been segregated from the 'dirty' areas as identified in these plans. The 'dirty' area at the time of the site visit was observed to include the area west of the visitor carpark and workshop area. This area did not appear to be appropriately bundled, as water from the dirty area was not restricted on internal transport roads. In addition a vehicle was being washed in the designated 'clean' area. As discussed in PA 06_0052 condition 3.8 the pollution control devices were not constructed as described in the SWMP and site plans in Appendix D. Acoustic Barriers As discussed in Section 2.3 the layout and height of acoustic barriers has not been undertaken in accordance with the Site Plan and NMP, Figure 2, have not been adhered to. As identified in the topographic survey, Appendix B, the heights of acoustic barriers ranged from 1.8 to 5m. On the northern boundary the acoustic barrier was 5m instead of the proposed 8m. The southern boundary was between 1.8 -2.5m instead of the proposed 5 m.	Not Compliant
SoC (2006) SoC (2009)	1.1 C	The premises will be constructed and operated in accordance with the Statement of Commitments.	As identified in this compliance table the operations at the Site have not been carried out in accordance with the SoC including: - Site layout - Stockpile heights - Acoustic barrier locations - Operational Hours - Contact number Therefore this condition is considered not compliant.	Not Compliant

Title	Condition No.	Requirement	Comments / Observations	Compliance Status
SoC (2006) SoC (2009)	1.2	Operational Environmental Management Plan (OEMP) An OEMP will be prepared and implemented by the proponent, to ensure that the appropriate environmental management practices are adopted post construction. The OEMP is to contain the following plans: a) A Stormwater Management Plan with details on management of stormwater runoff from the site. b) A Stormwater Quality Management Plan including details of: i. Derivation of appropriate water quality criteria for all potential water pollutants that may be present in stormwater discharges from the site. ii. An indication that the water quality treatment systems will achieve the appropriate standard of water quality. iii. Description of maintenance for the water quality treatment devices. iv. Management details for the storage of oils, other chemical and wastes, to ensure that waterways and runoff is not polluted with contaminants. v. Outline procedures to be implemented for the management of spills or accidents that could affect water quality. c) A Water Reuse Plan outlining methods of harvesting rainwater, as well as potential uses for the rainwater. d) A Noise Management Plan that defines appropriate noise levels and how employees and contractors will ensure these levels are complied with. Details of additional measures that can be implemented if any level of non-compliance occurs. a) A Traffic Noise Management Plan outlining noise mitigation measures as well as access routes to the premises that do not rely on local roads.	Implementation: Refer to the PA 06_0052 for a review of implementation of the SWMP, NMP, and TNMS.	Not Compliant Assessed under PA 06_0052, conditions 3.4, 3.5, 3.10
SoC (2006) SoC (2009)	1.4 (Operational Phase)	General A contact telephone number will be provided via which the public may seek information or make a complaint. A log of complaints should be maintained and actioned by the site superintended in a responsive manner.	As required by the Operational Management Plan (OMP) the front entrance sign did not list a 24 contact number for complaints. This compliance audit has been carried out as a visual assessment of compliance. No documentation was reviewed as part of this compliance assessment therefore management of complaints has not been assessed.	Not Compliant (same as PA 06_0052, Condition 4.1)

Title	Condition No	Requirement	Comments / Observations	Compliance Status
SoC (2006) SoC (2009)	1.4	Hours of Operation The use of the premises will be generally limited to the hours between 7:00am and 6:00pm Mondays to Saturdays. No work will be undertaken on Sundays or Public Holidays. The operation of processing machinery will only occur between 7:00am and 5:00pm Mondays to Saturdays. There will be no processing of materials outside those hours.	This compliance audit has been carried out as a visual assessment of compliance at the time of the site inspection on the 26 November 2013. The 'Condition of Entry' sign at the front of the site states that the trading hours are: - Monday to Friday - 6:30am to 5:30pm; - Saturdays - 7:00am to 2:00pm; which demonstrates a non-compliance with the approved operational hours.	Not Compliant (same as PA 06_0052, Condition 3.7)
SoC (2006) SoC (2009)	1.4	Materials Handling a) All materials stockpiled within the site will not exceed a height of 3m to ensure the visual impacts of the proposal are reduced. b) The proponent will only accept containers and drums which have been washed or cleaned free of oils, grease, fuel, dirt and other waste stream contaminants. Should any unclean materials be present within materials being delivered to the site, these would be returned to the customer at the customer's expense. c) Any residual fuels, oils and batteries, particularly in vehicle bodies being dismantled, will be removed before entering the site. Any inadvertent motor fluids remaining in vehicles will be collected within the shear unit's covered charge box for collection by a tanker truck and disposal off-site. d) A procedure should be introduced to refuse any incoming gas bottles that have not been emptied.	As observed during the site inspection on the 26 November 2013 stockpiles of C&D waste was observed at the following heights as identified in Appendix B, survey plan: - Stockpile 1 - 15.5 m - Stockpile 2 - 8.0 m - Stockpile 3 - 5 m - Stockpile 4 - 15.5 m - Stockpile 5 - 6.5 m - Stockpile 6 - 2.5 m Stockpiles 1 to 5 exceeded the 3 m maximum height therefore the Site is not compliance with this condition. Drums and tins were observed on site, some were filled with rainwater. The tins were labelled as liquid emulsifier. The contents or residual contamination of the drums could not be visually assessed.	Not Compliant (same as PA 06_0052, Condition 3.3)

Title	Condition No	Requirement	Comments / Observations	Compliance Status
SoC (2006) SoC (2009)	1.4	Acoustic Matters a) At all times, the concurrent use of plant and machinery at the facility will be limited to times only when necessary. b) Acoustic fencing, comprising 3m – 8m tall fences around the processing areas and perimeter of the development zone are to be erected. These fences are to be constructed of colourbond material atop concrete supports and are not to contain any gaps except for truck access as proposed. The first 3m of the fencing surrounding the processing areas will be covered with rubber material (or suitable alternative) to prevent any inadvertent metal on metal impacts. c) All plant used in the construction and operation of the facility is to be properly maintained to ensure rated noise emissions levels are not exceeded. d) No works are to be carried out outside of the acoustic barriers. e) All construction activities will be undertaken guided by AS2436-1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites. f) The use of the site will not give rise to the emission of an "offensive noise" as defined in the Protection of the Environment Operations Act. g) Appropriate noise mitigation and management procedures will be implemented at the site to ensure that noise from the premises does not exceed any of the following noise limits at any time (at wind speeds up to 3m/s at 10 metres above ground level):- (levels not included) h) The modification factors presented in Section 4 of the NSW Industrial Noise Policy will be applied to the noise levels from the site prior to comparison to the above noise level limits. i) Vehicles, mobile and fixed plant will be installed with the manufacturer's low noise kits where possible, such as low noise exhaust attenuators. j) Once operational, all on-site plant will be assessed and diagnosed by a qualified acoustical consultant to establish whether further noise controls at source are reasonably practicable.	a) Not assessed. b) Acoustic barriers were constructed mainly from shipping containers. In the southern edge of the site concrete slabs were stacked on top of each other and use of acoustic barriers, refer to picture # 267, this was described as a temporary barrier which was under construction. Gaps in the acoustic barriers were identified on site, as shown in photo # 267. Barriers lined with a rubber material were not observed on site. It should be noted however that the site report that it does not process metal, however a small quantity was present on site. c) Not assessed. d) Waste processing activities were observed being carried out inside the acoustic barriers. e) Not assessed. f) No offensive odours were observed on site during the site inspection on the 26 November 2013. Documentation / records were not reviewed as part of this assessment; therefore an assessment of compliance was not able to be fully assessed. g) Noise monitoring records or complaints records were not reviewed as part of this assessment therefore this condition could not be adequately assessed. h) Loud machinery was not observed on site during the site inspection on the 26 November 2013. i) Not assessed. j) Not assessed. Those conditions above which have not been assessed are not within the scope of this audit. This compliance audit has been carried out as a visual assessment of compliance at the time of the site inspection on the 26 November 2013. No documentation was reviewed as part of this compliance assessment therefore these conditions have not been assessed. The condition has been assessed as not compliant as acoustic barriers have not been constructed or maintained in accordance part of this condition.	Part b: Not Compliant

Title	Condition No	Requirement	Comments / Observations	Compliance Status
SoC (2006) SoC (2009)	1.4	Air Quality Matters - The premises will be maintained in a condition which minimises or prevents the emission of dust from the premises. - Water carts, sprinklers or hoses will be used on any day there are visible dust emissions. - The site will be regularly swept to ensure that accumulated dust is collected. - Should the quantity of intact air conditioning units received by the project prove significant, the proponent will install a HFC reclamation unit to capture the refrigerant and prevent HFC emissions to atmosphere.	The following dust mitigation measures were observed on site: - Two fog machines. Reported installed on site in the last two months. - Water cart - Perimeter PVC pipe irrigation system on the southern boundary. Reported installed in the last two months. - Internal roads were covered in waste soil (not sealed). Air conditioning units were not inspected as part of this assessed. Complaints and incident reports were not reviewed as part of this assessment; therefore the adequacy of these measures could not be fully verified. Dust was noted on site on two occasions. This condition has been assessed as not compliant as the internal roads were not cleaned and maintained in a way that may minimise dust.	Not Compliant (same as PA 06_0052, condition 3.16)
SoC (2006) SoC (2009)	1.4	Maintenance The proponent will keep the site in clean and tidy order during the operation of the project.	As identified in Table 2-2, Photo # 241 and 303, in the main report internal roads were covered with soil and gravel material (waste product). A street sweeper was operational on the day of inspection cleaning the roads at the entrance to the facility. Always Recycling has been assessed as not compliant with this condition has interior roads were obstructed by waste material.	Not Compliant (same as, PA 06_0052, condition 3.18)

LIMITATIONS

URS Australia Pty Ltd (URS) has prepared this report in accordance with the usual care and thoroughness of the consulting profession for the use of NSW Department of Planning and Infrastructure and only those third parties who have been authorised in writing by URS to rely on this Report.

It is based on generally accepted practices and standards at the time it was prepared. No other warranty, expressed or implied, is made as to the professional advice included in this Report.

It is prepared in accordance with the scope of work and for the purpose outlined in the NSW Government Consultant Prequalification Scheme 2013-16 for construction and Related Works.

Where this Report indicates that information has been provided to URS by third parties, URS has made no independent verification of this information except as expressly stated in the Report. URS assumes no liability for any inaccuracies in or omissions to that information.

This Report was prepared between 26 November 2013 and 4 February 2014 and is based on the conditions encountered and information reviewed at the time of preparation. URS disclaims responsibility for any changes that may have occurred after this time.

This Report should be read in full. No responsibility is accepted for use of any part of this report in any other context or for any other purpose or by third parties. This Report does not purport to give legal advice. Legal advice can only be given by qualified legal practitioners.

Except as required by law, no third party may use or rely on this Report unless otherwise agreed by URS in writing. Where such agreement is provided, URS will provide a letter of reliance to the agreed third party in the form required by URS.

To the extent permitted by law, URS expressly disclaims and excludes liability for any loss, damage, cost or expenses suffered by any third party relating to or resulting from the use of, or reliance on, any information contained in this Report. URS does not admit that any action, liability or claim may exist or be available to any third party.

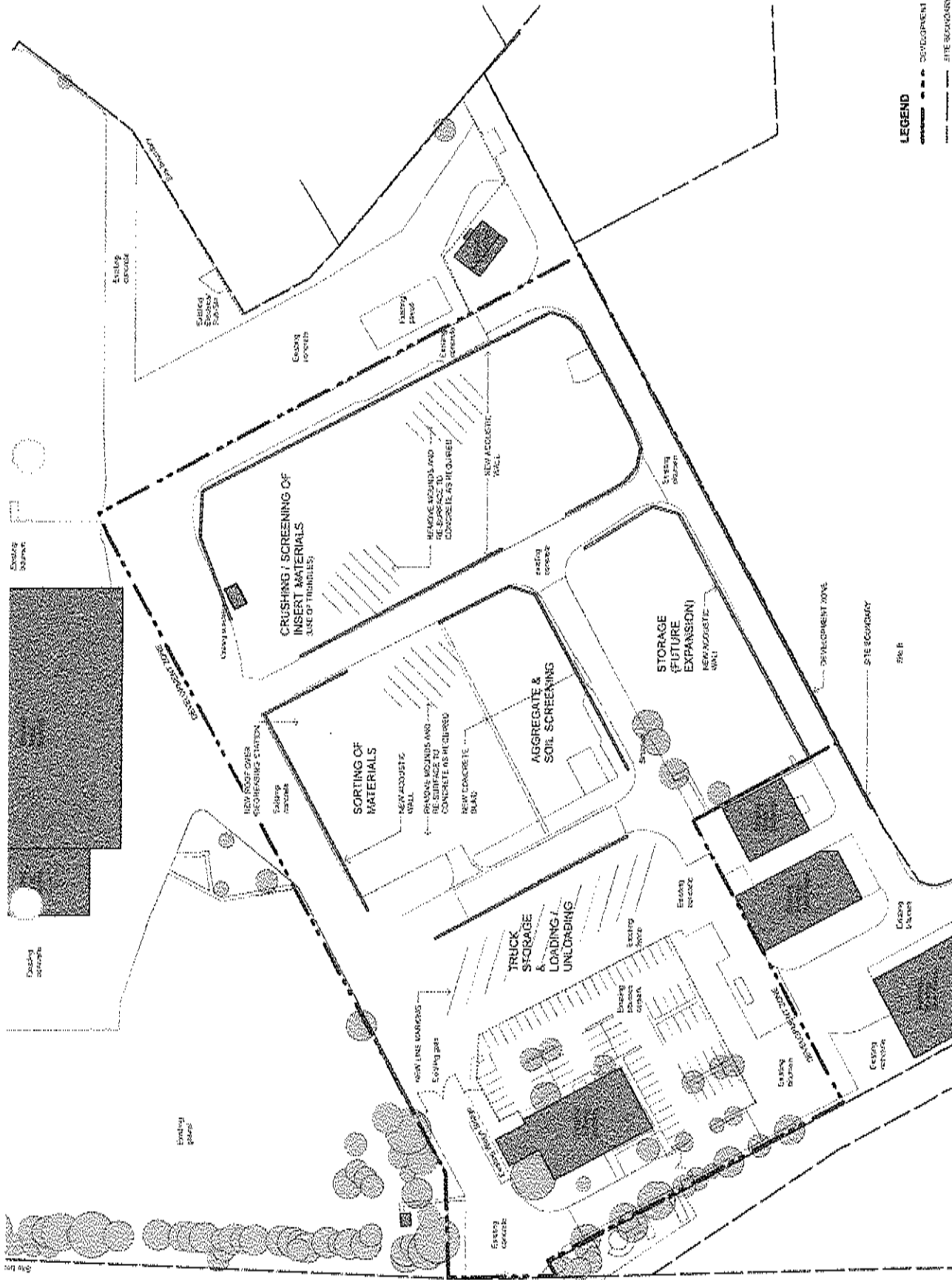
Except as specifically stated in this section, URS does not authorise the use of this Report by any third party.

It is the responsibility of third parties to independently make inquiries or seek advice in relation to their particular requirements and proposed use of the site.

Any estimates of potential costs which have been provided are presented as estimates only as at the date of the Report. Any cost estimates that have been provided may therefore vary from actual costs at the time of expenditure.

APPENDIX A SITE PLAN (ACOUSTIC FENCING PLAN, FEBRUARY 2009)

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LEGEND

DEVELOPMENT ZONE

SITE BOUNDARY

Scale: 1:1000	SITE PLAN	No. 1 DEMOLITION	borg architects	Scale: 1:1000 Site: 191 Miller Road, Chester Hill NSW 2162	DATE: 10/02/2010 DRAWN: [Name] CHECKED: [Name]	Project No: 0605 A01
Client: [Name]	Project No: 0605	Site: 191 Miller Road, Chester Hill NSW 2162	Scale: 1:1000	DATE: 10/02/2010	Project No: 0605	A01



APPENDIX B TOPOGRAPHIC SURVEY, 26 NOVEMBER 2013

APPENDIX C COMPLIANCE ASSESSMENT

Site Compliance Checklist – Project Approval 06 – 0052 (001)

Title	Condition No	Requirement	Comments / Observations	Compliance Status
PA 06 - 0052	1.1	The Proponent shall implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the construction, operation, or decommissioning of the project.	URS carried out a site inspection on the 26 November 2013. From the observations made during the inspection it was identified that Always Recycling are not operating in full compliance with PA 06_0052. Key environmental issues observed during the site inspection include: • Potentially contaminated stormwater flowing offsite; • Dust emissions from windblown waste / soil moving offsite; • Stockpiles of waste exceeding 3m in height potentially resulting in increased off-site impacts such as air emissions, and visual impact.	Not Compliant
PA 06 - 0052	1.2	The Proponent shall carry out the project generally in accordance with the: a) EA; b) Final Statement of Commitments; c) Modification application 06_0053 MOD 1 and accompanying Environmental Assessment Report titled Modification of the Chester Hill Materials Recycling Facility (06_MOD1) to include the Recycling of Additional Types of Material dated February 2009; and d) conditions of this approval. If there is any inconsistency between the above, the conditions of this approval shall prevail to the extent of the inconsistency.	Based on the site inspection undertaken, the site is generally not operating in accordance with the development application documentation for the reasons described in the main compliance assessment report and this table. Refer to the compliance assessment of : - Environmental Assessment (EA, BBC Consulting Planners, 2008) - EA Modification 1 - SoC	Not Compliant Refer to Table 4-2 of main report
PA 06 - 0052	1.3	The Proponent shall comply with any reasonable requirement/s of the Director-General arising from the Department's assessment of: a) any reports, plans or correspondence that are submitted by the Proponent in accordance with this approval; and b) the implementation of any actions or measures contained in those reports, plans or correspondence submitted by the Proponent.	This compliance audit has been carried out as a visual assessment of compliance. No documentation was reviewed as part of this compliance assessment. Implementation of management plans required under PA 06_0052 were reviewed where practical during the site inspection carried out on the 26 November 2013. Refer to conditions 3.4, 3.5, 3.10 and 3.15 for a detailed assessment of compliance.	Refer to Conditions 3.4, 3.5, 3.10 and 3.15 for an assessment of compliance
PA 06 - 0052	1.4 (MOD 1)	The Proponent shall not process more than 100,000 tonnes of building and construction waste including metal per year at the site.	This compliance audit has been carried out as a visual assessment of compliance. No documentation was reviewed as part of this compliance assessment. Therefore the volume of waste processed each year has not been identified as part of this compliance assessment.	Not Assessed
PA 06 - 0052	1.5	The Proponent shall obtain an EPL for the project from the DECC prior to construction.	This compliance audit has been carried out as a visual assessment of compliance. No documentation was reviewed as part of this compliance assessment therefore this condition has not been assessed. It is noted that the site is licensed under EPL 13198.	Not Assessed

Site Compliance Checklist – Project Approval 06 – 0052 (MOD 1)

Title	Condition No	Requirement	Comments / Observations	Compliance Status								
PA 06 - 0052	1.6	The Proponent shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA. Notes: - Under Part 4A of the EP&A Act, the Proponent is required to obtain construction and occupation certificates for the proposed building works. - Part 8 of the EP&A Regulation sets out the requirements for the certification of the project.	This compliance audit has been carried out as a visual assessment of compliance. No documentation was reviewed as part of this compliance assessment therefore this condition has not been assessed.	Not Assessed								
PA 06 - 0052	1.7	The Proponent shall: a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.	This compliance audit has been carried out as a visual assessment of compliance. No documentation was reviewed as part of this compliance assessment therefore this condition has not been assessed.	Not Assessed								
PA 06 - 0052	1.8	The Proponent shall ensure that all plant and equipment used at the site is: a) maintained in a proper and efficient condition; and b) operated in a proper and efficient manner.	This compliance audit has been carried out as a visual assessment of compliance. No documentation was reviewed as part of this compliance assessment therefore this condition has not been assessed.	Not Assessed								
PA 06 - 0052	1.9	With the approval of the Director-General, the Proponent may prepare and submit any management plan or monitoring program required by this approval on a progressive basis.	This compliance audit has been carried out as a visual assessment of compliance. No documentation was reviewed as part of this compliance assessment therefore this condition has not been assessed.	Not Assessed								
PA 06 - 0052	3.1	The Proponent shall ensure that noise from the project does not exceed the noise limits presented in Table 1. <table><caption>Table 1: Project Noise Limits (dB(A))</caption><thead><tr><th>Location</th><th>Day (15:00-18:00h)</th></tr></thead><tbody><tr><td>Residences in Waldron Road</td><td>47</td></tr><tr><td>Residences in Goodstate Street / Orchard Road</td><td>50</td></tr><tr><td>Any other affected residence</td><td>50</td></tr></tbody></table>	Location	Day (15:00-18:00h)	Residences in Waldron Road	47	Residences in Goodstate Street / Orchard Road	50	Any other affected residence	50	This compliance audit has been carried out as a visual assessment of compliance. No documentation was reviewed as part of this compliance assessment therefore this condition has not been assessed.	Not Assessed
Location	Day (15:00-18:00h)											
Residences in Waldron Road	47											
Residences in Goodstate Street / Orchard Road	50											
Any other affected residence	50											
PA 06 - 0052	3.2	The Proponent shall ensure noise mitigation measures are in place prior to construction.	This compliance audit has been carried out as a visual assessment of compliance at the time of the site inspection on the 26 November 2013. No documentation was reviewed as part of this compliance assessment therefore this condition has not been assessed.	Not Assessed								
PA 06 - 0052	3.3	The Proponent shall ensure that the height of stockpiles of unprocessed or baled materials do not exceed 3m.	As observed during the site inspection on the 26 November 2013 stockpiles of C&D waste was observed at the following heights as identified in Appendix B, survey plan: - Stockpile 1 - 15.5 m - Stockpile 2 - 8.0 m - Stockpile 3 - 5 m - Stockpile 4 - 15.5 m - Stockpile 5 - 6.5 m - Stockpile 6 - 2.5 m Stockpiles 1 to 5 exceeded the 3 m maximum height therefore the Site is not compliance with this condition.	Not Compliant								

Title	Condition No	Requirement	Comments / Observations	Compliance Status
PA 06 - 0052	3.4	The Proponent shall prepare and implement a revised Noise Management Plan for the project to the satisfaction of the Director-General. The Plan must be prepared in consultation with DECC, and must: a) be submitted to the Director-General prior to carrying out any development; b) identify all specific activities that will be carried out during construction and operation and associated noise sources; c) identify all potentially affected sensitive receivers; d) specify noise criteria (based on the based on the formerly published Noise Control Guideline – Construction Noise and noise limits presented in Table 1); e) describe management methods and procedures and specific noise mitigation treatments that will be implemented to control noise emissions, including the early installation of operational noise control barriers; f) detail a noise monitoring program to be prepared by a qualified acoustic consultant and implemented to monitor the effects of the project on the acoustic environment during operation, including road traffic noise, with details of procedures to be undertaken if any non-compliance is detected; g) detail procedures to receive, record and respond to complaints; and h) include a revised Traffic Noise Management Strategy.	Preparation: This compliance audit has been carried out as a visual assessment of compliance at the time of the site inspection on the 28 November 2013. No documentation was reviewed as part of this compliance assessment. Implementation: The following observations were made in regards to the operations of the site in accordance with the Noise Management Plan (NMP): - Acoustic barriers were present on the site and was characterised by one wall around the perimeter of the waste processing area. On the east, north and west perimeter the acoustic walls were built from shipping containers, two high (5 meters tall). The southern wall acoustic barriers were made of shipping containers and concrete slabs. The concrete slabs were built to 1.8 meters. The configuration of acoustic barriers was not in accordance with the proposed acoustic carrier locations and heights as identified in Figure 2 of the NMP. - Section 4.6 of the NMP states, barriers should be lined with a resilient layer where reasonably practical to prevent metal impact on the barrier walls. This was not observed on site. It should be noted however that the site report that it does not process metal, however a small quantity was present on site. - Section 4.6 of the NMP states, the processing of materials should not be carried out at heights greater than one meter lower than the nearest noise barrier. As shown in Table 2-1, photo # 118, stockpile heights were up to 15.5m high and exceeded the noise barrier height. As noise management has not been carried out in accordance with the NMP Always Recycling has been considered not compliant with the implementation of their NMP.	Preparation: Not Assessed Implementation: Not Compliant

Site Compliance Checklist – Project Approval 06 – 0052 (MOD 1)

Title	Condition No	Requirement	Comments / Observations	Compliance Status
PA 06 - 0052	3.5	The Proponent shall prepare, and following approval implement a revised Traffic Noise Management Strategy (TNMS) to the satisfaction of the Director-General. The Strategy must: a) be submitted to the Director-General prior to carrying out any development; a) detail measures to ensure that noisy practices such as the use of compression engine brakes are not unnecessarily used when approaching or leaving the premises; b) detail best noise practice in the selection and maintenance of vehicle fleets; c) include communication and management strategies for non-company owned and operated vehicles to ensure the provisions of the TNMS are implemented; and d) detail a system of audited management practices that assesses the implementation and improvement of the TNMS.	Preparation: This compliance audit has been carried out as a visual assessment of compliance at the time of the site inspection on the 26 November 2013. No documentation was reviewed as part of this compliance assessment. Implementation: Section 2.2 of the revised Traffic Noise Management Strategy (TNMS) (Sept, 2009), states that the approved hours for transport of raw materials and products are 7:00am to 6:00pm Monday to Friday and 8:00am to 1:00pm Saturdays. The 'Condition of Entry' sign at the front of the site states that the trading hours are 6:30am to 5:30pm Monday to Friday and 7:00am to 2:00pm Saturdays, which demonstrates none compliance with the approved operational hours. These operational hours are also approved under condition 3.7 of this approval. Traffic on and around site was coordinated via the weighbridge. URS did not observed heavy or loud braking at the time of the site inspection. As the site appears to be operating outside of the approved trading hours Always Recycling is considered not compliant with implementation of the TNMS.	Preparation: Not Assessed Implementation: Not Compliant
PA 06 - 0052	3.6	Within 3 months of commencement of operations associated with the development and during a period in which the project is operating under normal operating conditions, the Proponent shall conduct a Noise Audit of its operations. This Audit shall: a) be undertaken by a suitability qualified and experienced person; b) assess whether the development is complying with the criteria specified in Table 1 of this schedule; c) identify what additional measures would be implemented to ensure compliance should any noncompliance be detected and clearly indicate who would implement these measures, when these measures would be implemented, and how the effectiveness of these measures would be measured and reported to the Director-General; and d) provide details of any complaints received relating to noise generated by the development, and action taken to respond to those complaints. Within 28 days of conducting the Noise Audit, the Proponent shall provide the Director-General and the DECC with a copy of the Noise Audit report.	This compliance audit has been carried out as a visual assessment of compliance at the time of the site inspection on the 26 November 2013. No documentation was reviewed as part of this compliance assessment therefore this condition has not been assessed.	Not Assessed

Site Compliance Checklist – Project Approval 06 – 0052 (1.0.1)

Title	Condition No	Requirement	Comments / Observations	Compliance Status																		
PA 06 - 0052	3.7	The Proponent shall comply with the construction and operation hours in Table 2, unless otherwise agreed with the Director-General. Table 2: Construction and Operation Hours for the Project <table><tr><th>Activity</th><th>Day</th><th>Time</th></tr><tr><td rowspan="2">Construction</td><td>Monday - Friday</td><td>7:00am to 5:00pm</td></tr><tr><td>Saturday</td><td>8:00am to 1:00pm</td></tr><tr><td rowspan="2">Operation</td><td>Sunday and Public Holidays</td><td>N/A</td></tr><tr><td>Monday - Friday</td><td>7:00am to 5:00pm</td></tr><tr><td rowspan="2"></td><td>Saturday</td><td>8:00am to 1:00pm</td></tr><tr><td>Sunday</td><td>No operation of heavy machinery on Saturday</td></tr></table>	Activity	Day	Time	Construction	Monday - Friday	7:00am to 5:00pm	Saturday	8:00am to 1:00pm	Operation	Sunday and Public Holidays	N/A	Monday - Friday	7:00am to 5:00pm		Saturday	8:00am to 1:00pm	Sunday	No operation of heavy machinery on Saturday	This compliance audit has been carried out as a visual assessment of compliance at the time of the site inspection on the 26 November 2013; therefore construction of the site has not been reviewed as part of this compliance assessment. The 'Condition of Entry' sign at the front of the site states that the trading hours are: - Monday to Friday - 6:30am to 5:30pm; - Saturdays - 7:00am to 2:00pm; which demonstrates non compliance with the approved operational hours.	Not Compliant
Activity	Day	Time																				
Construction	Monday - Friday	7:00am to 5:00pm																				
	Saturday	8:00am to 1:00pm																				
Operation	Sunday and Public Holidays	N/A																				
	Monday - Friday	7:00am to 5:00pm																				
	Saturday	8:00am to 1:00pm																				
	Sunday	No operation of heavy machinery on Saturday																				
PA 06 - 0052	3.8	The Proponent shall only discharge water from the site in accordance with the DECC Environment Protection Licence, or in accordance with Section 120 of the Protection of the Environment Operations Act 1997.	Under EPL 13198 the site does not require any monitoring of surface water discharge points. Condition L1 however identifies that the site must comply with section 120 of the Protection and Environment Operations (POEO) Act 1997. As noted in Section 3.2 of the report, based on the observations during the site inspection, the Site did not have appropriate bunding to prevent the runoff of 'dirty' water from the waste processing area to the clean water system. A truck was also observed being washed in the 'clean' runoff area, which discharged turbid water directly to the offsite drainage system (refer to Table 2-2, photo # 144). The sediment trap within the final discharge point was also observed to be filled with sediment and potentially contaminated with oil. The Stormwater Management Plan (SWMP) identifies a program for the installation, inspection and maintenance of pollution control facilities which would manage pollution of waters offsite. These include the installation of a: - primary sedimentation tank and truck wash facility; - fine sedimentation tank and recycle water storage; and - Ecosol RSF 4600. The pollution control devices listed in the SWMP were not observed during the site inspection on the 26 November 2013. A sediment trap in the final stormwater drain (refer to Table 2-2, photo # 098) where water is discharged from site was identified, and had a build-up of fine and coarse sediment, and what appeared to be black oil (refer to Table 2-2, photo # 099). Following the installation of the pollution control infrastructure listed above a stormwater quality monitoring program was provided in the SWMP. This included inspection and cleaning of the primary and secondary tanks every four weeks. A record of quantity of little, sediment and hydrocarbons was to be recorded. Given that Always Recycling could not demonstrate that the aforementioned pollution control devices were installed, stormwater	Not Compliant																		

Site Compliance Checklist – Project Approval 06 – 0052 (MOD 1)

Title	Condition No	Requirement	Comments / Observations	Compliance Status
PA 06 - 0052	3.9	Prior to construction, adequate erosion and sediment controls must be installed and maintained: a) at all exposed soil areas of the construction site, including soil stockpiles; b) to prevent the discharge of polluted stormwater off the construction site; and c) be consistent with the requirements of Landcom's Managing Urban Stormwater: Soils and Construction (2004).	infrastructure on site had a build-up of sediment, runoff from the 'dirty' area of site was not appropriately banded and vehicles from the waste processing area were being washed in the 'clean' drainage area this condition is considered not compliant. However no water monitoring records were reviewed as part of this assessment. This compliance audit has been carried out as a visual assessment of compliance at the time of the site inspection on the 26 November 2013. The construction phase of this project was completed at the time of this assessment therefore this condition was not assessed.	Not Assessed
PA 06 - 0052	3.10	The Proponent shall prepare, and following approval implement a revised Stormwater Management Plan for the project to the satisfaction of the Director-General. The Plan must be prepared in consultation with Council and DECC, and must: a) be submitted to the Director-General prior to carrying out any development; b) include detailed plans showing the design of the stormwater control infrastructure; c) demonstrate that the stormwater control infrastructure (including discharge rates and detention volumes) will conform with, or exceed all relevant requirements and guidelines, particularly of any requirements of Council and those documented in the EA; d) describe of the procedures for the installation, inspection and maintenance of the stormwater control infrastructure, including stormwater pollution control devices; and e) detail a stormwater quality monitoring program as it relates to the operation of the development and procedures to be undertaken if any non-compliance is detected.	Preparation: This compliance audit has been carried out as a visual assessment of compliance at the time of the site inspection on the 26 November 2013. No documentation was reviewed as part of this compliance assessment therefore preparation of the SWMP was not assessed as part of this assessment of compliance. Implementation: As discussed in condition 3.8 the site was not able to demonstrate during the site inspection on the 26 November 2013 that stormwater control infrastructure was constructed, and therefore monitored in accordance with the SWMP. The 'dirty' water system, which includes the area of waste processing, did not appear to be adequately banded to restrict discharge of dirty water off site. During the site inspection vehicles were witnessed being washed outside the workshop area, where drainage flows into the 'clean' water system, which then flows off site. The site had two temporary stormwater runoff ponds which had been excavated out of wast stockpiles in the east of the site. Always Recycling have been assessed as not compliant with this condition as the SWMP was not implemented on site.	Preparation: Not Assessed Implementation: Not Compliant

Site Compliance Checklist – Project Approval 06 – 0052 (1 of 1)

Title	Condition No	Requirement	Comments / Observations	Compliance Status
PA 06 - 0052	3.11	The Proponent shall store and handle all dangerous goods, as defined by the Australian Dangerous Goods Code, strictly in accordance with: a) all relevant Australian Standards; b) a minimum bund volume requirement of 10% of the volume of the largest single stored volume within the bund; and c) the DECC's Environment Protection Manual Technical Bulletin Bunding and Spill Management.	This compliance audit has been carried out as a visual assessment of compliance at the time of the site inspection on the 26 November 2013. No documentation was reviewed as part of this compliance assessment. From site observations the waste processing area did not appear to be appropriately bunded, with driveways from the clean area to the dirty area not installed with a raise bund for stormwater containment. Waste material potentially containing asbestos material was identified on site in skip bins around the workshop, in stockpile 1 and stockpile 4. A sample of material from stockpile 4 was tested and identified as containing Chrysotile asbestos, Amosite asbestos and Crocidolite asbestos, refer to Appendix B for the EnviroLab Report. Empty oil drums and tins were stockpiled outside; the green tins (refer to Table 2-1, photo # 149) were labelled as liquid emulsifier. Their contents was not verified. Dangerous goods were stored in the workshop. A detailed assessment of storage against the ADG Standard was not undertaken as part of this assessment.	Not Compliant
PA 06 - 0052	3.12	Prior to construction, the Proponent shall prepare a revised Fire Safety Study to the satisfaction of the Director-General. The Final Safety Study must be prepared in accordance with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 2 - Fire Safety Study Guidelines, the NSW Government's Best Practice Guidelines for Contaminated Water Retention and Treatment Systems, and to the satisfaction of the Commissioner of the NSW Fire Brigade.	This compliance audit has been carried out as a visual assessment of compliance at the time of the site inspection on the 26 November 2013. No documentation was reviewed as part of this compliance assessment. The construction phase of this project was completed at the time of this assessment therefore this condition has not been assessed as part of this compliance audit.	Not Assessed
PA 06 - 0052	3.13	Prior to operation, the Proponent shall prepare and implement the following studies for the project to the satisfaction of the Director-General: a) a revised Emergency Plan prepared in accordance with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 1 - Industry Emergency Planning Guidelines; and b) a revised Safety Management System prepared in accordance with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 9 - Safety Management. The System must include details of on-site operations and associated transport activities involving hazardous materials; details of safety related procedures, responsibilities and policies; and details of measure to ensure compliance with these procedures and policies. Records shall be kept on-site and shall be available for inspection by the Director-General or nominee.	This compliance audit has been carried out as a visual assessment of compliance at the time of the site inspection on the 26 November 2013. No documentation was reviewed as part of this compliance assessment. The Emergency Plan and Safety Management System was not reviewed as part of this assessment.	Not Assessed

Site Compliance Checklist – Project Approval 06 – 0052 (MOD 1)

Title	Condition No	Requirement	Comments / Observations	Compliance Status
PA 06 - 0052	3.14	The Proponent must not cause, permit or allow the storage, treatment, processing, reprocessing or disposal of any waste requiring an EPL except as permitted by an EPL.	EPL 13198 licences the waste storage and non-thermal treatment of the following waste types: - Building and demolition waste; - Virgin excavated natural material; - Asphalt waste; - Garden waste; - Wood waste; and - General or specific exempted waste (activity as specified in each particular resource recovery exemption). The stockpile on site contained largely construction and demolition materials generally in accordance with the EPL based on the surface observation. However potential ACM was observed in stockpiles 1 and 4, and in skip bins in the area outside the workshop. The asbestos found in the skip bins was wrapped in HDPE and taped. A sample of material from stockpile 4 was tested and identified as Chrysotile asbestos, Amosite asbestos and Crocidolite asbestos, refer to Appendix B for the Envirolab Report. Always Recycling has been assessed as not compliant with this condition as asbestos was present on site, and was found in processed soil material (Stockpile 4).	Not Compliant

Title	Condition No	Requirement	Comments / Observations	Compliance Status
PA 06 - 0052	3.15	The Proponent shall prepare, and following approval implement a Waste Management Plan for the project to the satisfaction of the Director-General. This plan must: a) be submitted to the Director-General prior to carrying out any development; b) identify the types and quantities of waste that would be generated during construction and operation, and the standards and performance measures for dealing with this waste; c) detail procedures to monitor the amount of waste generated by the project; d) outline measures to minimise the production and impact of all wastes (excluding processed metal) generated by the project, including details of how this waste would be reused, recycled, and if necessary, appropriately treated and disposed of in accordance with the DEC's guidelines on the Assessment, Classification & Management of Liquid and Non-Liquid Waste; e) describe how the effectiveness of these actions and measures would be monitored over time; and f) a description of what procedures would be followed to ensure compliance if any non-compliance is detected.	Preparation: This compliance audit has been carried out as a visual assessment of compliance at the time of the site inspection on the 26 November 2013. No documentation was reviewed as part of this compliance assessment therefore the preparation and approval on the Waste Management Plan (WMP) was not assessed as part of this audit. Implementation: The construction of the Always Recycling site was not able to be reviewed as part of this assessment. Operation of the facility under the WMP identifies that: - The process of sorting of waste types; - The process for receiving of materials, including ticketing/tracking system; - Recycling process; and - Asbestos management (including an Asbestos Management Plan). The waste acceptance and sorting process observed on site included: - The receipt of trucks via the weighbridge, which were issued a waste tracking ticket and sent to one of two locations the general waste tipping area, or the brick and concrete tripping area. - When waste was received at the general tipping area the load was checked for excluded wastes. Excavators then moved the material onto a conveyor sorting line. The waste passed through a elevated sorting station which used manual sorting to separate bricks and concrete from wood, and general waste. General waste not processed on site where stockpiled for transport off site to a landfill. - Once sorted the materials would be further processed via mulching or grinding into resalable products. - Asbestos was observed on site as discussed in condition 3.11 and 3.14. Always Recycling has been assessed as not compliant with this condition as asbestos was observed on site; therefore the asbestos management plan was not observed to be implemented. A review of waste analysis records was not undertaken as part of this review.	Preparation: Not Assessed Implementation: Not Compliant

Site Compliance Checklist – Project Approval 06 – 0052 (MOD 1)

Title	Condition No	Requirement	Comments / Observations	Compliance Status
PA 06 - 0052	3.16	During the life of the project, the Proponent shall carry out all reasonable and feasible measures to minimise dust generated by the project, to the satisfaction of the Director-General.	The following dust mitigation measures were observed on site: - Two fog machines. Reported installed on site in the last two months. - Water cart. - Perimeter PVC pipe irrigation system on the southern boundary. Reported installed in the last two months. - Internal roads were covered in waste soil (not sealed). Complaints and incident reports were not reviewed as part of this assessment; therefore the adequacy of these measures could not be fully verified. During the site inspection dust emissions were noted on site on two occasions. This condition has been assessed as not compliant as the internal roads were not cleared and maintained in a way that may minimise dust.	Not Compliant
PA 06 - 0052	3.17	The Proponent shall not cause or permit the emission of offensive odours from the site, as defined under Section 129 of the Protection of the Environment Operations Act 1997.	During the site inspection on the 26 November 2013 no offensive odours were identified leaving the site. A review of documentation including incident reports and complaints has not been undertaken as part of this compliance review, therefore assessment of compliance against this condition could not be undertaken.	Not Assessed
PA 06 - 0052	3.18	The Proponent shall ensure that all internal road surfaces are paved and regularly cleaned.	As identified in Table 2-2 in the main report internal roads were covered with soil and gravel material (waste product). The entrance road for trucks through the weigh bridge and for vehicle traffic to the visitor car park was paved. A street sweeper was present on the day of inspection cleaning the roads at the entrance to the facility.	Not Compliant
PA 06 - 0052	3.19	During the life of the project, the Proponent shall ensure that project does not result in any vehicles queuing on the public road network.	Always Recycling has been assessed as not compliant with this condition as interior roads were obstructed by waste material. No vehicles were observed queuing on the public road (Miller Road) during the site inspection on the 26 November 2013. No other records, including compliant records, were reviewed as part of this compliance assessment. Based on site observations Always Recycling is compliant with this condition.	Compliant
PA 06 - 0052	3.20	The Proponent shall ensure that the internal road network and associated parking are designed, constructed and maintained in accordance with the latest versions of the Australian Standards AS 2890.1:2004 and AS 2890.2:2002.	This compliance audit was not undertaken as an assessment against the Australian Standards. However the following observation were made of the Always Recycling site at 191 Miller Road: - A visitor car park was present on site; - The visitor car park was paved; and - The visitor car park was used as a truck car park.	Not Assessed
PA 06 - 0052	3.21	Heavy vehicles associated with the development shall not park on local roads in the vicinity of the site at any time.	No heavy vehicles were observed to be parked on the Miller Road on the 26 November 2013 during the time of the site inspection 7:00am to 3:30pm. No other records were reviewed as part of this compliance assessment. Based on site observations Always Recycling has been assessed as compliant with this condition.	Compliant

Site Compliance Checklist – Project Approval 06 – 0052 (MOD 1)

Title	Condition No	Requirement	Comments / Observations	Compliance Status
PA 06 - 0052	3.22 (MOD 1)	Heavy vehicles associated with the development shall comply with existing RTA heavy vehicle road restrictions and specified B-double routes.	This compliance audit has been carried out as a visual assessment of compliance at the time of the site inspection on the 26 November 2013. No documentation was reviewed as part of this compliance assessment therefore this condition has not been assessed.	Not Assessed
PA 06 - 0052	4.1	The Proponent shall prepare and implement an Environmental Management Plan for the project, to the satisfaction of the Director-General. This plan shall be submitted to the Director-General prior to construction commencing and must: a) provide the strategic context for environmental management of the project; b) identify the statutory and other obligations that apply to the project; c) outline the environmental management and monitoring practices and procedures that would be implemented during construction and operation; d) describe in general how the environmental performance of the project would be monitored and managed throughout the life of the project; e) describe the procedures that would be implemented to: • keep the local community and relevant agencies informed about the construction, operation and; • environmental performance of the project; • receive, handle, respond to, and record complaints; • resolve any disputes that may arise during the course of the project; • respond to any non-compliance; and • respond to emergencies. f) describe the role, responsibility, authority, and accountability of all the key personnel involved in environmental management of the project; and g) incorporate the various studies required under this approval.	This compliance audit has been carried out as a visual assessment of compliance at the time of the site inspection on the 26 November 2013. The Environmental Management Plan is referred to as the Operation Management Plan (OMP) (Nov. 2009) has been viewed for its implementation on site. The OMP states the following: - Regular sampling of stockpiles will be undertaken to comply with OEH exemption guidelines; - Required PPE (steel capped boots, high visibility vest or jacket, hard hat and long sleeved shirt, pants, chemical resistant gloves (if in direct contact with soil). If appropriate the following will be available, a P2 dust mask, disposable overalls, air purifying respirator, safety goggles, ear muffs/plugs. - Induction, training and complaints procedures. - A 24 hour contact number is to be provided at the front of the site. The OMP refers to the sub management plans including the NMP, SWMP, WMP and TNMP or details on environmental management and monitoring measures. However a detailed list of sampling of stockpiles of exempt materials, and suspect asbestos contamination is included. No records were reviewed as part of this compliance assessment to assess compliance with these requirements. However potentially ACM was observed in two stockpiles and outside the workshop, as discussed in condition 3.11 and 3.14, which demonstrates the OMP has not been adequately implemented. Workers on site were also observed not wearing hard hats, or long sleeve shirt and pants. The front entrance sign did not list a 24 hour contact number for complaints. Always Recycling has been assessed as not compliant with this condition as asbestos was found to be present on site, a 24 hour contact number was not displayed and appropriate PPE required under the plan was not worn by all staff on site.	Not Compliant
PA 06 - 0052	4.2	Prior to the commencement of construction and operation, the Proponent shall certify in writing to the satisfaction of the Director-General, that it has complied with all relevant conditions of this approval.	This compliance audit has been carried out as a visual assessment of compliance at the time of the site inspection on the 26 November 2013. No documentation was reviewed as part of this compliance assessment therefore this condition has not been assessed.	Not Assessed

Site Compliance Checklist – Project Approval 06 – 0052 (MOD 1)

Title	Condition No	Requirement	Comments / Observations	Compliance Status
PA 06 - 0052	4.3	The Proponent shall notify the DECC and the Director-General of any exceedance of the performance criteria in this approval or any incident with actual or potential significant off-site impacts on people or the biophysical environment as soon as practicable after the occurrence of the incident. The Proponent shall provide written details of the exceedance/incident to the Director-General (and any relevant agency) within 7 days of the date on which the incident occurred. Subject to confidentiality, the Proponent shall make all documents required under this approval publicly available.	This compliance audit has been carried out as a visual assessment of compliance at the time of the site inspection on the 26 November 2013. No documentation was reviewed as part of this compliance assessment therefore this condition has not been assessed.	Not Assessed
PA 06 - 0052	4.4		This compliance audit has been carried out as a visual assessment of compliance at the time of the site inspection on the 26 November 2013. No documentation was reviewed as part of this compliance assessment therefore this condition has not been assessed.	Not Assessed

Site Compliance Checklist – EPL 13198

Title	Condition No	Requirement	Comments / Observations	Compliance Status
Administrative Conditions				
EPL 13198	A1.1	Not applicable	Not Applicable	Not Applicable
EPL 13198	A1.2	This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation. Unless otherwise further restricted by a condition of this licence, the scale which the activity is carried out must not exceed the maximum scale <u>specific in this condition.</u> Scheduled Activity Waste storage Waste processing (non-thermal treatment) Fee Based Activity Waste storage - Other types of waste Non-thermal treatment of general waste Scale 0 - A2 0 - A2	Based on the site observations undertaken on the 26th November 2013, the site is undertaking Scheduled Activities Waste Storage and Waste Processing (non-thermal treatment).	Compliant
EPL 13198	A1.3	Not Applicable	Not Applicable	Not Applicable
EPL 13198	A2.1	The licence applies to the following premises: Premises Details Number 1 Demolition and Excavation (NSW) Pty Ltd 191 Miller Road CHESTER HILL NSW 2162 PART LOT 8 DP1835882	Noted	Noted
EPL 13198	A2.2	The licence applies to the area referred to as "approximate Lease Area" surrounded by the dashed line in map titled "General Arrangement" and drawing no SW01 dated 31 August 2008 prepared by Emerson Associates Pty Limited, stored on file LIC09/83-02.	Noted	Noted
EPL 13198	A3	Other activities	Not Applicable	Not Applicable

Site Compliance Checklist – EPL 13198

Title	Condition No	Requirement	Comments / Observations	Compliance Status
EPL 13198	A4.1	Information supplied to the EPA Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by condition of this licence. In this condition the reference to "the licence application" includes a reference to: (a) The applications for any licences (including former pollution control approvals) which this licence replaces under the Protection Operations (Savings and Transitional) regulation 1998; and (b) The licence information form provided by the licence to the EPA to assist the EPA in connection with the issuing of this licence.	URS has not viewed all documentation supporting the Licence Application.	Indeterminate
Discharges to air and water and applications to land				
EPL 13198	P1	Not Applicable	Not Applicable	Not Applicable
Limit Conditions				
EPL 13198	L1.1	Pollution of waters Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.	As noted in Section 3.2 of the report, based on the observations during the site inspection, the Site did not have appropriate bunding to prevent the runoff of 'dirty' water from the waste processing area to the clean water system. It was also noted that a truck was being washed in the 'clean' runoff area, which discharged turbid water to the offsite drainage system (refer to Table 2-2, photo # 144). The sediment trap within the final discharge point was also observed to be filled with sediment and potentially contaminated with oil.	Not Compliant
EPL 13198	L2	Load Limits: Not Applicable	Not Applicable	Not Applicable
EPL 13198	L3	Concentration Limits: Not Applicable	Not Applicable	Not Applicable
EPL 13198	L4	Volume and mass limits: Not Applicable	Not Applicable	Not Applicable
EPL 13198	L5.1	Waste The licensee must not cause, permit or allow waste to be received at the premises, except the wastes expressly referred to in the column titled "Waste" and meeting the definition, if any, in the column titled "Description" in the table below. Any waste received at the premises must not only be used for the activities referred to in relation to that waste in the column title "Activity" in the table below. Any waste received at the premises is subject to the those limits or conditions, if any, referred to in relations to that waste contained in the column titled "Other Limits" in the table below. Condition L5.1 does not limit any other condition in this licence.	As noted in Section 3.1 a sample of fibro-cement sheet was found on stockpile 4 the Site and later analysed and found to be Asbestos Containing Material (ACM) therefore this condition has been assessed as not compliant. It was also noted that potentially ACM was observed on stockpile 1 and in skip bins next to the visitor car park and outside the workshop area.	Not Compliant

Site Compliance Checklist – EPL 13198

Title		Condition No.	Requirement	Comments / Observations	Compliance Status																														
EPL 13198	L5.2 L5.2.1		<table><thead><tr><th>Code</th><th>Issue</th><th>Description</th><th>Active</th><th>Other Limits</th></tr></thead><tbody><tr><td>NA</td><td>Building not fenced or gated</td><td>As observed in Appendix A, lot 10 is not fenced or gated.</td><td>Waste Storage</td><td>NA</td></tr><tr><td>NA</td><td>Unpermitted storage of materials</td><td>As observed in Appendix A, lot 10 is not fenced or gated.</td><td>Waste Storage</td><td>NA</td></tr><tr><td>NA</td><td>Asbestos</td><td>As observed in Appendix A, lot 10 is not fenced or gated.</td><td>Waste Storage</td><td>NA</td></tr><tr><td>NA</td><td>Asbestos</td><td>As observed in Appendix A, lot 10 is not fenced or gated.</td><td>Waste Storage</td><td>NA</td></tr><tr><td>NA</td><td>Asbestos</td><td>As observed in Appendix A, lot 10 is not fenced or gated.</td><td>Waste Storage</td><td>NA</td></tr></tbody></table>	Code	Issue	Description	Active	Other Limits	NA	Building not fenced or gated	As observed in Appendix A, lot 10 is not fenced or gated.	Waste Storage	NA	NA	Unpermitted storage of materials	As observed in Appendix A, lot 10 is not fenced or gated.	Waste Storage	NA	NA	Asbestos	As observed in Appendix A, lot 10 is not fenced or gated.	Waste Storage	NA	NA	Asbestos	As observed in Appendix A, lot 10 is not fenced or gated.	Waste Storage	NA	NA	Asbestos	As observed in Appendix A, lot 10 is not fenced or gated.	Waste Storage	NA	As observed during the site inspection on the 26 November 2013 stockpiles of C&D waste was observed at the following heights as identified in Appendix B, survey plan: • Stockpile 1 - 15.5 m • Stockpile 2 - 8.0 m • Stockpile 3 - 5 m • Stockpile 4 - 15.5 m • Stockpile 5 - 6.5 m • Stockpile 6 - 2.5 m Stockpiles 1 and 4 exceed 30 ADH therefore the Site is not compliance with this condition.	Not Compliant
		Code	Issue	Description	Active	Other Limits																													
		NA	Building not fenced or gated	As observed in Appendix A, lot 10 is not fenced or gated.	Waste Storage	NA																													
		NA	Unpermitted storage of materials	As observed in Appendix A, lot 10 is not fenced or gated.	Waste Storage	NA																													
		NA	Asbestos	As observed in Appendix A, lot 10 is not fenced or gated.	Waste Storage	NA																													
		NA	Asbestos	As observed in Appendix A, lot 10 is not fenced or gated.	Waste Storage	NA																													
NA	Asbestos	As observed in Appendix A, lot 10 is not fenced or gated.	Waste Storage	NA																															
		Stockpile Height The height of any stockpile of any material (whether of waste or any other materials) on the premises, where any part of the stockpile is within eight (8) meters of the southern boundary must not exceed 24.24 meter ADH. The height of any stockpile of any material (whether of waste or any other materials) on the premises, where any part of the stockpile is within eight (8) meters of the north east boundary must not exceed 26.21 meter ADH. The height of any other stockpile must not exceed 26.00 meters ADH.																																	
	L5.2.2	Any stockpile of processed or unprocessed material along the southern boundary must be kept (1) meter away from the fence line at all times.	At the time of the site inspection a stockpile of processed soil was observed against the southern boundary shipping container wall, refer to Table 2-2, photo # 232. As this stockpile was not located 1m from the southern fence line this condition has been assessed as not compliant.	Not Compliant																															
	L6.1	Noise Limits The licensee must not exceed the noise limits presented in the table below: <table><thead><tr><th>Location</th><th>Day (LAeq (15 minutes))</th></tr></thead><tbody><tr><td>Residence in Weldon Road</td><td>47 dB(A)</td></tr><tr><td>Residence in Goodstate Street / Orchard Road</td><td>50 dB(A)</td></tr><tr><td>Any other affected residence</td><td>50 dB(A)</td></tr></tbody></table>	Location	Day (LAeq (15 minutes))	Residence in Weldon Road	47 dB(A)	Residence in Goodstate Street / Orchard Road	50 dB(A)	Any other affected residence	50 dB(A)	This compliance audit has been carried out as a visual assessment of compliance. No documentation was reviewed as part of this compliance assessment therefore this condition has not been assessed.	Not Assessed																							
Location	Day (LAeq (15 minutes))																																		
Residence in Weldon Road	47 dB(A)																																		
Residence in Goodstate Street / Orchard Road	50 dB(A)																																		
Any other affected residence	50 dB(A)																																		
	L6.2	Hours of operation Activities on the premises, including construction work or transport of waste or other material, may only be carried on between Monday to Friday 7:00am to 6:00pm, and Saturdays 8:00am to 1:00pm, and at no time on Sunday and Public Holidays.	The 'Condition of Entry' sign at the front of the site states that the trading hours are: • Monday to Friday - 6:30am to 5:30pm; • Saturdays - 7:00am to 2:00pm; which demonstrates that the site operates outside of the approved hours under the EPL, therefore this condition has been assessed as not compliant.	Not Compliant																															

Site Compliance Checklist – EPL 13198

Title			Condition No	Requirement	Comments / Observations	Compliance Status
EPL 13198	L7	Asbestos	The licensee must comply with the conditions as specific in this licence or where no specific condition outlined in this licence, the licensee must comply with the POEO (Waste) Regulation 2005.		As noted in Section 3.1 of the main report, a sample of fibro-cement sheet was found on the site and later analysed and found to be Asbestos Containing Material (ACM), therefore the Site has been assessed as not compliant with this condition. It was also noted that potentially ACM was observed on stockpile 1 and in skip bins next to the visitor car park and outside the workshop area.	Not Compliant
Operating Conditions						
EPL 13198	O1	Activities must be carried out in a competent manner	Licensed activities must be carried out in a competent manner. This includes: (a) Processing, handling, movement and storage of materials and substances used to carry out the activity; and (b) The treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.		This compliance audit has been carried out as a visual assessment of compliance. No documentation was reviewed as part of this compliance assessment therefore this condition has not been fully assessed.	Not Assessed
EPL 13198	O2	Maintenance of plant and equipment	All plant and equipment installed at the premises or used in connection with the licensed activity: (a) Must be maintained in a proper and efficient condition; and (b) Must be operated in a proper and efficient manner.		This compliance audit has been carried out as a visual assessment of compliance. No documentation was reviewed as part of this compliance assessment therefore this condition has not been assessed.	Not Assessed
EPL 13198	O3.1	Dust Control	All operations and activities occurring at the premises must be carried out in a manner that will minimise the emission of dust from the premises.		During the site inspection it was observed that several areas of the Site, which according to the Project Approval are to be sealed surfaces, were covered in waste soil, resulting in traffic generated dust emissions, therefore this condition has been assessed as not compliant.	Not Compliant
EPL 13198	O3.2	All areas must be maintained, at all times, in a condition which effectively minimise the emission of wind-blown or traffic generated dust.			During the site inspection it was observe that several areas of the Site, which according to the Project Approval are to be sealed surfaces, were covered in waste soil, resulting in traffic generated dust emissions, therefore this condition has been assessed as not compliant.	Not Compliant
EPL 13198	O3.3	The licensee must ensure that no material, including sediment or oil, is tracked onto public road from the premises.			Vehicles leaving the site currently do not pass through a wheel wash after moving on unsealed surfaces, potentially resulting in sediment being tracked onto public road (Miller Road); refer to Table 2-2, photo # 303 of mud tracks left on the Site's driveway after exiting the site.	Not Compliant
EPL 13198	O3.4	Trucks entering and leaving the premises that are carrying loads must be covered at all times, except during loading and unloading.			No trucks were observed leaving the Site during the site inspection therefore this condition could not be adequately assessed.	Not Assessed
EPL 13198	O4.1	Preventing fires	There must be no burning or incineration of waste at the premises.		During the site inspection no burning or incineration was observed on the Site	Compliant
EPL 13198	O4.2	Diesel fuel must not be stored within 20 metres of any stockpile of timber, garden waste, woodwaste or any other wood material on the premises.			During the site inspection diesel fuels was not observed to be stored within 20 metres of any stockpile of timber, garden waste, woodwaste or any other wood material on the premises.	Compliant

Title		Condition No	Requirement	Comments/ Observations	Compliance Status
EPL 13198	O5.1	Emergency Response	The licensee must maintain and implement as necessary a current emergency response plan for the premises. The licensee must keep the emergency response plan on the premises at all times. The emergency response plan must document systems and procedures to deal with all types of incidents (e.g. spills, explosion or fire) that may occur at the premises or that may be associated with activities that occur at the premises and which are likely to cause harm to the environment. It a current emergency response plan does not exist at the date on which this condition is attached to the licence, the licensee must develop an emergency response plan with three months of that date.	This compliance audit has been carried out as a visual assessment of compliance. No documentation was reviewed as part of this compliance assessment therefore this condition has not been assessed.	Not Assessed
Monitoring and recording conditions					
EPL 13198	M1	Monitoring records		This compliance audit has been carried out as a visual assessment of compliance. No documentation was reviewed as part of this compliance assessment therefore this condition has not been assessed.	Not Assessed
EPL 13198	M2	Requirement to monitor concentration of pollutants discharged	Not Applicable	Not Applicable	Not Applicable
EPL 13198	M3	Testing methods – concentration limits	Not Applicable	Not Applicable	Not Applicable
EPL 13198	M4	Recording of pollution complaints		This compliance audit has been carried out as a visual assessment of compliance. No documentation was reviewed as part of this compliance assessment therefore this condition has not been assessed.	Not Assessed
EPL 13198	M5	Telephone complaints line		This compliance audit has been carried out as a visual assessment of compliance. No documentation was reviewed as part of this compliance assessment therefore this condition has not been assessed.	Not Assessed
EPL 13198	M6	Requirement to monitor volume or mass		This compliance audit has been carried out as a visual assessment of compliance. No documentation was reviewed as part of this compliance assessment therefore this condition has not been assessed.	Not Assessed
Reporting Conditions					
EPL 13198	R1	Annual Return documents		This compliance audit has been carried out as a visual assessment of compliance. No documentation was reviewed as part of this compliance assessment therefore this condition has not been assessed.	Not Assessed
EPL 13198	R2	Notification of environmental harm		This compliance audit has been carried out as a visual assessment of compliance. No documentation was reviewed as part of this compliance assessment therefore this condition has not been assessed.	Not Assessed
EPL 13198	R3	Written Report		This compliance audit has been carried out as a visual assessment of compliance. No documentation was reviewed as part of this compliance assessment therefore this condition has not been assessed.	Not Assessed
General Conditions					
EPL 13198	G1	Copy of licence kept at premises		This compliance audit has been carried out as a visual assessment of compliance. No documentation was reviewed as part of this compliance assessment therefore this condition has not been assessed.	Not Assessed

Site Compliance Checklist – EPL 13198

Title		Condition No	Requirement	Comments / Observations		Compliance Status
EPL 13198		U1	Stockpile Marker By 15 June 2010, the licensee must install a permanent stockpile height marker that shows the height of 26.00 metres AHD, so that a visual check can be made against the marker to determine the height of the stockpiles.	No permanent stockpile height marker was observed on the Site; therefore this condition has been assessed as not compliant.		Not Compliant
EPL 13198		U2	Dust Suppression By Monday 6 September 2010, a dust suppression device in the form of a wheel wash or cattle grid must be installed at the premises to minimise dust and sediment tracking from the premises.	A dust suppression device in the form of a wheel wash or cattle grid was not installed at the premises, at the time of the site inspection, therefore this condition has been assessed as not compliant.		Not Compliant
Special Conditions						
EPL 13198		E1	Requirement to maintain financial assurance	This compliance audit has been carried out as a visual assessment of compliance. No documentation was reviewed as part of this compliance assessment therefore this condition has not been assessed.		Not Assessed
EPL 13198		E2	Environmental obligations of the licensee	This compliance audit has been carried out as a visual assessment of compliance. No documentation was reviewed as part of this compliance assessment therefore this condition has not been assessed.		Not Assessed
EPL 13198		E3	Claiming on financial assurance	This compliance audit has been carried out as a visual assessment of compliance. No documentation was reviewed as part of this compliance assessment therefore this condition has not been assessed.		Not Assessed

Compliance Checklist – Statement of Commitment

Title	Condition No	Requirement	Comments / Observations	Compliance Status
SoC (2006)	1.1 A	The development will be undertaken generally in accordance with the Environmental Assessment report prepared by BBC Consulting Planners, including accompanying appendices.	Based on the site inspection undertaken, the site is generally not operating in accordance with the Environmental Assessment for the reasons described in the main compliance assessment report and this table.	Not Compliant
SoC (2006)	1.1 B	The development will be undertaken generally in accordance with the following drawings: - Environmental Assessment (Doerfler Borg Architects) - Site Plan (as modified by Acoustic Fencing Plan specified below) (April 2006) - Stormwater Management Plan (Wade Consulting) - Catchment Plan (August 2006) - Indicative Stormwater Treatment Plan (August 2006) - Indicative Erosion and Sediment Control Plan (August 2006) "Copa Water" Filtermat Details – Standard Drawings - Acoustic Fencing Plan (Noise and Sound Services) - Site Plan with Indication of Minimum Height and Positions of Acoustic Barriers (November 2006)	Refer to SoC 2009, condition 1.1B for a full assessment of this condition. Always Recycling have been identified as not compliant with this condition as the Site has not been developed in accordance with site plans listed, and updated in 2009.	Not Compliant
SoC (2006)	1.1 C	The premises will be constructed and operated in accordance with the Statement of Commitments.	As identified in this compliance table the operations at the Site have not been carried out in accordance with the SoC including: - Site layout - Stockpile heights - Acoustic barrier locations - Operational Hours - Contact number Therefore this condition is considered not compliant.	Not Compliant
SoC (2006)	1.1 D	CMA Corporation will develop a program of informing key stakeholders including the Department of Planning, Department of Environmental and Conservation and Bankstown City Council, of earthworks, demolition and construction staging and activities throughout the development process.	This compliance audit has been carried out as a visual assessment of compliance. No documentation was reviewed as part of this compliance assessment therefore this condition has not been assessed.	Not Assessed
SoC (2006)	1.2	Further Approvals A. CMA Corporation will obtain all necessary licences, permits and approvals required by State and Commonwealth legislation in undertaking the project. B. The Proponent will obtain a Construction Certificate prior to the implementation of the engineering and building works.	This compliance audit has been carried out as a visual assessment of compliance. No documentation was reviewed as part of this compliance assessment therefore this condition has not been assessed.	Not Assessed
SoC (2006)	1.2	Complaints Handling Prior to construction commencing, the proponent will establish a complaints handling procedure available for community complaints.	This compliance audit has been carried out as a visual assessment of compliance. No documentation was reviewed as part of this compliance assessment therefore this condition has not been assessed.	Not Assessed
SoC (2006)	1.2	Construction Environmental Management Plan ("CEMP")	The construction phase of this project has not been reviewed as part of this compliance assessment therefore this condition has not been assessed.	Not Assessed

Site Compliance Checklist – Statement of Commitments

Title	Condition No	Requirement	Comments / Observations	Compliance Status
SoC (2006)	1.2	Operation Environmental Management Plan ("OEMP") The proponent will prepare and implement a OEMP to outline all environmental management practices and procedures to be followed following the completion of construction. The OEMP is to contain the following plans: a) a Stormwater Management Plan indicating the means of managing stormwater runoff from the site; b) a Stormwater Quality Management Plan including details of:- (i) derivation of appropriate water quality criteria for all potential water pollutants that may be present in stormwater discharges from the site, taking into consideration the applicable Water Quality Objectives in the ambient waters and using technical criteria derived from the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC 2000); (ii) a clear demonstration that the water quality treatment systems to be installed will ensure that stormwater discharged from the site achieves the derived water quality criteria; (iii) a description of the maintenance procedures for the water quality treatment devices, including details on how water captured in the first flush system(s) will be managed; (iv) details of bunding arrangements for all areas where oils, other chemicals and wastes are to be stored to ensure that pollution of waters does not occur in the event of spills or leakages; and (v) procedures to be used to manage spills and other incidents with the potential to impact on water quality; c) a water reuse plan indicating means of harvesting rainwater from the site and the potential uses to which this rainwater can be put; d) a Noise Management Plan that includes details of noise criteria to be maintained, the monitoring regime to be implemented during operations, method statements for employees and contractors to manage 'at source' noise, and allowance for additional mitigation measures if any non-compliance with acoustic criteria is detected; and e) a Traffic Noise Management Plan that includes the use of best practice noise mitigation and includes a requirement for access routes to the premises that do not use local roads.	Refer to SoC 2009, Condition 1.2 Operation Environmental Management Plan (OEMP) for a full assessment against this condition.	Not Compliant Assessed under PA 06_0052, conditions 3.4, 3.5, 3.10

e Compliance Checklist – Statement of Commitment

Title	Condition No	Requirement	Comments / Observations	Compliance Status
SoC (2006)	1.2	Safety Plan The construction contractor will establish a Safety Plan before work commences on-site to detail safe work methods and procedures to be followed on-site and to ensure compliance with OH&S and statutory requirements. Such a plan to address safety risks during demolition, excavation and construction activity, including:- • stability of adjacent structures; • falls from heights; • protection of the public; • traffic controls around the perimeter of the site; and • working with high voltage electrical supply.	This compliance audit has been carried out as a visual assessment of compliance. No documentation was reviewed as part of this compliance assessment therefore this condition has not been assessed.	Not Assessed
SoC (2006)	1.3	Construction Phase The construction phase of this project has not been reviewed as part of this compliance assessment therefore the Statements of Commitments detailed under 1.3 have not been listed here.	The construction phase of this project has not been reviewed as part of this compliance assessment therefore this condition has not been assessed.	Not Assessed
SoC (2006)	1.4 (Operation at Phase)	General A contact telephone number will be provided via which the public may seek information or make a complaint. A log of complaints should be maintained and actioned by the site superintended in a responsive manner.	As required by the Operational Management Plan (OMP) the front entrance sign did not list a 24 contact number for complaints. This compliance audit has been carried out as a visual assessment of compliance. No documentation was reviewed as part of this compliance assessment therefore management of complaints has not been assessed.	Not Compliant (same as PA 06_0052, Condition 4.1)
SoC (2006)	1.4	Hours of Operation The use of the premises will be generally limited to the hours between 7:00am and 6:00pm Mondays to Saturdays. No work will be undertaken on Sundays or Public Holidays. The operation of processing machinery will only occur between 7:00am and 5:00pm Mondays to Saturdays. There will be no processing of materials outside those hours.	This compliance audit has been carried out as a visual assessment of compliance at the time of the site inspection on the 26 November 2013. The 'Condition of Entry' sign at the front of the site states that the trading hours are: Monday to Friday - 6:30am to 5:30pm; Saturdays - 7:00am to 2:00pm; which demonstrates non compliance with the approved operational hours.	Not Compliant (same as PA 06_0052, Condition 3.7)
SoC (2006)	1.4	Materials Handling a) All materials stockpiled within the site will not exceed a height of 3m to ensure the visual impacts of the proposal are reduced. b) The proponent will only accept containers and drums which have been washed or cleaned free of oils, grease, fuel, dirt and other waste stream contaminants. Should any unclean materials be present within materials being delivered to the site, these would be returned to the customer at the customer's expense. c) Any residual fuels, oils and batteries, particularly in vehicle bodies being dismantled, will be removed before entering the site. Any inadvertent motor fluids remaining in vehicles will be collected within the shear unit's covered charge box for collection by a tanker truck and disposal off-site. d) A procedure should be introduced to refuse any incoming gas bottles that have not been emptied.	As observed during the site inspection on the 26 November 2013 stockpiles of C&D waste was observed at the following heights as identified in Appendix B, survey plan: • Stockpile 1 - 15.5 m • Stockpile 2 - 8 m • Stockpile 3 - 5 m • Stockpile 4 - 15.5 m • Stockpile 5 - 6.5 m • Stockpile 6 - 2.5 m Stockpiles 1 to 5 exceeded the 3 m maximum height therefore the Site is not compliance with this condition. Drums and tins were observed on site, some were filled with rainwater. The tins were labelled as liquid emulsifier. The contents or residual contamination of the drums could not be visually assessed.	Not Compliant (same as PA 06_0052, Condition 3.3, SoC 2009, 1.4)

Site Compliance Checklist – Statement of Commitments

Title	Condition No	Requirement	Comments / Observations	Compliance Status
SoC (2006)	1.4	Acoustic Matters a) At all times, the concurrent use of plant and machinery at the facility will be limited to times only when necessary. b) Acoustic fencing, comprising 3m – 8m tall fences around the processing areas and perimeter of the development zone are to be erected. These fences are to be constructed of colourbond material atop concrete supports and are not to contain any gaps except for truck access as proposed. The first 3m of the fencing surrounding the processing areas will be covered with rubber material (or suitable alternative) to prevent any inadvertent metal on metal impacts. c) All plant used in the construction and operation of the facility is to be properly maintained to ensure rated noise emissions levels are not exceeded. d) No works are to be carried out outside of the acoustic barriers. e) All construction activities will be undertaken guided by AS2436-1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites. f) The use of the site will not give rise to the emission of an "offensive noise" as defined in the Protection of the Environment Operations Act. g) Appropriate noise mitigation and management procedures will be implemented at the site to ensure that noise from the premises does not exceed any of the following noise limits at any time (at wind speeds up to 3m/s at 10 metres above ground level):- <i>(levels not included)</i> h) The modification factors presented in Section 4 of the NSW Industrial Noise Policy will be applied to the noise levels from the site prior to comparison to the above noise level limits. i) Vehicles, mobile and fixed plant will be installed with the manufacturer's low noise kits where possible, such as low noise exhaust attenuators. j) Once operational, all on-site plant will be assessed and diagnosed by a qualified acoustical consultant to establish whether further noise controls at source are reasonably practicable.	Refer to SoC 2009 condition 1.4 Acoustic Matters.	Part b: Not Compliant (same as SoC 2009, 1.4)

Compliance Checklist – Statement of Commitment

Title	Condition No	Requirement	Comments / Observations	Compliance Status
SoC (2006)	1.4	Air Quality Matters - The premises will be maintained in a condition which minimises or prevents the emission of dust from the premises. - Water carts, sprinklers or hoses will be used on any day there are visible dust emissions. - The site will be regularly swept to ensure that accumulated dust is collected. - Should the quantity of intact air conditioning units received by the project prove significant, the proponent will install a HFC reclamation unit to capture the refrigerant and prevent HFC emissions to atmosphere.	Refer to SoC 2009 condition 1.4 Air Quality Matters.	Not Compliant (same as SoC 2009, 1.4)
SoC (2006)	1.4	Odour The premises will not cause or permit the emission of any offensive odour from which the licence applies.	During the site inspection on the 26 November 2013 no offensive odours were identified leaving the site. A review of documentation including incident reports and complaints has not been undertaken as part of this compliance review, therefore assessment of compliance against this condition could not been undertaken.	Not Assessed
SoC (2006)	1.4	Risk Management - Fire protection systems are to be compliant with the BCA and AS 1940 – Storage and Handling of Flammable and Combustible Liquids. - Transport routes recommended by the RTA are to be followed. This includes a restriction to B-Double access along the peripheral southern and northern ends of Miller Road. - A basic Emergency Response Plan ("ERP") to AS 3745-2002 to be developed for the site.	This compliance audit has been carried out as a visual assessment of compliance at the time of the site inspection on the 26 November 2013. No documentation was reviewed as part of this compliance assessment therefore this condition has not been assessed.	Not Assessed
SoC (2006)	1.4	Vehicle Access - All vehicles are to enter and exit the site in a forward direction. A prominent sign will be erected on the site to ensure that vehicles do so. - The driveways, loading area and car parking spaces will be unobstructed at all times.	Vehicles were observed accessing the site from the entrance on Miller Road. The roads, unloading area and car park were generally unobstructed. However the car park was used as a storage area for machinery.	Compliant (same as SoC 2009, 1.4)
SoC (2006)	1.4	Maintenance The proponent will keep the site in clean and tidy order during the operation of the project.	As identified in Table 2-2, Photo # 241 and 303, in the main report internal roads were covered with soil and gravel material (waste product). A street sweeper was operational on the day of inspection cleaning the roads at the entrance to the facility. Always Recycling has been assessed as not compliant with this condition has interior roads were obstructed by waste material.	Not Compliant (same as, PA 06_0052, condition 3.18)
SoC (2009)	1.1 A	The development will be undertaken generally in accordance with the original Environmental Assessment report prepared by BBC Consulting Planners (November 2006) and accompanying appendices as modified the Environmental Assessment Report prepared by Moody & Doyle Consulting Planners (February 2009).	Refer to the main report for an assessment of the operations as described in the EA. It was observed that the Site was not constructed in accordance with the Site Plan and Asbestos was identified on site, as discussed in Section 3.1 of the Main Report. Based on these two non-compliances with the EA the Site has been assessed as not compliant.	Not Compliant

Site Compliance Checklist – Statement of Commitments

Title	Condition No	Requirement	Comments / Observations	Compliance Status
SoC (2009)	1.1 B	The development will be undertaken generally in accordance with the following drawings: - Environmental Assessment (Doerfler Borg Architects) - Site Plan (as modified by Acoustic Fencing Plan specified below) (February 2009) - Stormwater Management Plan (Wade Consulting) - Catchment Plan (August 2006) - Indicative Stormwater Treatment Plan (August 2006) - Indicative Erosion and Sediment Control Plan (August 2006) "Copa Water" Filtermat Details – Standard Drawings - Acoustic Fencing Plan (Noise and Sound Services) - Site Plan with Indication of Minimum Height and Positions of Acoustic Barriers (February 2009)	Site Plan As identified in Section 2.3 of the main report the Site at 191 Miller Road, Chester Hill has not been constricted in accordance with the Site Plan. Refer to the topographic survey in Appendix B for a layout of the site on the 26 November 2013. Stormwater Management As identified in the stormwater management plans in the SWMP, Appendix D, prepared by Moody & Doyle Pty Ltd the stormwater management system has not been developed in accordance with these plans. The 'clean' area is identified as the area on the east of the site where existing buildings are located, including the administration building, visitor carpark and three steel frame buildings. As identified in Section 2.3 of the report, the site has not been constructed in accordance with the Site Plan, therefore the 'clean' area has not been segregated from the 'dirty' areas as identified in these plans. The 'dirty' area at the time of the site visit was observed to include the area west of the visitor carpark and workshop area. This area did not appear to be appropriately bunded, as water from the dirty area was not restricted on internal transport roads. In addition a vehicle was being washed in the designated 'clean' area. As discussed in PA 06_0052 condition 3.8 the pollution control devices were not constructed as described in the SWMP and site plans in Appendix D. Acoustic Barriers As discussed in Section 2.3 the layout and height of acoustic barriers has not been undertaken in accordance with the Site Plan and NMP, Figure 2, have not been adhered to. As identified in the topographic survey, Appendix B, the heights of acoustic barriers ranged from 1.8 to 5m. On the northern boundary the acoustic barrier was 5m instead of the proposed 8m. The southern boundary was between 1.8 -2.5m instead of the proposed 5 m. As identified in this compliance table the operations at the Site have not been carried out in accordance with the SoC including: - Site layout - Stockpile heights - Acoustic barrier locations - Operational Hours - Contact number Therefore this condition is considered not compliant.	Not Compliant
SoC (2009)	1.1 C	The premises will be constructed and operated in accordance with the Statement of Commitments.	As identified in this compliance table the operations at the Site have not been carried out in accordance with the SoC including:	Not Compliant
SoC (2009)	1.1 D	The proponent will inform stakeholders including the Department of Planning, Department of Environment and Conservation and Bankstown City Council of any earthworks, demolition and construction staging activities being undertaken during construction.	This compliance audit has been carried out as a visual assessment of compliance. No documentation was reviewed as part of this compliance assessment therefore this condition has not been assessed.	Not Assessed

e Compliance Checklist -- Statement of Commitment

Title	Condition No.	Requirement	Comments / Observations	Compliance Status
SoC (2009)	1.2 Pre-construction phase	Further Approvals a) The proponent will obtain all necessary licenses, permits and approvals required by State and Commonwealth legislation in undertaking this project. b) The proponent will obtain a Construction Certificate prior to the commencement of building works.	This compliance audit has been carried out as a visual assessment of compliance. No documentation was reviewed as part of this compliance assessment therefore this condition has not been assessed. It was noted that underground storage tanks (UST) may be present on site. The presence of a non-operational UST's onsite may breach the provisions of the Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2008 and may also breach the provisions of s367 of the Work Health and Safety Regulation 2011 if the UST's have been non-operational for a period greater than 2 years.	Not Assessed
SoC (2009)	1.2	Complaints Handling The proponent will establish a complaints handling procedure, for the processing of any community comments.	This compliance audit has been carried out as a visual assessment of compliance. No documentation was reviewed as part of this compliance assessment therefore this condition has not been assessed.	Not Assessed
SoC (2009)	1.2	Construction Environmental Management Plan (CEMP)	The construction phase of this project has not been reviewed as part of this compliance assessment therefore this condition has not been assessed.	Not Assessed
SoC (2009)	1.2	Operational Environmental Management Plan (OEMP) An OEMP will be prepared and implemented by the proponent, to ensure that the appropriate environmental management practices are adopted post construction. The OEMP is to contain the following plans: a) A Stormwater Management Plan with details on management of stormwater runoff from the site. b) A Stormwater Quality Management Plan including details of: i. Derivation of appropriate water quality criteria for all potential water pollutants that may be present in stormwater discharges from the site. ii. An indication that the water quality treatment systems will achieve the appropriate standard of water quality. iii. Description of maintenance for the water quality treatment devices. iv. Management details for the storage of oils, other chemical and wastes, to ensure that waterways and runoff is not polluted with contaminants. v. Outline procedures to be implemented for the management of spills or accidents that could affect water quality. c) A Water Reuse Plan outlining methods of harvesting rainwater, as well as potential uses for the rainwater. d) A Noise Management Plan that defines appropriate noise levels and how employees and contractors will ensure these levels are complied with. Details of additional measures that can be implemented if any level of non-compliance occurs. e) A Traffic Noise Management Plan outlining noise mitigation measures as well as access routes to the premises that do not rely on local roads.	Preparation: This compliance audit has been carried out as a visual assessment of compliance at the time of the site inspection on the 26 November 2013. No documentation was reviewed as part of this compliance assessment. Implementation: Refer to the PA 06_0052 for a review of implementation of the SWMP, NMP, and TNMS.	Not Compliant Assessed under PA 06_0052, conditions 3.4, 3.5, 3.10

Site Compliance Checklist – Statement of Commitments

Title	Condition No	Requirement	Comments / Observations	Compliance Status
SoC (2009)	1.2	Safety Plan A Safety Plan will be prepared by the construction contractor prior to commencement of construction works on site. The Plan be used to ensure compliance with OH&S and statutory requirements. The Plan will address potential risks during demolition, excavation and construction activity including: • Stability and adjacent structures; • Falls from heights; • Protection of the public • Traffic controls around the perimeter of the site; and • Working with high voltage electrical supply.	This compliance audit has been carried out as a visual assessment of compliance. No documentation was reviewed as part of this compliance assessment therefore this condition has not been assessed.	Not Assessed
SoC (2009)	1.3	Construction Phase	The construction phase of this project has not been reviewed as part of this compliance assessment therefore this condition has not been assessed.	Not Assessed
SoC (2009)	1.4	General A contact telephone number will be provided for the public to seek information or make a complaint. Complaints should be recorded and responded to by the site superintendent.	As required by the Operational Management Plan (OMP) the front entrance sign did not list a 24 contact number for complaints. This compliance audit has been carried out as a visual assessment of compliance. No documentation was reviewed as part of this compliance assessment therefore management of complaints has not been assessed.	Not Compliant (same as PA 06_0052, Condition 4.1 & SoC 2006, 1.4)
SoC (2009)	1.4	Hours of Operation The operation of the premises will be limited to Monday to Saturday 7am-6pm. No work will be undertaken on Sundays or public holidays. The operation of heavy machinery and processing of materials will only occur between 7am – 5pm Monday to Friday.	This compliance audit has been carried out as a visual assessment of compliance at the time of the site inspection on the 26 November 23. The 'Condition of Entry' sign at the front of the site states that the trading hours are: • Monday to Friday - 6:30am to 5:30pm; • Saturdays - 7:00am to 2:00pm; which demonstrates a non-compliance with the approved operational hours.	Not Compliant (same as PA 06_0052, Condition 3.7 & SoC 2006)
SoC (2009)	1.4	Materials Handling - All materials stockpiled within the site will not exceed a height of 3m, therefore reducing impact on visual amenity in the area. - All containers and drums received on site shall be washed and cleaned of oils, grease, fuel, dirt and other waste residue. Any unclean materials delivered on site, will be returned to the customer. - Any residual fuels, oils and batteries will be removed from any product, before entering the site. Any inadvertent motor fluids remaining in vehicles will be collected and disposed off-site. A procedure should be introduced to refuse any incoming gas bottles that have not been emptied.	As observed during the site inspection on the 26 November 2013 stockpiles of C&D waste was observed at the following heights as identified in Appendix B, survey plan: • Stockpile 1 - 15.5 m • Stockpile 2 – 8 m • Stockpile 3 – 5 m • Stockpile 4 – 15.5 m • Stockpile 5 – 6.5 m • Stockpile 6 – 2.5 m Stockpiles 1 to 5 exceeded the 3 m maximum height therefore the Site is not compliance with this condition. Drums and tins were observed on site, some were filled with rainwater. The tins were labelled as liquid emulsifier. The contents or residual contamination of the drums could not be visually assessed.	Not compliant (same as SoC 2006, 1.4)

e Compliance Checklist – Statement of Commitment

Title	Condition No.	Requirement	Comments / Observations	Compliance Status
SoC (2009)	1.4	Acoustic Matters - The concurrent use of plant and machinery at the facility will be limited to times only when necessary. 3.5 metre to 8 metre high acoustic fences will be installed around the processing areas and around the perimeter of the development zone. The fences will be constructed of concrete supports, with colourbond material atop. The first 3m of fencing surrounding the processing areas will be covered with rubber. - All plant used in the construction and operation of the facility is to be properly maintained to ensure rated noise emissions levels are not exceeded. - No works are to be carried out outside of the acoustic barriers. - All construction activities will be undertaken guided by AS2436-1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites". - The use of the site will not result in "offensive noise" as defined in the Protection of the Environment Operations Act. - Noise mitigation measures will be implemented to ensure that any noise from the premises does not exceed any of the following limits: (Levels not listed, refer to SoC) - Low noise kits will be installed within vehicles, mobile and fixed plant. - All on-site plant will be assessed by an acoustic consultant, to determine if any further noise controls are necessary.	- Not assessed. - Acoustic barriers were constructed mainly from shipping containers. In the southern edge of the site concrete slabs were stacked on top of each other and used as acoustic barriers, refer to picture # 267, this was described as a temporary barrier which was under construction. Gaps in the acoustic barriers were identified on site, as shown in photo # 267. Barriers lined with a rubber material where not observed on site. It should be noted however that the site report that it does not process metal, however a small quantity was present on site. - Not assessed. - Waste processing activities were observed being carried out inside the acoustic barriers. - Not assessed. - No offensive odours were observed on site during the site inspection on the 26 November 2013. Documentation / records were not reviewed as part of this assessment; therefore an assessment of compliance was not able to be fully assessed. - Noise monitoring records or complaints records were not reviewed as part of this assessment therefore this condition could not be adequately assessed. - Loud machinery was not observed on site during the site inspection on the 26 November 2013. - Not assessed. Those conditions above which have not been assessed are not within the scope of this audit. This compliance audit has been carried out as a visual assessment of compliance at the time of the site inspection on the 26 November 2013. No documentation was reviewed as part of this compliance assessment therefore these conditions have not been assessed. The condition has been assessed as not compliant as acoustic barriers have not been constructed or maintained in accordance part of this condition.	Part b: Not Compliant
SoC (2009)	1.4	Air Quality - The premises will be maintained in a condition which minimises or prevents the emission of dust from premises. - Water carts, sprinklers or hoses will be used when there are visible dust emissions. - Regular sweeping will ensure that accumulated dust is removed.	The following dust mitigation measures were observed on site: - Two fog machines. Reported installed on site in the last two months. - Water cart - Perimeter PVC pipe irrigation system on the southern boundary. Reported installed in the last two months. - Internal roads were covered in waste soil (not sealed). Air conditioning units were not inspected as part of this assessed. Complaints and incident reports were not reviewed as part of this assessment; therefore the adequacy of these measures could not be fully verified. Dust was noted on site on two occasions. This condition has been assessed as not compliant as the internal roads were not cleaned and maintained in a way that may minimise dust.	Not Compliant (same as PA 06_0052, condition 3.16 and SoC 2009, 1.4)

Site Compliance Checklist – Statement of Commitments

Title	Condition No.	Requirement	Comments / Observations	Compliance Status
SoC (2009)	1.4	Odour The operation of this facility will not cause or permit the emission of any offensive odour.	During the site inspection on the 26 November 2013 no offensive odours were identified leaving the site. A review of documentation including incident reports and complaints has not been undertaken as part of this compliance review, therefore assessment of compliance against this condition could not be undertaken.	Not Assessed
SoC (2009)	1.4	Risk Management a) Fire protection systems will comply with the BCA and are to cover the additional building recycling operations. b) Transport routes recommended by the RTA are to be followed where practicable. c) The site Emergency Response Plan (ERP) will be reviewed against AS 3745-2002 requirements and extended to cover the modified building recycling activities proposed.	This compliance audit has been carried out as a visual assessment of compliance at the time of the site inspection on the 26 November 2013. No documentation was reviewed as part of this compliance assessment therefore this condition has not been assessed.	Not Assessed
SoC (2009)	1.4	Vehicle Access a) All vehicles are to enter and exit the site in a forward direction. A prominent sign will be erected to ensure this is implemented. b) The driveways, loading area and car parking spaces will be unobstructed at all times	Vehicles were observed accessing the site from the entrance on Miller Road. The roads, unloading area and car park were generally unobstructed. However the car park was used as a storage area for machinery.	Compliant
SoC (2009)	1.4	Maintenance The proponent will keep the site clean and ordered at all times during the operation of the Facility.	As identified in Table 2-2, Photo # 241 and 303, in the main report internal roads were covered with soil and gravel material (waste product). A street sweeper was operational on the day of inspection cleaning the roads at the entrance to the facility. Always Recycling has been assessed as not compliant with this condition has interior roads were obstructed by waste material.	Not Compliant (same as, PA 06_0052, condition 3.18)



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