



Awaba Waste Management Facility

Independent Environmental Audit Response to Auditor Recommendations

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1. Background

Lake Macquarie City Council (Council) engaged Integrated Environmental Management Australia (IEMA) to undertake an Independent Environmental Audit (IEA) for the Awaba Waste Management Facility Expansion Project (MP 10_0.139) at the Awaba Waste Management Facility (AWMF). The IEA was finalised on the 4th December 2024, and has been submitted to the Department of Planning, Housing and Infrastructure (DPHI) in a separate document.

This document details Council's response to the audit findings, namely the non-compliances and opportunities for improvement identified in sections 5 and 6 of the IEA.

2. Non-compliances identified in the IEA

Condition Number	Compliance Requirement	IEA finding	IEA Recommendation	Proponent's Proposed Action	Proposed Action Due Date
Conditions of Consent					
Sch3, C1	Obligation to minimise harm to the environment The Proponent shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction, operation or decommissioning of the Project.	The POEO Act Section 147 states the meaning of material harm to the environment: <i>(1) For the purposes of this Part—</i> <i>(a) harm to the environment is material if—</i> <i>(i) it involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial, or</i> <i>(ii) it results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (or such other amount as is prescribed by the regulations), and</i> <i>(b) loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment.</i> <i>(2) For the purposes of this Part, it does not matter that harm to the environment is caused only in the premises</i>	NC REC 01: Provide information in the Annual Review to summarise the incidents that have the potential to cause material harm.	Council commits to improving the summary of incidents occurred at the AWMF in future Annual Reviews.	Ongoing

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		where the pollution incident occurs. The audit team understand that AWMF have been reporting non-compliances under this condition consistently through this audit period in the Section 1 compliance summary of the Annual Reviews to reflect the non-compliances for each year, rather than non-compliances based on the site becoming aware of the potential or actual material harm as defined in the POEO Act. A recommendation is included here to improve clarity in reporting non-compliances related to material harm to the environment. The audit team have called the site non-compliant in relation to the leachate bleed into the groundwater. This is related to suspected leachate interaction with groundwater and relates to potential harm to the environment. From discussions with site, they are actively working on mitigation measures and there will be updates developed in consultation with key government agencies. As the site is working on these, we			

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		do not have further recommendations specifically on the groundwater bleed.			
Sch3, C2	Terms of approval The Proponent shall carry out the Project generally in accordance with the: <i>(a) EA and Response to Submissions Report;</i> <i>(b) Statement of Commitments (see Appendix 1);</i> <i>(c) site layout plans and drawings in the EA, (as shown in Appendix 2 to Appendix 8); and</i> <i>(d) conditions of this approval.</i>	AWMF Annual review 2023/24 states: "This condition is reported as a noncompliance due to the non-compliances outlined in this table." Note, this non-compliance relates to the hauling of hauling of leachate off-site. This is currently required due to the volume restrictions in the TWA managed by Hunter Water. DPHI is aware of this however there is little that can be done until ammonia restrictions / allocations can be increased by Hunter Water. Further recommendations for aeration treatment are included under Schedule 4 Condition 26. Appendix 9 TERMS OF RESTRICTIVE COVENANT of the Project Approval is an ongoing non-compliance. Refer to Schedule 4 Condition 51A for further information.	No REC	Refer to Sch4, C26 and Sch4, C51A	N/A
Sch3, C4	Terms of approval The Proponent shall comply with any reasonable requirement/s of the Director-General arising from the Department's assessment of:	Three Warning Letters were provided to AWMF from DPHI regarding previous IEA non-compliances and the status of those actions, including for	No REC	A) Council awaits a finalized Water Balance report from our consultant to provide to DPE	1. Consultant to submit the Water Balance report to be submitted to

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	(a) any reports, plans, strategies, programs or correspondence that are submitted in accordance with this approval; and (b) the implementation of any actions or measures contained in these reports, plans, strategies, programs or correspondence.	Schedule 3 condition 12 (demolition of structures), Schedule 4 condition 9 (management of litter), and Schedule 5 condition 6 (incident reporting). Based on evidence provided, AWMF closed these matters out. In addition, the following matters have ongoing actions: On 9 December 2022, the DPE issued LMCC with a Warning Letter for "failing to manage leachate generated by the project in accordance with [Schedule 4 Condition 18]". The actions required of LMCC were to revise and update the SWLMP, and submit an Action Plan by 31 March 2023. It is understood these actions were not completed by the requested date, and the update of the SWLMP is still underway as of 31 August 2023, and an action plan has not been provided. Council has advised the SWLMP has		Water per the consultation undertaken on the SWLMP. Further actions will be directed by the outcome of this consultation. B) Refer to Sch4, C51A	Council by 31 January 2025 2. Refer to Sch4, C51A

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		been paused until DPE Water comments can be addressed through additional studies. On 8 February 2023, the DPE issued LMCC with an Advisory Letter following a Show Cause and Notice to Furnish Information and Records regarding the status of Schedule 4 Condition 51A requirements, the restrictive covenant on user burdening Lot 463 DP 1138964. The DPE required LMCC to complete the restriction of use under the Conveyancing Act by 1 May 2023. Based on the information provided for this audit, this action was not closed out by Council.			
Sch4, C6	Trade Waste Agreement Prior to commencement of operation, the Proponent shall ensure that a Trade Waste Agreement is in place with Hunter Water Corporation for the life of the Project.	Ongoing non-compliance, from the previous IEA to current day. Council advised the Hunter Water Corporation was unable to give LMCC a Trade Waste Agreement to span the life of the Project due to changing emerging contaminants and treatment requirements. HWC and LMCC have entered an interim trade waste agreement until the upgrade of the Toronto WWTP is	No REC	Council continues to negotiate trade waste limits with Hunter Water, however Hunter Water will not provide a Trade Waste Agreement for the life of the project. Hunter Water's Trade Waste Agreements vary between 1 and 5 years, at the discretion of Hunter Water.	Ongoing

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		completed (anticipated January 2025). LMCC, in the 2022-2023 and 2023-2024 Annual Review reports, have self-reported a non-compliance against this condition. The TWA determines substance thresholds for AWMF's leachate discharge. Monitoring results are provided to Hunter Water in line with the TWA requirements. AWMF provided these spreadsheets and advised they provided these to Hunter Water weekly and bimonthly. As required, leachate is accepted into different Hunter Water treatment plants via trucking versus the on-site pump to sewer which goes to Toronto WWTP. As a consequence of the timing of this condition, "prior to commencement of operation," and "for the life of the Project", this is considered a non-compliance. No further recommendations as LMCC continue to consult with Hunter Water on the TWA, including emerging contaminants.			

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Sch4, C9	Litter Control The Proponent shall: <i>(a) implement suitable measures to prevent the unnecessary proliferation of litter both on and off Site resulting from the landfilling operations; and</i> <i>(b) inspect daily and clear the Site (and if necessary, surrounding area) of litter resulting from the landfilling operations, on a daily basis.</i>	a) The site inspection indicated that AWMF attempts to manage the litter moving off-site, including windblown litter. The northern boundary had some windblown litter in the dirty and clean water drains. The clean water drain and dirty water system here is adjacent to each other so they are at higher risk of litter moving into the clean water system and off-site. The audit team acknowledged there were measures to prevent litter entering the clean water catchment including grates over drains and daily litter inspections, as well as the difficult nature of managing litter in this area. However these grates still allow litter to go down the drain when the water reaches a certain level. This condition is considered non-compliant. There was some examples of litter on the outside of the stormwater drain, however the majority of the boundaries did not have litter issues. b) In the response to RFI, AWMF states "Daily inspections undertaken by site coordinator/Leading Hand have been documented since July 2023." Evidence provided by AWMF to	NC REC 02: AWMF to investigate options to include temporary fencing along the northern boundary of the site along the water catchment drain to capture litter prior to it getting into stormwater systems and the neighbouring bushland. Consider mesh on this temporary litter fencing. The area of concern was at MP 11 and MP19. NC REC 03: Consider installing a cover over the top of the northern clean water grate and drain that could be removed for collecting litter. At the site inspection, it was discussed that mesh covers would be an option, however options should be investigated by AWMF to identify the best solution.	A) Council is committed to investigate temporary fencing options along the perimeter of the clean water drain to the north of the site. As cells 1 and 2 are progressively filled, they will provide a barrier between the active tipface area and the dirty water drain. Once cells 1 and 2 reach capacity they are expected to sit 18 metres above the tree line, and as such temporary options will be investigated so they can be moved to appropriate areas as filling occurs. Council will investigate and implement a cover for the grate in the northern clean water drain B) Council is looking at an online database to send	30 June 2025 (fence) 28 February 2025 (grate cover)

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		demonstrate daily inspections since July 2023. Due to no records prior to this month, there is no evidence of these daily inspections occurring. Therefore, non-compliance for record-keeping. Some changes are required, but IEMA acknowledges the AWMF is improving with litter control.		daily reminders for litter inspections, and to capture data to make the process more efficient and streamlined. This will also capture cleanup details if required.	
Sch4, C18	Leachate Management The Proponent shall: (a) design and install the leachate management and collection system generally in accordance with the conceptual design in the EA (as shown in Appendix 5), applicable Australian Standards and industry standard best practice guidelines, or otherwise approved by the EPA; (b) ensure that leachate generated by the Project is minimised and appropriately contained, collected and disposed of; (c) as required, leachate generated by the Project shall be transferred for disposal to the Rathmines No. 6 WWPS in accordance with HWC's requirements; (d) install a leachate barrier system to be used for the direct impoundment of leachate (see conditions 11 and 12 of this Schedule); (e) design and operate the leachate management system to prevent leachate from escaping to surface water, groundwater or the surrounding subsoils;	b) AWMF provided evidence of a known bleed of leachate which has been determined through GW testing. Due to this testing we have called this condition non-compliant. e) Addressed in Sections 5.2 and 5.3 of LMP. In Section 5, Leachate Generation Modelling, the LMP assumes "No leachate escapes through the base of lined cells (all leachate that infiltrates through the landfill cover layers is captured by the existing leachate collection system in these cells)". Evidence provided of leachate entering the Groundwater based on testing, therefore non-compliance. f) Section 5.2 of the LMP. Sediment dam water monitoring results indicate the site is doing this well. Aeration	NC REC 04: Site will need to liaise with DPHI and EPA once the consultants reports (GHD updates to designs, water balance modelling, and review into SWLMP) have been finalised in relation to leachate and groundwater management. NC REC 05: Continue to update the SWLMP with contemporary data and findings from consultants reports.	Council has appointed a consultant to design a remediation option to stop the offsite migration of leachate infiltrated groundwater, with the final design expected Q3 of this financial year. Refer to Sch3, C4 re SWLMP.	1. Consultant to submit the Water Balance report to be submitted to Council by 31 January 2025.

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	(f) direct all surface water from areas not subject to waste disposal or leachate disposal away from the leachate management system; and (g) treat all water that has entered areas filled with waste, or been contaminated by leachate, as leachate. to the satisfaction of the Director-General.	treatment for lower leachate pond observed at the site inspection. g) Section 4.4.2 and 5.3 of the LMP. Site inspection found that water entering the dirty water system is treated as such. However, AWMF provided evidence of investigations into leachate entering groundwater at the site. Therefore, non-compliance as the AWMF cannot contain and treat the groundwater as leachate. On 9 December 2022, the DPE issued LMCC with a Warning Letter for "failing to manage leachate generated by the project in accordance with [Schedule 4 Condition 18]". The actions required of LMCC were to revise and update the SWLMP, and submit an Action Plan by 31 March 2023. It is understood these actions were not completed by the requested date, and the update of the SWLMP is still underway.			
Sch4, C19	SOIL, WATER AND LEACHATE MANAGEMENT PLAN The Proponent shall prepare and implement a Soil, Water and Leachate Management Plan for the Project. The Plan shall be prepared by a suitably qualified and experienced expert in consultation with LMCC, the NOW and the EPA	This management plan (included in the Landfill Environmental Waste Management Plan) is dated July 2021 and was approved in July 2021 (Appendix E).	NC REC 06: Ensure Annual Reviews state what conditions are specifically not complied with (subconditions).	A) Council commits to provide a summary for any non-compliances at the AWMF in future Annual Reviews	A) Ongoing B) Ongoing

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	and be submitted to the Director-General for approval prior to the commencement of Operations. The Plan shall include: (a) a Site water balance for the Project, that details: • sources and security of water supply; • water use on Site; • water management on Site; (b) an erosion and sediment control plan that: • is consistent with the requirements of the latest version of the Blue Book Volume 1 and Volume 2B; • identifies activities on Site that could cause soil erosion and generate sediment; and • describes the measures that will be implemented to: i. minimise soil erosion and the transport of sediment to downstream waters, including the location, function and capacity of any erosion and sediment control structures and maintain these structures over time; ii. ensure that any topsoil stockpiles on Site are suitably managed to ensure that the topsoil in these stockpiles can be beneficially used in the proposed revegetation and rehabilitation of the Site. (c) a leachate management plan that: • includes final detailed design specifications of the leachate management and collection system on Site; and • demonstrates how the requirements of Condition 18 of Schedule 4 have been addressed; (d) a stormwater management plan that: • is consistent with the guidance in the latest version of the Blue Book Volume 1 and Volume 2B;	LMCC advised the SWLMP is outstanding, as it requires information being provided by the design consultant for our upcoming expansion. As such it and the LEMP haven't been finalised. ALS water sampling workorders and results spreadsheets provide evidence of weekly, quarterly and annual water quality testing. Post Rainfall inspection documents provide evidence of monitoring available storage in leachate ponds, and assessments of drainage paths & erosion. Site inspection found maintenance of internal drainage lines and the use of vegetation to stabilise surfaces. Vegetation and grates over drains used to catch litter before being washed off-site. Some areas of the site were observed to require improvement to surface water runoff drainage/bunding or access to sediment dams so recommendations are included here. Section 6.1.1 of the 2022-2023 Annual Review was reviewed for this audit as it provided a good summary of changes to the monitoring program at AWMF over the	NC REC 07: Ensure updates to surface water monitoring and management refers to site-specific trigger values or the updated ANZG (Australian and New Zealand Guidelines for Fresh and Marine Water Quality) Guidelines 2018, as informed by current studies being completed by specialists.	showing which specific conditions were not met. B) Council will ensure reporting of EPL 5873 monitoring for surface water shows ANZG trigger values/EPL 5873 trigger values. These reports are uploaded to Council's 'Awaba Waste Management Facility: Gas and Water Monitoring' webpage.	

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	- includes final detailed design specifications for the stormwater management and collection system; and - demonstrates how the requirements of Condition 17 of Schedule 4 have been addressed; (e) a surface water, groundwater and leachate monitoring program that includes: - baseline data (including water flow and quality); - details of the proposed monitoring network; and - the parameters for testing and respective impact assessment criteria and trigger levels for action under the surface water, groundwater and leachate response plan. (f) a surface water, groundwater and leachate response plan that: - includes a protocol for the investigation, notification and mitigation of any exceedances of the respective trigger levels; and - describes the measures that could be implemented to respond to any surface or groundwater contamination that may be caused by any development. The Plan shall be documented in the Landfill Environmental Management Plan (see Condition 3 in Schedule 5).	audit period, and referred to the EPL and investigation into impacts to groundwater (groundwater plume). The AWMF Annual Review 22/23 self reported the following non-compliance: "Exceedances of ANZECC criteria and Condition L2 of EPL 5873 were recorded in the reporting period." Section 8.2 of the SWGL Monitoring Program states: "All other results are benchmarked against ANZECC Guidelines for Freshwater 95% protection level trigger values." Similarly, Section 9.2 of the SWGL Monitoring Program states: "Results of groundwater analysis are benchmarked against ANZECC Guidelines for Freshwater 95% protection level trigger values."" IEMA reviewed the SWLMP (approved document) and there is no evidence that AWMF need to report on ANZECC Exceedances. An email from EPA was also provided which indicated incident notifications to the EPA are not required for ANZECC criteria exceedances detected at on-site sampling locations.			

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		<u>Non-compliance:</u> AWMF self reported a non-compliance against subcondition e for routine monitoring program in the 22/23 Annual Review. A quarterly monitoring event was missed for points MP6, 7, and 10 (quarter 1 2023). However, the Annual Review later states: "LMCC has scheduled in an additional round of monitoring so that four rounds of monitoring occur in the 2023 EPA annual return period." Therefore, non-compliance for implementation of subcondition e, however there are no further recommendations. <u>Non-compliance:</u> IEMA considers the site non-compliant in regard to implementing the SWLMP due to the bleed. The site is looking into the sources of the leachate bleed including investigations into the source. The bleed may be due to historical issues such as unlined landfill cells. Therefore, non-compliance under subcondition C. "			
Sch4, C22	Dust criteria The Proponent shall ensure that dust generated by the Project does not exceed the criteria listed in Tables 2 to 4	Based on evidence provided, there was no air quality monitoring completed in 2021, 2022, the first half of 2023,	NC REC 08: Liaise with the DPHI regarding air quality	Council will liaise with DPHI to alter the monitoring commitments under the conditions of consent to only	28 February 2025

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	at any private residential receiver, or on more than 25 percent of any privately owned land surrounding the Site. <i>Table 2: Long term criteria for particulate matter</i> <table><tr><th>Pollutant</th><th>Averaging period</th><th>^a Criterion</th></tr><tr><td>Total suspended particulate (TSP) matter</td><td>Annual</td><td>^a90 µg/m³</td></tr><tr><td>Particulate matter < 10 µm (PM₁₀)</td><td>Annual</td><td>^a30 µg/m³</td></tr><tr><td>Particulate matter < 10 µm (PM₁₀)</td><td>Annual</td><td>^a30 µg/m³</td></tr></table> <i>Table 3: Short term criterion for particulate matter</i> <table><tr><th>Pollutant</th><th>Averaging period</th><th>^a Criterion</th></tr><tr><td>Particulate matter < 10 µm (PM₁₀)</td><td>24 hour</td><td>^a 50 µg/m³</td></tr></table> <i>Table 4: Long term criteria for deposited dust</i> <table><tr><th>Pollutant</th><th>Averaging period</th><th>Maximum increase in deposited dust level</th><th>Maximum total^f deposited dust level</th></tr><tr><td>^eDeposited dust</td><td>Annual</td><td>^b2 g/m²/month</td><td>^d4 g/m²/month</td></tr></table> <i>Notes for Tables 2 -4:</i> • <i>Total impact (i.e. incremental increase in concentrations due to the Project plus background concentrations due to other sources);</i> • <i>Incremental impact (i.e. incremental increase in concentrations due to the Project on its own);</i> • <i>Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method; and</i> • <i>Excludes extraordinary events such as bushfires, prescribed burning, dust storms, fire incidents or any other activity agree to by the Director-General in consultation with the EPA.</i>	Pollutant	Averaging period	^a Criterion	Total suspended particulate (TSP) matter	Annual	^a 90 µg/m ³	Particulate matter < 10 µm (PM ₁₀)	Annual	^a 30 µg/m ³	Particulate matter < 10 µm (PM ₁₀)	Annual	^a 30 µg/m ³	Pollutant	Averaging period	^a Criterion	Particulate matter < 10 µm (PM ₁₀)	24 hour	^a 50 µg/m ³	Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total ^f deposited dust level	^e Deposited dust	Annual	^b 2 g/m ² /month	^d 4 g/m ² /month	and 2024 to assess AWMF's operations against the criteria in this condition. Therefore, this is a non-compliance for the periods of 2021, 2022, the first half of 2023, and 2024.	monitoring and the AQOMP update as planned for the purpose of reducing monitoring commitments.	be required in the event of a validated complaint. EPL 5873 does not require air/dust monitoring.	
Pollutant	Averaging period	^a Criterion																													
Total suspended particulate (TSP) matter	Annual	^a 90 µg/m ³																													
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Sch4, C25	Air quality management plan The Proponent shall prepare and implement an Air Quality and Odour Management Plan for the Project in consultation with the EPA. The Plan shall: (a) be prepared and implemented by a suitably qualified and experienced expert; (b) be submitted to the Director-General for approval prior to commencement of operations; (c) identify all potential odour sources at the Site; (d) describe the measures that will be implemented to ensure: • best management practice is employed; • the air quality and odour impacts from landfilling are minimised during adverse meteorological conditions and extraordinary events; and • compliance with the relevant conditions of this approval; and (e) describes the air quality and odour management system. The Plan shall be documented in the Landfill Environmental Management Plan (see Condition 3 in Schedule 5).	Implementation: Non-compliance as there was no PM10 or TSP monitoring completed in 2021, 2022, first half of 2023, and 2024 as required by the AQOMP. Refer to Schedule 4 Condition 23 for the dust and odour mitigation measures observed during the site inspection. See REC in Schedule 4 Condition 22.	NO REC. Refer to NC REC 08.	Refer to Sch4, C22	Refer to Sch4, C22
Sch4, C26	Greenhouse Gas Management Plan The Proponent shall develop and implement a Greenhouse Gas Management Plan prior to the commencement of operations of the new landfill cells. The Plan shall include, as a minimum:	Section 4.1 of the GHGMP states: Areas of final and / or intermediate cover are monitored monthly as per the EPL. Implementation:	No NC REC related to missed monitoring. IMP REC 14 in Table 8	As identified in the IEA, Council has improved its record keeping and implanted a compliance register to maintain documents and monitoring events.	Ongoing

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	(a) proposed active landfill gas management system including flaring and / or combustion to reduce potential greenhouse gas emissions from the landfill; (b) energy saving measures to be implemented ; (c) detail greenhouse gas monitoring program; (d) a program to monitor the effectiveness of these measures; and (e) a protocol to periodically review the Plan. The Plan shall be documented in the Landfill Environmental Management Plan (see Condition 3 in Schedule 5).	The AWMF Annual Review 22/23 self-reports: "Monitoring of surface gas was not undertaken for March and April 2023. This constitutes a non-compliance against this condition as monitoring under the Greenhouse Gas Management Plan is required to occur monthly." Therefore, this is a non-compliance for implementation of the monitoring program under subcondition d. There is no further recommendation as the AWMF is aware of these missed sampling events and this has been resolved.			
Sch4, C41	Bunding The Proponent shall store all chemicals, fuels and oils used on Site in appropriately banded areas in accordance with the requirements of all relevant Australia Standards, and/or EPA's Storing and Handling Liquids: Environmental Protection – Participants Handbook.	Non-compliance for the caravan located on the tip face for the storage of hydrocarbons/chemicals (unbanded hydrochemical/hydrocarbons).	NC REC 09: Provide a portable bund in the hydrocarbon storage area at the tip face. Ensure the bund can contain 110%.	Council will purchase and implement a portable bund to store hydrocarbons on the tipface	28 February 2025
Sch4, C44	Heritage management The Proponent shall consult with and involve all the registered Aboriginal parties for the Project in the ongoing management of the Aboriginal cultural heritage values.	Note, there was no additional disturbance in this audit period. Section 3.6 of the CHMP required: Following this, the CHMP will be revised on a 3 yearly basis following completion of the IAR or prior if required. A	No REC	Council will continue to provide 6 monthly updates.	N/A

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		newsletter or project updates may also be provided by LMCC on an annual basis to keep RAPs updated on the AWMFEP. Every 6 months an email update is provided to the RAPs (LMCC reference F2023/01031/11). Based on site interviews and evidence provided, these Section 3.6 requirements have not been met in the audit period. From January 2024 AWMF began a six-monthly contact with RAPs, as seen in a spreadsheet provided. Therefore, there are no further recommendations.			
Sch4, C45	Heritage Management The Proponent shall prepare and implement a Cultural Heritage Management Plan (CHMP) to the satisfaction of the Director-General. The Plan shall: (a) be prepared in consultation with the OEH by a suitably qualified and experienced expert; (b) be approved by the Director-General prior to the commencement of any ground disturbance or development works; (c) be implemented in consultation with the registered Aboriginal parties;	Implementation: This condition is non-compliant for implementation of the CHMP for the same reason as Condition 44, due to the consultation requirements outlined in Section 3.6 not being completed throughout the entire audit period. No evidence was provided to demonstrate annual newsletters or update emails were sent to RAPs prior to 2024. This obligation in the CHMP is geared towards the	No REC	Refer to Sch4, C44	Refer to Sch4, C44

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	(d) detail: • procedures for managing the Aboriginal cultural heritage values associated with the Project; • the involvement and responsibilities of the Aboriginal stakeholders in the implementation of all cultural heritage management actions; • the responsibilities of all other stakeholders; • all mitigation and management strategies (including monitoring program, further investigations etc); • procedures for the identification and management of previously unrecorded sites (including human remains); • an appropriate keeping place agreement with local Aboriginal community representatives for any Aboriginal objects salvaged through the development process; • the Aboriginal Cultural Heritage Education Induction Program for all contractors and personnel associated with construction activities; and • compliance procedures in the unlikely event that non-compliance with the CHMP is identified.	project in construction phase, and these communications have recommenced since 2024, therefore no further recommendations.			
Sch4, C51A	Biodiversity Offset Strategy (a) Within 60 days of the commencement of vegetation clearance (other than for survey or conservation management purposes) under this Approval, a restriction on user burdening Lot 463 DP 1138964 retained to implement the Biodiversity Offset Strategy in Condition 50	AWMF Annual Review 22/23 stated: "Letter received from DPE on 16 May 2023 indicating that they do not consider the requirements of this condition to be addressed. LMCC are in the process of collating a response to DPE to address	NC REC 10: Provide more details of the status of the restrictive covenant in the Annual Review reports, including the next steps by Council.	Council has requested a contact from DPHI compliance team to provide the covenant documents to as the previous contact no longer works at the department. Council anticipates the matter will be closed out within the coming months	31 August 2025 (Annual Review)

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	shall be registered and inure in favour of the Minister for Planning and Infrastructure. (b) The instrument shall be in or to the effect of the Restrictive Covenant annexed to these conditions as Appendix 9 and will affect the area of land referred to in that Appendix. (c) It is a requirement that the restriction on user instrument not restrict or constrain the holder of an authority granted or renewed under the Mining Act 1992 or any Act consolidating or replacing that Act from carrying out on the subject land prospecting, mining operations, mining purposes and related improvements and activities authorised by or under any such authority. "	the requirements of this condition." AWMF Annual Review 23/24: "LMCC legal team has been liaising with DPE/DPHI to address this matter. As of the submission of this Annual Review, the matter has not been closed out." The Restrictive Covenant matter is still outstanding. AWMF (site) could not advise on the status of this matter as it is handled by LMCC's Legal Team. Based on the evidence provided, this condition is non-compliant as the restrictive covenant is not in place.		once DPHI provides the appropriate contact details and Council is able to provide the documentation.	
Sch5, C5	Revision of plans & programs Within 3 months of the submission of an: a) audit under condition 9 of schedule 5; b) incident report under condition 7 of schedule 5; and c) annual review under condition 5 of schedule 5, the Proponent shall review, and if necessary revise the plans and programs required under this approval to the satisfaction of the Director-General. Note: This is to ensure the plans and programs are updated on a regular basis, and incorporate any	Evidence indicated the IEA Report was submitted in March 2022. AWMF provided evidence of emails being sent out in November 2022, to follow up on the update of management plans. Evidence of management plan updates were provided, however they did not meet subcondition a) timing (within	NC REC 11: Include a statement in Section 4.3 of the Annual Review noting if updates to management plans are required and include the time by which the review and resubmission to the DPHI will occur.	Council will provide a section in future Annual Reviews stating which management plans require updates. In section 4 Council has provided a list of management plans required for update following this IEA.	Ongoing

Condition Number	Compliance Requirement	IEA finding	IEA Recommendation	Proponent's Proposed Action	Proposed Action Due Date
	recommended measures to improve the environmental performance of the Project.	three months of submission of an audit). This IEA found that management plans were generally consistent with operations and appropriate, with the exception of LEMP as it incorporates all plans for the AWMF. The Audit Action Plan from LMCC for this IEA should clearly state what management plans were updated and why.			
Sch5, C6	Incident reporting The Proponent shall notify the Director-General and any other relevant agencies of any incident associated with the Project as soon as practicable after the Proponent becomes aware of the incident. Within 7 days of the date of the incident, the Proponent shall provide the Director General and any relevant agencies with a detailed report on the incident.	Incident Reporting from this audit period included: Email notification to EPA on 10/10/2024 for groundwater exceedances at Site 22/GW5 (TDS, ammonia and TPH), stated: "Results for site 22, particularly for TDS, ammonia and TPH, are showing elevated levels which are similar to those found in our leachate. As previously discussed with the NSW EPA, Council is aware of a 'bleed' present on site whereby leachate is mixing into the groundwater. As part of the design for cells 3 and 4 which	NC REC 12: AWMF to update the PIRMP to include notification details including contact information for the DPHI when incidents occur, as per DPHI's most recent advice. NC REC 13: Include the definition of incident from Schedule 2 of MP10_0139-MOD1 into the LEMP when next updating the document.	A) During the next PIRMP update, Council will include DPHI incident notification details B) Council will include the definition of 'incident' as per Schedule 2 of MP10_0139-MOD1 into the next LEMP update as per	30 June 2025

Condition Number	Compliance Requirement	IEA finding	IEA Recommendation	Proponent's Proposed Action	Proposed Action Due Date
		is currently underway, a solution to intercept the leachate is being investigated by the consultant, and once Council has the design will be sharing with the EPA. As these levels could be described as potential harm to the environment, this notice is being provided." Evidence of notifying the DPHI for these exceedances was provided as a Post Approval Form. IEMA requested evidence of the original notification to DPHI when Council suspected a groundwater plume. Based on the site discussions investigations started in 2022. We do not have evidence of DPHI notification prior to DPHI regarding the groundwater plume prior to 2024. Non - compliance relating to reporting			
Sch5, C10	Access to information From the commencement of the construction of the Project, the Proponent shall make the following information publicly available on its website as it is progressively required by the approval:	The Annual Review 22/23 self reported the following: "The monthly gas accumulation and surface monitoring results for March, April, May and June were not on the website at the completion of the	No REC	Council has redesigned the 'Awaba Waste Management Facility' and 'Awaba Landfill Expansion' webpages to provide simpler access to the relevant information for	Completed

Condition Number	Compliance Requirement	IEA finding	IEA Recommendation	Proponent's Proposed Action	Proposed Action Due Date
	a) a copy of all current statutory approvals; b) a copy of the current plans and programs required under this approval; c) a summary of the monitoring results of the Project, which have been reported in accordance with the various plans and programs approved under the conditions of this approval; d) a complaints register, which is to be updated on a monthly basis; e) a copy of the Annual Reviews (over the last 5 years); f) a copy of any Independent Environmental Audit, and the Proponent's response to the recommendations in any audit; and g) any other matter required by the Director-General.	reporting period. A complaints register was also not uploaded onto the website at the completion of the reporting period. LMCC have updated the website in July 2023 to include the complaints register in a prominent position on the project website." Therefore, non-compliance due to this missed upload of information. At the time of this site inspection, the website was generally up to date. It is understood there is currently a large overhaul happening to the websites, therefore there are no further recommendations for this audit.		both the site, and the expansion project. <u>Awaba Waste Management Facility - Lake Macquarie City Council</u> <u>Expansion project - Lake Macquarie City Council</u>	
Sch5, C11	Community Education Program The Proponent shall prepare and implement a Community Education Program for the Project to the satisfaction of the Director-General. The Program shall be submitted to the Director-General for approval prior to the commencement of operations, and shall at a minimum focus on promoting resource recovery activities provided at the Site.	Community Education Program has been updated in this audit period, and is managed by the LMCC sustainability team. This activity is not managed by AWMF. The Waste Education Plan 2024-2025 is the Council's residential waste campaign and aims to "support the objectives and targets set out in the	NC REC 14: Submit the Waste Education Plan to the DPHI for review and approval.	Council submitted the updated Waste Education Plan to the Major Projects Portal 6th December 2024.	Completed

Condition Number	Compliance Requirement	IEA finding	IEA Recommendation	Proponent's Proposed Action	Proposed Action Due Date
		upcoming waste and circular materials strategy 2024". A superseded version of the Community Education Program is still in the 2021 LEMP. Therefore, the REC relates to updating the LEMP to include the most recent Community Education Program. As the condition states "to the satisfaction of the Director-General," it would be expected the Waste Education Plan be sent to DPHI for review and approval. As there was no evidence of this document being sent to DPHI for approval, this condition is a non-compliance. A recommendation is included here to send to the DPHI for review and approval.			
Statement of Commitments					
	- LMCC will ensure that a Site Water Management Plan is prepared and implemented. This Plan will be developed in consultation with the Office of Water and shall include: - Site Water Balance, which will include: - Sources and security of water supply, - Water use on site, and	Refer to Schedule 4 Condition 19, non-compliant for leachate plume.	No REC	Refer to Sch4, C19 and Sch4, C18	Refer to Sch4, C19 and Sch4, C18

Condition Number	Compliance Requirement	IEA finding	IEA Recommendation	Proponent's Proposed Action	Proposed Action Due Date
	• Water management on site. - Surface Water Management Plan which will include: • Detailed baseline data on surface water flows and quality, • Surface water impact assessment criteria, including trigger levels for investigating any potentially adverse surface water impacts, • A program to monitor surface water flows and quality, and • A protocol for the investigation and mitigation of identified exceedances of the surface water impact assessment criteria. - Groundwater Management Plan which will include: • Detailed baseline data on groundwater levels and quality, • Groundwater impact assessment criteria, including trigger levels for investigating any potentially adverse groundwater impacts, • A program to monitor groundwater levels and quality, and • A protocol for the investigation and mitigation of identified exceedances of the groundwater impact assessment criteria.				
	• Leachate will be managed in accordance with best practice:	Refer to Schedule 4 Condition 6. There is a leachate issue which is being investigated, which may have been the result of previous operations, or the operations approved	No REC	Refer to Sch4, C6 and Sch4, C19 and Sch4, C18	Refer to Sch4, C6 and Sch4, C19 and Sch4, C18

Condition Number	Compliance Requirement	IEA finding	IEA Recommendation	Proponent's Proposed Action	Proposed Action Due Date
	- The entire new landfill area will be lined (implementing a 'piggyback' liner over the existing waste using a LLDPE liner; - Leachate will be collected, treated and managed/disposed of appropriately for the operational lifetime of the landfill; and - The landfilling operations will be carefully staged, with care taken at all times to minimise the inflow of water into active landfill areas.	under this Project Approval. It is still being determined through work by specialists.			
	LMCC will seek to establish a Trade Wastewater Agreement with HWC for the discharge of leachate from the AWMF site to the HWC sewer system.	Refer to Schedule 4 Condition 6. Non-compliant as this is not a permanent TWA	No REC	Refer to Sch4, C6	Refer to Sch4, C6
	• LMCC will within 60 days of the commencement of vegetation clearance (other than for survey or conservation management purposes), ensure that a restrictive covenant burdening Lot 463 DP 1138964 be registered in favour of the Minister for Planning and Infrastructure, to implement LMCC's Biodiversity Offset Strategy.	This matter is still ongoing with LMCC Legal team and DPHI. The Biodiversity Offset Strategy is contained in the EA.	No REC	Refer to Sch4, C51A	Refer to Sch4, C51A
	• LMCC currently undertakes environmental monitoring of methane which includes monthly, in-situ monitoring of %(v/v) methane inside buildings at the site and also on the surface of the landfill. LMCC will ensure that this monitoring continues. Additional gas monitoring locations are proposed as part of the works as shown in Figure 5.4 of the EA.	Refer to Schedule 4 Condition 26. Note, this non-compliance relates to missed monitoring events.	No REC	Refer to Sch4, C26	Refer to Sch4, C26
	• LMCC will ensure that a Cultural Heritage Management Plan is prepared in partnership with the registered Aboriginal stakeholders and implemented for the construction phase of the proposed works. The CHMP will demonstrate that effective community consultation with local Aboriginal communities has been undertaken during	Refer to Schedule 4 Condition 45. RAP consultation was not undertaken as per the frequency specified in the CHMP.	No REC	Refer to Sch4, C44	Refer to Sch4, C44

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Condition Number	Compliance Requirement	IEA finding	IEA Recommendation	Proponent's Proposed Action	Proposed Action Due Date
	the preparation of the Plan. The CHMP will include procedures for ongoing Aboriginal consultation and involvement, management of all Aboriginal cultural heritage values associated with the project area, the responsibilities of all stakeholders, details of proposed mitigation and management strategies of all sites; including any additional investigation processes, salvage activities, monitoring, etc.; procedures for the identification and management of previously unrecorded sites (excluding human remains), and compliance procedures in the unlikely event that noncompliance with the CHMP is identified.				
	• LMCC will ensure that strategies for the management of Aboriginal sites will be developed in collaboration with the Registered Aboriginal Parties and documented in an Aboriginal Cultural Heritage Management Plan, as recommended by the two Aboriginal Cultural Heritage Assessment Reports (ACHAR).	Refer to Schedule 4 Condition 45. RAP consultation was not undertaken as per the frequency specified in the CHMP.	No REC	Refer to Sch4, C44	Refer to Sch4, C44
	• LMCC will undertake a detailed risk review during the detailed design of the proposed additions, and any additional mitigation measures identified as being required will be incorporated into the Awaba Landfill Environmental Management Plan.	The audit team interpret this condition as relating to the initial stage of operations under this Project Approval. The previous IEA report found: "There is not enough evidence to confirm if a detailed risk review was undertaken during the detailed design of the proposed additions." Section 6.9 of the current LEMP refers to "Hazards and risk management" however is limited to chemical, hydrocarbon, and fire	NC REC 15: For the next update of the LEMP, undertake a basic risk assessment with relevant personnel to review the mitigation measures for the current and upcoming stage of the project.	Council will undertake a risk assessment with the successful construction contractor against the current mitigation measures and the proposed design for the next stage of construction.	30 November 2025

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Condition Number	Compliance Requirement	IEA finding	IEA Recommendation	Proponent's Proposed Action	Proposed Action Due Date
		management, and does not refer to a risk assessment. Therefore, this is non-compliant. "			
Restrictive Covenant for Conservation Purposes					
2	Without the prior written consent of the Minister: (a) no person shall reside on the land; (b) no animal shall be depastured or driven on the land; (c) no development shall be carried out on the land save for that which is listed in clause 3; (d) the land shall not be cleared, slashed or cultivated; (e) no substance, whether or not in or forming part of the land, shall be interfered with; (f) no fire shall be lit on the land; (g) no use shall be made of the land or activities on the land which would result in the clearing of vegetation on the land; and (h) no use shall be made of the land or activities undertaken on the land which would interfere with or prevent the nature growth or regeneration of vegetation on the land.	Insufficient evidence was provided to demonstrate LMCC are progressing the matter of the restrictive covenant as directed by DPHI. There was limited evidence provided for this matter. Refer to Schedule 3 Condition 4 for further findings. There was no evidence of the area being subject to the uses under a - h	No REC	Refer to Sch 4, C51A	Refer to Sch 4, C51A
3	This covenant does not prevent or restrict in accordance with law: (a) the destruction or removal of vegetation declared to be noxious weed under the Noxious Weeds Act 1993 or an Act consolidating or replacing that Act; or	As above	No REC	Refer to Sch 4, C51A	Refer to Sch 4, C51A

Condition Number	Compliance Requirement	IEA finding	IEA Recommendation	Proponent's Proposed Action	Proposed Action Due Date
	(b) the destruction or removal of vegetation which is a prohibited plant within the meaning of the Drug Misuse and Trafficking Act 1985 or an Act consolidating or replacing that Act; or (c) the incidental destruction or removal of vegetation lying adjacent to any noxious weeds or prohibited plants where such incidental destruction or removal occurs unavoidably during the process of destroying or removing those noxious weeds or prohibited plants; or (d) the destruction or removal of vegetation within 1 metre of the external boundaries of the land for the purpose of erecting or maintaining a fence along those boundaries; or (e) the destruction or removal of vegetation within 0.5 metres of the land for the purpose of enabling a survey to be carried out along those boundaries by a surveyor registered under the Surveyors Act 2001 or any Act consolidating or replacing that Act; (f) or the destruction or removal of vegetation or substance in compliance with the Rural Fires Act 1997 or any Act consolidating or replacing that Act; or (g) the destruction or removal of vegetation or substance within 3 metres of the top bank of any drain on or adjoining the land for the purpose of maintaining the drain; or (h) the removal of refuse, garbage, rubbish or any other noisome, noxious, poisonous or unwholesome matter; or (i) the taking of reasonable precautions to keep the land free of noxious weeds, rodents or vermin; or (j) carrying out environmental protection works, being works associated with the rehabilitation or land towards its natural state or any work to protect land from				

Condition Number	Compliance Requirement	IEA finding	IEA Recommendation	Proponent's Proposed Action	Proposed Action Due Date
	environmental degradation and includes bush regeneration works, soil conservation and the like; or (k) erecting, carrying out or using the land for environmental facilities, being a building or place that provides for the recreational use or scientific study of natural systems, and includes walking tracks, seating, shelters, boardwalks, observation decks, bird hides, or the like, and associated display structures; or (l) carrying out any other work permitted by the Project Approval or Management Plan; or (m) prospecting, mining operations, mining purposes and related improvements and activities authorised by or under an authority granted or renewed under the Mining Act 1992 or any Act consolidating or replacing that Act.				
4	Nothing in this covenant shall be construed as avoiding the need to obtain any consent under any applicable legislation.	As above	No REC	Refer to Sch 4, C51A	Refer to Sch 4, C51A
5	The prior written consent of the Minister is taken to have been given under cl 2 if an approval consent or authorisation of any kind is given for the activity by a public authority having power to do so (or a court or other person or body on appeal or review) under the Environmental Planning and Assessment Act 1979 or any Act replacing it, including the Project Approval.	As above	No REC	Refer to Sch 4, C51A	Refer to Sch 4, C51A
6	The restriction on use may be released with the consent of the Minister.	As above	No REC	Refer to Sch 4, C51A	Refer to Sch 4, C51A
EPL 5873					
O1.1	Licensed activities must be carried out in a competent manner. This includes:	a) There was one instance of hydrocarbon/chemical storage not being in accordance with	Refer to NC REC 09.	Refer to Sch4, C41	Refer to Sch4, C41

Condition Number	Compliance Requirement	IEA finding	IEA Recommendation	Proponent's Proposed Action	Proposed Action Due Date
	a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity."	Australian Standards. Refer also to Condition 41. b) See findings under leachate management under the Project Approval. Some waste practices (possibly historic) are likely causing the groundwater leachate issues. This could relate to treatment, storage, processing, reprocessing, transport and disposal of waste			
O6.14	Chemicals, fuels, oils and liquid waste must be; a) stored in an impervious bund able to contain at all times 110% of the largest container stored within that bund; and b) stored in a manner which prevents rain or water ingress into those containers; and c) must be clearly labelled to identify their contents.	Refer to Condition O1.1 with non-compliant finding and NC REC 09.	Refer to NC REC 09.	Refer to Sch4, C41	Refer to Sch4, C41
M1.2	All records required to be kept by this licence must be: a) in a legible form, or in a form that can readily be reduced to a legible form; b) kept for at least 4 years after the monitoring or event to which they relate took place; and c) produced in a legible form to any authorised officer of the EPA who asks to see them.	Some monitoring not undertaken in the audit period, including for surface gas in March and April 2023 and some surface water quality monitoring. Therefore, non-compliant.	No REC	Refer to Sch4, C26	Refer to Sch4, C26
M2.1	For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of	The following non-compliances were self-reported in the Annual Reviews in this audit period: • AWMF Annual Review 22/23: LMCC did not	No REC	Refer to Sch4, C26	Refer to Sch4, C26

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Condition Number	Compliance Requirement	IEA finding	IEA Recommendation	Proponent's Proposed Action	Proposed Action Due Date
	measure, and sample at the frequency, specified opposite in the other columns:	undertake quarterly monitoring at all monitoring points over the reporting period. • AWMF Annual Review 22/23: April 2024 quarterly monitoring recorded pH and electrical conductivity at MP10 via lab analysis, not probe as requested in EPL 5873.			
M2.2	Water and/ or Land Monitoring Requirements	As per M2.1 above, non-compliance as this condition relates to monitoring frequency. Based on water monitoring spreadsheets, ALS records, and Annual Returns, this condition is generally compliant, with the exceptions of: • April 2024 quarterly monitoring recorded pH and electrical conductivity at MP10 via lab analysis, not probe. • A quarterly monitoring event was missed for points MP6, 7, and 10 in quarter 1 of 2023. However, the Annual Review states: "LMCC has scheduled in an additional round of monitoring so that four rounds	No REC	Refer to Sch4, C26	Refer to Sch4, C26

Condition Number	Compliance Requirement	IEA finding	IEA Recommendation	Proponent's Proposed Action	Proposed Action Due Date
		of monitoring occur in the 2023 EPA annual return period." Therefore, there are no further recommendations.			
M4.1	The following environmental monitoring must be undertaken at the premise: a) Inside buildings at the premise, Methane must be measured as a %(v/v) on a monthly basis using an In situ sampling method; b) On the surface of the landfill, Methane must be measured as a %(v/v) on a monthly basis using an In situ sampling method. For the purpose of this condition in situ means sampling in accordance with the methodology specified in Benchmark 17 of the EPA's publication titled "Environmental Guidelines: Solid Waste Landfills". The results of all environmental monitoring undertaken in accordance with this condition must be attached and forwarded to the EPA with the annual return required by condition R1.	Methane monitoring is published to the website. There were two occasions in the audit period that the monthly surface gas monitoring were missed (April and March 2023). Therefore, this non-compliance relates to subcondition b). This was reported in the Annual Return.	No REC	Refer to Sch4, C26	Refer to Sch4, C26
R2.2	The licensee must provide written details of the notification to the EPA within 7 days of the date on which they became aware of the incident.	The AWMF PIRMP describes a pollution incident as: "An incident or set of circumstances during or as a consequence of which there is or is likely to be a leak, spill or other escape or deposit of a substance, as a result of which pollution has occurred, is occurring or is likely to occur. It includes an incident or set of circumstances in	No REC	Refer to Sch4, C26	Refer to Sch4, C26

Condition Number	Compliance Requirement	IEA finding	IEA Recommendation	Proponent's Proposed Action	Proposed Action Due Date
		which a substance has been placed or disposed of on a premises, but does not include an incident or set of circumstances involving only the emission of any noise". AWMF provided evidence of notifying EPA via email of water exceedances against ANZECC Guideline triggers, including 12/5/22, 30/09/22, 7/12/22, 12 July 2023. Based on evidence provided, there has been no further action taken by the EPA. AMWF provided evidence of continued investigation of groundwater quality in relation to leachate plume/migration in the groundwater at the site from 2020 onwards. AWMF could not provide an initial incident notification to the EPA related to suspected leachate pluming in groundwater at the site, as is related to the finding under the Project Approval for Schedule 5 Condition 6. Therefore, the audit team were not able to confirm the EPA were originally notified of the suspected groundwater plume within 7 days of the			

Condition Number	Compliance Requirement	IEA finding	IEA Recommendation	Proponent's Proposed Action	Proposed Action Due Date
		date on which LMCC became aware of the suspected issue. AWMF did not provide the EPA's response to the LMCC's letter dated 7 September 2020 regarding an information request from the EPA following the submission of the Annual Return. Therefore, it is unclear whether there were any follow-up actions request by the EPA. AWMF could not provide documentation on the consultation completed with the EPA related to the EPL Variation to allow installation of additional groundwater bores.			

3. Opportunities for improvement identified in the IEA

Condition Number	Compliance Requirement	IEA opportunity for improvement	Proponent's Proposed Action	Proposed Action Due Date (if applicable)																		
SSD-01_0139, Schedule 3, Condition 6	Surrender of existing development consents Upon commencement of the development, or as otherwise agreed by the Director-General, the Proponent shall surrender the development consents identified in Table 1 in accordance with Sections 75YA and 104A of the EP&A Act. <table><tr><th>DA No.</th><th>DA description</th><th>Date Consent Granted</th></tr><tr><td>DA 170/1986</td><td>Solid waste disposal depot and associated works (original consent)</td><td>7 October 1986</td></tr><tr><td>DA 976/1994</td><td>Recycling area and building</td><td>6 December 1994</td></tr><tr><td>DA 82/1994</td><td>Extension of waste disposal site (current working approval to filling levels)</td><td>13 February 1995</td></tr><tr><td>DA 2185/1999</td><td>Additions to consol window (additional window to weighbridge)</td><td>4 January 1999</td></tr><tr><td>DA 504/2004</td><td>Compactor shed storage</td><td>13 May 2009</td></tr></table> Note: This requirement does not extend to the surrender of construction and occupation certificates for existing and proposed building works under Part 4A of the EP&A Act. Surrender of a consent or approval should not be understood as implying that works legally constructed under a valid consent or approval can no longer be legally maintained or used.	DA No.	DA description	Date Consent Granted	DA 170/1986	Solid waste disposal depot and associated works (original consent)	7 October 1986	DA 976/1994	Recycling area and building	6 December 1994	DA 82/1994	Extension of waste disposal site (current working approval to filling levels)	13 February 1995	DA 2185/1999	Additions to consol window (additional window to weighbridge)	4 January 1999	DA 504/2004	Compactor shed storage	13 May 2009	Liaise with DPHI to remove this condition (Schedule 3 Condition 6) from the Project Approval.	Council will liaise with DPHI to have this condition removed as it has been fulfilled.	28 February 2025
DA No.	DA description	Date Consent Granted																				
DA 170/1986	Solid waste disposal depot and associated works (original consent)	7 October 1986																				
DA 976/1994	Recycling area and building	6 December 1994																				
DA 82/1994	Extension of waste disposal site (current working approval to filling levels)	13 February 1995																				
DA 2185/1999	Additions to consol window (additional window to weighbridge)	4 January 1999																				
DA 504/2004	Compactor shed storage	13 May 2009																				
SSD-01_0139, Schedule 3, Condition 9	Acquisition of land Prior to the commencement of construction or within 12 months from the date of this approval, whichever occurs first, the Proponent shall acquire Lot 372 DP 723259 from the Crown under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>	Liaise with DPHI to remove this condition (Schedule 3 Condition 9) from the Project Approval.	Council will liaise with DPHI to have this condition removed as it has been fulfilled.	28 February 2025																		
SSD-01_0139, Schedule 3, Condition 13	Operation of plant and equipment The Proponent shall ensure that all plant and equipment used for the Project is: (a) maintained in a proper and efficient condition; and	Site is currently working towards establishing a maintenance area/shelter closer to the tip face, including a hardstand with temporary bunding. Ensure this area has sufficient bunding in place for maintenance of large machinery.	Once maintenance shelter has been established, and prior to using it to repair machinery, Council will implement bunding.	31 March 2025																		

Condition Number	Compliance Requirement	IEA opportunity for improvement	Proponent's Proposed Action	Proposed Action Due Date (if applicable)
	(b) operated in a proper and efficient manner.			
SSD-01_0139, Schedule 4, Condition 5	Monitoring The Proponent shall prepare and implement a Waste and Resource Recovery Monitoring Program for the Site to the satisfaction of the Director-General. The Program shall: (a) be prepared in consultation with the EPA, and submitted to the Director-General for approval prior to the commencement of operations on Site; (b) detail the screening and acceptance procedures required by Condition 4 above; and (c) monitor: • the quantity, type and source of waste received on Site; and • the effectiveness of the resource recovery measures (see condition 3 above). This Program shall be documented in the landfill EMP (see Condition 2 of Schedule 4)	Ensure the latest version of the Waste Screening, Acceptance and Resource Monitoring Programme is included in the LEMP when submitting it for approval by the DPHI.	Council will include the Waste Screening, Acceptance and Resource Monitoring Program (D11159444) into the next update of the LEMP.	30 June 2025
SSD-01_0139, Schedule 4, Condition 7	Landfill Operations Unless the Director-General agrees otherwise, the Proponent shall: (a) minimise the exposed or cleared areas at the landfill; (b) progressively revegetate all completed areas of the landfill and stabilise any exposed areas that are not required for operational purposes for a period greater than 90 days; (c) minimise the tracking of mud and waste from the Site on public roads; (d) fill the landfill cells in a systematic manner as detailed in the Staging Plan at Appendix 3;	When Cell 3 and 4 works commence the site should have a procedure in place in relation to inspections and testing requirements for historical waste that is within those cells. This would attempt to identify hazardous/unwanted waste material. Maintain records for the procedures undertaken in these works, including as per the CEMP.	Council will make this a requirement as part of the RFQ brief for construction of cells 3 and 4.	Prior and during construction of cells 3 and 4

Condition Number	Compliance Requirement	IEA opportunity for improvement	Proponent's Proposed Action	Proposed Action Due Date (if applicable)
	(e) maximise landfill compaction rates; (f) cover the active landfill area with at least 0.15 m of VENM soil (or a suitable alternative material approved by the EPA) at the end of daily waste disposal and compaction activities; (g) progressively cap the landfill cells with a capping layer approved by the EPA; and (h) revegetate the covered landfill cells following the capping of each cell once they reach their final design height.			
SSD-01_0139, Schedule 4, Condition 10	Pest, vermin and noxious weed management The Proponent shall: (a) implement suitable measures to manage pests, vermin and declared noxious weeds on Site; and (b) inspect the Site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or noxious weeds are not present on Site in sufficient numbers to pose an environmental hazard, or cause the loss of amenity in surrounding area.	Site to investigate and conduct alternate weed control measures for temporary slopes to determine effectiveness for general weed management on-site. A goat grazing trial may be considered if deemed feasible by site.	Council is currently investigating vegetation control methods for the site.	Ongoing
SSD-01_0139, Schedule 4, Condition 12	Cell design and lining system The Proponent shall ensure that the cell design details meet all the recommendations and requirements of the Mine Subsidence Board and are prepared to the satisfaction of the EPA. Confirmation shall be provided to both the Director-General and the EPA at Licence Variation Application Stage that the Mine Subsidence Board has reviewed and approved the final cell design details.	LMCC to consult with Subsidence Advisory following the finalisation of Cell 3 and 4 designs as per this condition.	Council plans to provide Subsidence Advisory with the design plans for the next stage of the expansion project prior to construction	Prior to construction of cells 3 and 4
SSD-01_0139, Schedule 4, Condition 14	Soil The Proponent shall: (a) minimise any soil loss through erosion on Site;	For future cells, ensure the topsoil stripping and VENM material management is to be collected as per the Biodiversity Management Plan and Construction Environmental Management Plan for those new areas disturbed for the construction of Cells 3 and 4.	Council will make this a requirement as part of the RFQ brief for construction of cells 3 and 4.	Prior and during construction of cells 3 and 4

Condition Number	Compliance Requirement	IEA opportunity for improvement	Proponent's Proposed Action	Proposed Action Due Date (if applicable)
	(b) set aside any topsoil won on Site for the proposed revegetation and rehabilitation of the Site; and (c) ensure that any topsoil stockpiles on Site are suitably managed to ensure that the topsoil in these stockpiles can be beneficially used in the proposed revegetation and rehabilitation of the Site.			
SSD-01_0139, Schedule 4, Condition 16	Surface water discharge limits The Proponent shall ensure that all licensed surface water discharges from the Site comply with discharge limits (volume and quality) set for the Project in any EPL or relevant provisions of the POEO Act.	The site needs to clearly state whether discharges (release of water off-site or from Licensed Discharge Points) have occurred in the Annual Reviews, as currently the phrasing is vague. Certain conditions are not applicable when discharges have not occurred (EPL and Project Approval conditions).	Council will include a table of discharges in future Annual Reviews	Ongoing
SSD-01_0139 Schedule 4, Condition 19	Soil, water and leachate management plan The Proponent shall prepare and implement a Soil, Water and Leachate Management Plan for the Project. The Plan shall be prepared by a suitably qualified and experienced expert in consultation with LMCC, the NOW and the EPA and be submitted to the Director-General for approval prior to the commencement of Operations. The Plan shall include: (a) a Site water balance for the Project, that details: • sources and security of water supply; • water use on Site; • water management on Site; (b) an erosion and sediment control plan that:	Southwestern batter surface water runoff to be picked up by installing a new drainage line across the dirt road to connect to the gabion drain that flows to bottom sediment dam.	Council will investigate the practicability of installing this drainage line and implement if feasible.	31 March 2025
		Continue the drainage line/bund surrounding the gas flare to connect to the leachate pond 2 bund to manage surface water runoff.	Council will investigate the practicability of installing this drainage line and implement if feasible.	31 March 2025
		At the time of the site inspection the Eastern sediment dam was considered difficult to access due to vegetation growth and the steep, unpaved slope for equipment accessing the bank. The Audit team recommend improving access to the major sediment dam for when pumping or treatment is required.	Council has improved access for vehicles to the Eastern Sediment Dam. Council will maintain access.	Completed.

Condition Number	Compliance Requirement	IEA opportunity for improvement	Proponent's Proposed Action	Proposed Action Due Date (if applicable)
	• is consistent with the requirements of the latest version of the Blue Book Volume 1 and Volume 2B; • identifies activities on Site that could cause soil erosion and generate sediment; and • describes the measures that will be implemented to: i. minimise soil erosion and the transport of sediment to downstream waters, including the location, function and capacity of any erosion and sediment control structures and maintain these structures over time; ii. ensure that any topsoil stockpiles on Site are suitably managed to ensure that the topsoil in these stockpiles can be beneficially used in the proposed revegetation and rehabilitation of the Site. (c) a leachate management plan that: • includes final detailed design specifications of the leachate management and collection system on Site; and • demonstrates how the requirements of Condition 18 of Schedule 4 have been addressed; (d) a stormwater management plan that: • is consistent with the guidance in the latest version of the Blue Book Volume 1 and Volume 2B; • includes final detailed design specifications for the stormwater management and collection system; and • demonstrates how the requirements of Condition 17 of Schedule 4 have been addressed; (e) a surface water, groundwater and leachate monitoring program that includes: • baseline data (including water flow and quality);			

Project title Awaba Waste Management Facility Response to Recommendations

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Condition Number	Compliance Requirement	IEA opportunity for improvement	Proponent's Proposed Action	Proposed Action Due Date (if applicable)
	• details of the proposed monitoring network; and • the parameters for testing and respective impact assessment criteria and trigger levels for action under the surface water, groundwater and leachate response plan. (f) a surface water, groundwater and leachate response plan that: • includes a protocol for the investigation, notification and mitigation of any exceedances of the respective trigger levels; and • describes the measures that could be implemented to respond to any surface or groundwater contamination that may be caused by any development. The Plan shall be documented in the Landfill Environmental Management Plan (see Condition 3 in Schedule 5).			
SSD-01_0139 Schedule 4, Condition 20	Contamination Management Plan The Proponent shall prepare and implement a Contamination Management Plan for the Project to the satisfaction of the Director-General. The Plan shall: (a) be prepared by a suitably qualified and experienced expert; (b) be submitted to the Director-General for approval prior to commencement of construction; (c) detail the protocols to be put in place and followed in the event that contaminated soil (including Acid Sulphate Soils) or water is encountered during construction; (d) be prepared in accordance with the relevant best practice industry guidelines such as the NSW State Government's Acid Sulphate Soil Manual (ASSMAC, 1998);	Future works for Cells 3 and 4 should include soil testing and AWMF should get advice from a specialist to interpret the results. This would determine soil that would be useful for topsoil, capping, or has potential to be acid-generating. Proposed topsoil stripping and storage locations should be noted in a figure.	Council will make this a requirement as part of the RFQ brief for construction of cells 3 and 4.	Prior and during construction of cells 3 and 4

Condition Number	Compliance Requirement	IEA opportunity for improvement	Proponent's Proposed Action	Proposed Action Due Date (if applicable)
	(e) detail how excavated soil will be tested, handled and stockpiled; (f) detail the measures that will be employed to prevent erosion and sedimentation of contaminated soil; and if necessary; (g) outline how contaminated soil and water will be disposed of off Site (eg. at a licenced facility).			
SSD-01_0139 Schedule 4, Condition 26	Greenhouse Gas Management Plan The Proponent shall develop and implement a Greenhouse Gas Management Plan prior to the commencement of operations of the new landfill cells. The Plan shall include, as a minimum: (a) proposed active landfill gas management system including flaring and / or combustion to reduce potential greenhouse gas emissions from the landfill; (b) energy saving measures to be implemented ; (c) detail greenhouse gas monitoring program; (d) a program to monitor the effectiveness of these measures; and (e) a protocol to periodically review the Plan. The Plan shall be documented in the Landfill Environmental Management Plan (see Condition 3 in Schedule 5).	AWMF to assess different aeration system options and power sources at the leachate pond. This may include the use of solar-generated electricity connection.	Once Council decides on the preferred system for aeration, it will investigate using renewable power sources.	Ongoing
SSD-01_0139 Schedule 4, Condition 28	Operational noise validation By 21 January 2016 or at a date approved by the Director-General, the Proponent shall undertake a Noise Validation of activities at the Site. The Validation shall be performed in accordance with the NSW Industrial Noise Policy (EPA, 2000) or the relevant policy adopted by the EPA at the time of	Liaise with DPHI to remove this condition (Schedule 4 Condition 28) from the Project Approval.	Council will liaise with DPHI to have this condition removed as it has been fulfilled.	28 February 2025

Condition Number	Compliance Requirement	IEA opportunity for improvement	Proponent's Proposed Action	Proposed Action Due Date (if applicable)
	the Validation and submitted to both the Director-General and EPA. The Validation shall include, but not be limited to, the following information: (a) identification of any noise sensitive locations ('sensitive receivers') likely to be affected by activities at the Site, such as residential properties, schools, hospitals and passive recreation areas. The location of any noise sensitive locations in relation to the Site shall be mapped; (b) existing background (LA90) and ambient (LAeq) noise levels determined for each sensitive receiver in accordance with the NSW Industrial Noise Policy (EPA, 2000) or the relevant policy adopted by the EPA at the time of the validation; (c) derivation and identification of the Project specific noise levels for each sensitive receiver in accordance with the NSW Industrial Noise Policy (EPA, 2000) or the relevant policy adopted by the EPA at the time of the validation; (d) the expected noise level and noise character (for example tonality, impulsiveness, vibration(etc) likely to be generated from noise sources during Operation. Include noise source data for each source in 1/1 or 1/3 octave band frequencies including methods or references used to determine noise source levels; (e) the noise levels likely to be received at the most sensitive receivers, including potential impacts for any identified significant adverse meteorological conditions, including: • a plan showing the assumed location of each noise source for each prediction scenario; • a list of the number and type of noise sources used in each prediction or direct monitoring scenario to simulate all potential significant operating conditions on the Site; • any assumptions made in the predictions such as source heights, directivity effects, shielding from topography, buildings or barriers;			

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	• methods used to predict noise impacts including identification of any noise models used. Where modelling approaches other than the ENM or SoundPlan computer models are adopted, the approach should be appropriately justified and validated; • an assessment of appropriate weather conditions for the noise predictions, including reference to any weather data used to justify the assumed conditions; • the predicted noise impacts for each noise source as well as the combined noise level for each prediction scenario under any identified significant adverse weather conditions as well as calm conditions where appropriate; • an assessment of the need to including modification factors as detailed in Section 4 of the NSW Industrial Noise Policy (EPA 2000) or the relevant policy adopted by the EPA at the time of the Validation. (f) discuss the findings of the predictive modelling and direct monitoring and, where relevant noise criteria have not been met, recommend additional mitigation measures; (g) include details of any mitigation proposed including the attenuation that will be achieved and the revised noise impact predictions following mitigation; (h) after application of all feasible and reasonable mitigation measures, quantify the residual level of noise impact by identifying: • locations (if any) where the noise level exceeds the criteria and the extent of exceedance; • numbers of people (or areas) affected; • times when criteria will be exceeded; • likely impact on activities (speech, sleep, relaxation, listening etc);			

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	- change in ambient conditions; and - the result of any community consultation or negotiated agreement.			
SSD-01_0139 Schedule 4, Condition 41	Bunding The Proponent shall store all chemicals, fuels and oils used on Site in appropriately banded areas in accordance with the requirements of all relevant Australia Standards, and/or EPA's Storing and Handling Liquids: Environmental Protection – Participants Handbook.	Provide more portable bunding options in the CRC so that potential spills do not reach the oily water separator.	The current system was developed by the EPA for CRC's, however Council will implement portable bunds for times when stillages are full.	31 March 2025
SSD-01_0139 Schedule 4, Condition 51	Biodiversity offset strategy Prior to construction, the Proponent shall prepare a Biodiversity Offset Management Plan for Lot 463 DP 1138964 in consultation with OEH and to the satisfaction of the Director-General.	Liaise with DPHI to remove the timing requirement of this condition (Schedule 4 Condition 51) from the Project Approval.	Council will liaise with DPHI to have the timing requirement of this condition removed.	28 February 2025
SSD-01_0139 Schedule 4, Condition 57	Closure Management Plan The Proponent shall prepare and implement a Landfill Closure and Rehabilitation Management Plan for the Site to the satisfaction of the Director-General. The Plan shall: (a) be prepared in consultation with the EPA and other relevant agencies by suitably qualified and experienced expert; (b) be submitted to the Director-General for approval within 12 months upon commencement of this approval; (c) ensure that the final landform of the Site is consistent with the EA and Appendix 5 of this Consent; and	AWMF to liaise with DPHI to remove condition 57, as the key components are covered under Condition 58. The project will continue to receive non-compliances due to historical issues. The consent is not contemporary, so future Modifications should consider re-phrasing conditions to apply to the stages of the development.	Council will liaise with DPHI to have the condition removed.	28 February 2025
SSD-01_0139 Schedule 5, Condition 2	Revision of plans & programs Within 3 months of the submission of an:	In the next update of the LEMP, update the cross referencing table Table 1-2 "Conditions of Approval requirements" to include more detail and other conditions AWMF deems relevant.	Council will update table 1-2 with more details of specific plans and/or sections.	30 June 2025

Condition Number	Compliance Requirement	IEA opportunity for improvement	Proponent's Proposed Action	Proposed Action Due Date (if applicable)
	a) audit under condition 9 of schedule 5; b) incident report under condition 7 of schedule 5; and c) annual review under condition 5 of schedule 5, the Proponent shall review, and if necessary revise the plans and programs required under this approval to the satisfaction of the Director-General. Note: This is to ensure the plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the Project.	During the next update of the LEMP, ensure consultation is completed with EPA and DPE-Water.	Council will consult with DPE Water and EPA in updating the LEMP.	30 June 2025
		Investigate the potential for AWMF to use a compliance tracking system/software or procedure to monitor implementation of requirements under the Project Approval, management plans, and EPL.	Council has implemented a Compliance Register in Microsoft lists and is investigating the use of a more sophisticated software to further improve the tracking of project compliance.	31 December 2025
SSD-01_0139 Schedule 5, Condition 3	Management plan requirements The Proponent shall ensure that the management plans required under this approval are prepared in accordance with any relevant guidelines, and include: (a) detailed baseline data; (b) a description of: - the relevant statutory requirements (including any relevant approvals, licences or lease conditions); - any relevant limits or performance measures/criteria; and - the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the Project or any management measures; (c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria; (d) a program to monitor and report on the:	In the next update of Management Plans, include this condition in a Project Approval cross-reference table to ensure compliant preparation of all approved management plans.	Council will include this condition in the LEMP during the next update	30 June 2025

Condition Number	Compliance Requirement	IEA opportunity for improvement	Proponent's Proposed Action	Proposed Action Due Date (if applicable)
	- impacts and environmental performance of the Project; - effectiveness of any management measures (see c above); (e) a contingency plan to manage any unpredicted impacts and their consequences; (f) a program to investigate and implement ways to improve the environmental performance of the Project over time; (g) a protocol for managing and reporting any: - incidents; - complaints; - non-compliances with statutory requirements; and - exceedances of the relevant limits and/or performance measures / criteria; and (h) a protocol for periodic review of the plan.			
SSD-01_0139 Schedule 5, Condition 4	Annual Review One year after the commencement of operations, and annually thereafter, the Proponent shall review the environmental performance of the Project to the satisfaction of the Director-General. The review shall: a) describe the operations that were carried out in the past year; b) analyse the monitoring results and complaints records of the Project over the past year, which includes a comparison of these results against the relevant statutory requirements, limits or performance measures/criteria;	Provide more analysis of groundwater and surface water monitoring trends and detail predictions from the EA. This may include analysis of long term trends through the use of graphs.	Council currently provides graphs displaying trends of water monitoring in the Annual Review. Council will review the current practice and update where appropriate.	Ongoing

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	• monitoring results of previous years; and • relevant predictions in the EA; c) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance; d) identify any trends in the monitoring data over the life of the Project; and e) describe what measures will be implemented over the next year to improve the environmental performance of the Project.			
SSD-01_0139 Schedule 5, Condition 11	Community education program The Proponent shall prepare and implement a Community Education Program for the Project to the satisfaction of the Director-General. The Program shall be submitted to the Director-General for approval prior to the commencement of operations, and shall at a minimum focus on promoting resource recovery activities provided at the Site.	In the next revision of the LEMP, include the most recent Community Education Program (currently titled Waste Education Plan 2024-2025) in the appendices.	Council will include the updated Waste Education Program in the next update of the LEMP.	30 June 2025

4. Required revision to AWMF plans and programs.

Per Schedule 5, Condition 5, Council is required to review and update Management Plans where necessary. This includes providing the updated plans to DPHI for review.

Based on the findings of the IEA, Council considers the following Management Plans are required to be updated and/or provided to DPHI for review to reflect changes to operations/procedures:

- A) Pollution and Incident Response Management Plan
- B) Soil, Water and Leachate Management Plan
- C) Landfill Environmental Management Plan
- D) Waste Screening, Acceptance and Resource Monitoring Program (to be provided as part of the Landfill Environmental Management Plan)
- E) Waste Education Plan (Community Education Plan) (provided to DPHI 6th December 2024)

Should the requirement to undertake dust monitoring at the AWMF change, the Air Quality and Odour Management Plan would be updated.

Council considers the following management plans do not require updates, and their contents remain relevant and current:

- A) Greenhouse Gas Management Plan (approved February 2023)
- B) Air Quality and Odour Management Plan (approved September 2023)
- C) Operational Noise Management Plan (approved April 2024)
- D) Cultural Heritage Management Plan (approved November 2023)
- E) Biodiversity Management Plan (approved November 2023)
- F) Landfill Closure and Rehabilitation Plan (provided to DPHI August 2022)
- G) Biodiversity Offset Strategy (approved March 2017)
- H) Construction Environmental Management Plan (including Contamination Management Plan, Construction Noise Management Plan, Construction Traffic Management Plan) (approved September 2017)