

PRE-DA SUBMISSION INDEPENDENT AUDIT REPORT FOR BULK RECOVERY SOLUTIONS PTY LTD

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The author is not related to the owner, operator of the development nor any of its employees. Whilst the author has previously reviewed a SEARs report for another BRS site, he had no input into the preparation of any documents nor has ever been on any of its sites other than this one during the inspection visit on 26 November 2018. The author does not have any pecuniary interest in the development nor in any other business of BRS or its associates. Likewise, the author has not accepted any inducement, commission, gift or other benefit from BRS or associates.

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EXECUTIVE SUMMARY

A pre-DA submission Independent Audit (Audit) of Bulk Recovery Solutions Pty Ltd (BRS), 16 Kerr Road, Ingleburn, NSW 2565. was undertaken in November 2018, by the Scientific Director of Organized Rhyme in response to a requirement by the Department of Planning and Environment (the Department) to assess the *'suitability of the site'* as per SEARs No. 8593. This pre-DA Audit was required by the Department. In this case the trigger for the Audit was the fact that the premises will undergo increased production and process a wider range of materials, although no new construction will be required, it is still considered to be a State Significant Development. The pre-DA submission Audit outcomes may also be of interest to the NSW EPA as a regulator and BRS's other regulator Campbelltown City Council (Council).

The Audit consisted of reviewing all relevant information, particularly the EIS, SEARs report, site and survey plans, reports on traffic, review of SEPP 33, EPA licence conditions, two S58 Notices for a licence variation to align with Council DA conditions and two annual returns which met compliance conditions in full; company records including weighbridge records, pollution incident records and other records/forms relevant to the operation of the plant, plus Sydney Water (SW) Trade Waste Consent and reporting on water issues by SW, etc. Following this review a detailed questionnaire was sent to BRS as part of the audit, followed up by a meeting discussing the responses to this and combined with a site visit on 26 November 2018.

This Audit report should be read in conjunction with the questions and responses to the questionnaire (Attachment 1) to get a full idea of the *'suitability of the site'* as required by the Department.

The BRS site was found to be well run by a dedicated staff who were all fully aware of their responsibilities in dealing with a broad range of materials delivered to the site, sorted and processed. Strict examination of loads coming to the site is undertaken and the company rejects unacceptable or unlawful loads from time to time and records these electronically and in a folder. Companies delivering such loads are rejected from making further deliveries.

No environmental issues regarding air, water or noise were found, neither are there any community-based issues and only one environmental complaint has been received, although the matter (noise) was not specific to BRS. The main focus of the Audit therefore was confined to the documents review, response to the questionnaire and observations made during the site visit and discussions about the ability of the company to manage increased throughput of materials in the future for processing.

In terms of assessing *'suitability of the site'* the auditor is fully satisfied that the site currently meets this requirement and will continue to do so in the future if their upgraded

development is granted. The site is run to a high standard and has many safeguards to prevent runoff, dust and noise suppression, separation of waste streams, etc. Rainwater is harvested on site and reused together with water separated from solid or semi-solid wastes after processing. Stockpiles are processed indoors and separated by enormous concrete blocks. Outdoor stockpiles are used for finished materials going out of the site.

The staff are well trained and take pride in their responsibilities as observed during the visit and by talking individually, to four separate employees as well as their excellent electronic and hard copy record keeping. In addition, there is a vast array of security cameras across the site checking for indiscretions, spill kits located at strategic points, regular sampling is undertaken on different loads and checked on site in their laboratories for example to check pH which can be adjusted where too high in concrete slurry samples or for more detailed analysis samples are sent to NATA registered analytical companies, including ALS.

Some minor issues based on observations made by the auditor are:

- (1) a suggestion that the company have a sign placed on their front gate with an emergency contact in case of an out of hours event (this information is currently on their website),
- (2) some cracked concrete in the delivery areas which should be repaired (in fact this will be undertaken during the festive season shut down), and
- (3) indoors there are a couple of IBC's which need to be individually banded in case of a spill.

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1. INTRODUCTION

The NSW Government requires, as a condition for *Post-approval requirements for State Significant Developments*, that an independent audit be undertaken. Such requirements may be a condition of a regulatory approval or as part of the compliance and enforcement operations. Independent audits provide a detailed assessment of the operation's performance in relation to key compliance issues and the report of the findings are made public.

These independent audits are additional to any audits which may be required by the regulator (NSW EPA). The independent audit was undertaken according to the audit guidelines (*NSW Department of Planning and Environment Independent Audit Guidelines, 2015*).

In this instance the Department of Environment and Planning (the Department) in relation to SEARs (No. 8593), have asked for a pre-DA Independent Audit (Audit) to ascertain whether the Bulk Recovery Solutions Pty Ltd (BRS) premises meets the '*suitability of the site*' requirement as mentioned in the SEARs and also because the project is listed as being 'State Significant Development'. BRS are seeking development approval for increased production, processing and waste recovery on site without any new construction being required (other than a second weighbridge).

As per the Disclaimer above, prior to the audit, Organized Rhyme's, Scientific Director and Independent Auditor and author of this report, Kieran Horkan had never met any staff from BRS and is not a shareholder, has no pecuniary interest in the company and has extensive experience in environmental regulation and planning. The author had previously edited a draft SEARs report for another company site but had no contact with BRS.

The pre-DA Audit was undertaken during November 2018, with a meeting and site visit at the premises of BRS Pty Ltd, 16 Kerr Road, Ingleburn, NSW 2565. The Technical Sales Manager, Mr Bradley Rose was the main representative for the company during the audit and his co-operation, technical knowledge and assistance is much appreciated. Thanks are also due to four other staff on site whom the Auditor spoke to including those in the weighbridge office, yard watering operator and sample taker.

1.1 PURPOSE AND SCOPE

Independent audits are required to be undertaken in a consistent manner and meet minimum standards expected by the Department as per the guidelines. This approach makes it easier for the audit to be adequately assessed and evaluated by the agencies. The guidelines also help to guide authors to improve transparency for all relevant agencies,

plus the community. Although the guidelines followed are those for post-approval nevertheless, they are a good guide to use in preparing this pre-DA Audit report.

1.2 DEFINITIONS

Approval	Means a relevant regulatory approval instrument, e.g., a Development Consent (DC) or an Environment Protection Licence (EPL).
Audit	In this case the Audit is only a pre-DA audit for assessing the ' <i>Suitability of the site</i> '.
Auditor	Independent Environmental Auditor.
BRS	Bulk recovery Solutions Pty Ltd, 16 Kerr Road, Ingleburn.
Council	Campbelltown City Council.
Development	A development which is the subject of a consent or approval under the <i>Environmental Planning and Assessment Act 1979</i> .
DPE	Department of Planning and Environment NSW (the Department).
EPA	Environment Protection Authority NSW.
EPL	Environment Protection Licence issued by the EPA.
GTA	General Terms of Approval.
NATA	National Australian Testing Authority.
POEO Act	Protection of the Environment Operations Act, 1997.
Regulatory Agency	Means a government agency with responsibility for regulating the development.
SEARs	Secretary's Environmental Assessment Requirements.
SSD	State Significant Development.
SW	Sydney Water.
TPA	Tonnes per annum (tpa).
TWA	Trade Waste Agreement consent with Sydney Water.

2. PRE-DA AUDIT OBJECTIVES, SCOPE AND CRITERIA

As mentioned all independent audits conducted in NSW should follow the appropriate auditing standard AS/NZS ISO 19011:2014 *Guidelines for Auditing Management Systems* as well as the NSW Government *Independent Audit Guideline, 2015*. The latter guideline is the relevant one used where it is specifically designed to meet “*post-approval requirements for State significant developments*”. This less detailed audit is for a pre-DA submission to assess ‘*suitability of the site*’ however it broadly follows the same principles.

2.1 PRE-DA AUDIT OBJECTIVES

The main objective of this independent environmental audit was to assess the ‘*suitability of the site*’ of BRS Pty Ltd (Ingleburn), as a requirement of the Department’s Secretary’s Environmental Assessment Requirements (SEARs) No. 8593. The proposed State Significant Development (SSD) is to increase their annual processing capacity to 225,000 tonnes per annum (tpa) and the storage to 90,000 tpa. Although this modification does not involve any new structural work apart from the installation of a new weighbridge next to the existing one, to speed up throughput of clients, nevertheless the increased production proposed can potentially trigger some environmental issues, e.g, air quality and if approved will also require BRS to apply to the EPA for an amendment to their environment protection licence (EPL) conditions to reflect these changes. The EPL is No. 20797 and can be viewed in full on the EPA’s Public Register: <https://www.epa.nsw.gov.au/licensing-and-regulation/public-registers>

2.2 PRE-DA AUDIT SCOPE

The SEARs (No. 8593) was issued for Lot 16 DP717203, 16 Kerr Road, Ingleburn on 27 September 2017 and one of its requirements was that an Independent pre-DA submission Audit was to be undertaken to ascertain the baseline of the site as outlined below (extract from the modified SEARs). The audit is to focus on the operation of the existing facility against the conditions of all development consents and all Environment Protection Licences in force in respect of the existing facility.

- *Suitability of the Site - including:*
 - *details of all development consents and approved plans for the existing facility, including for all structures, plant and equipment;*

- *results of an independent audit of the operation of the existing facility against the conditions of all development consents and all Environment Protection Licences in force in respect of the existing facility to ascertain the baseline of the site; and*
- *a detailed justification that the site can accommodate the proposed increase in processing capacity, having regard to the scope of the operations of the existing facility and its environmental impacts and relevant mitigation measures.*

A copy of the pre-DA Audit must be submitted in writing to the Department.

2.3 PRE-DA SUBMISSION AUDIT CRITERIA

2.3.1 Approvals and Consents

The pre-DA audit criteria have been developed by Organized Rhyme's Kieran Horkan, who was accepted by the Department to undertake this role. This Audit has included a review of all approvals, EIS's, detailed reports on various environmental issues including, air, water and soil, contamination, SEPP 33 (risk screening for hazardous materials), noise, land use, flora and fauna, health, heritage, traffic management, etc documents, drawings, other reports and correspondence relevant to the development. A full reference list is included in Section 3.1.

A list of existing BRS Council approvals was reviewed and is summarised in Table 2.1 below.

The Audit did not observe any activities being carried out on site at variance with the approval conditions. The site is kept clean and washed down after every delivery of waste and the material received is sorted out and moved inside the buildings for storage in stockpiles kept separate from each other by large concrete blocks manufactured on the premises.

Table 2-1: Development Approvals

DA or Document Number	Date Approved	Brief Description/Comments
F/491/2002	19/09/2002	Erection of truck workshop and office.
Consent Order No 10257 of 2006.	09/03/2007	Construction of concrete batching plant and factory housing. Court Approval.

336/2006/DA-DE		
1113/2013/DA-DE	03/06/2014	Use of premises for storage, reprocessing and distribution of demolition materials.
948/2015/DA – 1	23/03/2015	Use of site as a resource recovery facility which the site is currently operating under.
948/2015/DA - 1/B	24/01/2017	Modification to resource recovery facility to accept up to 30,000 tpa and storage of up to 5,000 tpa of approved materials and 24 hour operation of the mud plant and forklift; construct drying pits; use of hardstand to manage stormwater.

2.3.2 EPA S58 Notices and Penalty Notices, Annual Returns for EPL No 20797 and General Terms of Approval.

BRS is the holder of an EPA environment protection licence (EPL) No. 20797, which was issued for the Kerr Road site on 18 October 2016. Since then two Section 58 notices for licence variations (under the POEO Act), have been applied for and approved to ensure consistency with Council consent conditions. General Terms of Approval (GTA) were also issued to be consistent with DC 948/2015/DA-1/B and these conditions are also reflected in the EPL. Two Annual Returns have been received by the EPA from the licensee and there were no non-compliances. This information is summarised in Table 2.2.

The auditor also observed that two Penalty Notices had been issued to Nustas Demolition & Excavation Pty Ltd in 2013 and 2014, (1) for failure to comply with a clean-up notice and (2) with neglecting/failure to comply with a legal requirement, respectively. While these offences occurred at 16 Kerr Road, Ingleburn they were not caused by BRS. No issues of concern have been recorded on the company who appear to be strongly committed to achieving the highest environmental standards possible through good practices and raising staff awareness and increasing training. The staff members the auditor met were quite passionate about their responsibilities and are meeting their EPA EPL licence conditions.

Table 2-2: EPA licence No 20797 data

Application Number	Application Types	Date Received/Issued	Summary and Current Status
1549043	Section 58 licence variation	03/02/2017 issued	Extension of operating hours; modifying range of materials for processing. Status Issued
1553687	Section 58 licence variation	06/07/2017 issued	Add new waste streams and vary to align with Council DA. Status Issued
1534260	General Terms of Approval	24/01/2017 issued	Consistent with development consent 948/2015/DA-1/B, also reflected in licence conditions. Status Issued.
EPL No. 20797	Annual Return	09/01/2019 received	No non-compliances
EPL No. 20797	Annual Return	22/12/2017 received	No non-compliances
3085773011	Penalty Notice to Nustas Demolition & Excavation Pty Ltd	24/12/2013 issued	POEO -S91(5), failure to comply with clean-up notice. Issued.
3085774322	Penalty Notice to Nustas Demolition & Excavation Pty Ltd	11/06/2014	POEO -211(1), Neglect/fail to comply with requirement under Chapter 7 of the Act (Investigation)

2.3.3 Pre-DA Audit Questionnaire

In addition, the Audit included submission of a detailed questionnaire to BRS (Attachment 1) and undertaking a meeting with Bradley Rose, Technical Sales Manager on 26 November followed by a detailed site visit and 'wrap up' discussion. This report should also be read in conjunction with the responses to the questionnaire to get a complete picture of the Audit. Bradley also supplied relevant documents, both electronic and in hard copy and many folders and computer records were examined in the weighbridge office.

In summary:

- The Technical Sales Manager has responsibility for managing QA/QC testing of material arriving on site as well as managing all environmental compliance issues and training.
- If the increased development is approved the company already has much of the required machinery on site and upgrades required are quite minor and have taken into account air including odours and dust, noise, water, environment, community concerns in the various consultants' reports.
- There is sufficient capacity and huge storage areas (mostly indoors) on site to manage the larger amounts of material and segregation of different materials avoiding cross-contamination and potential health hazards.
- BRS will apply to the EPA for permission to receive acid sulfate soils (ASS) and potential acid sulfate soils (PASS) and will manage this through the addition of a pugmill with leachate capture and training staff to deal with this. This change will be managed through a s58 licence variation.
- There are no water management issues on site as there is no runoff to nearby watercourses and with the increased input of materials the water will still be managed in situ with no runoff. Leachate is captured and treated. A recent EPA inspection did not find any issues of concern. BRS also has a Trade Waste Consent with Sydney Water and meets compliance requirements with this consent.
- Regarding air pollution dust management is well managed using sprinklers, water carts, watering vegetation and is monitored as required. There are no odour issues.
- With regard to the EPA's Special Condition E1.1 in the EPL, which deals with spills, leaks, other discharges and unlawful dumping, BRS has procedures in place to deal with spills while unlawful loads are rejected and if necessary, EPA is notified.
- Management of the site to meet community concerns includes stopping all truck movement by 10 PM. Only one complaint was ever received and involved a compensation claim. Pollution complaint records are kept on the company website

and records are kept as well as WH & S resolutions and the website is being updated.

These and other findings covered in this report satisfied the Auditor that BRS meets the *'suitability of the site'* requirement of the SEARs.

3. PRE-DA SUBMISSION AUDIT METHODOLOGY

3.1 REVIEW OF RELEVANT DOCUMENTATION

The following references, consents, documents, correspondence and reports were read and reviewed as part of the Independent Audit and are listed alphabetically here and appear to cover all the relevant requirements for this pre-DA submission Audit and further satisfied the Auditor that BRS meets the 'suitability of site' criteria:

A Metropolis of Three Cities – Greater Sydney Regional Plan, 2015 (Initiatives).

AS/NZS ISO 19011: 2014, Guidelines for Auditing Management Systems.

Building Code of Australia, 2018. Maintained by the Australian Building Codes Board (ABCB).

Consent Conditions: F/491/2002, approved 19 September 2002.

Consent Conditions: Development Consent Order No. 10257 of 2006.

Consent Conditions: DA 1113/2013/DA-DE, Campbelltown City Council, 3 June 2013.

Consent Conditions: DA No: 948/2015/DA-1, Campbelltown City Council, 23 March 2015.

Consent Conditions: DA No: 948/2015/DA – 1B, Campbelltown City Council, 24 January 2017.

Consent Conditions: 336/2006/DA-DE approved by the Land and Environment Court in relation to Landscaping, 23 March 2016.

Contamination Report DDE—199_1, prepared by Dirt Doctors Pty Ltd, 19 July 2018.

Department of Primary Industries, Office of Water Requirements, February 2015.

Draft EPA Notice of Preventative Action, Notice No. 1540372 (later withdrawn and not implemented due to compliance by BRS), 2016.

Draft revised EIS 16183_EIS_Ingleburn_BRS, prepared by KDC November 2018.

Draft Soil and Water Management Plan, Project No. 180009, 20 July 2018, DRB Consulting Engineers.

Draft Statutory Compliance Report No J2546, 3/07/2018, prepared by DPC.

EPA Environment Protection Licence Number 20797. See licence details, s58 Notices re licence variation and Annual Returns on EPA's Public Register through this link:

<https://www.epa.nsw.gov.au/licensing-and-regulation/public-registers>

EPA General Terms of Approval, Notice Number 153426,

EIS prepared by Benbow Environmental, Report No. 141296_EIS_Rev2, April 2015 and an earlier EIS, May 2013.

Letter from EPA's Ruth Owler, re EPA requirements, February 2015.

Letter from KDC, 18 September 2018 from KDC to the Department requesting to modify the SEARs.

Letter from Trade and Investment, Resources & Energy, February 2015.

Noise Impact Assessment for BRS, prepared by Muller Acoustic Consulting (MAC), 18 July 2018.

NSW Government Independent Audit Guideline, 2015. Post-approval requirements for State Significant Developments.

NSW Waste Avoidance and Resource Recovery Strategy 2014 – 2021 (NSW WARRS).

Our Greater Sydney 2056 – Western City District Plan, 2018.

Protection of the Environment Operations (POEO), (Waste) Regulation 2014.

Report on Solid-Liquid Separation in Water Treatment, Settling and Flotation, J van Leeuwin, November 2018.

SEARs Number 8593 Requirements for BRS, 16 Kerr Road, Ingleburn and associated State Significant Development (SSD) documentation for the proposed expansion of the site.

SEPP 33 – Risk Screening Document for BRS, prepared by Hazkem Pty Ltd, July 2018.

Site Plan, Project 180009, DRB Consulting Engineers.

Survey Plan detail for KDC.

Sydney Water 'Statement of Available Flow and Pressure', February 2018.

Traffic Impact Assessment for BRS, prepared by Intersect Traffic, July 2018.

Various draft subconsultant reports, including Soil and Water Management Plan by DRB; Certifier Compliance report, DPC July 2018; Contamination Report by Dirt Doctors, July 2018; SEPP 33 - Risk Screening document by Hazkem July 2018; Traffic Impact Assessment by Intersect Traffic Pty Ltd, July 2018

3.2 SITE MEETING AND INSPECTION, QUESTIONNAIRE AND DISCUSSION

A meeting and site visit took place on 26 November 2018, between the auditor and Bradley Rose. Prior to this Bradley had been sent the questionnaire for consideration and during discussions the responses were finalised and are summarised in Section 2.3.3 and found in full in Attachment 1. It was very clear that although Bradley had only joined BRS earlier in 2018, his broad local and international experience, clearly showed that he was not only well on top of all the on site management issues but that he has a passion for protecting the environment and for dealing with only reputable clients. Similarly, other staff members I spoke to were fully committed to meeting their environmental responsibilities.

As part of the pre-DA submission Audit a full site visit with Bradley followed, finishing with a short 'wrap up' meeting.

3.3 INSPECTION OF RELEVANT ACTIVITIES AND PROCESSES

Starting at the site entrance there is a weighbridge with clear signage to advise drivers that states "No Asbestos Received on Site". The weighbridge office is run efficiently and stores a wide range of records, both electronic and hard copy in folders. The auditor was shown how an incoming load is recorded onto the BRS system along with data from the weighbridge. In the weighbridge office the auditor was shown various records in both hard and soft copy, for example, records in folders included the EPA's EPL, Pollution Incidents, Sydney Water Trade Waste Agreement, approvals, truck arrivals, departures, weight records, etc; also, a rejected loads folder with details of those who tried to deliver them. Currently there is one weighbridge on site however it is intended to install a second one parallel to it to improve efficiency and manage increased traffic movement in and out of the site which will make the operation more efficient.

Throughout the site there are literally dozens of cameras to ensure security and safety checks and to dissuade any illegal activity. Water use on site is well managed and is mostly rain water captured from the roof and stored in above ground water tanks. Some process water is also reused by separation of water after filtering. There is also an excellent dust suppression system on site, both indoor and outdoor and a watering system for the landscaped vegetated areas. The open impervious areas are washed down by a water cart several times a day and BRS also send a water cart out onto Kerr Road on a daily basis to

wash down the approach road and minimise bringing mud or dirt onto the site. I can confirm that the approach road and the site were very clean on the day I was there. The hard stand is usually washed every three hours but sometimes up to 6–8 times a day, if necessary, as confirmed by the water cart driver.

There is a truck wheel wash, which is well designed. Watery concrete waste received from the M5 tunnelling is segregated as it has a pH of 13 and is pH corrected using sulphuric acid. Pits which silt up from runoff are desilted as required using an excavator. During the site visit a truck arrived and discharged drilling mud. This was being sampled by an experienced technician as the waste was being discharged. Sampling was fully compliant with NATA requirements and logged appropriately.

Once trucks have been unloaded they are completely washed out on site to avoid cross-contamination between different loads.

There is a diesel fuel bowser in the yard which is double bunded and complied with EPA and AS requirements.

A noise barrier is in place parallel to a busy railway line as there are residences just across the tracks. There is also a dust monitoring sampling point on site.

Stockpiles are segregated depending on their contents and most are under an overhanging roof or completely indoors. Outdoor stockpiles consist of materials that have been sorted and ready to leave the site for use elsewhere (confirmed by Brad Rose). Further indoor stockpile areas will be developed as business expands as there is considerable available space and stockpiles will be kept separate from each other using enormous concrete blocks manufactured on site from crushing and reusing materials brought onto the site. The site is indeed suitable for any proposed expansion.

In addition to the rainwater tanks observed on site there are four large silo-like structures for collecting roof rainwater.

Solid wastes are brought to a pre-treatment area. There is a range of different types of structures and machinery to meet different processing needs and these include an oily water separator tank, a stormwater only bay, sludge tanks, mixing tanks; a screening room equipped with cameras; testing laboratory; sample storage area; pH adjustment area with IBC's containing sulphuric acid; filter press for fine silt removal; dust suppression on the roof above these activities, etc. First aid kits are strategically placed and in one location there is an eye wash station; a number of spill clean-up kits were observed and an emergency evacuation diagram was noted at a strategic location.

All of these findings satisfied the Auditor as to the *'suitability of the site'*.

3.4 COMPLIANCE ASSESSMENT CRITERION

The compliance status for this pre-DA submission Audit was to assess the 'suitability of the site' as per the Department's SEARs No. 8593. This criterion was audited in accordance with the criteria in Table 3-1 (Reference: *Independent Audit Guidelines, NSW Government, 2015*).

Table 3-1: Compliance Assessment Criteria

Assessment	Criteria
Compliant	Where the auditor has collected sufficient verifiable evidence to demonstrate that the intent and all elements of the requirement of the regulatory approval have been complied with within the scope of the audit.
Not verified	Where the author has not been able to collect sufficient verifiable evidence to demonstrate that the intent and all elements of the requirement of the regulatory approval have been complied with within the scope of the audit. In the absence of sufficient verification the auditor may in some instances be able to verify by other means (visual inspection, personal communication, etc.) that a requirement has been met. In such a situation, the requirement should still be assessed as not verified. However, the auditor could note in the report that they have no reasons to believe that the operation is non-compliant with that requirement.
Non-compliant	Where the auditor has collected sufficient verifiable evidence to demonstrate that the intent of one or more specific elements of the regulatory approval have not been complied with within the scope of the audit.
Administrative non-compliance	A technical non-compliance with a regulatory approval that would not impact on performance and that is considered minor in nature (e.g. report submitted but not on the due date, failed monitor or late monitoring session). This would not apply to performance-related aspects (e.g. exceedance of a noise limit) or where a requirement has not been met at all (e.g. noise management plan not prepared and submitted for approval).
Not triggered	A regulatory approval requirement has an activation or timing trigger that had not been met at the time of the audit inspection, therefore a determination of compliance could not be made.

Observation	Observations are recorded where the audit identified issues of concern which do not strictly relate to the scope of the audit or assessment of compliance. Further observations are considered to be indicators of potential non-compliances or areas where performance may be improved.
Note	A statement or fact, where no assessment of compliance is required.

The terms “partial compliance” or “partial non-compliance” or similar are not permitted to be used.

Any risk levels for non-compliances have been classified for consistency with Table 3.2 (also derived from the *Independent Audit Guidelines*).

Table 3-2: Risk Levels for Non-compliances

Risk Level	Colour code	Description
High		Non-compliance with potential for significant environmental consequences, regardless of the likelihood of occurrence
Medium		Non-compliance with: <ul style="list-style-type: none"> • potential for serious environmental consequences, but is unlikely to occur; or • potential for moderate environmental consequences, but is likely to occur
Low		Non-compliance with: <ul style="list-style-type: none"> • potential for moderate environmental consequences, but is unlikely to occur; or • potential for low environmental consequences, but is likely to occur

Administrative Non-compliance		Only to be applied where the non-compliance does not result in any risk of environmental harm (e.g. submitting a report to government later than required under approval conditions)
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4. PRE-DA SUBMISSION AUDIT FINDINGS

4.1 SUMMARY OF BRS RESPONSE TO INDEPENDENT AUDITOR QUESTIONNAIRE

The full BRS response to the Auditor's questionnaire is found in Attachment 1 and in summary in Section 2.3.3, with the feedback summarised below.

In summarising the feedback in the questionnaire, it was concluded that there were no issues with potential impacts on air, water or noise. Likewise, there were no issues with regard to community either.

The key question of the Audit was to assess the *'suitability of the site'*, which came down to observing a waste receipt and resource recovery industry, BRS at 16 Kerr Road, Ingleburn, while minimising potential environmental risks associated mainly with protecting air and water quality, plus rejecting unlawful deliveries containing materials such as, asbestos. In assessing the *'suitability of the site'*, the question of whether BRS staff were sufficiently trained, environmentally aware and ready to deal with everyday bulk waste arrivals by truck and processing them was also part of that consideration.

The responses to the questionnaire from the Technical Sales Manager were accurate, professional and well informed. He not only fully answered the questions but also was well briefed on relevant documents from the regulators, EIS reports, future plans including training, managing the site and moving to the proposed next stage expansion and how it would be managed without requiring any new construction other than the addition of a second weighbridge. The Auditor also reviewed all of these documents.

The auditor was fully satisfied from this feedback and that the information based on responses to the questionnaire fully meet the *'suitability of the site'* criteria.

4.2 INDEPENDENT AUDITOR'S OBSERVATIONS FOR PRE-DA SUBMISSION REPORT

4.2.1 Audit Meeting and Site Visit

The responses to the questionnaire mentioned above and detailed in Attachment 1, formed an important part of the auditor's assessment of the *'suitability of the site'* to meet the Department's requirements as mentioned in the SEARs No. 8593. In addition, as mentioned the rest of the information required was obtained by the analysis of the data supplied during the site visit, plus information gleaned during the site visit meetings and observations and discussion with other BRS staff. More details were obtained through reviewing all the other documentation listed in Section 3.1, particularly in relation to planning consents and meeting EPA's EPL conditions, which also reflected compliance with Council's approvals. Combining all these information sources and their interpretation

completed the rest of the Audit and made the Auditor's full assessment possible regarding compliance with the SEARs '*suitability of the site*' requirements.

4.2.2 Additional Observations

Apart from the information already covered above the Auditor, in assessing the '*suitability of the site*' during the inspection also observed a small number of items listed here.

1. A small part of the main yard had cracked and broken concrete in the unloading area which needs to be repaired and Bradley advised that this would be attended to at the festive season shutdown.
2. IBC's stored internally and containing sulphuric acid are currently unbunded. I mentioned this to Bradley and he said that this will also be attended to.
3. The front gate currently has no signage listing a 24-hour emergency contact number in the event of an incident needing reporting particularly out of hours. Bradley said that all this information is already on the BRS website. He said that the signage can be added to the gate too as it was a good suggestion. This needs to be done.

None of these additional observations would be considered to mitigate against the assessment of the '*suitability of the site*'.

5. PRE-DA SUBMISSION AUDIT REPORTING

5.1 FINDINGS

As there were no major environmental or other performance issues found on the site other than the minor matters just mentioned, the pre-DA submission Independent Audit of BRS findings were that the site is professionally run; staff are well trained and take their responsibilities seriously and are diligent in rejecting loads containing material not permitted to be received on site. BRS are also innovative in the degree of their stormwater management through rainwater harvesting and blending with clean water recovered from waste separation and processing. Dust controls and monitoring is excellent. Electronic and hard copy record keeping are first class. BRS meet their EPA licence conditions and a recent EPA site inspection raised no issues of concern. In summary, BRS is a well-run site, one of the best waste management, storage and recycling/resource recovery operations the auditor has seen in NSW. Briefly:

- There were no issues with air (no odours or dust), stormwater management, waste or noise, all are efficiently run and compliant.
- There were no issues of concern for the Community nor have there been any complaints from them, also compliant.
- The *'suitability of the site'* in its current operations meets the Department's SEARs requirements, also compliant.
- The BRS site will manage future expansion if development is granted, without requiring any new construction (other than installing the second weighbridge mentioned above) and will retain the *'suitability of the site'* criteria while meeting future waste management needs in the Sydney Basin.
- In terms of managing, training, monitoring and minimising potential environmental issues, BRS meets these requirements on a daily basis with experienced staff, vigilance and good team work as well as having excellent infrastructure in place. Tool box meetings are held from time to time, also some training on a less frequent basis. These combined factors also confirm the *'suitability of the site'* in a wider context.
- The Auditor is happy to endorse the *'suitability of the site'* requirement of the Department's SEARs No. 8593.

5.2 RISK LEVELS BASED ON PRE-DA SUBMISSION AUDIT FINDINGS

The Auditor is satisfied that there are no issues of concern that carry potential risks to change the site's 'suitability'. In terms of the Risk Level matrix this was considered to be 'Low' level.

Table 5-1 summarises the risk level under each heading and is satisfied that the 'Low Risk Level' non-compliance applies.

Table 5-1: Risk Levels for BRS Kerr Road site in terms of 'suitability of the site' as per SEARs No. 8593

Risk Level	Colour Code	Description
Low		<p>1. Water Management</p> <p>Non-compliance with:</p> <ul style="list-style-type: none"> • Potential for moderate environmental consequences, but is unlikely to occur.
Low		<p>2. Air (dust and odours)</p> <p>Non-compliance with:</p> <ul style="list-style-type: none"> • Potential for moderate environmental consequences, but is unlikely to occur.
Low		<p>3. Site 'suitability'.</p> <p>Non-compliance with:</p> <ul style="list-style-type: none"> • Potential for low environmental consequences, but is unlikely to occur.

6. SUMMARY AND CONCLUSION

The Independent pre-DA submission Audit undertaken on BRS Pty Ltd, 16 Kerr Road, Ingleburn, NSW 2565, required by SEARs No. 8593, was to assess the *'suitability of the site'* to satisfy the Department's requirements.

As part of the Audit a full review was undertaken of all relevant literature, EIS's, multiple reports on air, noise, soil and water, traffic management, flora and fauna, heritage, etc; site diagrams, correspondence, approvals, SEARs, EPA EPL licence No. 20797 conditions etc, before the site visit. This gave the Auditor a good understanding of the operation of the company so he could be well informed before the site visit.

Preparation for meeting the Technical Sales Manager on site was made more focussed by sending out a comprehensive questionnaire regarding the Audit. The meeting and site visit on Monday 26 November 2018, included a meeting to discuss the answers to the questionnaire and also covered a range of broader issues dealing with current site performance and assessing its *'suitability'* at present as well as BRS's potential *'site suitability'*, if approved to expand to processing of 225,000 tpa and storage of up to 90,000 tpa of various products.

The Auditor found the Technical Sales Manager to be well informed, experienced and with a 'can do' attitude while at the same time ensuring that the site ran smoothly and efficiently while meeting its environmental and approval conditions.

During the site visit the Auditor observed various activities including unloading of a truck carrying drilling mud waste and being sampled by a trained BRS technician; cleaning of vehicles between loads to prevent cross-contamination, dust suppression by a water truck and irrigation of landscaped vegetation. Much of the sorted material is handled and stockpiled indoors and no leachate runoff was seen. Environmental controls in the spacious indoors were also carried out to a high standard. Finished products that were ready for sale were stockpiled outdoors for easy removal by customers without causing any environmental issues due to efficient dust suppression and water management. The operator of the weighbridge also ran a very efficient business and record keeping (electronic and in printed form kept in folders) was excellent and the vigilance of the company in checking loads for illegal materials, like asbestos, was thorough. A folder was seen of rejected loads and the details of the companies who were knocked back was well documented.

In summary the entire premises is run to a high standard and the auditor is fully satisfied that this BRS site meets the Department's *'suitability of the site'* requirement in SEARs No. 8593.

The auditor acknowledges the assistance of Bradley Rose and other staff he met on site.

7. LIMITATIONS

Our services for this project are carried out in accordance with our current professional standards for undertaking environmental assessments and the preparation of this pre-DA submission Audit. No guarantees are either expressed or implied.

This report has been prepared solely for the use of Bulk Recovery Solutions Pty Ltd as per our agreement for providing environmental services. Only Bulk Recovery Solutions Pty Ltd is entitled to rely upon the information provided in this pre-DA submission Audit within the scope of work described in this report. Otherwise, no responsibility is accepted for the use of any part of the Audit by another in any other context or for any other purpose.

Although all due care has been taken in the preparation of this pre-DA submission Audit, no warranty is given, nor liability accepted (except what is otherwise required by law) in relation to any of the information contained within this document. We accept no responsibility for the accuracy of any data or information provided to us by Bulk Recovery Solutions Pty Ltd or others for the purposes of preparing this report.

Any opinions and judgements expressed herein, which are based on our understanding and interpretation of current regulatory standards, should not be construed as legal advice.

ATTACHMENTS

Attachment 1: Auditor's Questionnaire