

AWABA WASTE MANAGEMENT FACILITY

Independent Environmental Audit of
Awaba Waste Management Facility

FINAL

March 2022



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Prepared by
Umwelt (Australia) Pty Limited
on behalf of
Lake Macquarie City Council

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Report No. 21538/R01
Date: March 2022



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Document Status

Rev No.	Reviewer		Approved for Issue	
	Name	Date	Name	Date
Final	Daniel Sullivan	25 March 2022	Daniel Sullivan	25 March 2022

Executive Summary

Umwelt (Australia) Pty Limited (Umwelt) was commissioned by Lake Macquarie City Council (LMCC) to conduct an independent environmental audit (IEA) against Project Approval (PA) 10_0139 (as modified) for Awaba Waste Management Facility (AWMF) Expansion Project. This audit was undertaken for the Department of Planning, Industry and Environment (DPIE) as required by Schedule 5, Condition 8 of PA 10_0139 and covered the period 23 June 2017 (or commencement of construction under consent) to 13 October 2021. The audit also assessed compliance with the conditions of the sites Environment Protection Licence (EPL), management plans and other licence documents.

The audit team responsible for completing the audit as endorsed by DPIE included:

- Daniel Sullivan (Exemplar Global International Certified Lead Auditor 113202)
- Joshua Wheatley (Assistant Auditor)

The audit consisted of a detailed desktop review of documentation, interviews with key AWMF staff and a field inspection of the AWMF which was conducted on 13 October 2021. The audit was conducted in accordance with NSW Department of Planning, Industry & Environment's (DPIE) *Independent Audit – Post Approval Requirements* dated May 2020 (Independent Audit Requirements) and AS/NZS ISO 19011:2014 Australian/New Zealand Standard: *Guidelines for Auditing Management Systems*.

This audit has concluded that on the ground environmental management practices being applied at AWMF are in need of attention in some areas. During the site inspection areas of the site were observed to be not appropriately managed with litter encroaching into surrounding bushland, weed management issues and basic hydrocarbon management measures not being undertaken. The active cell areas assessed during the field inspection however were observed to be well managed. The community recycling centre onsite was also well maintained and kept to a high standard with waste clearly located in bunded areas and firefighting equipment clearly accessible.

A review of management plans for AWMF found that a number of the plans had not been subject to regular review and revision and are in need of updates as identified in this audit report.

A number of non-compliances have been identified during this audit and are summarised in **Section 3.0**. A series of recommendations arising from a review of environmental management documentation, the audit site inspections and identified non-compliances is provided in **Section 6.0**.

At the time of the audit, AWMF were unaware of most of the identified non-compliances against development consent conditions, licences and approvals however in the course of the audit LMCC have advocated they will be working to address a number of the issues identified in this report.

Table of Contents

Executive Summary	4
1.0 Introduction	7
1.1 Audit Scope and Objectives	8
1.1.1 Project Approval	8
1.2 Structure of this Document	9
2.0 Audit Methodology	10
2.1 Audit Team	10
2.2 Agency Consultation	10
2.3 Site Interviews and Inspections	10
2.3.1 Audit Interviews	11
2.3.2 Data Collection and Verification	11
2.3.3 Site Inspection	11
2.3.4 Closing Meeting	12
2.3.5 Independent Environmental Audit Reporting	12
2.4 Compliance Status Descriptors	12
2.5 Limitations	13
3.0 Compliance Assessment	14
3.1 Project Approval 10_0139	14
3.1.1 Compliance Performance Summary	18
3.1.2 Environmental Assessments	18
3.2 EPBC Approval	19
3.3 Environment Protection Licence	19
4.0 Environmental Management Plans	22
5.0 Environmental Performance	28
5.1 Environmental Management System	28
5.1.1 Management Commitment and Resourcing	28
5.1.2 Training and Competence	28
5.1.3 Environmental Inspections and Compliance Management	28
5.1.4 Plant Maintenance and Inspection	29
5.1.5 Environmental Monitoring	29
5.2 Reportable Environmental Incidents and Complaints	29
5.2.1 Penalty Infringement Notices / Orders	29
5.2.2 Reportable Incidents	30

	5.2.3	Community Complaints	30
5.3		Key Issue Environmental Performance	31
	5.3.1	Heritage Management	31
	5.3.2	Noise and Vibration	31
	5.3.3	Air Quality and Odour	31
	5.3.4	Landfill Gas	31
	5.3.5	Traffic	31
	5.3.6	Biodiversity Offsets	32
	5.3.7	Water and Leachate	32
	5.3.8	Site Infrastructure Areas	33
6.0		Recommendations	34

Tables

Table 1.1	AWMF Expansion Project Approval History	9
Table 2.1	Opening Meeting Attendees	10
Table 2.2	Personnel Interviewed During the Audit	11
Table 2.3	Closing Meeting Attendees	12
Table 2.4	Compliance Status Descriptors	12
Table 3.1	Non-Compliances with Project Approval 10_0139	14
Table 3.2	Compliance Performance Summary	18
Table 3.3	Non-Compliances with EPBC 2011/5973	19
Table 3.4	Non-Compliances with EPL 5873	21
Table 4.1	AWMF Environmental Management Plans required under Project Approval	22
Table 4.2	Environmental Plans required under the Statement of Commitments	26
Table 6.1	Recommendations	34

Appendices

Appendix 1	Independent Audit Submission Form
Appendix 2	DPIE Correspondence Approving the Audit Team
Appendix 3	Audit Plan and Itinerary
Appendix 4	Compliance Tables
Appendix 5	Audit Site Photographs

1.0 Introduction

Awaba Waste Management Facility (AWMF) is owned and operated by Lake Macquarie City Council (LMCC) and is located southwest of Newcastle in Awaba of New South Wales. The AWMF is LMCC's only landfill which was expanded in under Project Approval (PA) 10_0139 to increase landfill space and extend the lifespan of the facility.

LMCC commissioned Umwelt Australia Pty Limited (Umwelt) to conduct an Independent Environmental Audit (IEA) as required by Schedule 5, Condition 8 of PA 10_0139. The IEA was conducted in accordance with the NSW Department of Planning, Industry & Environment's (DPIE) Independent Audit – Post Approval Requirements dated May 2020 (Independent Audit Requirements) NSW Department of Planning, Industry & Environment's (DPIE) *Independent Audit – Post Approval Requirements* dated May 2020 (Independent Audit Requirements) and AS/NZS ISO 19011:2014 Australian/New Zealand Standard: Guidelines for *Guidelines for Auditing Management Systems*.

The IEA was conducted by Daniel Sullivan (Exemplar Global International Certified Lead Auditor 113202) and Joshua Wheatley from Umwelt. Daniel is a Principal Environmental Consultant with over 17 years' experience having completed over 90 environmental compliance and management audits. As required by the Independent Audit Requirements this IEA report has been certified by the lead auditor (see **Appendix 1**) and the lead auditor was approved by DPIE to undertake the audit (refer to **Appendix 2**).

The IEA consisted of a detailed desktop review and onsite component including a site inspection and assessed the compliance status of AWMF against the Project Approval and other relevant environmental approvals and licences, for operations occurring between 02 May 2017 (or commencement under consent) to 13 October 2021 (the audit period). The on-site component of the IEA was conducted on 13 October 2021 (see **Appendix 3** for the audit plan and itinerary). It is noted that the majority of information requested by the audit team was not available on-site at the time of the audit and was subsequently provided to the audit team three months after the onsite component for review and incorporation into the compliance assessment.

The weather conditions during the site component of this IEA were humid and raining (temperature of 15.8°C, at 9 am and a temperature of 17.1°C at 3 pm), with a total of 28.2 mm of rain being recorded. Winds during the morning and afternoon of the audit were generally calm (Cooranbong BoM monitoring station site 061412). In the week preceding the IEA, conditions were wet, with 11.6 mm rainfall recorded at the Cooranbong BoM monitoring station.

An opening and closing meeting for the IEA was held on site on 13 October 2021 with three members of the AWMF environment and operational staff in attendance at both of the opening meeting and closing meeting.

This report provides an outline of the IEA methodology and results and provides recommended actions for achieving full compliance with environmental approvals.

1.1 Audit Scope and Objectives

The scope and objectives of the IEA were to assess the level of compliance and the environmental performance of the AWMF in accordance with:

- All conditions of the Awaba Waste Management Facility Expansion Project Approval (MOD 1, dated 5 August 2014) (PA 10_0139)
- All conditions of the EPBC 2011/5973 Approval
- the Environment Protection Licence (EPL) No. 5873
- any strategy, plan or program which has been prepared for the operation.

The audit also included:

- a review of the environmental performance of the AWMF (including a comparison with the predicted impacts contained in the EA, review of complaints and incidents registers and consideration of any feedback provided during agency consultation)
- a high-level assessment of whether Environmental Management Plans are adequate and
- any other matters considered relevant by the auditor or the Department as raised during the pre-audit consultation

1.1.1 Project Approval

As part of the Project Approval conditions, AWMF is required to be audited independently to determine compliance to the satisfaction of the Secretary of DPIE. In order to assess the level of compliance with the terms of the approval, Condition 8 of Schedule 5 of PA 10_0139 requires that an independent environmental audit be carried out. Specifically, the Project Approval condition states:

“Within a year of the commencement of operations of the Project, and every three (3) years thereafter, unless the Director-General directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the Project. The Audit shall:

- (a) be conducted by suitably qualified, experienced and independent team of expert/s whose appointment has been endorsed by the Director-General;*
- (b) include consultation with the relevant agencies;*
- (c) assess the environmental performance of the Project and assess whether it is complying with the relevant requirements in this approval and any relevant EPL (including any plan or program required under these approvals);*
- (d) review the adequacy of any plans or programs required under these approvals; and, if appropriate;*
- (e)) recommend measures or actions to improve the environmental performance of the Project, and/or any plan or program required under these approvals.*

Note: This Audit team shall be led by a suitably qualified auditor and include experts in any fields specified by the Director-General."

1.1.1.1 Project Approval and Supporting Document Summary

Project Approval (10_0139) was granted by the Minister for Planning under Part 3A of the *Environment Planning & Assessment Act 1979* (EP&A Act) to allow for the expansion of the AWMF and rehabilitation. The approval is subject to a number of conditions. Following approval one variation order by the Land and Environment Court of NSW to modify the Project Approval was granted under section 75J of the EP&A Act and this was provided in a consolidated consent. One formal modification has also been sought and approved under section 75W of the EP&A Act for changes to the approved layout (MOD1). The history of project approvals and modifications is provided in Table 1.1 .

Table 1.1 AWMF Expansion Project Approval History

Year	Description	Approval Reference
8 May 2013	Approval for the expansion and progressive rehabilitation of the Awaba Waste Management Facility	Part 3A Project Approval
16 July 2013	EPBC Approval for the expansion of the Awaba Waste Management Facility	EPBC 2011/5973 Approval
23 Oct 2013	Consolidated approval following Land and Environment Court ruling	LEC Consolidated Approval
5 August 2014	Modified layout, stormwater and leachate management	MOD 1

1.2 Structure of this Document

This report contains the following sections:

- **Section 1.0 - Introduction.** An overview of AWMF and the purpose and scope of the audit
- **Section 2.0 - Audit Methodology.** A detailed description of the audit process
- **Section 3.0 – Compliance Assessment.** An overview of the findings of the audit, including detailed descriptions of any non-compliance identified
- **Section 4.0 – Environmental Management Plans**
- **Section 5.0 – Environmental Performance**
- **Section 6.0 – Recommendations and Opportunities for Improvement**
- **Appendix 1 – Independent Audit Submission Form**
- **Appendix 2 – DPIE Correspondence Approving the Audit Team**
- **Appendix 3 – AWMF Audit Plan and Itinerary**
- **Appendix 4 – Compliance Tables for PA10_0139, Statement of Commitments & EPBC 2011/5973 Approval**
- **Appendix 5 – Site inspection photographs.** Photographs of key site features referred to in this report

2.0 Audit Methodology

The audit process involved consultation with relevant agencies, the interview of personnel a review of documentation and samples of records provided by LMCC and a site inspection of the AWMF operations to determine the level of environmental performance and compliance of AWMF.

2.1 Audit Team

The audit team was led by Daniel Sullivan (Exemplar Global International Certified Lead Auditor 113202), a qualified and highly experienced environmental auditor, who has undertaken over 70 management and compliance audits including over 20 independent environmental audits for SSD and SSI projects in NSW. Daniel was approved by DPIE to act as the lead auditor for the project. Joshua Wheatley was approved by DPIE to act as the environmental auditor.

A copy of the independent audit certification form as required by the Independent Audit Requirements is included within **Appendix 1** with the DPIE correspondence approving the audit team included within **Appendix 2**.

2.2 Agency Consultation

During the preparation for this IEA, input was sought from DPIE to confirm any areas of compliance or environmental management at AWMF that should be a particular focus. In their response DPIE confirmed that they require the audit to assess compliance against all conditions of the Project Approval (Consolidated) for PA10_0139. the implementation of the Biodiversity Offset Management Plan (refer to **Section 5.3.6**) and the implementation of the Cultural Heritage Management Plan (refer to **Section 5.3.1**). The IEA has been scoped and completed to address this request.

2.3 Site Interviews and Inspections

The opening meeting was held at the AWMF conference room commencing at 9.30 am on 13 October 2021. The list of participants is provided in Table 2.1.

Table 2.1 Opening Meeting Attendees

Person	Organisation	Title / Role
Bay Horney	LMCC	Environmental Officer
David Brake	LMCC	Group Coordinator Waste Operations
Steven Merrett	LMCC	Waste Management Site Co-ordinator
Daniel Sullivan	Umwelt	Lead Auditor
Joshua Wheatley	Umwelt	Auditor

The audit team was introduced, and the scope of their responsibilities was conveyed to the auditees. The purpose, depth and scope of the audit were outlined. The methods to be used by the team to conduct the audit were explained. It was stated that the audit team would be interviewing personnel, reviewing site management plans, examining records and conducting a site inspection in order to address specific compliance requirements. LMCC personnel were asked to provide an overview of the operations and some key issues relevant to the operations were discussed.

2.3.1 Audit Interviews

During the on-site component of the audit, interviews were conducted with LMCC staff and identified in Table 2.2.

Table 2.2 Personnel Interviewed During the Audit

Person	Organisation	Title
Bay Hornery	LMCC	Environmental Officer
David Brake	LMCC	Group Coordinator Waste Operations
Steven Merrett	LMCC	Waste Management Site Co-ordinator

2.3.2 Data Collection and Verification

Documents and data collated during the audit process were reviewed before the on-site inspection where possible. A limited number of documents were provided to the auditor prior to the on-site component of the audit. Documents that were requested again during the on-site component of the audit were provided following the on-site component of the audit.

All information obtained during the audit process was verified by the auditor where possible. For example, statements made by site personnel were verified by viewing documentation and/or site inspections where possible. Where suitable verification could not be provided, this has been identified in the audit findings.

2.3.3 Site Inspection

A detailed site inspection of AWMF was undertaken during the audit. The following locations were inspected:

- Active landfill areas (Cell 1 and established Cell 2)
- Site infrastructure areas including the workshop, community recycling centre, waste collection/separation area
- Gas power plant and landfill gas drainage infrastructure
- Leachate ponds and management areas
- Water management system and water infrastructure
- Biodiversity Offset Area (viewed from road side along Wilton Road)

2.3.4 Closing Meeting

The list of participants who attended the closing meeting is provided in **Table 2.3**.

Table 2.3 Closing Meeting Attendees

Person	Organisation	Title / Role
Bay Hornery	LMCC	Environmental Officer
David Brake	LMCC	Group Coordinator Waste Operations
Steve Merrett	LMCC	Waste Management Site Co-ordinator
Daniel Sullivan	Umwelt	Lead Auditor
Joshua Wheatley	Umwelt	Auditor

The objective of this meeting was to discuss outstanding matters, present preliminary findings and outline the process for finalising the audit report.

2.3.5 Independent Environmental Audit Reporting

Following completion of the site audit, the Project Approval and EPL compliance assessments were not complete due to a number of outstanding documents still required. A subsequent RFI was sent to LMCC to finalise outstanding non-compliances and close out the audit.

Audit notes were reviewed in order to compile a list of outstanding matters to be noted in the audit report. This report was prepared to provide an overview of the status of compliance by reference to the relevant compliance documentation and any other observations of the auditors during the site inspections and interviews. This report has been prepared on an exception basis, highlighting the compliance issues identified along with any areas where action or improvement is required. This IEA has been prepared in accordance with the Independent Audit Requirements.

2.4 Compliance Status Descriptors

The compliance status of each Project Approval condition was assessed in accordance with the compliance assessment criteria detailed within the Independent Audit Requirements as reproduced in **Table 2.4**.

Table 2.4 Compliance Status Descriptors

Status	Description
Compliant (C)	The auditor has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with within the scope of the audit.
Non- Compliant (NC)	The auditor has determined that one or more specific elements of the conditions or requirements have not been complied with within the scope of the audit.
Not Triggered (NT)	A requirement has an activation or timing trigger that has not been met during the temporal scope of the audit being undertaken (may be a retrospective or future requirement), therefore an assessment of compliance is not relevant.

2.5 Limitations

The findings of the compliance audit are based upon visual observations of the site and its vicinity, interviews with site personnel and our interpretation of documentation provided by LMCC.

Opinions presented herein apply to the site as it existed at the time of the audit and from information provided by site personnel and government agencies. Any changes to this information of which Umwelt is not aware and has not had the opportunity to evaluate therefore cannot be considered in this report.

The auditors have taken due care to consider all reasonably available information provided whilst undertaking this audit and have taken this information to represent a fair and reasonable characterisation of the environmental status of the site but recognise that any site assessment program is necessarily limited in scope and true site conditions may differ from those inferred from the available data.

3.0 Compliance Assessment

This section provides a discussion of the identified non-compliances and the status of the approvals assessed as part of the audit. **Appendix 4** provides a condition-by-condition checklist of PA 10_0139 and provides the compliance status of each condition. The scope of approvals assessed as part of this audit is detailed in **Section 1.1**.

Recommendations arising from the non-compliances are included **Section 6.0**.

3.1 Project Approval 10_0139

A summary of the identified non-compliances against PA 10_0139 are provided in Table 3.1 with further details provided in the compliance tables in **Appendix 4**.

Table 3.1 Non-Compliances with Project Approval 10_0139

Condition	Non-Compliance
Schedule 3 Condition 1	NC – 01 Based on the findings from this IEA and the number of non-compliances identified it is not considered that all reasonable and feasible measures to prevent and/or minimise any harm to the environment has been met by the AWMF during the audit period.
Schedule 3 Condition 2	NC – 02 The Project has not been carried out in general accordance with the conditions of this approval and the statement of commitments as noted by the non-compliances identified.
Schedule 3 Condition 6	NC – 03 No evidence has been provided to verify if all existing development consents have been surrendered as required.
Schedule 3 Condition 9	NC – 04 The Certificate of Title of Lot 372 DP 723259 indicates the lot was not acquired within 12 months of this approval as required
Schedule 3 Condition 11	NC – 05 No evidence has been provided to verify if relevant approvals from service providers and Council were obtained prior to undertaking the construction of any utility works.
Schedule 3 Condition 12	NC – 06 Unable to verify if demolition works concerning the weighbridge were compliant with the latest version of Australian Standard AS 2601:2001: The Demolition of Structures.
Schedule 4 Condition 6	NC – 07 A Trade Waste Agreement was in place prior to the commencement of operations but only covered a 12-month period and expired on the 30 June 2021. The Agreement does not cover the life of the Project as was stipulated in the condition.
Schedule 4 Condition 9	NC – 08 Daily litter inspections are not being undertaken as required. During the site inspection proliferation of litter was observed and was seen spreading offsite and into surrounding bushland.

Condition	Non-Compliance
Schedule 4 Condition 10	NC – 09 No evidence could be provided to show regular inspections and/or measures for managing pests, vermin and declared noxious weeds were undertaken during the audit period.
Schedule 4 Condition 11	NC – 10 No evidence showing cell designs were submitted to the EPA (letter or email correspondence) was able to be provided during this audit to verify designs were submitted prior to commencement of any construction
Schedule 4 Condition 12	NC – 11 Correspondence confirming that the Mine Subsidence Board reviewed and approved the final cell designs was not sent to the EPA or the Director General as required.
Schedule 4 Condition 16	NC – 12 An unlicensed discharge of approximately 2.6ML of leachate water was discharged from site in March 2021.
Schedule 4 Condition 18	NC – 13 Leachate generated by the Project has not been appropriately contained, collected, or disposed of throughout the audit period. Leachate is not solely disposed of at the Hunter Water Corporation's Rathmines facility by pipeline but is also regularly disposed at the Edgeworth WWTW via truck at up to 80ML per day. It was not able to be verified if the ongoing trucking of leachate to the Edgeworth Facility is approved under PA 10_0139. The supporting EIS only references trucking during emergency situations to prevent overflow events.
Schedule 4 Condition 19	NC – 14 Plans within the Soil, Water and Leachate Management Plan are outdated and need revision to reflect current operations and the Surface Water, Groundwater and Leachate Monitoring Program needs to be revised to include relevant EPL criteria.
Schedule 4 Condition 20	NC – 15 The Contaminated Soils Management Plan was submitted to the Director General as part of the CEMP after the commencement of construction.
Schedule 4 Condition 22	NC – 16 On the basis that no monitoring has been undertaken, there is no verifiable evidence to demonstrate that AWMF operate within relevant air quality criteria.
Schedule 4 Condition 26	NC – 17 The Greenhouse Gas Management Plan has not been reviewed or revised since its submission in 2014.
Schedule 4 Condition 27	NC – 18 On the basis no noise monitoring has been undertaken, there is no verifiable evidence to demonstrate that AWMF operate within noise limits.
Schedule 4 Condition 28	NC – 19 Operational noise validation has not been undertaken prior to 21 January 2016 as required.

Condition	Non-Compliance
Schedule 4 Condition 29	NC – 20 The operational noise validation assessment was not undertaken during the audit period as required. It was to be undertaken by January 2016 and not completed until December 2021) and as such it is not able to be supported that the AWMF implements best management practice including implementing all reasonable and feasible noise management and mitigation measures.
	The Operational Noise Management Plan does not outline any mitigation measures to be implemented during adverse meteorological conditions. No monitoring is currently undertaken across the AWMF therefore it is not possible to regularly assess noise monitoring data
Schedule 4 Condition 31	NC – 21 The Construction Noise Management Plan was submitted to the Director General after the commencement of construction.
Schedule 4 Condition 32	NC – 22 The Operational Noise Management Plan does not provide mitigation measures that include traffic management noise or minimising impacts during adverse meteorological conditions. No noise monitoring program is included
Schedule 4 Condition 37	NC – 23 No verifiable evidence able to be provided confirming that internal roads and parking associated with the Project have been constructed and maintained in accordance with the latest versions of AS 2890.1 and AS 2890.2
Schedule 4 Condition 38	NC – 24 The Construction Traffic Management Plan (CTMP) does not include a Vehicle Movement Plan and evidence of consultation with the RMS could not be provided.
Schedule 4 Condition 39	NC – 25 During the audit no evidence has been provided to support lighting associated with the project complies with the latest version of AS 4282(INT) - Control of Obtrusive Effects of Outdoor Lighting.
Schedule 4 Condition 41	NC – 26 During the site inspection it was noted in some locations (such as the landfill gas energy plan) that chemical and hydrocarbon drums were not located within bunded areas
Schedule 4 Condition 43	NC – 27 The Pollution Incident and Emergency Response Plan has not been prepared by a suitable qualified experience person that has been approved by the Director General. The Emergency and Pollution Response Plan does not include a Bushfire Evacuation Plan
Schedule 4 Condition 45	NC – 28 No evidence has been provided to suggest the Cultural Heritage Management Plan has been implemented in consultation with the registered aboriginal parties.

Condition	Non-Compliance
	No evidence has been provided to suggest RAPs have been provided this opportunity walk the sewer pipeline route to undertake a final collection of any objects. No monitoring and collection protocol has been developed. No Aboriginal Site Impact Recording Forms have been sighted for any sites subjected to archaeological salvage works during construction. No report able to be provided detailing the methodology and results of the salvage of Aboriginal archaeological sites on the AWMF Expansion Project has been produced The Cultural Heritage Management Plan has not been subject to regular review and revision
Schedule 4 Condition 46	NC – 29 No evidence of consultation could be provided to show LMCC providing fair and reasonable opportunities for the Registered Aboriginal Parties to monitor any initial ground disturbance activities.
Schedule 4 Condition 47	NC – 30 No evidence of completed Aboriginal Site Impact Recording Forms could be provided for the Aboriginal sites impacted for construction.
Schedule 4 Condition 50	NC – 31 The Biodiversity Offset Strategy has not been implemented during the audit period. Monitoring of the Awaba Biodiversity Conservation Area has not been carried out in accordance with the approved Awaba Conservation Area Plan of Management
Schedule 4 Condition 51	NC – 32 No evidence has been provided to suggest the Biodiversity Offset Management Plan has been approved by the Director General.
Schedule 4 Condition 51A	NC – 33 A restrictive covenant has not been placed on Lot 463 DP 1138964 as required.
Schedule 4 Condition 55	NC – 34 The Vegetation and Fauna Management Plan has not been implemented during the audit period with no monitoring, weed or pest management or other elements of the plan undertaken.
Schedule 4 Condition 56	NC – 35 The Vegetation Clearing Protocol does not clearly identify the locations or the type of vegetation to be retained and to be removed from the Site as required
Schedule 4 Condition 57	NC – 36 A Landfill Closure and Rehabilitation Management Plan has not been prepared for the Project or submitted to the Director-General for approval within the required timeframe
Schedule 4 Condition 58	NC – 37 A Landfill Closure and Rehabilitation Management Plan has not been prepared for the Project or submitted to the Director-General for approval within the required timeframe
Schedule 5 Condition 1	NC – 38 The Construction Environmental Management Plan was submitted to the Director General on the 11 August 2017 after the commencement of construction (2 May 2017) and was approved on the 21 September 2017.

Condition	Non-Compliance
Schedule 5 Condition 3	NC – 39 A number of management plans required under this approval do not include all the relevant criteria and/or require revision.
Schedule 5 Condition 5	NC – 40 Plans within the Soil, Water Management Plan were not revised within 3 months of submission of an incident report.
Schedule 5 Condition 6	NC – 41 Seven incidents which occurred during the audit period were not reported to the Director General as required.
Schedule 5 Condition 7	NC – 42 Monitoring results are not regularly updated to the LMCC website.
Schedule 5 Condition 10	NC – 43 The following documents are not available as required on the LMCC website: Most recent Project Approval (PA 10_0139 MOD 1 dated August 2014), EPBC Approval 2011/5973, EPL 5873, the Annual Review and the Complaints Register.

3.1.1 Compliance Performance Summary

In summary it is considered that LMCC have demonstrated a low level of compliance against the requirements of PA 10_0139 during the audit period with 55% of the compliance requirements not being met (note items identified in **Appendix 4** as not triggered or noted or any non-compliances identified in the statement of commitments are not included in this assessment summary). Overall, it is considered that the systems and processes that have been put in place at AWMF are not appropriate to manage compliance and are in need of attention. Despite this if the actions proposed in **Section 6.0** are adopted then there is no reason the AWMF cannot demonstrate full compliance.

Table 3.2 Compliance Performance Summary

Compliant	Non-compliant
45 %	55 %

3.1.2 Environmental Assessments

As part of the compliance assessment against AWMF's Project Approval, an assessment of the operations was undertaken against the EAs prepared as part of the original and modification approval processes for AWMF. This assessment included a review of compliance against the statement of commitments. As noted in **Section 1.1.1**, the Project Approval has been modified since it was originally granted in 2013. During the audit period there have been no modifications. AWMF currently operates under Modification 1.

In this regard 20 non-compliances have been identified against statement of commitments. These were largely aligned to the non-compliances identified against the conditions of approval (refer **Table 3.1**) with further details on the assessment of compliance against statement of commitments refer to **Appendix 4**.

This IEA has determined that during the audit period LMCC have generally undertaken operations in accordance with the commitments made within the EA's and subsequent modification documentation except where noted in **Table 3.1** and **Appendix 4**.

3.2 EPBC Approval

During the audit period operations undertaken on the AWMF site have not been undertaken in accordance with the conditions outlined in the EPBC 2011/5973 Approval (dated 16 July 2013).

The non-compliances identified with EPBC 2011/5973 are detailed in Table 3.3 with further details provided in the compliance tables in **Appendix 4**.

Table 3.3 Non-Compliances with EPBC 2011/5973

EPBC Condition	Non-compliance
1	No legal instrument (restrictive covenant) has been placed on the biodiversity offset area (Lot 463 DP 1138964).
4	The Department was not notified within 30 days of the commencement of construction.
5	Accurate records substantiating all activities associated with / relevant to these conditions of approval, including measures taken to implement the offset strategy have not been maintained.
6	No report has been prepared or published on the LMCC website to show compliance with the conditions outlined in the EPBC approval as required by Condition 6.

3.3 Environment Protection Licence

During the audit period operations undertaken on the AWMF site have been conducted under EPL 5873 (variation dated 20 November 2019). The EPL as issued under the POEO Act outlines AWMF's responsibilities and the environmental performance standards it is required to meet, being:

- limit conditions;
- operating conditions;
- monitoring and recording conditions;
- reporting conditions;
- general conditions; and
- special conditions.

AWMF reports its performance against the above responsibilities and environmental performance status via the submission of its Annual Return. Generally, AWMF has demonstrated compliance with the conditions of its EPL, however, some non-compliances have been identified.

The non-compliances identified with EPL 5873 are detailed in **Table 3.4** below with further detail regarding the reportable incidents that have occurred during the audit period provided in **Section 5.2.2**.

Table 3.4 Non-Compliances with EPL 5873

Condition	Non-Compliance
Condition L1	Following a period of heavy rainfall between 14 March 2021 – 20 March 2021 leachate dams reached capacity. To avoid overtopping the lower leachate dam a controlled discharge of a low concentration of leachate was carried out between 21 March 2021 – 24 March 2021 totalling 64.5 hours equating to approximately 2.6 ML.
Condition L2	On the 27 July 2020 monitoring points (Monitoring Point 6 and Monitoring Point 7) exceeded criteria for nitrate.
	On the 20 January 2021 various monitoring points exceeding criteria for a number of analytes which included pH, ammonia and nitrate.
	On the 22 March 2021 two sampling points Monitoring Point 6 and Monitoring Point 7 exceeded the criteria for suspended solids concentration limit.
	On the 12 October 2020 various monitoring points exceeding criteria for a number of analytes which included pH, aluminium, ammonia, chromium, copper, lead and zinc.
Condition L4	Noise monitoring not undertaken at nearest affected residence or other noise sensitive areas to determine compliance with Criteria listed in Condition L4,1
Condition O5.1	Following a period of heavy rainfall between 14 March 2021 – 20 March 2021 leachate dams reached capacity. To avoid overtopping the lower leachate dam a controlled discharge of a low concentration of leachate was carried out between 21 March 2021 – 24 March 2021 totalling 64.5 hours equating to approximately 2.6 ML.
Condition O6.14	During the site inspection it was noted in some locations (such as the landfill gas energy plan) that chemical and hydrocarbon drums were not located within bunded areas.
Condition M1.3	- Gas records do not record time of sample, and name of person who collected samples. - Water monitoring does not provide time of sample.
Condition M 6	No evidence that a dedicated complaints line has been set up for the AWMF and not made publicly available for the community informing them of the avenue to make complaints.

4.0 Environmental Management Plans

LMCC has developed a number of management plans and monitoring programs for the project in accordance with relevant requirements for the AWMF Project Approval (Consolidated). These documents address specific impacts associated with the project, such as noise, vegetation and sediment and erosion control, and reflect the requirements detailed in the Project Approval (Consolidated).

An overview of the compliance status of the Environmental Management Plans and post approval documentation including an overview of the compliance with the requirements of the Project Approval (Consolidated) and implementation status of the plans, is included Table 4.1 with further details provided in **Appendix 4**. Recommendations and opportunities for improvement, as relevant included in **Section 6.0**.

Table 4.1 AWMF Environmental Management Plans required under Project Approval

Condition	Management Plan	Status of Plan and Comments
Schedule 4, Condition 5	Waste and Resource Recovery Monitoring Program (WRRMP)	The Waste and Resource Recovery Monitoring Program was submitted alongside as part of the LEMP to the EPA on the 20 August 2019 (sighted consultation letter). The Program was then sent to the Director General as part of the LEMP for approval on the 16 July 2019 and was approved on the 4 October 2019 prior to the commencement of operations. It is noted the Waste and Resource Recovery Monitoring Program included in the LEMP is labelled as a Draft. It is recommended the program be reviewed and final copy be included in the LEMP.

Condition	Management Plan	Status of Plan and Comments
Schedule 4, Condition 19	Soil, Water and Leachate Management Plan (SWLMP)	A SWLMP has been prepared in consultation with the EPA (sighted letter) and was approved by DPIE on 14 August 2020 which was prior to commencement of operations on 12 August 2020. The current SWLMP is dated July 2021. A review of CSWMP against the requirements of SSI 8583 has confirmed that it generally contains the required information as per the conditions of consent including: • A Site Water Balance Assessment prepared by GHD dated June 2019 and is provided as Appendix B • The Leachate Management Plan prepared by GHD dated February 2016 is provided as Appendix C • A Surface Water Management Plan is provided as Appendix 5 of the SWLMP. • A Surface Water, Groundwater and Leachate Monitoring Program are provided as Appendix E • A Surface Water, Groundwater and Leachate Response Plan are included as Appendix 7. • An Erosion and Sediment Control Plan forms part of the Surface Water Management Plan and is included as Appendix A. • The requirements of the Stormwater Management Plan are incorporated within the Surface Water Management Plan however no specific Stormwater Management Plan has been provided. It is recommended the SWLMP be revised, and all plans updated to reflect existing operations and to ensure best practice is undertaken.
Schedule 4, Condition 20	Contaminated Soils Management Plan (CSMP)	The CSMP was submitted to the Director General as part of the CEMP after the commencement of construction (02 May 2017) on the 11 August 2017 and approved on the 21 September 2017.
Schedule 4, Condition 25	Air Quality and Odour Management Plan	The AQOMP was prepared by LMCC in consultation with the EPA (sighted letter). The AQOMP alongside the LEMP was sent to the EPA for review on the 27 August 2019. The AQOMP was submitted to the Director General prior to the commencement of operations on the 16 July 2019 (sighted correspondence) and approved on the 11 October 2019 (sighted approval letter). It is recommended the AQOMP be revised to include a program to investigate improvements in environmental performance and include an appropriate review protocol to ensure AQOMP is kept up to date with current best practice. It is also recommended the relevant conditions of this approval and relevant limits, or performances criteria as outlined in this approval is included in the AQOMP.

Condition	Management Plan	Status of Plan and Comments
Schedule 4, Condition 26	Greenhouse Gas Management Plan (GHGMP)	The GHGMP was prepared by GHD dated August 2014. The GHGMP has not been reviewed since 2014. It is recommended the GHGMP be reviewed and updated in accordance with its review protocol in Section 9 (once every three years). .
Schedule 4, Condition 31	Construction Noise and Vibration Management Plan (CNVMP)	A CNVMP has been prepared by GHD however no consultation with the EPA could be provided. The CNVMP was submitted to the Director General as part of the CEMP after the commencement of construction (02 May 2017) on the 11 August 2017 and approved on the 21 September 2017
Schedule 4, Condition 32	Operational Noise Management Plan (ONMP)	The ONMP was prepared by LMCC in consultation with the EPA. The ONMP alongside the LEMP was sent to the EPA for review on the 20 August 2019. The ONMP was submitted to the Director General prior to the commencement of operations on the 16 July 2019 (sighted correspondence) and approved on the 11 October 2019 (sighted approval letter). It is recommended the results of the operational noise validation be incorporated into the ONMP. It is also recommended the ONMP include a program to measure the impacts and effectiveness of environmental performance and include mitigation measures on traffic management and operations during adverse metrological conditions.
Schedule 4, Condition 38	Construction Traffic Management Plan	A CTMP has been prepared by Daracon for the construction of the AWMF. The CTMP was submitted to the Director General as part of the CEMP after the commencement of construction (02 May 2017) on the 11 August 2017 and approved on the 21 September 2017.
Schedule 4, Condition 42	Fire Management Plan	The Fire Management Plan for the site was prepared on the 27 June 2019 prior to the commencement of operations.
Schedule 4, Condition 43	Pollution Incident and Emergency Response Plan	The Pollution Incident and Emergency Response Plan has not been prepared by a suitability qualified and experienced person whose appointment has been approved by the Director General. In addition, the plan has yet to be approved prior to the commencement of operations. A Bushfire Evacuation Plan is not included within the Pollution Incident and Emergency Response Plan It recommended LMCC to seek approval from the Director General of a suitability qualified and experienced person to prepare the Pollution Incident & Emergency Response Management Plan and include Bush Fire Emergency Evacuation Plan

Condition	Management Plan	Status of Plan and Comments
Schedule 4, Condition 45	Cultural Heritage Management Plan (CHMP)	The CHMP has been prepared in consultation with OEH (sighted letter dating 30 June 2015).and developed by Insite Heritage. There is not enough evidence to suggest the CHMP has been approved by the Director General. It is recommended the CHMP be sent to the Director General for review and approval. It is recommended the CHMP is reviewed to ensure best practice is undertaken and reflect current operations.
Schedule 4, Condition 49	Aboriginal Cultural Education Induction Program	The Aboriginal Cultural Education Induction Program is provided in Section 3.2 (Site Inductions) of the CHMP.
Schedule 4, Condition 51	Biodiversity Offset Management Plan (BOMP)	The BOMP for Lot 463 DP 1138964 has been prepared in consultation with OEH, (sighted letter dated 06 November 2014). The BOMP has not been approved by the Director General.
Schedule 4, Condition 54	Translocation Plan	The Translocation Plan forms part of the Biodiversity Management Plan. The Translocation Plan has been prepared in consultation with OEH (sighted letter dated 10=9 March 2015) and reviewed by the Hunter Local Land Services (sighted correspondence letter dated 5 March 2015). The Biodiversity Management Plan incorporating the Translocation Plan was submitted prior to construction and was approved by DPIE on the 14 December 2015 (sighted letter).
Schedule 4, Condition 55	Vegetation and Fauna Management Plan	The Vegetation and Fauna Management Plan has been prepared consultation with OEH (sighted letter dated 19 March 2015) and reviewed by the Hunter Local Land Services (sighted correspondence letter dated 5 March 2015). The Biodiversity Management Plan incorporating the Vegetation and Fauna Management Plan was submitted prior to construction and was approved by DPIE on the 14 December 2015 (sighted letter).
Schedule 4, Condition 56	Vegetation Clearing Protocol	A Vegetation Clearing Protocol is included in the Biodiversity Management Plan under Section 6.1. All management and mitigation measures of the protocol are detailed in Table 5 of the plan.
Schedule 4, Condition 57	Landfill Closure and Rehabilitation Management Plan	The LCRMP has not be prepared for the AWMF as required by this approval. LMCC are in consultation with DPIE to discuss if the LCRMP can be submitted on a progressive basis.
Schedule 5, Condition 1	Construction Environmental Management Plan	The CEMP has been prepared by GHD and submitted to the Director General on the was submitted to the Director General after the commencement of construction (02 May 2017) on the 11 August 2017 and approved on the 21 September 2017 (sighted letter).

Condition	Management Plan	Status of Plan and Comments
Schedule 5, Condition 2	Landfill Environmental Management Plan	The LEMP has been prepared by GHD in consultation with the EPA (sighted letter dated 27 August 2019). The LEMP was submitted to the Director General on the 16 July 2019 (sighted letter) and was approved on the 11 October 2019 (sighted letter).
Schedule 5, Condition 11	Community Education Program	The Awaba Community Recycling Centre Communication and Education Plan which includes a Waste Education Plan operated between 2017 and 2019 (prior to the commencement of operations). The plan focuses on reducing waste to landfill and promoting resource recovery. The Community Education Program was not approved by the Director General.

Table 4.2 Environmental Plans required under the Statement of Commitments

Requirement	Status of Plan and Comments
LMCC will ensure that an Acid Sulfate Soils Management Plan must be prepared for the proposed works in accordance with the Acid Sulfate Soils Manual (Stone <i>et al.</i> , 1998) that will focus on the trenching works for the installation of the sewer pipeline.	A Contaminated Soils Management Plan has been prepared by GHD dated August 2017.
LMCC will ensure that a Salinity Management Plan will be prepared for the proposed works that will focus on the trenching works for the installation of the sewer pipeline.	A Salinity Management Plan has not been prepared for the Project.
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 ○ 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.	The Soils, Water and Leachate Management Plan was prepared by GHD and LMCC in consultation with the EPA (sighted consultation letter dated 27 August 2019). The plan however has not been prepared in consultation with NOW. The Soils, Water and Leachate Management Plan includes a site water balance, Surface Water Management Plan but does not include a Groundwater Management Plan.

Requirement	Status of Plan and Comments
• 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.	
LMCC will ensure that a Vegetation Management Plan is prepared and implemented prior to commencement of the proposed works that will include details pertaining to procedures for clearing, landscaping and revegetation/rehabilitation works that are planned for the AWMF site during the construction, operational and post-closure phases and also immediately following completion of the installation of the sewer pipeline. The plan will include a Vegetation Clearing Protocol and a Weed Management Sub-Plan.	The Vegetation Management Plan has been prepared consultation with OEH (sighted letter dated 19 March 2015) and reviewed by the Hunter Local Land Services (sighted correspondence letter dated 5 March 2015). The Biodiversity Management Plan incorporating the Vegetation Plan was submitted prior to construction and was approved by DPIE on the 14 December 2015 (sighted letter). A Vegetation Clearing Protocol (Section 6.1) and a Weed Control Protocol (Section 6.2) is also included in the Biodiversity Management Plan
LMCC will prepare an Odour Control Plan and provide it to Hunter Water in support of the development application.	No Odour Control Plans have been prepared or provided to Hunter Water.

5.0 Environmental Performance

5.1 Environmental Management System

5.1.1 Management Commitment and Resourcing

Throughout the audit, LMCC staff were co-operative and forthcoming with information where they had access to it. However, information was not able to be readily accessed and provided during the audit with reasonable time delays experienced to source required documentation. Some documents required to demonstrate compliance were also not able to be sourced and provided.

It is considered that either the document management system is not sufficient or appropriate training has not been provided in its use. There also did not appear to be an appropriate compliance management system in place for the AWMF and appropriate change management processes do not appear to have been followed as the Project has progressed from environmental assessment phase to approval, then construction and into operations and this has led to a loss of knowledge regarding the sites compliance requirements.

Regarding resourcing for environmental personnel, LMCC has a full time Environmental Officer who manages day to day environmental management at AWMF.

During the audit, LMCC senior management were involved in the audit and generally demonstrated an understanding of key environmental issues on site and demonstrated a clear intent to manage the operation in accordance with the requirements of the Project Approval.

5.1.2 Training and Competence

Induction training records were reviewed during the audit to verify that AWMF has a system in place for the training of its employees and contractors such that licensed activities are undertaken in a competent manner (EPL Condition O1.1) and that plant and equipment on-site is maintained and operated in a proper and efficient manner (EPL Condition O2.1).

It was noted that the induction process does not contain a clear environmental section. It also did not address key environmental areas as outlined in PA 10_0139 including the requirements for managing cultural heritage sites and hydrocarbon storage requirements. The induction process however does include information concerning leachate and sediment dams. It is recommended that the induction process be revised to include an overview of all relevant environmental management requirements as outlined in this approval PA 10_0139.

5.1.3 Environmental Inspections and Compliance Management

With regard to environmental management and inspections AWMF currently have a number of commitments and requirements from PA 10_0139 and the required management plans which are required to be complied with as part of ongoing operations. During the audit it was not able to be verified how these are being implemented and recorded (example daily litter inspections, regular weed and pest management requirements). It is important from an environmental and compliance management perspective that these are captured in relevant inspection and reporting procedures in order to be able to demonstrate

compliance. A recommendation has been made in **Section 6** for an environmental management inspections procedure to be developed in this regard.

During the review of the management plan required under this consent it was identified that majority of the required plans are outdated and in need a review and revision to ensure they remain current. Accordingly, a recommendation has been made to update all relevant plans to consider and reflect current operations and contemporary statutory.

5.1.4 Plant Maintenance and Inspection

Based on the audit observations and the records reviewed on-site, the auditors concluded that systems are in place for the maintenance of plant used on-site and that the key issue relates to the appropriate implementation of this system.

Poorly maintained plant and equipment has the potential to increase the risk of environmental impacts due to increased risk of fuel or oil spills and leaks, increased air emissions and increased noise. During the site inspection undertaken for the audit, the standard of equipment observed to be in operation was of appropriate standard.

However, reviewing daily checklists and inspection sheets it was apparent communication is not clear regarding issues with equipment faults with some issues identified in documented inspections not being addressed in a timely manner. Communication to management is crucial in rectifying equipment issues. Required actions should be documented to ensure equipment are properly maintained.

5.1.5 Environmental Monitoring

A range of environmental monitoring programs have been developed within the respective site management plans as required by PA 10_0139. Monitoring undertaken in accordance with the environmental monitoring programs is displayed on the LMCC website with monitoring data also included within the AWMF Annual Review. However, during this audit, it was apparent data on the website is not regularly updated, with recent datasets unavailable to view.

5.2 Reportable Environmental Incidents and Complaints

The reportable environmental incidents, Penalty Infringement Notices (PINs), regulatory orders and complaints received by LMCC during the audit period are discussed in the following sections.

5.2.1 Penalty Infringement Notices / Orders

Penalty infringement notices and orders which have occurred during the audit period as advised by LMCC are detailed below:

- On the 12 October 2017 LMCC received a Penalty Notice Advice Letter from the EPA for Alleged pollution of waters and contravention of EPL 5873 on the 8 May 2017 related to a reportable incident where an excavator struck a valve of polypipe and caused leachate to discharge uncontrolled from the damaged polypipe. The EPA has determined to issue LMCC with one Penalty Infringement Notice (\$15,000) for polluting waters on 8 May 2017 contrary to section 120 of the Act.

- On 27 July 2021 LMCC received a Record of Breach letter from DPIE for failing to undertake Operational Noise Validation (ONV) prior to 21 January 2016 (Schedule 4, Condition 28 of the Approval). LMCC have until the end of the 2021 calendar year to undertake operation noise validation in accordance with Schedule 4 Condition 28 of the approval.

5.2.2 Reportable Incidents

The reportable environmental incidents which have occurred during the audit period as advised by LMCC are detailed below with further details provided in **Appendix 4**:

- On the 8 May 2017 an excavator struck a valve of the polypipe causing leachate to discharge uncontrolled from the damaged polypipe. The discharge wasn't discovered until the 9 May where it was contained and reported to the EPA.
- On the 27 July 2020 monitoring points (Monitoring Point 6 and Monitoring Point 7) exceeded criteria for nitrate. This was notified to the EPA via email on the 26 August 2020.
- On the 12 October 2020 various monitoring points exceeding criteria for a number of analytes which included pH, aluminium, ammonia, chromium, copper, lead and zinc. This was notified to the EPA via email on the 3 November 2020.
- On the 20 January 2021 various monitoring points exceeding criteria for a number of analytes which included pH, ammonia and nitrate. This was notified to the EPA via email on the 2 February 2021.
- Following a period of heavy rainfall between 14 March 2021 – 20 March 2021 leachate dams reached capacity. To avoid overtopping the lower leachate dam a controlled discharge of low concentration of leachate was carried out between 21 March 2021 – 24 March 2021 totalling 64.5 hours equating to approximately 2.6 ML. This was notified to the EPA on the 21 March 2021 via phone call. A detailed report was submitted to the EPA via email on the 31 March 2021.
- On the 22 March 2021 two sampling points Monitoring Point 6 and Monitoring Point 7 exceeded the criteria for suspended solids concentration limit. This was notified to the EPA via email on the 1 April 2021.
- On the 31 August 2021 a fire was noticed on the covered floor area of the current tipping face. The fire was not authorised and ignition source unknown. The fire firstly smothered with VENM prior to the onsite water cart fully extinguishing the fire with water, while the waste was turned by site plant. This was notified to the EPA via telephone call on the 3:07 pm 31 August 2021, with subsequent report submitted the same day.

5.2.3 Community Complaints

During the audit period community complaints were received by AWMF regarding their operations with the complaints related to:

- Administrative issues e.g. fees from the AWMF

No complaints regarding environmental performance were received during the audit period. It is noted that the complaint summary has been obtained from the AWMF complaints register which has been sourced

from LMCC during the course of the audit. At the time of audit, it was not public accessible or displayed on the LMCC website as required. It was also noted that the complaints line does not appear to be publicised or made available on the website and a recommendation has been made in **Section 6** recommending this occur.

5.3 Key Issue Environmental Performance

5.3.1 Heritage Management

During the audit period no monitoring of cultural sites had been undertaken as required by the Cultural Heritage Management Plan. Further no formal records of inspections were able to be provided. During the site inspection the culturally modified tree (Site 45-7-0331) appeared to be in good condition (see **Photograph 1** in **Appendix 5**). It should be noted no signage was observed, warning that the area is a Protection zone as required by Section 3.5.1 of the CHMP.

LMCC have indicated they are committed to monitoring the cultural sites as required by the Project Approval in the next reporting period and would endeavour to also include inspection undertaken by an arborist to assess the health of the tree.

5.3.2 Noise and Vibration

Noise monitoring is not specifically referenced as being required within PA 10_0130 which makes it difficult to verify if operations are within the noise criteria which is stipulated (refer Schedule 4, Condition 27). It is however noted that noise monitoring is stipulated as being required under EPL 5873 (Condition L4.2). Accordingly, a recommendation has been made in **Section 6** that the Operational Noise Management Plan be revised after operation noise validation, to accurately reflect the true nature of operations and that a periodic noise monitoring program should also be developed and undertaken to verify noise levels and ensure operations are within criteria as outlined in this Project Approval EPL.

5.3.3 Air Quality and Odour

Dust generation was observed to be minimal during the site audit and the dust controls in place at the site were considered appropriate. Regular sweeping of sealed roads and water carts are some strategies undertaken to minimise dust at AWMF.

No complaints relating to air quality or odour from the AWMF were received during the reporting period.

5.3.4 Landfill Gas

Landfill gas generated at the AWMF is currently managed by an active landfill gas collection and treatment system that is designed, installed and operated by a specialist contractor, LMS Energy.

No reportable exceedances were recorded during monthly monitoring of landfill gas surface emissions during the reporting period.

5.3.5 Traffic

No significant traffic impacts or issues were identified during the audit period

5.3.6 Biodiversity Offsets

The Biodiversity Offset Area has not been appropriately managed during the audit period. A number of actions required under the Biodiversity Conservation Area Management Plan has not been undertaken. During the first year of operations LMCC failed to undertake a comprehensive weed survey in order to prepare a map of the distribution of each weed species on the site (both current and historic distribution).

During the site audit it was unclear if a number of activities including regular weed monitoring and physical removal of weeds was undertaken. It is recommended LMCC develop a detailed inspection program to effectively monitor the area and help inform what areas require weed removal.

A restrictive covenant was to be registered on Lot 463 DP 1138964 however this has not occurred.

5.3.7 Water and Leachate

The results of the surface water, groundwater and leachate quality monitoring program during the audit period reported a number of exceedances of criteria. During the audit period, monitoring had identified high ammonia concentrations located in the western sediment ponds, suggesting leachate is seeping from the western slope of the landfill. This indicates that there is a potential risk of leachate contaminating groundwater and migrating offsite. In the audit period LMCC have constructed a sub-surface interception trench drain between the landfill and the sediment ponds to attempt and intercept sub-surface leachate flows and assists with dewatering of the landfill mass to reduce leachate levels. The effectiveness of this measure is unknown and can only be measured through ongoing monitoring.

Another potential contamination issue focuses on the design change of the stormwater management system where clean water is diverted under the waste cells from up catchment (to the north) and is diverted under the waste cells directly to the clean catchment on the eastern boundary. Although it was explained that the design ensures that there is a slim possibility of leachate contaminating clean water, it is recommended a monitoring point be installed at the clean water outlet to monitor and verify no contamination occurs in this clean water diversion.

During the audit period LMCC have commenced construction of a bunded area for leachate truck transfers (see **Photograph 2** in **Appendix 5**), to minimise the risk of any leachate spills entering the environment. An inspection of the temporary leachate loading station was undertaken and was found to be located in an open area on the main access road (see **Photograph 3** in **Appendix 5**). The area was not located in a bunded area and presents a high level of risk in causing potential harm to the environment if any spillage were to occur due to the lack of mitigation measures (see **Photograph 4** in **Appendix 5**).

Leachate ponds were inspected during the site audit and were observed to be appropriately fenced, in good condition and well maintained (see **Photograph 5** in **Appendix 5**). Sediment dams were also inspected and found to be in good condition (see **Photograph 6** in **Appendix 5**).

Stormwater drains were inspected and generally were in good condition however towards the back of the site adjacent to Cell 1 and 2, drains were observed to be obstructed with weeds (see **Photograph 7** in **Appendix 5**) and filled with litter (see **Photograph 8** in **Appendix 5**). It was also observed that the clean water diversion drain outlet (which diverts clean water directly offsite) was obstructed by weed growth and litter (see **Photograph 09**). It was evident that this area had not been inspected for a significant period of time.

5.3.8 Site Infrastructure Areas

During the site inspection the community recycling centre was found to be sufficiently maintained, with all areas managed to an appropriate standard. Hydrocarbon management measures were being implemented effectively, with drains in good condition and waste organised and contained in bunded areas (see **Photograph 10 to Photograph 11 in Appendix 5**).

The gas power station was also inspected, and a number of hydrocarbon issues were also observed throughout the area. Fuels and chemicals were not located within bunded areas (see **Photograph 12 in Appendix 5**), and chemical and diesel barrels were not appropriately disposed (see **Photograph 13 to Photograph 14 in Appendix 5**).

Stockpiles onsite were generally maintained and in accordance with current management standards however some stockpiles onsite showed signs of mismanagement with no containment fences, has weeds growing on them and no clear separation from surrounding vegetation (see **Photograph 15 to Photograph 16 on Appendix 5**).

An inspection of sealed roads was also completed and showed to be well maintained and in good condition showing no evidence of dirt/mud tracks however unsealed roads showed varying levels of erosion and sedimentation (see **Photograph 17 to Photograph 19 in Appendix 5**). No signs of mitigation measures including silt fences or sandbags were observed.

During the site inspection the operations within the active land cell were observed to be well maintained and managed with limited visible dust (see **Photograph 20 to Photograph 21 in Appendix 5**). At the time of inspection personnel were seen in applying daily cover as in accordance with the LEMP.

An inspection around the site boundary was undertaken and showed a significant issue concerning the proliferation of litter offsite into the surrounding bushland. Litter was observed to not appropriately captured and cleaned up onsite and was migrating as far as 300 m into the surrounding bushland (**Photograph 22 to Photograph 24 in Appendix 5**).

6.0 Recommendations

A consolidated summary of recommendations identified as an outcome of the audit process is provided in Table 6.1.

Table 6.1 Recommendations

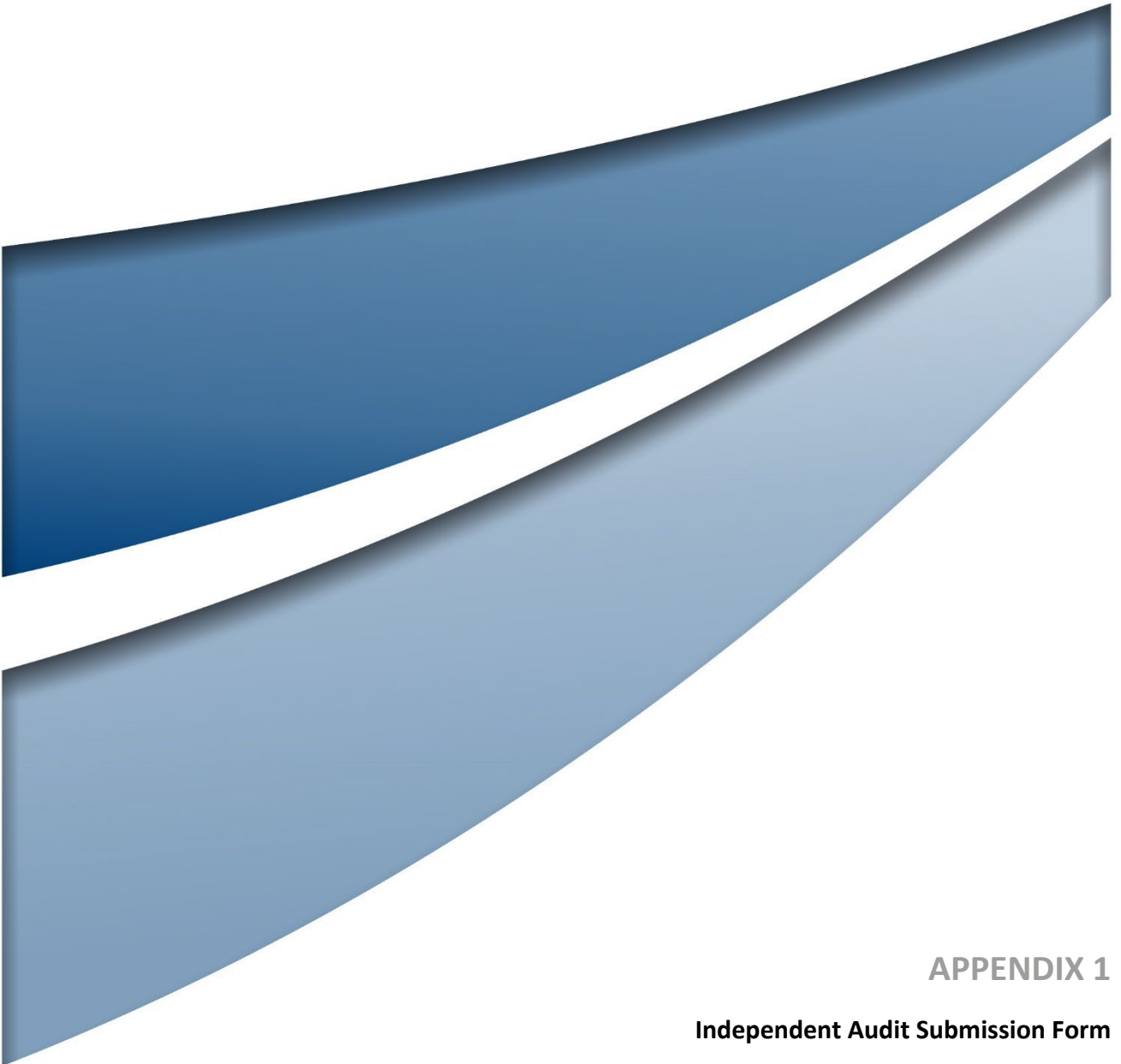
Condition / Issue	Recommendation
PA10_0139 (MOD 1)	
NC - 03 Schedule 3 Condition 6	LMCC should seek to engage with DPIE to confirm the status of the existing consents and if they have not been surrendered LMCC should surrender the development consents identified in Table 1 of the project approval as required.
Improvement Opportunity Schedule 3 Condition 13	It is recommended AWMF develop a system to regulate and alert management of plant and equipment issues and the relevant course of actions, timing and responsibilities are recorded.
Improvement Opportunity Schedule 4 Condition 5	It is noted the Waste and Resource Recovery Monitoring Program included in the LEMP is labelled as a Draft. It is recommended the program be reviewed and a final copy be included in the LEMP.
NC - 07 Schedule 4 Condition 6	It is recommended LMCC continue consultation with Hunter Water and reach an agreement for a new Trade Waste agreement which would cover the life of the Project or alternative seek DPIE's approval that rolling annual licences are acceptable.
NC - 08 Schedule 4 Condition 9	A thorough clean-up of all litter, focusing on offsite areas within the surrounding bushland environment needs to be undertaken as a matter of priority. Then daily inspections need to be implemented as required.
	It is recommended Section 9.7.2 in the LEMP be revised and a litter monitoring/control program to be developed and implemented to control litter effectively across onsite and offsite.
	It is also recommended a formal process documenting daily inspections be created and undertaken to show compliance with this condition.
NC - 09 Schedule 4 Condition 10	A focused weed spraying program should be commissioned to bring current weed infestations at the site under control with a focus on areas surrounding the sites perimeter to prevent weeds spreading to nearby bushland areas as a matter of priority.
	It is recommended LMCC revise the LEMP to align with current operations and develop a formal reporting process for the inspection and management of pests, vermin and/or noxious weeds
NC - 12 Schedule 4 Condition 11	It is recommended the confirmation letter received from the Mine Subsidence Board confirming their approval of cell designs be submitted to the Director General and EPA for their records as required by this condition.
NC - 13 Schedule 4 Condition 18	LMCC should engage with DPIE in order to confirm if the ongoing regular trucking of leachate from AWMF to Hunter Water's Edgeworth WWTW is currently approved. If not, this activity should cease until appropriate approvals are in place.
	It is recommended the transfer of leachate into trucks for disposal offsite only to occur in a bunded area
NC - 14 Schedule 4 Condition 19	The Water Quantity and Quality Assessment prepared by Cardno dated December 2011 does not assess the current layout of the AWMF. It is recommended the assessment be revised or removed from the SWLMP as it is not considered to adequately assess the as built design.
	It is recommended the SWLMP and its respective plans be revised to reflect current operations and the Surface Water, Groundwater and Leachate Monitoring Program revised to include relevant EPL criteria.

Condition / Issue	Recommendation
	LMCC should seek to engage with the EPA and DPIE with regard to the ongoing exceedances of groundwater criteria and undertake further investigations to determine the cause and develop effective mitigation measures to address.
NC - 16 Schedule 4 Condition 22	It is suggested LMCC seek to engage with DPIE and EPA regarding the intent of this condition and either seek to have reference to the dust criteria removed or if required by DPIE/EPA undertake monitoring of dust in order to be able to demonstrate that the project does not exceed the criteria.
Improvement Opportunity Schedule 4 Condition 25	It is recommended the Air Quality and Odour Management Plan be revised to include the relevant conditions of this approval and a protocol to periodically review the plan to ensure Air Quality and Odour Management Plan is kept up to date with current best practice. It is recommended the management system for air quality and odour be clearly defined in the Air Quality and Odour Management Plan and include timing, roles and responsibilities of personnel
NC - 17 Schedule 4 Condition 26	The Greenhouse Gas Management Plan should be subject to periodical review and revision as required.
NC - 18 Schedule 4 Condition 27	It is recommended noise monitoring be undertaken on a periodic basis to verify the development complies with the specified noise emission criteria. As required by this condition noise monitoring must be measured at any point within six (6) metres of the nearest effected residential receiver or other noise sensitive areas in the vicinity to determine compliance with this condition.
NC - 20 Schedule 4 Condition 29	It is recommended the Operational Noise Management Plan be revised to include mitigation measures in minimising noise impacts during adverse meteorological conditions, include mitigation measures for traffic impacts and to detail requirements for noise monitoring as required to demonstrate compliance with the monitoring requirements under Condition 27. Further the update should include all of the recommended mitigation measures included in the Operational Noise Validation Assessment prepared in December 2021.
NC - 22 Schedule 4 Condition 32	It is recommended to effectively manage and ensure noise criteria is within limits, periodic noise monitoring is undertaken.
NC - 23 Schedule 4 Condition 37	LMCC should seek to confirm that the internal roads and parking areas have been constructed and maintained in accordance with the latest versions of AS 2890.1 and AS 2890.2 and keep a record of this for future audits.
NC - 25 Schedule 4 Condition 39	LMCC should seek to confirm that lighting associated with the project complies with the latest version of AS 4282(INT) - Control of Obtrusive Effects of Outdoor Lighting and keep a record of this for future audits.
NC - 26 Schedule 4 Condition 41	It is recommended management procedures are revised to ensure all employees know all chemicals, oils should be located within a bunded area and that regular site inspections include relevant checks for appropriate management and storage of hydrocarbons.
NC - 27 Schedule 4 Condition 43	It is recommended LMCC to seek approval from the Director General of a suitability qualified and experienced person to revise the Pollution Incident & Emergency Response Management Plan and that once revised the plan is provided to the Director General for approval. The revised plan should include the Bush Fire Emergency Evacuation Plan as required.
Improvement Opportunity Schedule 4 Condition 44	It is recommended the Aboriginal stakeholders consultation log be updated to include all ongoing correspondence between LMCC and the Registered Aboriginal Parties that has occurred since the submission of the plan.
NC 28 Schedule 4 Condition 45	It is recommended the CHMP is revised and updated to reflect changes and existing operations. As part of this review and revision a monitoring and collection protocol should be prepared in consultation with the RAPs and included the revised management plan. The revised CHMP should be sent to the Department for approval.

Condition / Issue	Recommendation
	LMCC to confirm a report was prepared as part of the salvage for AWMF that detailed the methodology and results of the salvage of Aboriginal archaeological sites on the AWMF. This should be provided to relevant agencies and RAPs if not already distributed. If not prepared the report needs to be prepared.
	Signage should be installed at the culturally modified tree (Site 45-7-0331) and all other identified sites within the AWMF as required by the Cultural Heritage Management Plan
NC 30 Schedule 4 Condition 47	LMCC to confirm Aboriginal Site Impact Recording forms have been completed and submitted to AHIMS as required and a record of this be kept onsite.
NC 31 Schedule 4 Condition 50	It is recommended LMCC undertake all monitoring and management actions as required in the Biodiversity Conservation Area Plan of Management during the next reporting period and include a summary in the Annual Review.
NC 32 Schedule 4 Condition 51	It is recommended the Biodiversity Offset Management Plan be submitted to the Director General for review and approval.
NC 33 Schedule 4 Condition 51A EPBC 2011/5973 Condition 1	It is recommended a restrictive covenant be placed on Lot 463 DP 1138964 and include all of the requirements of Condition 51A.
Improvement Opportunity Schedule 4 Condition 54	It is recommended the translocation plan be revised and include contingency measures and reporting requirements of translocation <i>Tetratheca Juncea</i>
NC -34 Schedule 4 Condition 55	It is recommended monitoring of the biodiversity offset area be undertaken during the next reporting period and reported in the Annual Review.
NC 35 Schedule 4 Condition 56	It is recommended the Vegetation Clearing Protocol within the Biodiversity Management Plan be revised and clearly detail location and type of vegetation to be retained and removed.
NC 36 and NC 37 Schedule 4 Condition 57 and 58	It is recommended LMCC continue to engage with DPIE in order to confirm the required timing of preparing the Landfill Closure and Rehabilitation Management Plan and provide this plan to DPIE for approval within the agreed timeframe.
Improvement Opportunity Schedule 5 Condition 2	It is recommended the LEMP be updated to include a procedure outlining how complaints are received.
NC 39 Schedule 5 Condition 3	It is recommended LMCC include relevant findings from the Operational Noise Validation (including record of baseline) within the Operational Noise Management Plan.
	It is recommended the Air Quality and Odour Management Plan and the Biodiversity Management Plan be revised to include relevant statutory requirements of and include relevant limits or performance criteria as outlined in this approval.
	The Air Quality and Odour Management Plan, Biodiversity Management Plan and the Operational Noise Management Plan include a program to measure the impacts and effectiveness of environmental performance
	It is recommended a contingency program to manage unpredicted impacts e.g. weed infestations be included within the Biodiversity Management Plan.
	It is recommended Greenhouse Gas Management Plan, Biodiversity Management Plan and Biodiversity Conservation Area Management Plan be revised to include a protocol for reporting non-compliances and complaints
	It is recommended Air Quality and Odour Management Plan, the Biodiversity Management Plan and Soil, Water and Leachate Management Plan are updated to ensure appropriate review protocol is in place.
	It is recommended the Air Quality and Odour Management Plan and the Biodiversity Management Plan be revised to include a program to investigate improvements in environmental performance.

Condition / Issue	Recommendation
	It is recommended a compliance system be created to ensure management plans are reviewed in accordance with their respective protocols.
	It is recommended all relevant management plans/programs required under this approval be subject to regular review and revision as required in order to reflect current operations and statutory requirements to ensure they remain current and effectively manage environmental risks.
NC 40 Schedule 5 Condition 5	It is recommended all plans within the Soil, Water and Leachate Management Plan be revised as required to ensure consistent with the updates made to main document.
NC 41 Schedule 5 Condition 6	LMCC should seek to engage with DPIE to provide them a briefing on the above incidents that have occurred and confirm if they require them to be reported retrospectively. If required incident report(s) should be provided to meet DPIE's requirements.
	It is recommended LMCC revise their reporting procedure and ensure relevant authorities including the DPIE are notified of all relevant incidents.
NC 42 and NC 43 Schedule 5 Condition 7 and 10	It is recommended all missing data is uploaded to the website as required and that LMCC implement a procedure / process to ensure that all data as required be regularly uploaded to the LMCC website
	The audit has identified the following documents that need to be uploaded to the LMCC website: • recent Project Approval (PA 10_0139 MOD 1 dated August 2014), • EPBC Approval 2011/5973 • EPL 5873, • the Annual Review, • Complaints Register; • All monitoring results.
	The complaints line should also be made available and referenced clearly on the website so that members of the public understand how they can make complaints.
Improvement Opportunity Schedule 5 Condition 11	It is recommended that LMCC update the Waste Education Plan in the LEMP to confirm the scope of it is to continue to run during the operational phase of the project.
EPL 5873	
Condition L2	LMCC should seek to engage with the EPA and DPIE with regard to the ongoing exceedances of groundwater criteria and undertake further investigations to determine the cause and develop effective mitigation measures to address.
Condition L4	It is recommended that LMCC undertake noise monitoring as required under the EPL to demonstrate compliance with noise criteria.
Condition 06.14	It is recommended management procedures are revised to ensure all employees know all chemicals, oils should be located within a bunded area and that regular site inspections include relevant checks for appropriate management and storage of hydrocarbons.
Condition M1.3	Gas monitoring should record the time of sample and name of person who collects the sample as required. Water monitoring should record the time of sample as required.
Condition M6	LMCC should confirm that a dedicated complaints line is available and that it is communicated to members of the community so they are informed how they can make complaints.

Condition / Issue	Recommendation
EPBC 2011/5973	
Condition 6	It is recommended a report addressing compliance of the conditions outlined in the EPBC approval be prepared, submitted to DAWE and published on the LMCC website.
Environmental Performance	
Document Management	LMCC should review the document management system in place for the AWMF and ensure all relevant staff are trained in its use.
Compliance Management	It is recommended that a compliance management system be developed for the AWMF to capture all compliance requirements for the site. The CMS should establish actions to be undertaken to maintain compliance, define responsibilities and required timeframes to complete and include a mechanism to keep records demonstrating that they have been completed as required.
Site Induction	It is recommended that the induction process be revised to include an overview of all relevant environmental management requirements as outlined in this approval PA 10_0139.
Environmental Inspections	LMCC develop an environmental management inspections procedure which captures all of the site's environmental management and monitoring commitments (from approvals and management plans) and ensures that these are captured in routine inspections and findings and actions formally documented.
Monitoring of Clean Water Diversion	It is recommended a surface monitoring point be established and subject to routine monitoring at the clean water diversion drain outlet to monitor and verify no contamination occurs as a result of the drain running under the waste cells.



APPENDIX 1

Independent Audit Submission Form

Appendix 1 - Independent Audit Report Declaration Form

Independent Audit Report Declaration Form

Project Name: Awaba Waste Management Facility

Consent Number: PA 10_0139

Description of Project: PA 10_0139 provides approval for the expansion of the Awaba Waste Management Facility and rehabilitation.

Project Address: Wilton Road Awaba

Proponent: Lake Macquarie City Council

Title of Audit: Independent Environmental Audit of Awaba Waste Management Facility

Date: 25 March 2022

I declare that I have undertaken the Independent Audit and prepared the contents of the attached Independent Audit Report and to the best of my knowledge:

- the audit has been undertaken in accordance with relevant condition(s) of consent and the *Independent Audit Compliance Requirements (Department 2019)*;
- the findings of the audit are reported truthfully, accurately and completely;
- I have exercised due diligence and professional judgement in conducting the audit;
- I have acted professionally, objectively and in an unbiased manner;
- I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child;
- I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
- neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit; and
- I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.

Notes:

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

Name of Auditor: Daniel Sullivan

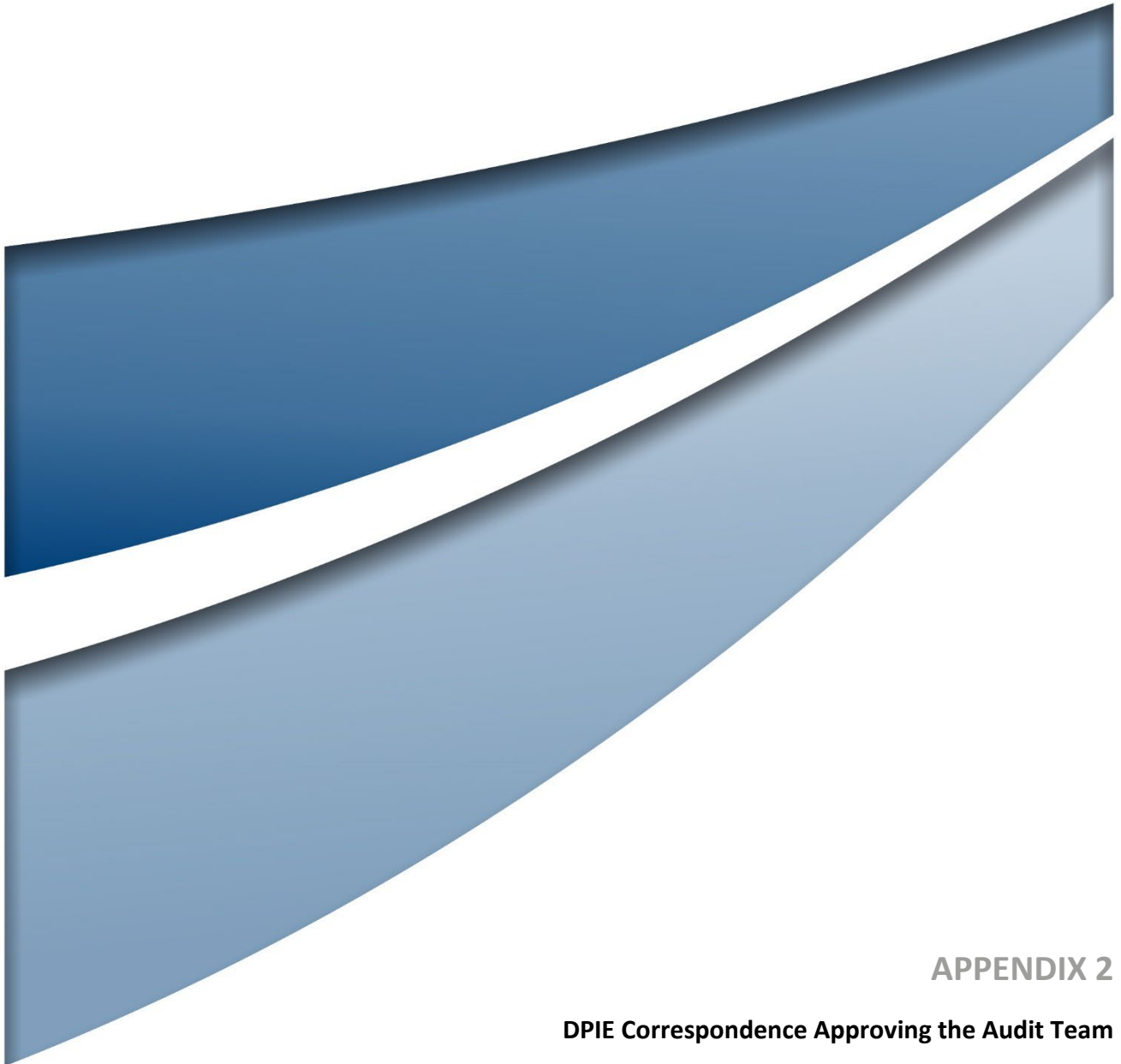
Signature:



Qualification: BEnvSc, Exemplar Global Internationally Certified Lead Auditor (No. 113202)

Company: Umwelt (Australia) Pty Limited

Company Address: 75 York Street Teralba NSW 2284



APPENDIX 2

DPIE Correspondence Approving the Audit Team

Mr Bay Hornery
Environmental Officer
Awaba Waste Management Facility
126-138 MAIN ROAD
SPEERS POINT New South Wales 2284

21/07/2021

Dear Mr Hornery

Awaba Waste Facility - Auditor Endorsement (MP10_0139)

I refer to your request (MP10_0139-PA-1) for the Secretary's approval of suitably qualified persons to prepare the Independent Environmental Audit for the Awaba Waste Management Facility as required by Schedule 5 Condition 8 of MP 10_0139 (the approval), as modified.

The Department has reviewed the nominations and information you have provided and is satisfied that these experts are suitably qualified and experienced. Consequently, I can advise that the Secretary approves the appointment of expert name to prepare the document name.

In accordance with Schedule 5 Condition 8 of the approval and the Department's *Independent Audit Post Approval Requirements* (May 2020), the Secretary has agreed to the following audit team:

- Mr Daniel Sullivan – Lead Auditor; and
- Mr Joshua Wheatley – Support Auditor

Please ensure this correspondence is appended to the Independent Audit Report.

The Independent Audit must be prepared, undertaken and finalised in accordance with the requirements of Schedule 5 Condition 8 and the Department's *Independent Audit Post Approval Requirements* (May 2020). Failure to meet these requirements will require revision and resubmission.

The Department reserves the right to request an alternate auditor or audit team for future audits.

Notwithstanding the agreement for the above listed audit team, each respective project approval or consent requires a request for the agreement to the auditor or audit team be submitted to the Department, for consideration of the Secretary. Each request is reviewed and depending on the complexity of future projects, the suitability of a proposed auditor or audit team will be considered.

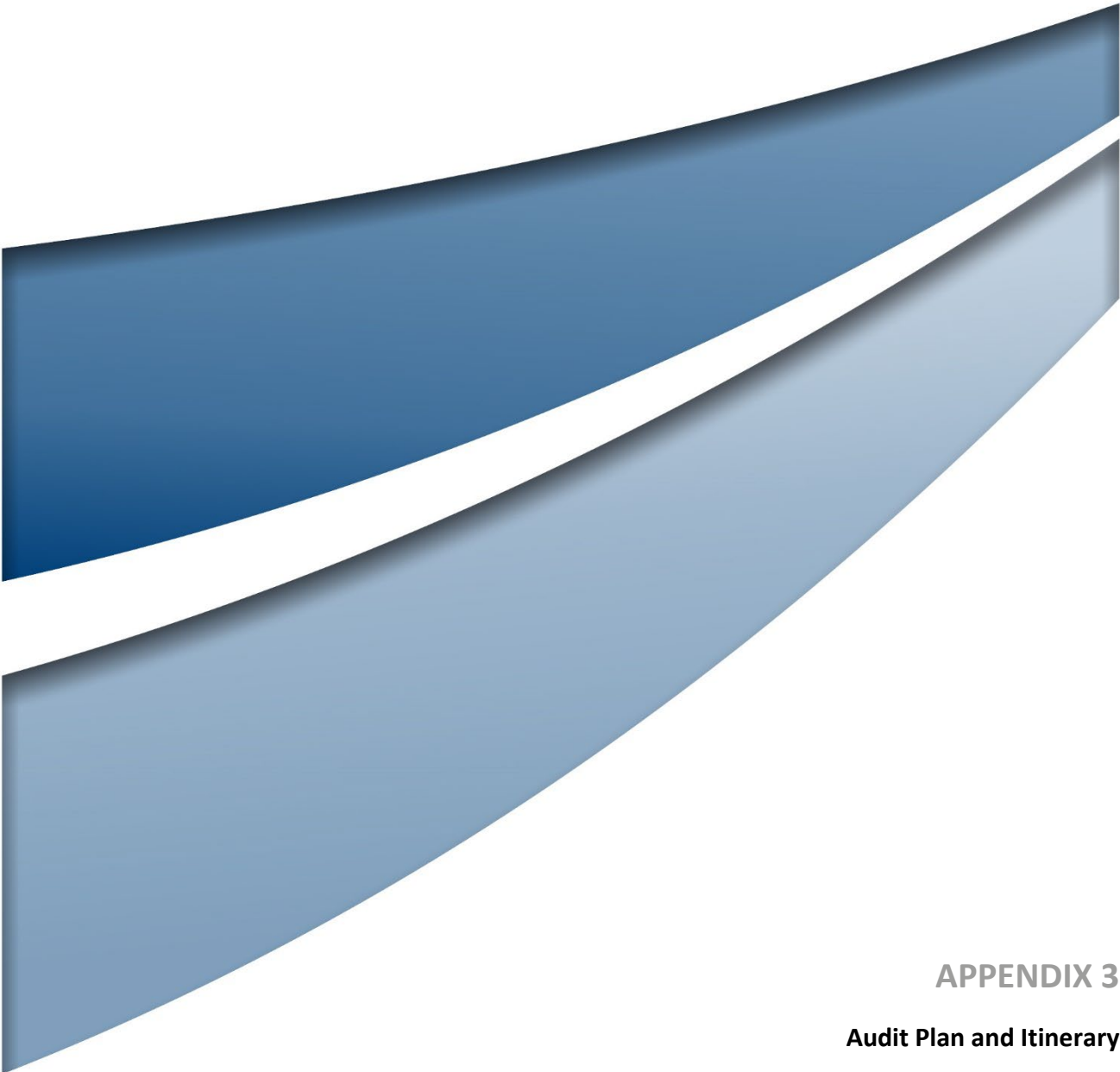
If you wish to discuss the matter further, please contact James Epstein, Senior Compliance Officer, on (02) 6575 3419 or via email compliance@planning.nsw.gov.au

Yours sincerely



Heidi Watters
Team Leader Northern
Compliance

As nominee of the Planning Secretary



APPENDIX 3

Audit Plan and Itinerary



Lake Macquarie City Council
Awaba Waste Management Facility IEA
Audit Plan

To:	Bay Hornery (LMCC)
From:	Umwelt (Australia) Pty Limited
Author:	Daniel Sullivan (Umwelt)
Date:	29 September 2021
Subject:	Awaba Waste Management Facility – Independent Audit

Audit Period: 11 August 2021 (or commencement under consent) to 13 October 2021

Site Audit Date: 13 October 2021

Auditor: Lead Auditor – Daniel Sullivan
Assistant Auditor – Joshua Wheatley

1.0 Audit Scope and Objectives

In accordance with the Development Consent for PA 10_0139 and the NSW Department of Planning, Industry & Environment's (DPIE) *Independent Audit – Post Approval Requirements* dated May 2020 (Independent Audit Requirements) an independent environmental audit of the Awaba Waste Management Facility is required to be undertaken.

The scope and objectives of this audit are to assess LMCCs compliance with:

- All conditions of the Development Consent for PA 10_0139 that are applicable to the audit period
- The Environmental Protection Licence (EPL)
- any strategy, plan or program which has been prepared for the operation.

This plan and any files transmitted with it are confidential and are intended to provide information for use in discussions between Umwelt and the named recipient(s) only.

The audit will also include:

- a review of the environmental performance of the development (including a comparison with the predicted impacts contained in the EIS, review of complaints and incidents registers and consideration of any feedback provided during agency consultation) and
- any other matters considered relevant by the auditor or the Department

2.0 Audit Criteria

Reporting of compliance will be based on the compliance status descriptors as defined in the Independent Audit Requirements as shown in **Table 1**. No other terms may be used to describe the compliance status.

Table 1: Compliance Status Descriptors

Status	Description
Compliant (C)	The auditor has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with within the scope of the audit.
Non-compliant (NC)	The auditor has determined that one or more specific elements of the conditions or requirements have not been complied with within the scope of the audit.
Not triggered (NT)	A requirement has an activation or timing trigger that has not been met during the temporal scope of the audit being undertaken (may be a retrospective or future requirement), therefore an assessment of compliance is not relevant.

3.0 Audit Process

Document Review: All documentation made available will be reviewed prior to and during the audit to enable compilation of audit checklists and allow the auditor to gain an understanding of the site.

Agency Consultation: Consultation will be undertaken with DPIE with regard to the scope of the audit. During this consultation the Department may request that further consultation be undertaken with other parties including other agencies.

Site Inspection/Audit: One day has been allowed for the on-site component of the audit. During the site inspection access is requested to all development areas and environmental aspects that form part of the Project. To maximise the time on site, documentation as discussed below will be reviewed prior to the site inspection.

An indicative itinerary for the site inspection is provided in **Table 2**. This will be revised and reissued as final prior to the site audit date.

During the audit, the following people are proposed to be interviewed (if available):

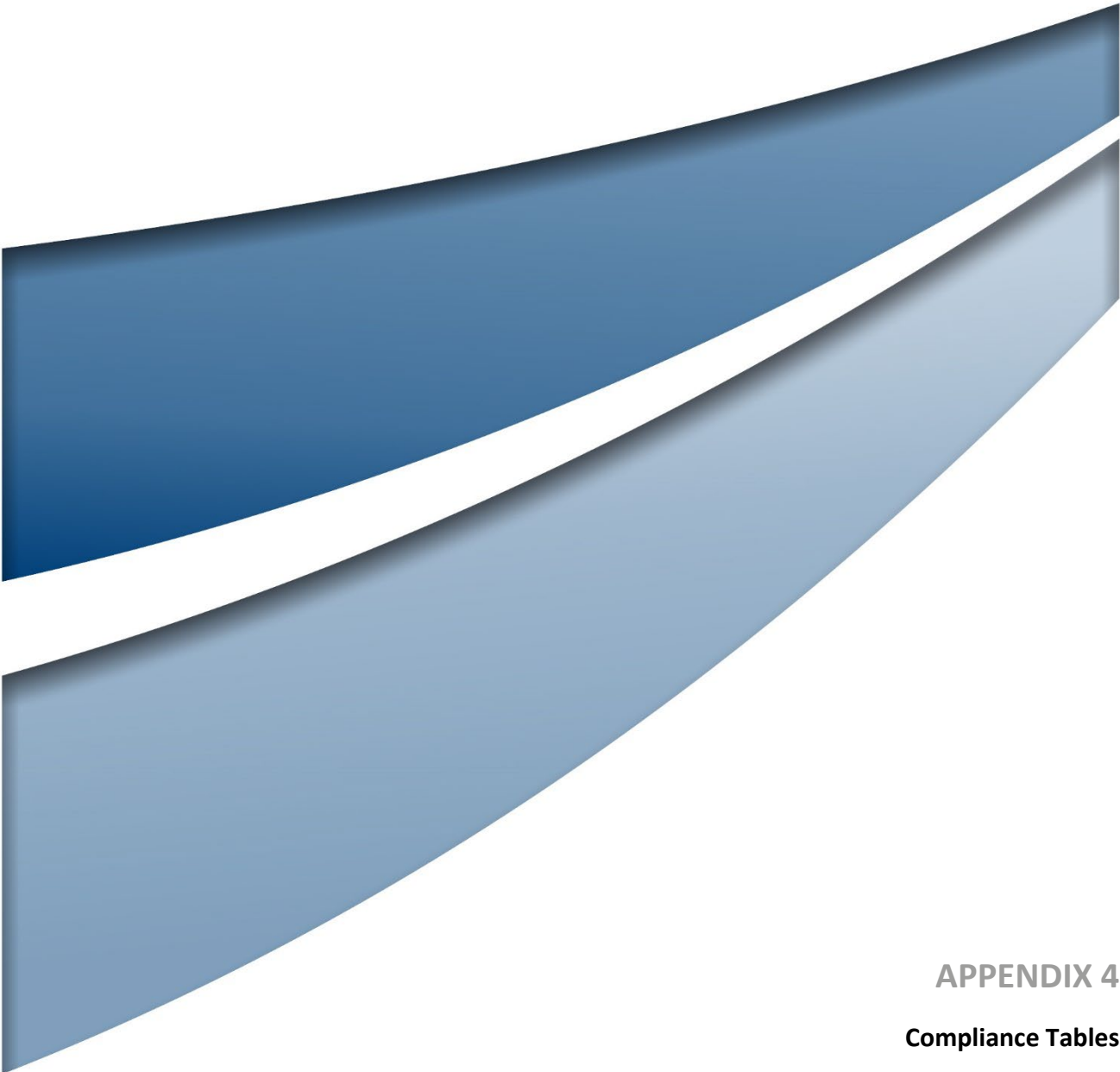
- Project Manager / Site Manager
- Environmental Officers
- Relevant supervisors / personnel from key construction areas visited during the site inspections including those with responsibility for environmental management; and
- Other persons identified during the course of the audit (as relevant).

For the Opening and Closing Meetings, it is suggested that as a minimum these should be attended by the Project Manager/ Site Manager, Environmental Officers, relevant area supervisors and any other personnel nominated by LMCC.

Table 2 – Indicative Itinerary for Site Inspection/Audit

Day/Time	Description	Personnel
DAY 1 – 13 October 2021		
9.00am - 9.30am	Opening Meeting • Introductions • Purpose of Audit • Confidentiality Arrangements • Audit Process and Timing	Manager/supervisor, environmental personnel and site personnel as invited by LMCC
9:30am - 10:00am	Presentation on AWMF and activities in Audit Period • LMCC personnel to present an overview of the construction and operation across the site, including outline of environmental management system and controls, issues encountered and actions to address	Manager/supervisor and environmental personnel
10.00am - 12.00 pm	Documentation Compliance Review • Review of PA 10_0139 consent	Environmental personnel and appropriate site personnel as required
12.00pm - 12.30pm	Lunch	
12.30pm - 2.00pm	Documentation Compliance Review (cont) • EPL • Management plan commitments review • Review key EIS commitments • Review activities against EIS • Regulator consult issues and audit feedback • Reportable incidents and complaints • Training and communication • Any outstanding items	Environmental personnel and appropriate site personnel as required

2.00pm – 4.00pm	Field Inspection • Main infrastructure areas • Operations inspection • Rehabilitation areas • Monitoring network: air, noise, water, • Water & waste systems • Heritage sites • Any key private neighbour/stakeholder issues	Environmental personnel and appropriate site personnel as required
4.00pm - 4.30 pm	Auditor Revision and Preparation for Closeout Meeting	Umwelt Auditor Only
4.30pm - 5.00 pm	Close Out Meeting • Overview of findings • Confirmation of outstanding items or documents required • Confirm audit review and completion process	Manager/supervisor, Environmental personnel and site personnel as invited by LMCC



APPENDIX 4
Compliance Tables

Appendix 4 – Compliance Tables

Table 1.0 Project Approval (Consolidated) (10_0139)

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
SCHEDULE 3 ADMINISTRATIVE CONDITIONS				
OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT				
1	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.		NC – 01 Non-compliant	Based on the findings from this IEA and the number of non-compliances identified it is not considered that all reasonable and feasible measures to prevent and/or minimise any harm to the environment is being met by the AWMF during the audit period. Recommendations to address the identified non-compliances with conditions of this approval have been provided as relevant against the conditions in this table.
TERMS OF APPROVAL				
2	The Proponent shall carry out the Project generally in accordance with the: (a) EA and Response to Submissions Report; (b) Statement of Commitments (see Appendix 1); (c) site layout plans and drawings in the EA, (as shown in Appendix 2 to 8). (d) Modification Application (10_0139 MOD 1) with supporting documentation titled Environmental Assessment S75W Application to modify approved layout and staging of Awaba Waste management		NC – 02 Non-compliant	Non-compliances against the conditions of this approval have been identified during the audit period and are recorded in this table and in the main report. Recommendations to address the identified non-compliances with conditions of this approval have been provided as relevant against the conditions in this table

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
	Facility – Project Approval (Consolidated) 10_0139 prepared by LMCC; and (e) conditions of this approval.			
3	If there is any inconsistency between the above, the conditions of this approval shall prevail to the extent of any inconsistency.		Noted	
4	The Proponent shall comply with any reasonable requirement/s of the Director-General arising from the Department's assessment of: (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	Record of Breach Letter 27/07/2021 DPIE Acknowledgement Correspondence 16/12/2021	Compliant	On the 27 July 2021 LMCC received a Record of Breach from the DPIE. The Record of Breach required LMCC to undertake Operational Noise Validation for the AWMF prior to the end of 2021 Calendar year. LMCC have completed Operation Noise Validation within the required timeframe and was submitted to DPIE on the 15 December 2021 (sighted DPIE acknowledgment correspondence)
LIMITS OF APPROVAL				
5	The Proponent shall ensure that no more than 150,000 tonnes per annum of waste is accepted at the landfill in any one calendar year.	AWMF Annual Review 20-2021	Compliant	As outlined in Table 4.1 in Section 4.1.1 of the Annual Review 2020-2021, the AWMF reported 70,569 tonnes of waste was accepted for landfill during the reporting year. The total landfill is significantly lower in comparison to previous years due to the Proponent implementing a new green waste initiative (three bin source separated organics) limiting landfill starting in late 2018. As result garbage frequencies were changed and garbage was longer undertaken weekly.

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's	Independent Audit Findings and Recommendations																		
SURRENDER OF EXISTING DEVELOPMENT CONSENTS																						
6	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. <i>Table 1: Existing development consents to be surrendered</i> <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> <i>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.</i>	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		NC – 03 Non-compliant	No evidence has been provided to verify if consents have been surrendered as in accordance with Condition 6. Accordingly, this condition has been marked as non-compliant. Recommendation: LMCC should seek to engage with DPIE to confirm the status of the existing consents and if they have not been surrendered LMCC should surrender the development consents identified in Table 1 of the project approval as required.
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																				
7	To the extent of any inconsistency between the DA’s identified in Table 1 and this approval, this approval shall prevail.		Noted																			
TRANSITIONAL ARRANGEMENTS																						
8	All existing environmental management plans that apply to the site under those DAs listed in Table 1 of this Schedule shall continue to be fully applied until replaced under this approval.		Noted																			
ACQUISITION OF LAND																						
9	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 Land Acquisition (Just Terms Compensation) Act 1991.	Certificate of Title 372/723259	NC – 04 Non-compliant	LMCC have acquired Lot 372 DP 723259 from the Crown however it was identified by this IEA that the Certificate of Title of Lot 372 DP 723259 indicates the lot was not acquired within 12 months of this approval (which occurred first before commencement of construction). The Certificate of Title is dated 14 June 2016 which is greater than 12 months since the approval was granted.																		

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
STRUCTURAL ADEQUACY				
10	The Proponent shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures are constructed in accordance with the relevant requirements of the BCA. <i>Notes:</i> <i>Under Part 4A of the EP&A Act, the Proponent is required to obtain construction and occupation certificates for the proposed building works.</i> <i>Part 8 of the EP&A Regulation sets out the requirements for the certification of the Project.</i>	Occupation Certificate (CC/1675/2016)	Compliant	Building work associated with the expansion of the AWMF during the audit period included the amenities building, Re-use centre, weighbridge, waste transfer station and gabion walls. The AWMF occupation certificate was sighted dated 10 January 2020 and highlighted all buildings/structures had been constructed in accordance with its classification under the Building Code of Australia (Class 5, Class 7b and Class 10b).
UTILITIES				
11	Prior to the construction of any utility works, the Proponent shall obtain the relevant approvals from service providers and Council.		NC – 05 Non-compliant	No evidence has been provided to verify if relevant approvals from service providers and Council were obtained to undertake the construction of any utility works. Therefore Condition 11 has been marked as non-compliant.
DEMOLITION				
12	The Proponent shall ensure that all demolition work is carried out in accordance with Australian Standard AS 2601:2001: The Demolition of Structures, or its latest version.	Email correspondence Daracon to LMCC 9/11/2018 AWMF Demolition Requirements Spreadsheet	NC – 06 Non-compliant	During the reporting period the weighbridge had been demolished. Email correspondence between LMCC and Daracon detailing the work undertaken and responsibilities of the demolition work was sighted but no SWMs were provided during this audit. Therefore, this IEA is not able to verify if demolition works were compliant with Australian Standard AS 2601:2001: The Demolition of Structures as required by this condition. Consequently Condition 12 has been marked as a non-compliant.

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
OPERATION OF PLANT AND EQUIPMENT				
13	The Proponent shall ensure that all plant and equipment used for the Project is: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.	Process Control Document Plant and Equipment Drivers' daily checklist October 2021 Daily Pre-start inspections October 2021	Compliant	The Process Control Document Plant and Equipment documents provides the basis for ensuring plant and equipment are operated in a proper and efficient manner at the AWMF. The document outlines the induction requirements in order to operate various equipment and undertake maintenance activities. (a) Generally, equipment was found to have been maintained in a proper and efficient condition throughout the audit period. Examples of drivers' daily checklists were sighted from the 4/10/21 – 13/10/2021. Majority of checklists were completed although it was noted some equipment had outstanding issues noted on a reoccurring basis in the completed checklists and these issues were not rectified in a timely manner. E.g. reverse lights were broken and remained inactive for 10 days. (b) Generally, equipment was operated in a proper and efficient condition throughout the audit period Daily prestart inspection sheets for the month of October 2021 were also sighted. Some records were found to be incomplete, with items consistently not checked e.g. tyres. Another issue of concern was the lack of action to rectify issues to ensure equipment are operated in a proper and efficient manner. Recommendation: It is recommended AWMF develop a system to regulate and alert management of plant and equipment issues and the relevant course of actions and responsibilities are recorded.

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
PROTECTION OF PUBLIC INFRASTRUCTURE				
14	The Proponent shall: (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the Project; and (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the Project.		Not triggered	Condition 14 has not been triggered during this audit period (B. Hornery pers comms)
STAGED SUBMISSION OF PLANS OR PROGRAMS				
15	With the approval of the Director-General, the Proponent may submit any plan or program required by this approval on a progressive basis.		Not triggered	Condition 15 has not been triggered during this audit period however it is noted in July 2021 LMCC have requested the submission of the Landfill Closure and Rehabilitation Management Plan be submitted on a progressive basis (B. Hornery pers comms.).
DISPUTE RESOLUTION				
16	In the event that a dispute arises between the Proponent and a public authority, other than the Department, in relation to the reasonableness of any requirements proposed by a public authority arising from the conditions of this approval, the matter can be referred by either party to the Director-General for resolution.		Not triggered	No disputes have been recorded during this reporting period (2020-2021) Condition 16 has not been triggered.

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
SCHEDULE 4 SPECIFIC ENVIRONMENTAL CONDITIONS				
WASTE				
RESTRICTIONS ON RECEIPT, STORAGE & HANDLING OF WASTE				
1	The Proponent shall only receive waste on Site that is authorised for receipt by an EPL.	Wasteman Report July 2021 to October 2021	Compliant	During the audit period AWMF has only received waste on site that is authorised for receipt by an EPL. Example of waste transactions were sighted from July 2021 to October 2021.
2	The Proponent shall ensure that any waste generated on the Site during construction is classified in accordance with the EPA's Waste Classification Guidelines and disposed of to a facility that may lawfully accept the waste.	Daracon Transactions 1/01/2017 – 31/12/2019	Compliant	All waste generated onsite during construction was classified in accordance with the EPA's Waste Classification guidelines and was disposed of to a facility that may lawfully accept the waste. Waste management measures undertaken during construction is outlined in Table 3-3 of the Construction Environmental Management Plan. Waste transactions from Daracon during the construction period were sighted ranging from 1 January 2017 – 31 December 2019.
3	The Proponent shall implement all reasonable and feasible measures to recover resources from the waste stream to the satisfaction of the Director-General.	Waste Screening, Acceptance and Resource Monitoring Programme Version 1 Draft DPIE Approval Letter 04/10/2019	Compliant	AWMF currently implement a Waste Screening, Acceptance and Resource Monitoring Programme which further details all reasonable and feasible measures currently undertaken to recover resources from the waste stream. Part of the programme includes the categorisation and collection of data pertaining to the receipt and recovery of materials. The Waste, Screening, Acceptance and Resource Monitoring Programme was approved by the Director General as part of the LEMP on the 4 October 2019.

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
SCREENING AND ACCEPTANCE				
4	The Proponent shall: (a) implement auditable procedures to: • ensure that the Site does not accept wastes that are prohibited; • screen incoming waste loads; and (b) ensure that: • all waste types that are controlled under a tracking system have the appropriate documentation prior to acceptance at the Site; • staff receive adequate training in order to be able to recognise and handle any hazardous or other prohibited waste.	Waste Screening, Acceptance and Resource Monitoring Programme Version 1 Draft Waste Asbestos Training Records AWMF Environmental Awareness Training	Compliant	(a) There are number of auditable procedures employed at AWMF to ensure the site does not accept prohibited wastes. In Section 2.2 of the Waste Screening, Acceptance and Resource Monitoring Programme, systematic waste screening procedures are employed onsite to ensure only permissible wastes are disposed of at the facility. Inspection of loads are also undertaken by site attendants to assists in screening of incoming waste with the combination of video surveillance (installed at the weighbridge (confirmed during site inspection)) to ensure the site does not accept wastes that are prohibited. (b) Detailed in Section 3 of the Waste Screening, Acceptance and Resource Monitoring Programme a weighbridge management software (tracking system) is also utilised to maximise resource recovery and track incoming waste, ensuring all waste types are controlled. Staff are also trained in order to handle and recognise hazardous and other prohibited waste. Training records relating to asbestos awareness and service delivery/waste services/waste operations were sighted.
MONITORING				
5	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;	Waste Screening, Acceptance and Resource Monitoring Programme Version 1 Draft 2019-2020 LMCC Annual Report	Compliant	The Waste and Resource Recovery Monitoring Program has been prepared and implemented at the AWMF. (a) The Waste and Resource Recovery Monitoring Program was submitted alongside as part of the LEMP to the EPA on the 20 August 2019 (sighted consultation letter dated 27 August 2019). The Program was provided to the Director General as part of the LEMP for approval and was approved

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
	(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)	2020-2021 LMCC Annual Report LEMP 2021 EPA Consultation Letter 27/08/2019		on the 4 October 2019 prior to the commencement of operations. (b) The details of the screening and acceptance procedure required by Condition 4 are outlined in Section 2.2 of the program. Section 2.2. details three stages of screening waste undertaken at the AWMF which include: 1. Inspection 2. Unloading 3. Pushing and compacting. Acceptance procedures for general and special waste are also provided in Section 2.5 and 2.6 respectively. As mentioned in Condition 4, the quantity, type and source of waste received onsite is recorded by the weighbridge management software. (c) The effectiveness of the recovery of these resources (Detailed in Section 3) is monitored through annual analysis and performance. The data is reported annually through the LMCC Annual Report under the heading State of Environment. The Waste Screening, Acceptance and Resource Monitoring Programme is provided as Appendix C within LEMP. Recommendation: It is noted the Waste and Resource Recovery Monitoring Program included in the LEMP is labelled as a Draft. It is recommended the program be reviewed and final copy be included in the LEMP.

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TRADE WASTE AGREEMENT				
6	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.	Trade Waste Agreement -Trade Wastewater Deed Email correspondence 25/06/2021	NC – 07 Non-compliant	Trade Waste Agreement was received on the 30 June 2020 and was in place before the commencement of operations however it is noted it only covered a 12-month period and expired on the 30 June 2021. LMCC have been in consultation with Hunter Water regarding the new conditions in renewing the agreement. Hunter Water have extended the Trade Work Agreement (currently in 'draft' form) until at least November 2023 to coincide with anticipated completion of HWC Toronto WWTW expansion works. Existing condition will continue until such notice as per email correspondence between Hunter Water and LMCC (sighted dated 25 June 2021). This condition has been marked as noncompliant as there is no evidence to support that an agreement has been signed for the life of the Project. Recommendation: It is recommended LMCC continue consultation with Hunter Water and reach an agreement for a new Trade Waste agreement which would cover the life of the Project.
LANDFILL OPERATIONS				
7	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	LEMP 2021 AWMF Annual Review 20-2021 Fill Out Plan 2020 Air Quality and Odour Management Plan	Compliant	(a) Outlined in Section 4.1.2 of the Annual Review and as per comms. all waste is compacted as it is tipped in the landfill. The working face is then covered with alternative daily cover (spray cover) on a daily basis, as approved by the EPA. (b) As noted in Section 4.1.2 of the Annual review VENM soil is applied to a minimum depth of 250 mm (inclusive of any daily cover already in place) over all surfaces of the landfill that will

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
	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; (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.	Draft Notice of Licence Variation 29 May 2009		be exposed for more than 90 days. This intermediate cover includes a top layer of dredging materials which readily self-seeds providing vegetation protection from wind and water erosion. (c) As outlined in Section 3.1.1.2 of the AQOMP all vehicles that have collected dust or mud on wheels and undercarriage will be directed to leave the site via the wheel wash facility. It was noted during the site visit public roads onsite were free of mud and dust. (d) Detailed in Section 4.1.2 of the Annual Review states landfill cells are progressively capped during operations, and specifically when the level of waste reaches final heights within each landfill cell. During the audit period operations have only been undertaken with Cell 1 (B. Hornery as per comms). (e) All waste is compacted as it is tipped in the landfill maximising compaction rates as mentioned in 4.1.2 of the Annual Review 2020-2021. (f) Provided in the Annual Review 2020-2021 in Section 4.1.2 active landfill areas at the end of daily waste disposal and compaction activities are covered with alternative daily cover (spray cover) on a daily basis, as approved by the EPA. (g) This condition has not been triggered during this audit period. No cells have been capped. (B. Hornery as per comms) (h) Revegetating covered landfill caps is described in Section 4.1.2 of the Annual Review. As noted above no caps have reached capacity during this reporting period. Landfill operations has exclusively comprised filling of cell 1

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COVER MATERIAL				
8	The Proponent shall ensure that all waste cover material used on Site is approved in writing by the EPA.	EPA Draft Notice of Licence Variation No. 1101492 Letter dated 29 May 2009 EPA Licence No. 5873	Compliant	The AWMF has approval from the EPA to utilise the use VENM, biodegradable plastic sheeting and/or synthetic spay to cover waste onsite as outlined in the Draft notice of variation letter form the EPA dated 29 May 2009. Currently AWMF utilises synthetic spray to cover waste daily (B. Hornery pers comms)
LITTER CONTROL				
9	The Proponent shall: (a) implement suitable measures to prevent the unnecessary proliferation of litter both on and off Site resulting from the landfilling operations; and (b) inspect daily and clear the Site (and if necessary, surrounding area) of litter resulting from the landfilling operations, on a daily basis. <i>Note: For the purposes of this condition, noxious weeds are those species subject to an order declared under the Noxious Weed Act 1993.</i>	AWMF Annual Review 20-2021 LEMP 2021	NC – 08 Non-compliant	(a) As outlined in Section 9.7.2 of the LEMP and further supported by Section 6.5 of the Annual Review 2020-2021 suitable measures preventing unnecessary proliferation of litter employed at AWMF include covering and impacting waste daily, daily inspections and litter fences around parts of the perimeter of active areas During the site inspection excessive litter was observed both onsite and offsite extending several hundred metres beyond the perimeter boundary fence. It was evident that daily inspections and clearing of the site and surrounds is not undertaken with Steve Merrett (AWMF Site Coordinator) stating that daily inspections and clean ups are not undertaken and instead they are generally undertaken on a campaign basis every 3 to 4 weeks. No litter fences were observed, and litter was seen to be abundant specifically towards the back boundary (adjacent to Cell 1 & 2) of the site as well as spreading over 300 m into the surrounding environment (offsite). (b) As prescribed under the LEMP, daily inspections of the site are to be conducted however no records were able to

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
				be produced upon request and it was confirmed by site personnel that this does not occur. It was apparent no formal documentation recording inspections have been undertaken. Recommendation: A thorough clean-up of all litter, focusing on offsite areas within the surround bushland environment needs to be undertaken as a matter of priority. Recommendation: It is recommended Section 9.7.2 in the LEMP be revised and a litter monitoring/control program to be developed and implemented to control litter effectively across onsite and offsite. Recommendation: It is also recommended a formal process documenting daily inspections be created and undertaken to show compliance with this condition.
PEST, VERMIN & NOXIOUS WEED MANAGEMENT				
10	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.	LEMP 2021 Quarterly Inspection Sheets August 2021, April 2021	NC – 09 Non-compliant	(a) According to Section 9.8.3 in the LEMP, AWMF implements a range of suitable measures including daily inspections, cover and compacting waste daily and the use of chemical herbicides and pesticides to control noxious weeds and pests. Quarterly inspection records were sighted dating April 2021 and August 2021. Records were basic and provided no detail. During the site inspection, LMCC indicated weeds might be controlled by their own dedicated noxious weed specialist/team however this could not be confirmed and no verifiable evidence was provided. No evidence could be provided to support that suitable measures to manage pests, vermin and declared noxious

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
	<i>Note: For the purposes of this condition, noxious weeds are those species subject to an order declared under the Noxious Weed Act 1993</i>			weeds on Site had been undertaken during the reporting period. (b) Significant weed infestations were observed onsite during the inspection including within most operational areas, soil stockpiles and water management infrastructure (drains and dams). Weeds were also found to be obstructing some drains (e.g. The outlet for the clean water drain) and were abundant in some areas around the boundary. As stated in the LEMP, inspections on site are required to be undertaken on a daily basis however no records could be produced, and it is not considered that this is occurring. Recommendation: A thorough weed spraying program should be commissioned to bring current weed infestations at the site under control with a focus on areas surrounding the sites perimeter to prevent weeds spreading to nearby bushland areas as a matter of priority. Recommendation: It is recommended LMCC revise the LEMP to align with current operations and develop a formal reporting process for the inspection of pests, vermin and/or noxious weeds

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
CELL DESIGN AND LINING SYSTEM				
11	Prior to the commencement of any cell construction work under this approval, the Proponent shall submit comprehensive cell design details to the EPA for the Sidewall, Base and Piggyback components of the landfill. The design details shall be prepared to the satisfaction of the EPA and should include, but are not necessarily limited to: (a) plans with cross sections at a suitable scale depicting the dimensions of the proposed landfill cell extensions ie. length, width and depth, as well as details of the floor and wall gradients. The floors of the cells should have transverse gradients of greater than three percent and longitude gradients greater than one percent. All levels should be relative to AHD. A plan shall also be provided that depicts the boundary of the premises subject to the development application and the lot and DP numbers of this land; (b) engineering design detail of the proposed cell extension lining and proposed anchoring; (c) engineering design detail of the proposed cell extension capping;	LEMP Appendix D Fill Out Plan Awaba Landfill Expansion Cells 1 & 2 Construction Quality Assurance Report EPL Licence Variation No. 5873 dated 20/11/2019	NC – 10 Non-compliant	Comprehensive cell design details for Cells 1 and 2 have been compiled into a Cells 1 & 2 Construction Quality Assurance Report prepared by GHD dated October 2019. The Cells were designed by Jeremy Dawes who has two bachelor's degrees in engineering including Civil (Hons) and Environmental (Hons). No evidence of submission to EPA (letter or email correspondence) was provided during this audit to provide verifiable evidence that designs were submitted prior to commencement of any construction as required and that they were approved by the EPA. For this reason, this condition has been marked as non-compliant. It is noted that under Condition 07 in the EPL licence variation, cell designs as shown in Appendix D in the LEMP have been approved. These designs replicate what is evident in the Construction Quality Assurance Report. It is considered that the Cells 1 & 2 Construction Quality Assurance Report adequately addresses all requirements from (a) to (e).

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	(d) plans and design specifications and arrangements of leachate collections and disposal systems; (e) plans indicating the design specifications and arrangement of landfill gas collection systems; and (f) the details required on items 11(a) to 11(e) above are to be prepared or overseen by a suitable qualified engineer who has considerable experience in the design and construction of medium to large scale municipal waste landfills. The engineer shall have qualifications acceptable to the Institution of Engineers Australia (IAE).			
12	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.	Conditions Met Letter 31 October 2019 EPL Licence Variation No. 5873 dated 20/11/2019	NC – 11 Non-Compliant	The cell design details satisfied all requirements outlined by the Mine Subsidence Board which is outlined by Conditions met letter from the Mine Subsidence Board dated 31 October 2019 (sighted). Design was also of satisfaction of the EPA, as designs are referenced and approved in the EPL Licence of Variation. However, it was identified that the confirmation letter from the Mine Subsidence Board was not sent to the Director General or the EPA. Recommendation: It is recommended the confirmation letter from the Mine Subsidence Board to be submitted to the Director General and EPA for their records as required by this condition.

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
SOIL & WATER				
EROSION AND SEDIMENT CONTROL				
13	During the construction of the Project, the Proponent shall implement suitable erosion and sediment control measures on Site, in accordance with the relevant requirements in the latest version of the Managing Urban Stormwater: Soils and Construction guideline. These measures shall be documented in the Construction Environmental Management Plan (see Condition 1 of Schedule 5).	AWMF CEMP August 2017	Compliant	An Erosion and Sediment Control Plan prepared by GHD was implemented during construction in adhering to the relevant requirements outlined in the latest version of the Managing Urban Stormwater: Soils and Construction guideline. Measures included: • Dust control (water carts and mulching) • Sediment fencing • Sediment ponds The Erosion and Sediment Control Plan was included as Appendix C of the CEMP.
SOIL				
14	The Proponent shall: (a) minimise any soil loss through erosion on Site; (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.	CEMP Appendix C - GHD Erosion and Sediment Control Plan August 2017	Compliant	(a) The Erosion and Sediment Control Plan has assessed, and details erosion generating activities (Section 2.4) and outlines the mitigation strategies (Section 4) that would be employed to mitigate soil loss which include: • Machinery movements should track parallel to the slope • Material that is excavated during the construction works should not be stored in close vicinity of waterways (b) Objectives included in Section 1.5 of the Erosion and Sediment Control Plan clearly outline any topsoil won on Site should be set aside for the proposed revegetation and rehabilitation of the Site. The objective is reproduced below:

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				"Manage stockpiles so that they are appropriately constructed and managed to maximise reuse of topsoil". (c) Section 4.2.4 outlines management measures to suitably manage topsoil stockpiles to ensures stockpiles can be beneficially used in the proposed revegetation and rehabilitation of the Site.
WATER SUPPLY				
15	The Proponent shall ensure that: (a) all water supplies for construction and operation are sourced from an authorised and reliable supply; and (b) the taking of water for purposes other than water supply, such as dewatering during construction, is appropriately authorised.	CEMP LEMP Site Water Balance	Compliant	Potable water during construction and operation are sourced from Hunter Water while water for dust suppression and for daily cover mix is sourced from the dams onsite (B. Hornery as per comms)
SURFACE WATER DISCHARGE LIMITS				
16	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.	EPL Annual Review Surface Water Monitoring Results EPL Penalty Notice Advice dated 12/10/2017	NC – 12 Non-compliant	During the audit period, LMCC recorded a number of incidents where discharges exceeded discharge limits. Incidents include the following: • On the 8 May 2017, a valve of the polypipe was struck, causing leachate to discharge uncontrolled from the damaged polypipe. It was discovered at about 7.00 a.m. on 9 May 2017, where the source was located, and the flow was stopped. • Following a period of heavy rainfall between 14 March 2021 – 20 March 2021 leachate dams reached capacity. To avoid overtopping the lower leachate dam a controlled

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				discharge of low concentrating of leachate was carried out between 21 • March 2021 – 24 March 2021 totalling 64.5 hours equating to approximately 2.6 ML.
STORMWATER MANAGEMENT				
17	The Proponent shall: (a) design and install the stormwater 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; (b) ensure that the system capacity has been designed in accordance with the Blue Book Volumes 1 and 2B; (c) divert existing clean surface water around operational areas of the Site; (d) direct all sediment laden water in overland flow away from the leachate management system; (e) ensure peak stormwater discharge rates from the site at each stage of the project do not exceed predevelopment values; and (f) prevent cross contamination of clean and sediment or leachate laden water, to the satisfaction of the Director-General.	Surface Water Management Plan LEMP DPIE Approval Letter 04/10/2019	Compliant	(a) The stormwater management system has been designed and installed in general accordance with the conceptual design in the EA (as shown in Appendix 5). However, the LEMP which includes cell designs and the Surface Water Management Plan (which forms part of the Soil, Water and Leachate Management Plan) was approved by the Director General on the 4 October 2019. (b) The system capacity has been designed in accordance with the Blue Book Volumes 1 and 2B; with cell fill out drawings included in Appendix B and Infrastructure calculations provided in Appendix C. Requirements for (c) to (f) are provided in Section 5 of the Surface Water Management Plan

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
LEACHATE MANAGEMENT				
18	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	Leachate Management Plan (Revision 2 February 2016) DPIE Email Correspondence 31/01/2018 EPL Licence Variation No. 5873 dated 20/11/2019 Section 5.3 Annual Review 2020-2021	NC – 13 Non-compliant	(a) The leachate management and collection system appear to have been constructed in accordance with the plans set out in the Modification Environmental Assessment The system has been approved by the EPA as evident through the EPL Licence Variation 5873 (sighted). (b) Leachate generated by the Project has not been appropriately contained, collected or disposed of throughout the audit period. Two incidents concerning the discharge of leachate with elevated levels of ammonia have occurred during the audit period. 1. On the 8 May 2017, a valve of the polypipe was struck, causing leachate to discharge uncontrolled. 2. In March 2021 an uncontrolled release of leachate was discharged to surface waters following extreme rainfall. The discharge occurred between 21 March 2021 – 24 March 2021 totalling 64.5 hours equating to approximately 2.6 ML. Further monitoring conducted under the surface water, groundwater and leachate monitoring program has detected the following exceedances against EPL monitoring criteria during the audit period:

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
	from escaping to surface water, groundwater or the surrounding subsoils; (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.			• On the 27 July 2020 monitoring points (Monitoring Point 6 and Monitoring Point 7) exceeded criteria for nitrate. • On the 12 October 2020 various monitoring points exceeding criteria for a number of analytes which included pH, aluminium, ammonia, chromium, copper, lead and zinc. • On the 20 January 2021 various monitoring points exceeding criteria for a number of analytes which included pH, ammonia and nitrate. • On the 22 March 2021 two sampling points Monitoring Point 6 and Monitoring Point 7 exceeded the criteria for suspended solids concentration limit. (c) As outlined in Section 4.2 the package pumping station located immediately south of Leachate Pond 1 transfers leachate to No. 6 Wastewater Pump Station (WWPS) of Hunter Water Corporation at Rathmines. However, Leachate is also disposed of at the Edgeworth Waste Water Treatment Works via truck. (d) Refer to Conditions 11 and 12

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
				It was identified during the audit that AWMF also regularly disposes of leachate water from site via a contract with Solo. Under this arrangement Solo collect leachate water from site via truck (up to 80ML per day) and transports it to Hunter Water's Edgeworth Waste Water Treatment Works. It is noted that the EA makes mention to the fact that in the event that surplus leachate cannot be managed onsite that it can be temporally trucked from site to avoid spilling to the natural environment. It should be confirmed with DPIE if the ongoing need to truck leachate from site under contract requires further approval. In relation to this activity, it was observed in the site inspection that the temporary leachate transfer station (where the Solo trucks are loaded) is located on the main access road and not located within a bunded area and has a high potential to leak into nearby drains. Recommendation: LMCC should engage with DPIE in order to confirm if the ongoing trucking of leachate from AWMF to Hunter Water's Edgeworth WWTW is currently approved. If not, this activity should cease until appropriate approvals are in place. Recommendation: It is recommended the transfer of leachate only to occur in a bunded area

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
SOIL, WATER AND LEACHATE MANAGEMENT PLAN				
19	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: • 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;	LEMP 2021 Soil, Water and Leachate Management Plan Appendix B: AWMF Environmental Investigation Site Water Balance 2019 Appendix C: Leachate Management Plan Revision 2 (February 2016) DPIE Approval Letter 11/10/2019 NRAR Consultation Letter 24/04/2020 EPA Consultation Letter 27/08/2019 NRAR Submission Correspondence 17/06/2019 GHD Erosion and Sediment Control Plan 2014 GHD Surface Water Management Plan Revision 2 2016	NC – 14 Non-compliant	The Soil, Water and Leachate Management Plan (SWLMP) was prepared by GHD and was submitted as part of the LEMP to the EPA (consultation letter sighted dated 27 August 2019). The SWLMP was also submitted to NRAR on the 17 June 2019. LMCC did not receive a consultation letter from NRAR until 24 April 2020 (sighted letter). The SWLMP was submitted Director-General on the 16 July 2019 and approved on the 11 October 2019. (a) A Site Water Balance Assessment was prepared by GHD dated June 2019 for the Project is included within the SWLMP and is provided as Appendix B. It is noted the site water balance does not consider inter-annual climate patterns such as the El Niño Southern Oscillation or long-term trends such as climate change. Details of water management and water sources are summarised in Section 2 of Appendix B. (b) An Erosion and Sediment Control Plan (2014) is listed as Appendix A within the Surface Water Management Plan and is consistent with the requirements of the latest version of the Blue Book Volume 1 and Volume 2B. Activities on Site that could cause soil erosion and generate sediment are identified in Section 3.2.1. Measures to minimise erosion and sedimentation during construction and landfilling works are outlined in Section 4. Stockpile management is outlined in Section 5. (c) The Leachate Management Plan prepared by GHD dated February 2016 is provided as Appendix C within the SWLMP. Detailed design specifications of the leachate management and collection system is provided in Section 5 of the plan. All

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	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); - details of the proposed monitoring network; and			requirements of Condition 18 have been included, refer to Condition 18 for further detail. (d) The requirements of the Stormwater Management Plan have been addressed in the Surface Water Management Plan however a specific Stormwater Management Plan has not been included in the SWLMP. (e) A Surface Water, Groundwater and Leachate Monitoring Program are provided as Appendix E of the SWLMP. The program does not include baseline data or provides EPL criteria limits). Section 8 and 9 detail the surface and groundwater monitoring locations respectively with a diagram showing the EPL locations provided in Appendix B of the plan. Water quality criteria is provided in Section 10. (f) A Surface Water, Groundwater and Leachate Response Plan are included as Appendix 7. Section 2 details response, investigation and notification protocols. Mitigation measures are included in Section 2.2. include temporary soil bunding or the deployment of booms. Monitoring conducted under the surface water, groundwater and leachate monitoring program has detected the following exceedances against EPL monitoring criteria during the audit period: - On the 27 July 2020 monitoring points (Monitoring Point 6 and Monitoring Point 7) exceeded criteria for nitrate. - On the 12 October 2020 various monitoring points exceeding criteria for a number of analytes which included pH, aluminium, ammonia, chromium, copper, lead and zinc.

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
	- 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).			- On the 20 January 2021 various monitoring points exceeding criteria for a number of analytes which included pH, ammonia and nitrate. - On the 22 March 2021 two sampling points Monitoring Point 6 and Monitoring Point 7 exceeded the criteria for suspended solids concentration limit. Recommendation: The Water Quantity and Quality Assessment prepared by Cardno dated December 2011 does not assess the current layout of the AWMF. It is recommended the assessment be revised or removed from the SWLMP as it is not considered to adequately assess the as built design. Recommendation: It is recommended the SWLMP and its respective plans be revised to reflect current operations and the Surface Water, Groundwater and Leachate Monitoring Program revised to include relevant EPL criteria. Recommendation: LMCC should seek to engage with the EPA and DPIE with regard to the ongoing exceedances of groundwater criteria and undertake further investigations to determine the cause and develop effective mitigation measures to address.

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
CONTAMINATION MANAGEMENT PLAN				
20	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); (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). The Plan shall be documented in the Construction Environmental Management Plan (see Condition 2 in Schedule 5).	GHD Contaminated Soils Management Plan August 2017 CEMP DPIE CEMP Approval Letter 21/09/2017	NC – 15 Non-compliant	(a) A contaminated soils management plan has been prepared by GHD dated August 2017. (b) The Contaminated Soils Management Plan was submitted to the Director General as part of the CEMP after the commencement of construction (which was 2 May 2017) on the 11 August 2017 and approved on the 21 September 2017 (sighted letter). (c) Details of the protocol to be put in place followed in the event of unexpected hazard is included in section 4.9. (d) The Contaminated Soils Management Plan has been prepared in accordance with relevant guidelines including Contaminated Sites: Sampling Design Guidelines (EPA 1995) and the Guidelines on the Duty to Report Contamination under the Contaminated Land Management Act 1997 (EPA, 2015). (e) Section 4.6 and 4.7 detail how excavated soil will be tested, handled and stockpiled. (f) Section 4.7.1 details measures in preventing erosion and sedimentation of contaminated soil, some measures include: silt fences and silt traps. (g) Disposal of soils is outlined in Section 4.6.3 and details that soil would be transported and disposed at an appropriately licensed waste facility.

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's	Independent Audit Findings and Recommendations																							
AIR QUALITY																											
ODOUR																											
21	The Proponent shall ensure the development does not cause or permit the emission of any offensive odour (as defined by the POEO Act).		Compliant	No complaints related to the environmental performance of the AWMF were received during the reporting period.																							
DUST CRITERIA																											
22	The Proponent shall ensure that dust generated by the Project does not exceed the criteria listed in Tables 2 to 4 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>^dCriterion</th></tr><tr><td>Total suspended particulate (TSP) matter</td><td>Annual</td><td>^a90 µg/m³</td></tr></table> <table><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>^d 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>^cDeposited dust</td><td>Annual</td><td>^b2 g/m²/month</td><td>^a4 g/m²/month</td></tr></table> <i>Notes for Tables 2-4:</i> ^a Total impact (i.e. incremental increase in concentrations due to the Project plus background concentrations due to other sources); ^b Incremental impact (i.e. incremental increase in concentrations due to the Project on its own); ^c 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 ^d 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.	Pollutant	Averaging period	^d Criterion	Total suspended particulate (TSP) matter	Annual	^a 90 µg/m ³	Particulate matter < 10 µm (PM ₁₀)	Annual	^a 30 µg/m ³	Pollutant	Averaging period	^d 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	^c Deposited dust	Annual	^b 2 g/m ² /month	^a 4 g/m ² /month	Air Quality & Odour Management Plan n.d.	NC – 16 Non-compliant	During the audit period no monitoring was conducted to measure the potential dust emitted from site. It is noted in the Air Quality and Odour Assessment undertaken by Queensland Environment Pty Ltd (trading as PAEHolmes) indicates the bushland buffer surrounding the site provides significant protection of receivers from dust and odour impact. On the basis that no monitoring has been undertaken compliance with this condition is not able to be verified by the auditor and the condition has been marked as non-compliant. Recommendation: It is suggested LMCC seek to engage with DPIE and EPA regarding the intent of this condition and either seek to have reference to criteria removed or if required by DPIE/EPA undertake monitoring of dust in order to be able to demonstrate that the project does not exceed this criteria.
Pollutant	Averaging period	^d Criterion																									
Total suspended particulate (TSP) matter	Annual	^a 90 µg/m ³																									
Particulate matter < 10 µm (PM ₁₀)	Annual	^a 30 µg/m ³																									
Pollutant	Averaging period	^d 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																								
^c Deposited dust	Annual	^b 2 g/m ² /month	^a 4 g/m ² /month																								

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
DUST AND ODOUR MINIMISATION				
23	The Proponent shall: (a) implement best management practice, including all reasonable and feasible dust and odour mitigation measures to prevent and minimise dust and odour emissions from operations; (b) prevent and minimise air quality impacts from the development during adverse meteorological conditions and extraordinary events; and (c) minimise surface disturbance of the Site, other than as permitted under this consent.	Air Quality & Odour Management Plan n.d.	Compliant	(a) There are a number of measures that are employed at the AWMF to prevent and minimise dust and odour emissions. Best management practises undertaken are outlined in Section 3.1.1 of AWMF Air Quality & Odour Management Plan. Dust mitigation measures include: • wheel wash (sighted onsite), • street sweepings and • dust suppression. Odour mitigation strategies are outlined in Section 3.2 and include aeration of storage ponds and minimising the active area of the tip face. (b) Measures in mitigating air quality impacts during meteorological conditions are addressed in Section 3.3 of the AWMF Air Quality & Odour Management Plan. Measures include: • Wetting of unsealed surfaces • Efficient and compaction of waste (c) AWMF minimises surface disturbance by minimisation of plant movements over exposed waste and intermediate cover with further measures outlined in Section 3.2.

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
24	During construction, the Proponent shall ensure that: (a) all vehicles on Site do not exceed a speed limit of 25 kilometres per hour; (b) all loaded vehicles entering or leaving the Site have their loads covered; and (c) all loaded vehicles leaving the Site are clean of dirt, sand and other materials before they leave the Site, to avoid tracking these materials on public roads.	CEMP – Traffic Management Plan (Daracon)	Compliant	During the construction period a Traffic Management Plan was prepared and implemented by Daracon for construction activities.
AIR QUALITY MANAGEMENT PLAN				
25	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	Awaba Waste Management Facility - Air Quality & Odour Management Plan n.d. AQOMP Approval Letter 11/10/2019 LEMP 2021 EPA Consultation letter 27/08/20119	Compliant	The Air Quality and Odour Management Plan (AQOMP) was prepared in consultation with the EPA (sighted consultation letter dated 27 August 2019). (a) The Air Quality and Odour Management Plan (AQOMP) was prepared by Andrew Ireland who was a Principal Environmental Officer (Public Health) at LMCC. It is noted an Air Quality and Odour Assessment was conducted on the 28 March 2012 by Queensland Environment Pty Ltd (trading as PAEHolmes) which was used to inform the AQOMP. During the audit period, the AQOMP was implemented by Bay Hornery (LMCC Environmental Officer) whom has had over 12 years' industry experience. (b) The AQOMP was submitted to the Director General within the required timeframe on the 16 July 2019 and was approved on the 11 October 2019 (sighted approval letter). (c) Potential odours including leachate are identified in Section 1.4.2 of the AQOMP.

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
	- 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).			(d) There are a number of measures that are employed at the AWMF to prevent and minimise dust and odour emissions. Best management practises undertaken are outlined in Section 3.1.1 of AWMF Air Quality & Odour Management Plan. Dust mitigation measures include: - wheel wash (sighted onsite), - street sweepings and - dust suppression. Odour mitigation strategies are outlined in Section 3.2 and include aeration of storage ponds and minimising the active area of the tip face. Measures in mitigating air quality impacts during meteorological conditions are addressed in Section 3.3 of the AWMF Air Quality & Odour Management Plan. Measures include: - Wetting of unsealed surfaces - Efficient and compaction of waste The AQOMP does not provide any detail of the relevant conditions of this approval and these should be added. (e) Management practices in handling air quality and odour impacts are detailed in Section 3 of the AQOMP however the plan does not provide details outlining the management process. The AQOMP is documented as Appendix L within the LEMP.

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
				Recommendation: It is recommended the AQOMP be revised to include the relevant conditions of this approval and a protocol to periodically review the plan to ensure AQOMP is kept up to date with current best practice. Recommendation: It is recommended the management system for air quality and odour be clearly defined in the AQOMP and include timing, roles and responsibilities of personnel
GREENHOUSE GAS MANAGEMENT PLAN				
26	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; (b) detail greenhouse gas monitoring program;	Greenhouse Gas Management Plan (August 2014) LEMP 2021	NC – 17 Non-compliant	The Greenhouse Gas Management Plan (GHGMP) was prepared by GHD dated August 2014 prior to the commencement of construction and operations. (a) Detailed in Section 5.2 of the GHGMP, landfill gas generated onsite is currently managed by an active landfill gas collection and treatment system that is designed, installed and operated by a specialist contractor (LMS Pty Ltd). (b) Outlined in Section 8 of the GHGMP highlights no specific energy saving measures are currently undertaken or proposed to be undertaken at the AWMF. This would be reviewed on an ongoing basis as part of the GHGMP.

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
	(c) a program to monitor the effectiveness of these measures; and (d) a protocol to periodically review the Plan. The Plan shall be documented in the Landfill Environmental Management Plan (see Condition 3 in Schedule 5).			(c) Details of the greenhouse gas monitoring program is outlined in Sections 5 and 6 of the GHGMP. It provides an overview of the program including the frequency and type of monitoring undertaken. (d) The protocol to periodically review the GHGMP is provided in Section 9 and indicates the review should occur no greater than once every three years. This has not occurred and the plan has not been reviewed or revised in over 8 years. The GHGMP is documented as Appendix K of the LEMP. The GHGMP has not been reviewed since its submission in 2014. Recommendation: It is recommended the plan be subject to periodical review and revision as required.
NOISE				
NOISE LIMITS				
27	Noise from the premises shall not exceed: (a) an LA10(15 minute) noise emission criterion of 45dB(A) (7am to 6pm) Monday to Sunday; (b) an LA10 (15 minute) noise emission criterion of 45 dB(A) during the evening (6pm to 10pm) Monday to Friday; and	Operational Noise Management Plan	NC – 18 Non-compliant	Bay Hornery explained during the audit that noise exceedances are gauged by monitoring of complaint history and feedback from community engagement undertaken in line with the Community Education Program. No complaints were recorded during this reporting period. This is process is not considered an adequate approach to demonstrating compliance with noise criteria in this condition. No noise monitoring is undertaken to demonstrate compliance with this condition as required.

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
	(c) at all other times, an LA10 (15 minutes) noise emission criterion of 35dB(A), except as expressively provided by the EPL. Noise from the Site is to be measured at any point within six (6) metres of the nearest effected residential receiver or other noise sensitive areas in the vicinity to determine compliance with this condition.			Recommendation: It is recommended noise monitoring be undertaken on a periodic basis to verify the development coincides with the specified noise emission criteria. As required by this condition noise monitoring must be measured at any point within six (6) metres of the nearest effected residential receiver or other noise sensitive areas in the vicinity to determine compliance with this condition.
OPERATIONAL NOISE VALIDATION				
28	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 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;	Annual Review 2020-2021 GHD AWMF Operational Noise Validation (9/12/2021) DPIE Record of Breach 27/07/2021 DPIE Acknowledgment Correspondence 16/12/2021	NC – 19 Non-compliant	As noted in Section 6.4.2 and Section 10.1 of the Annual Review, Operational noise validation was not undertaken prior to 21 January 2016 as required. On the 27 July 2021 LMCC received a Record of Breach from the DPIE. The Record of Breach required LMCC to undertake Operational Noise Validation for the AWMF prior to the end of 2021 Calendar year. LMCC have completed Operation Noise Validation within the required timeframe and was submitted to DPIE on the 15 December 2021 (sighted DPIE acknowledgment correspondence). The Operational Noise Validation report addresses all requirements from (a) to (h).

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
	(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;			

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
	• 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			

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
	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); • change in ambient conditions; and • the result of any community consultation or negotiated agreement.			
OPERATING CONDITIONS				
29	The Proponent shall: (a) implement best management practice, including all reasonable and feasible noise management and mitigation measures to prevent and minimise operational, low frequency and traffic noise generated by the Project; (b) minimise the noise impacts of the Project during adverse meteorological conditions when noise criteria do not apply; (c) maintain the effectiveness of any noise suppression equipment on plant at all times and ensure defective plant is not used operationally until fully repaired; and	Operational Noise Management Plan GHD Operational Noise Validation Report 2021	NC – 20 Non-compliant	(a) The Operational Noise Management Plan does not outline all of the recommended mitigation measures included in the Operational Noise Validation Assessment therefore it is difficult to suggest best management practice including implementing all reasonable and feasible noise management and mitigation measures are undertaken. Therefore, this condition has been marked as non-compliant. (b) The Operational Noise Management Plan does not outline any mitigation measures to be implemented during adverse meteorological conditions. (c) Noise control equipment and maintenance is detailed in Section 5.1 of the Operational Noise Management Plan and highlights that equipment should be always fitted with control devices and be maintained in a good working order.

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's	Independent Audit Findings and Recommendations															
	(d) regularly assess noise monitoring data and relocate, modify and/or stop operations to ensure compliance with the relevant conditions of this consent.			(d) No monitoring is currently undertaken across the AWMF therefore it is not possible to regularly assess noise monitoring data and why is marked as non-compliant. Recommendation: It is recommended the Operational Noise Management Plan be revised to include mitigation measures in minimising noise impacts during adverse meteorological conditions, include mitigation measures for traffic impacts and to detail requirements for noise monitoring as required to demonstrate compliance with the monitoring requirements under Condition 27. Further the update should include all of the recommended mitigation measures included in the Operational Noise Validation Assessment prepared in December 2021.															
OPERATING HOURS																			
30	The Proponent shall comply with the construction and operation hours detailed in Table 2 for the Site, unless otherwise agreed in writing by the Director-General. <i>Table 2: Construction and Operation Hours</i> <table><tr><th>Activity</th><th>Day</th><th>Time</th></tr><tr><td rowspan="3">Construction</td><td>Monday - Friday</td><td>7.00am – 6.00pm</td></tr><tr><td>Saturday</td><td>8.00am – 1.00pm</td></tr><tr><td>Sunday and Public Holidays</td><td>Nil</td></tr><tr><td rowspan="2">Operation</td><td>Monday to Friday</td><td>7.30am – 4.30pm</td></tr><tr><td>Saturdays, Sundays and Public Holidays</td><td>8.00am – 4.00pm</td></tr></table>	Activity	Day	Time	Construction	Monday - Friday	7.00am – 6.00pm	Saturday	8.00am – 1.00pm	Sunday and Public Holidays	Nil	Operation	Monday to Friday	7.30am – 4.30pm	Saturdays, Sundays and Public Holidays	8.00am – 4.00pm	LMCC Website DPE Approval Letter 5/10/2018	Compliant	An extension of construction of hours was requested on the 26 July 2018 and was approved by the Director General on the 5 October 2018 (sighted letter). The letter approved out of hours construction activities for approximately 16 weeks from 2 December 2018 till 29 March 2019 to allow the construction of the containment cell liner. Operational times as stated on the LMCC website viewed on 10 October 2021 and observed onsite on the 13 October show the AWMF comply with approved times.
Activity	Day	Time																	
Construction	Monday - Friday	7.00am – 6.00pm																	
	Saturday	8.00am – 1.00pm																	
	Sunday and Public Holidays	Nil																	
Operation	Monday to Friday	7.30am – 4.30pm																	
	Saturdays, Sundays and Public Holidays	8.00am – 4.00pm																	

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
NOISE MANAGEMENT PLANS				
31	The Proponent shall prepare and implement a Construction Noise Management Plan in consultation with the EPA and to the satisfaction of the Director-General. The Plan shall: (a) be prepared and implemented by a suitably qualified and experienced person; (b) be submitted for approval by the Director-General prior to commencement of construction; (c) identify each work area, Site compound and access route (both private and public); (d) identify the specific activities that will be carried out and associated noise sources at the Site and access routes; (e) identify all potentially affected sensitive receivers; (f) include the construction noise and vibration objectives identified in accordance with the NSW Interim Construction Noise Guideline and Assessing Vibration: A Technical Guideline; (g) assess potential noise and vibration from the proposed construction methods (including noise from construction traffic) against the objectives identified in (f); (h) where the objectives are predicted to be exceeded, include an analysis of feasible and reasonable noise mitigation measures that can be implemented to reduce construction noise impacts;	Construction Noise and Vibration Management Plan 2008 DPIE CEMP Approval Letter 21/09/2017	NC – 21 Non-compliant	The Construction Noise and Vibration Management Plan (CNVMP) was prepared by GHD and provided to DPIE for approval. No evidence to suggest it was prepared in consultation with the EPA. (a) The CNVMP was prepared by GHD and was implemented by Ian Currey from Daracon. (b) The CNVMP was submitted to the Director General after the commencement of construction (2 May 2017) on the 11 August 2017 and approved on the 21 September 2017 (sighted letter). (c) Figure 1 identifies each work area, site compound and access route (public and private) (d) Specific activities are not outlined in the CNVMP. However, a general list of machinery is included. (e) All potential affected sensitive receivers are outlined in Table 2.1. The CNVMP identifies a total of 7 receivers. (f) The NSW Interim Construction Noise Guideline and Assessing Vibration: A Technical Guideline is referenced in Section 1.6 but does not include construction noise and vibration objectives (g) Noise from construction traffic is not included in the CNVMP. Potential noise generating from construction was not predicted to exceed the highly noise affected level (75 d (A)) as evident in Section 3.2 and no significant vibration impacts were expected to be generated by the project on any sensitive receivers as outlined in Section 3.3. (h) No objectives were predicted to be exceeded. (i) Mitigation measures to be undertaken during construction is included in Table 4-2 of the CNVMP.

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
	(i) describe management methods and procedures and specific noise mitigation treatments that will be implemented to control noise and vibration during construction, including the early erection of operational noise barriers; (j) detail procedures for notifying residents of construction activities that are likely to affect their noise and vibration amenity; and (k) detail measures to monitor noise performance and respond to complaints. The Plan shall be documented in the Construction Environmental Management Plan (see Condition 2 in Schedule 5).			(j) Landholder notification procedures is referred in Section 4.3.1. detailing the written advice provided to affected landholders. (k) Section 5.1 details the measures to respond to complaints which includes noise monitoring for a 15 minute duration at the location of the complaint. Measures included noise and vibration inspections which were undertaken weekly to efficiently assess noise performance as evident in Section 5.2. The CNVMP is included in the CEMP and is listed as Appendix C.
32	The Proponent shall prepare and implement an Operational Noise Management Plan for the Project in consultation with the EPA and to the satisfaction of the Director-General. The Plan shall: (a) be prepared and implemented by a suitably qualified and experienced person; (b) be submitted for approval by the Director-General prior to commencement of operations; (c) describe the measures that will be implemented to ensure: • best management practice is being employed on site;	Operational Noise Management Plan V1 DPIE Approval Letter dated 11/10/2019 EPA Consultation Letter 27/08/2019	NC – 22 Non-compliant	An Operational Noise Management Plan (ONMP) has been prepared in consultation with the EPA (consultation letter sighted dated 27 August 2019) and to the satisfaction of the Director General. (a) The ONMP was prepared by Andrew Ireland who is a Principal Environmental Officer for LMCC. The plan is currently implemented by Bay Hornery whom has over 12 years industry experience. (b) The ONMP was submitted to the Director General on the 16 July 2019 and was approved on the 11 October 2019 prior to the commencement of operations. (c) The noise mitigation measures outlined in the ONMP are not detailed and do not cover traffic management or

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
	- traffic management noise is effectively managed; and - the noise impacts of the Project are minimised during any meteorological conditions when the noise criteria in this consent do not apply; - compliance with the relevant conditions of this consent. (d) describe the noise management system; (e) includes a noise monitoring program that: - is capable of evaluating the performance of the Project; - includes a protocol for determining exceedances of the relevant conditions of this consent and responding to complaints; and - adequately supports the noise management system; and - evaluates and reports on the effectiveness of the noise management system. The Plan shall be documented in the Landfill Environmental Management Plan (see Condition 3 in Schedule 5).			minimising impacts during adverse meteorological conditions. Relevant conditions of this approval are detailed in Section 3. (d) The noise management system is described in Section 5 (Noise Management) (e) No noise monitoring program is included. The Noise Operational Management Plan is included as Appendix M of the LEMP. Recommendation: It is recommended the Operational Noise Management Plan be revised to include mitigation measures in minimising noise impacts during adverse meteorological conditions, include mitigation measures for traffic impacts and to detail requirements for noise monitoring as required to demonstrate compliance with the monitoring requirements under Condition 27. Recommendation: It is recommended to effectively manage and ensure noise criteria is within limits, periodic noise monitoring is undertaken.
TRANSPORT				
33	Prior to the commencement of operations, a Seagull Type intersection with raised kerbs and street lighting shall be provided at the intersection of Wangi Road (MR217) and Wilton Road. The	Wangi Rd and Wilton Rd Intersection	Compliant	The Intersection Upgrade Wilton Road involving the addition of raised kerbs and street lighting was designed in accordance with the Austroads Guide to Road Design 2009

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
	intersection shall be designed and constructed in accordance with the Austroads Guide to Road Design 2009 (with RTA supplements) to the satisfaction of the RMS.	Detailed Designs dated 27/08/2014 WAD Awaba Waste Facility Intersection Upgrade Wilton Road Mr217 Wangi Road Practical Completion Letter dated 1/06/2017		with detailed designs accepted by the RMS on the 27 August 2014. The intersection was constructed and completed prior to the commencement of operations. A practical completion letter from the Roads and Maritime Services was received on the 1 June 2017.
34	Prior to the commencement of any works on a State road, the proponent shall enter into a Works Authorisation Deed (WAD) with the RMS. <i>Note: Further advice regarding the WAD process is provided in Appendix 8.</i>	Major works authorisation deed and private financing and construction July 2013 (not signed)	Compliant	A Work Authorisation Deed between LMCC and RMS was sighted dated July 2013.
35	Prior to the commencement of operations, the Proponent shall complete all road works under the WAD to practical completion, to the satisfaction of the RMS.	WAD Awaba Waste Facility Intersection Upgrade Wilton Road Mr217 Wangi Road Practical Completion Letter dated 1/06/2017	Compliant	Prior to the commencement of operations, LMCC completed all required road works under the WAD to practical completion to the satisfaction of the RMS with a practical competition letter sighted dated 16 June 2017. RMS confirmed all outstanding minor defects/omissions had been completed following an inspection which was undertaken on the 16 May 2017.
36	All works shall be undertaken at full cost to the Proponent, to the satisfaction of RMS.		Compliant	All works undertaken at LMCC expense (Bay Hornery pers com)
37	The Proponent shall ensure that: (a) the internal roads and parking associated with the Project are constructed and maintained in accordance with the latest versions of AS 2890.1 and AS 2890.2; and		NC – 23 Non-compliant	No verifiable evidence able to be provided confirming that internal roads and parking associated with the Project have been constructed and maintained in accordance with the latest versions of AS 2890.1 and AS 2890.2. During the site

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
	(b) vehicles associated with the Project do not park or queue on the public road network.			inspection the internal roads and parking areas were considered to have been well maintained. During site inspection observations confirmed no vehicles parked or queued out onto public road network. Site access road is a sufficient length to prevent queuing from weighbridge on to main road (Steve Merrett pers com). Recommendation: LMCC should seek to confirm that the internal roads and parking areas have been constructed and maintained in accordance with the latest versions of AS 2890.1 and AS 2890.2 and keep a record of this for future audits.
38	The Proponent shall prepare and implement a Construction Traffic Management Plan (CTMP), including a Vehicle Movement Plan for the Project in consultation with the RMS and to the satisfaction of the Director-General. The Plan shall: (a) be prepared and implemented by a suitably qualified and experienced person; (b) be submitted for approval by the Director-General prior to commencement of construction; and (c) be prepared with the intention of having minimal impact to the operation of the road network.	Construction Traffic Management Plan DPIE CEMP Approval Letter 21/09/2017	NC – 24 Non-compliant	The Construction Traffic Management Plan (CTMP) does not include a Vehicle Movement Plan and evidence of consultation with the RMS could not be provided. (a) The CTMP was prepared by Ian Currey from Daracon. (b) The CTMP was submitted to the Director General for approval after the commencement of construction (2 May 2017) on the 11 August 2017 and approved on the 21 September 2017 (sighted letter). (c) One of the main objectives of the CTMP identified in Section 1 outlines the CTMP aims to minimise the impact on road users and adjoining communities by providing ample notice of changes to traffic arrangements
VISUAL AMENITY				
LIGHTING				
39	The Proponent shall ensure that the lighting associated with the Project:		NC – 25	(a) During the audit no evidence has been provided to support lighting associated with the project complies with

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
	(a) complies with the latest version of AS 4282(INT) - Control of Obtrusive Effects of Outdoor Lighting; and (b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.		Non-compliant	the latest version of AS 4282(INT) - Control of Obtrusive Effects of Outdoor Lighting. (b) No complaints have been received during the audit period concerning lighting. Recommendation: LMCC should seek to confirm that lighting associated with the project complies with the latest version of AS 4282(INT) - Control of Obtrusive Effects of Outdoor Lighting and keep a record of this for future audits.
SIGNAGE				
40	The Proponent shall not install any advertising signs on Site without the written approval of the Director-General.		Compliant	No advertising signs have been installed onsite (B. Hornery pers comms) and confirmed during site inspection.
HAZARDS & RISKS				
BUNDING				
41	The Proponent shall store all chemicals, fuels and oils used on Site in appropriately bunded areas in accordance with the requirements of all relevant Australia Standards, and/or EPA's Storing and Handling Liquids: Environmental Protection – Participants Handbook.		NC – 26 Non-compliant	During the site inspection it was noted in some locations (such as the landfill gas energy plan) that chemical and hydrocarbon drums were not located within bunded areas. Recommendation: It is recommended management procedures are revised to ensure all employees know all chemicals, oils should be located within a bunded area.

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
FIRE MANAGEMENT				
42	The Proponent shall: (a) ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures are constructed in accordance with Section 3 and Section 7 (BAL 29) Australian Standard AS3959-2009 c of buildings in bush fire-prone areas; (b) prior to the commencement of operations, prepare a Fire Management Plan for the Site; (c) implement suitable measures to minimise the risk of fire on Site, including in the landfill area; (d) extinguish any fires on Site promptly; and (e) maintain adequate fire-fighting capacity on Site.	Fire Management Plan 27/06/2019	Compliant	(a) All new buildings and structures associated with the expansion of the AWMF including the amenities building, Re-use centre, weighbridge, waste transfer station has been constructed in accordance with Section 3 and Section 7 (BAL 29) Australian Standard AS3959-2009 c of buildings in bush fire-prone areas as outlined in Section 3 of the Fire Management Plan. (b) The Fire Management Plan for the site was prepared prior to the commencement of operations (12 August 2020) with the plan completed on the 27 June 2019. (c) Suitable measures currently undertaken onsite are detailed in Section 8 of the Fire Management Plan and include: • Heavy machinery onsite shall be fitted with fire extinguishers and fire suppression equipment. (d) Section 7 of the Fire Management Plan outlines “Any fires shall be responded to as quickly as possible if they are deemed safe to extinguish.” (e) To ensure fires can be responded to quickly, firefighting capacity of the site maintained and is followed generally in accordance with section 10 of the fire management plan “Environmental Protection Authority Guidelines”.
EMERGENCY RESPONSE				
43	The Proponent shall prepare and implement an Emergency Response Plan for the Project to the satisfaction of the Director-General. The Plan shall: (a) be prepared and implemented by a suitably qualified and experienced person whose appointment has been approved by the Director-General;	Pollution Incident & Emergency Response Management Plan Bushfire Evacuation Plan 11/06/2019	NC – 27 Non-compliant	It was advised that the site has prepared a Pollution Incident and Emergency Response Plan for the Project to address this condition. (a) There is not enough evidence to suggest the Pollution Incident and Emergency Response Plan has been prepared by a suitably qualified and experienced person whose appointment has been approved by the Director-General. It is

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
	(b) be submitted for approval by the Director-General prior to commencement of operations; and (c) include a Bush Fire Emergency Evacuation Plan in accordance with the NSW Rural Fire Service document Guide for Developing a Bush Fire Emergency Evacuation Plan.	Newcastle Bushfire Consulting Consultation Letter RE: Emergency Response Plan 12/06/2019		noted the plan has been reviewed by Phillip Coruch from Newcastle Bushfire Consulting before its submission. (b). The Pollution Incident and Emergency Response Plan for the Project was submitted to the Director General as part of the LEMP on the 16 July 2019 and was approved on the 11 October 2019 prior to the commencement of operations. (c) The Bushfire Evacuation Plan for the site has been developed in accordance with the NSW Rural Fire Service document <i>Guide for Developing a Bush Fire Emergency Evacuation Plan</i>. It is noted a Fire evacuation procedure is included within the Pollution Incident & Emergency Response Management Plan however the Bushfire Evacuation Plan is not included. Recommendation: It is recommended LMCC to seek approval from the Director General of a suitability qualified and experienced person to revise the Pollution Incident & Emergency Response Management Plan. The revised plan should include the Bush Fire Emergency Evacuation Plan as required.
CONSERVATION				
HERITAGE MANAGEMENT				
44	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. Evidence of this consultation shall be collated and provided to the Director-General upon request.	Cultural Heritage Management Plan 2015 - Appendix B: Consultation Log	Compliant	A consultation log documenting consultation with registered Aboriginal parties in preparation of the plan is listed as Appendix B within the Cultural Heritage Plan. However, this register has not been updated and does not account for any consultation past the submission of the plan. Recommendation: It is recommended the consultation log be updated to include all ongoing correspondence between LMCC and the RAPs that has occurred since the submission of the plan.

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
45	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; (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;	Cultural Heritage Management Plan 2015 Appendix B CHMP Consultation Log OEH consultation letter 30/06/2015 CEMP Approval Letter 27/09/2017	NC – 28 Non-compliant	LMCC have prepared a Cultural Heritage Management Plan (CHMP) to the satisfaction of the Director General. (a) CHMP has been prepared in consultation with OEH (sighted letter dating 30 June 2015).and prepared by Insite Heritage who is a suitably qualified and experienced expert (b). The CHMP was submitted to the Director General as part of the CEMP however there is not enough verifiable evidence to suggest the plan was included or approved as part of the CEMP (ie. the CHMP was not referenced in the approval letter for the CEMP like the other plans were). (c) All RAPs were invited to attend a CHMP inception meeting on the 24 February 2015 alongside review meetings held on the 01 May2015 and 13 May 2015. No evidence has been provided to suggest the CHMP has been implemented in consultation with the registered aboriginal parties. (d) Section 3.0 and 4.0 includes the procedures for managing the Aboriginal cultural heritage values associated with the Project, Section 2.3, 2.4,3.0 & 4.0 details the involvement and responsibilities of the Aboriginal stakeholders in the implementation of all cultural heritage management actions. The responsibilities of all other stakeholders are shown in Section 1.3.2. Section 4.0 details all mitigation and management strategies (including monitoring program, further investigations etc). Procedures for the identification and management of previously unrecorded sites (including human remains) are included in Section 3.3 & 3.4. An appropriate keeping place agreement with local Aboriginal community representatives for any Aboriginal objects salvaged through the development process is detailed in Section 3.2.1.

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
	- the Aboriginal Cultural Heritage Education Induction Program for all contractors and personnel associated with construction activities; and (f) compliance procedures in the unlikely event that non-compliance with the CHMP is identified.			The Aboriginal Cultural Heritage Education Induction Program for all contractors and personnel associated with construction activities is detailed Section 3.2. Compliance procedures in the unlikely event that non-compliance with the CHMP is identified is provided in Section 3.1. As outlined in Section 3.5.1 where specific cultural sites have been fenced the fencing will carry signage stating: "Protection Zone – Do Not Enter" Contact - (project manager / site supervisor details)". During the site inspection no signs were observed around site 45-7-0331 (culturally modified tree) As stated in Section 4.0 following completion of trenching and backfilling works for the pipeline, the RAPs have requested the opportunity to walk the pipeline route to undertake a final collection of any objects that may be visible. No evidence has been provided to suggest RAPs have been provided this opportunity. In Section 4.3 states a protocol would also be developed in consultation between and RAPs regarding monitoring and collection for the waste management facility expansion component of the project. No protocol has been sighted. No Aboriginal Site Impact Recording Forms have been sighted for any sites subjected to archaeological salvage works during construction. As outlined in Section 4.5 a report detailing the methodology and results of the salvage of Aboriginal archaeological sites on the AWMFEP shall be produced however has not been sighted during this audit period. In Section 2.3.2 the CHMP is subjected too periodic review and would be updated following the completion of initial archaeological salvage works for the pipeline. The CHMP will then be reviewed following completion of salvage / collection

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
				works for the following stages of the waste treatment facility expansion; Stage 1 (Cells 1 & 2). No reviews have been undertaken. Recommendation: It is recommended the CHMP is revised and updated to reflect changes and existing operations. As part of this review and revision a monitoring and collection protocol should be prepared in consultation with the RAPs and included the revised management plan. The revised CHMP should be sent to the Department for approval. Recommendation: LMCC to confirm a report was prepared as part of the salvage for AWMF that detailed the methodology and results of the salvage of Aboriginal archaeological sites on the AWMF. This should be provided to relevant agencies and RAPs if not already distributed. If not prepared the report needs to be prepared. Recommendation: Signage should be installed at the culturally modified tree (Site 45-7-0331) and all other identified sites within the AWMF as required by the Cultural Heritage Management Plan
46	The Proponent is to provide fair and reasonable opportunities for the registered Aboriginal parties to monitor any initial ground disturbance activities associated with the Project. In the event that additional Aboriginal objects are uncovered during the monitoring program, the objects are to be recorded and managed in accordance with the	Cultural Heritage Management Plan 2015	NC – 29 Non-compliant	As outlined in the Annual Review 2020-2021, opportunities were provided to registered aboriginal parties prior to construction in accordance with the CHMP. Prior to construction commencing, an Aboriginal archaeological salvage program was undertaken. The salvage program included repatriation of one salvaged culturally modified tree (45-7-0332) with other artefacts uncovered during the

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
	requirements of Sections 85A and 89A of the <i>National Parks and Wildlife Act 1974</i> .			salvage program. Additionally, one culturally modified tree (45-7-0331) was retained and protected onsite. No correspondence could be provided to show LMCC providing fair and reasonable opportunities for the registered Aboriginal parties to monitor any initial ground disturbance activities, therefore condition 46 has been marked as non-complaint.
47	All Aboriginal sites impacts by the Project shall have an Aboriginal Site Impact Recording (ASIR) form completed and be submitted to the AHIMS Registrar within three (3) months of being impacted.	Cultural Heritage Management Plan 2015	NC – 30 Non-compliant	It is noted a number of aboriginal sites would have been impacted during construction (including those as collected or removed by the salvage program). As such no ASIR forms could be provided therefore this condition has been marked as non-compliant. Recommendation: LMCC to confirm ASIR forms have been completed and submitted to AHIMS as required and a record of this be kept onsite.
48	If human remains are located in the event that surface disturbance occurs, all works shall halt in the immediate area to prevent any further impacts to the remains. The NSW Police are to be contacted immediately. No action is to be undertaken until the NSW Police provide written notification to the Proponent. If the skeletal remains are identified as Aboriginal, the Proponent shall contact the Environment Line on 131 555 and representatives of the local Aboriginal community. No works are to continue until the NSW OEH provides written notification to the Proponent.	Cultural Heritage Management Plan 2015	Compliant	During this reporting period no skeletal remains were reported (B. Hornery as per comms.). The process is prescribed in Section 3.4 of the Cultural Heritage Management Plan.
49	An Aboriginal Cultural Education Induction Program shall be developed for the induction of all personnel and contactors involved in the construction activities on Site. Records are to be kept of which	Cultural Heritage Management Plan 2015	Compliant	An outline of the Aboriginal Cultural Education Induction Program is provided in Section 3.2 (Site Inductions) of the CHMP and is provided as Appendix D in the CEMP.

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations								
	staff/contractors were inducted and when for the duration of the Project. The program should be developed and implemented in collaboration with the registered Aboriginal parties.	Aboriginal Cultural Heritage Register 2017 CEMP Appendix D - the Aboriginal Cultural Education Induction Program		The Aboriginal Cultural Education Induction Program includes relevant legislation, exclusion and no-go zone areas around the site and details the unexpected finds protocol. The induction records for the program were sighted during the audit.								
THREATENED BIODIVERSITY												
BIODIVERSITY OFFSET STRATEGY												
50	The Proponent shall implement the biodiversity offset strategy summarised in Table 3 and shown in Appendix 2 in accordance with the Biobanking Assessment Report prepared by Niche dated September 2013 to the satisfaction of the Director-General. <i>Table 3: Biodiversity Offset Strategy</i> <table><tr><th>Offset Area</th><th>Offset Type</th><th>Ecosystem credits</th><th>Species credits</th></tr><tr><td>Lot 463 DP 1138964 (121.19 hectares)</td><td>Vegetation to be enhanced and retained including Smooth-barked Apple-Red Bloodwood open Forest and Scribbly Gum-Red bloodwood heath woodland communities and <i>Tetratheca juncea</i> (Black-eyed Susan)</td><td>392</td><td>33,853</td></tr></table> <i>Note: to see the areas referred to in Table 3, see the applicable figures in Appendix 2.</i>	Offset Area	Offset Type	Ecosystem credits	Species credits	Lot 463 DP 1138964 (121.19 hectares)	Vegetation to be enhanced and retained including Smooth-barked Apple-Red Bloodwood open Forest and Scribbly Gum-Red bloodwood heath woodland communities and <i>Tetratheca juncea</i> (Black-eyed Susan)	392	33,853	Biodiversity Conservation Plan of Management 2015	NC – 31 Non-compliant	The Biodiversity Offset Strategy has not been implemented during the audit period. Monitoring of the Awaba Biodiversity Conservation Area has not been carried out in accordance with the approved Awaba Conservation Area Plan of Management. Activities that had not been undertaken include: • Comprehensive weed survey • Prepare and maintain a map of the distribution of each weed species on the land (both current and historic distribution) • Biodiversity monitoring program Recommendation: It is recommended LMCC undertake all monitoring and management actions as required in the Biodiversity Conservation Area Plan of Management during the next reporting period.
Offset Area	Offset Type	Ecosystem credits	Species credits									
Lot 463 DP 1138964 (121.19 hectares)	Vegetation to be enhanced and retained including Smooth-barked Apple-Red Bloodwood open Forest and Scribbly Gum-Red bloodwood heath woodland communities and <i>Tetratheca juncea</i> (Black-eyed Susan)	392	33,853									

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
51	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.	Awaba Biodiversity Conservation Area Plan of Management 2015 OEH Consultation Letter 6/11/2014 DPIE Approval Letter 22/01/2015	NC – 32 Non-compliant	The Biodiversity Offset Management Plan for Lot 463 DP 1138964 has been prepared in consultation with OEH, with a consultation letter dated 06 November 2014 (sighted). The plan was submitted to DPIE on the 7 November 2014 and was approved on the 22 January 2015.
51A	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 shall be registered and inure in favour of the Minister for Planning and Infrastructure. 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. 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.	Biodiversity Conservation Plan of Management 2015	NC – 33 Non-compliant	A restrictive covenant has not been placed on Lot 463 DP 1138964 (sighted Certificate of Title dated 14 June 2016 which did not include restrictive covenant). Recommendation: It is recommended a restrictive covenant be placed on Lot 463 DP 1138964 and include all the requirements of Condition 51A.
52	<i>Deleted</i>		Noted	

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
PRE-CLEARANCE SURVEYS				
53	Prior to construction, the Proponent shall carry out pre-clearing surveys by a suitably qualified and experienced ecologist in accordance with Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities (DEC, 2004), to the satisfaction of the Director-General.	Biodiversity Management Plan 2015	Compliant	As stated in Section 3 of the Biodiversity Management Plan comprehensive biodiversity surveys were undertaken as part of the Project design and assessment process in 2012 by Forest Fauna Surveys and Niche Environment and Heritage conducted the surveys.
BIODIVERSITY MANAGEMENT				
54	The Proponent shall prepare and implement a Translocation Plan for the Project to the satisfaction of the Director-General. The Plan shall: (a) be prepared by a suitably qualified and experienced expert in consultation with the OEH; (b) be reviewed by an independent agency that oversees land management outcomes in the region; (c) be submitted to the Director-General for approval prior to the commencement of construction;	CEMP DPIE Approval Letter 14 December 2015 Biodiversity Management Plan 2015 OEH Consultation Letter 19/03/2015 Hunter Local Land Services consultation letter 05/03/2015	Compliant	The Translocation Plan has been prepared and implemented for the Project. (a) The Translocation Plan which forms part of the Biodiversity Management Plan has been prepared by LMCC in consultation with OEH as per correspondence between OEH and LMCC dated 19 March 2015 (sighted). OEH noted a number of recommendations which have been incorporated into the plan. Some recommendations include: • The inclusion of <i>Chrysanthemoides monilifera subsp monilifera</i> to the Priority Weeds Table • Ensure the final version of the Biodiversity Management Plan is a searchable PDF file (b) The Biodiversity Management Plan inclusive of the translocation plan has also been reviewed by the Hunter Local Land Services (sighted correspondence letter dated 5 March 2015) and noted the plan is generally consistent with the Hunter Rivers Catchments Action Plan 2013-2023. (c) The Biodiversity Management Plan incorporating the Translocation Plan was submitted prior to construction and
	(d) describe the measures that will be implemented to: (g) translocate and manage fauna species; (h) monitor and report on the success of the translocation; and (i) ensure suitable contingency measures are implemented if the monitoring suggests the			

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
	translocation is not working as well as intended. The Plan shall be documented in the Construction Environmental Management Plan (see Condition 2 in Schedule 5).			was approved by DPIE on the 14 December 2015 (sighted letter) (d) Translocation of species is restricted to <i>Tetratheca Juncea</i>. The plan indicates translocation of fauna species would not be required but relocated to adjoining bushland. <i>If translocation of Tetratheca Juncea</i> was to occur, monitoring would be subjected for a period of two years. However, the plan does not outline or detail contingency measures or reporting requirements if translocation fails. The plan is included in the CEMP as part of Appendix C – Environmental Control Plans. Recommendation: It is recommended the translocation plan be revised and include contingency measures and reporting requirements of translocation <i>Tetratheca Juncea</i>
55	The Proponent shall prepare and implement a Vegetation and Fauna 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 in consultation with the OEH; (b) be reviewed by an independent agency that oversees land management outcomes in the region; (c) be approved by the Director-General prior to the commencement of construction; (d) map all identified vegetation cover and types;	Biodiversity Management Plan 2015 DPIE Approval Letter dated 14 December 2015 OEH Consultation Letter 19/03/2015 Hunter Local Land Services consultation letter 05/03/2015	NC – 34 Non-compliant	The Vegetation and Fauna Management Plan has been prepared to the satisfaction of the Director General. (a) The Vegetation and Fauna Management Plan was prepared by LMCC in consultation with OEH (sighted consultation letter dated 19 March 2015). (b) The Biodiversity Management Plan inclusive of the Vegetation and Fauna Management Plan has been reviewed by Hunter Local Land Services (sighted consultation letter dated 5 March 2015.) (c) The Biodiversity Management Plan incorporating the Vegetation and Fauna Management Plan was submitted prior to construction and was approved by DPIE on the 14 December 2015 (sighted letter)

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
	(e) describe methods for monitoring and controlling vegetation, including prevention of litter and weed invasion into the Offset Areas during construction and operation; (f) include a Vegetation Clearing Protocol; (g) identify measures to manage edge effects along the interface of the Offset Areas and landfill sites; (h) detail management of pest species; and (i) detail ecological monitoring programs to be implemented.			(d) Maps of vegetation cover and types is included and is listed as Map 4 at the end of the Biodiversity Management Plan. (e) Management and mitigation strategies controlling litter and weed invasion are outlined in Table 4 of the Biodiversity Management Plan. (f) A general Vegetation Clearing Protocol is outlined in Table 5. (g) The offset area does not adjoin the landfill site (other side of Wilton Road) (h) Table 7 provides a details of active management procedures for weeds species. (i) Monitoring is detailed in Section 7 and indicates monitoring is to be undertaken on a 6 monthly basis for a minimum of two years. However, no monitoring has been undertaken during this audit period. Recommendation: It is recommended monitoring of the biodiversity offset area be undertaken as required.
56	The Vegetation Clearing Protocol shall: (a) clearly identify the location and type of vegetation to be retained and to be removed from the Site; (b) detail measures that would be implemented for vegetation clearing; (c) ensure vegetation, including trees would not be pushed or felled into any retained bushland areas during the vegetation removal process; and (d) detail the staging of construction to avoid breeding times for key species on Site.	Biodiversity Management Plan 2015 Section 6.1	NC – 35 Non-compliant	A Vegetation Clearing Protocol is included in the Biodiversity Management Plan under Section 6.1. (a) Location and type of vegetation to be retained and removed is not clearly identified within the Vegetation Clearing Protocol (b) All management and mitigation measures of the protocol are detailed in Table 5. (c) Table 5 also outlines where the removal of where trees is required, felled trees into the most disturbed area possible (d) Table 5 also indicates vegetation clearance will be scheduled to incorporate seasonal habitat requirements of bats and other mammals by avoiding hibernation and breeding periods.

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
				Recommendation: It is recommended the Vegetation Clearing Protocol within the Biodiversity Management Plan be revised and clearly detail location and type of vegetation to be retained and removed.
LANDFILL CLOSURE AND REHABILITATION				
CLOSURE MANAGEMENT PLAN				
57	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	Annual Review 2020-2021	NC – 36 Non-compliant	A Landfill Closure and Rehabilitation Management Plan has not been prepared or submitted to the Director-General for approval within the required timeframe. LMCC has advised they are in consultation with DPIE in requesting further clarification on this condition as to why a plan at this stage. Recommendation: It is recommended LMCC continue to engage with DPIE to confirm the required timing of preparing the Landfill Closure and Rehabilitation Management Plan and provide this plan to DPIE for approval within the agreed timeframe.
REHABILITATION MANAGEMENT PLAN				
58	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 by a suitably qualified and experienced expert;	Annual Review 2020-2021 Section 7	NC – 37 Non-compliant	The Landfill Closure and Rehabilitation Management Plan not prepared and implemented as required by this condition. Refer to Condition 57.

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
	(b) be submitted to the Director-General for approval within 12 months upon commencement of this approval; (c) define the objectives and criteria for rehabilitation and closure; (d) ensure that the final landform of the Site is consistent with the EA and Appendix 5 of this approval; (e) describe the measures that would be implemented to achieve the specified objectives and criteria for rehabilitation and closure; (f) calculate the cost of implementing these measures; (g) describe how the performance of these measures would be monitored over time; and (h) include details of the post closure management measures for all aspects of the Project.			
SCHEDULE 5 ENVIRONMENTAL MANAGEMENT, REPORTING & AUDITING				
ENVIRONMENTAL MANAGEMENT				
CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN				
1	The Proponent shall prepare and implement a Construction Environmental Management Plan for the Project to the satisfaction of the Director-General. The Plan shall: (a) be approved by the Director-General prior to the commencement of construction;	CEMP August 2017	NC – 38 Non-compliant	A Construction Environmental Management Plan for the Project has been prepared to the satisfaction of the Director General. (a)The Construction Environmental Management Plan (CEMP) was submitted to the Director General on the 11 August 2017

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
	(b) identify the statutory consents and approvals that apply to the Development; (c) consolidate all relevant management plans and monitoring programs required in the conditions of this approval; (d) outline all environmental management practices and procedures to be followed during construction and demolition works associated with the Project; (e) describe all activities to be undertaken on the Site during construction of the Project, including a clear indication of construction stages; (f) detail how the environmental performance of the construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts; (g) describe the roles and responsibilities for all relevant employees involved in construction and demolition works associated with the Project; and (h) include arrangements for community consultation and complaints handling procedures during construction and demolition. Note: Construction of the Project shall not commence until written approval of the Plan has been received from the Director-General.			after the commencement of construction (2 May 2017) and was approved on the 21 September 2017. (b) Statutory consents and approvals that apply to the Project are identified in Section 2.4 of the CEMP. (c) The CEMP consolidated all relevant management plans and monitoring plans and includes them in Appendix C. Plans include: • Erosion and Sediment Control Plan (GHD, 2017) • Construction Noise and Vibration Management Plan (GHD, August 2017) • Contaminated Soils Management Plan (GHD, August 2017) • Surface and Stormwater Management Plan (GHD, August 2017) • Cultural Heritage Management Plan (Insite Heritage, May 2015) • Biodiversity Management Plan (LMCC, November 2015) • Biodiversity Offset Strategy (LMCC, March 2017) • Construction Traffic Management Plan (Daracon, July 2017) • Aboriginal Cultural Heritage Awareness Training n.d. (d) Detailed in section 3.2 environmental management activities and controls from erosion and sediment control to biodiversity. (e) Section 1.2.4 details construction activities and stages (f) Table 1.1. provides key project dates.

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
				(g) Section 4 details monitoring, and Table 4.2 details an indicative environmental monitoring schedule of the Project. (h) Section 2.2 discusses roles and responsibilities Complaint procedure is included Section 7.1.
LANDFILL ENVIRONMENTAL MANAGEMENT PLAN				
2	Prior to the commencement of operations, the Proponent shall update the draft Landfill Environmental Management Plan for the Site to the satisfaction of the Director-General and in consultation with NOW. Following approval, the Proponent shall implement the Plan to the satisfaction of the Director-General. The Plan shall: (a) be prepared in consultation with the EPA and NOW; (b) be prepared by suitably qualified and experienced experts; (c) describe in detail the management measures that would be implemented to address: • the relevant matters referred to in the <i>Environmental Guidelines for Solid Waste Landfills</i>; • the conditions of this approval; and requirements of the EPL; (d) include a copy of: • the relevant plans and programs required under this approval; • a quality assurance plan for the design and installation of the leachate	DPIE Approval Letter 04 October 2019 EPA consultation letter 2/7/2019 LEMP (July 2021) LMCC Website Appendix R Management Structure and Position Descriptions NRAR Consultation Letter dated 24 April 2022	Compliant	The revised LEMP was sent to the Director General on the 6 July 2019 and was approved on the 04 October 2019 prior to the commencement of operations. (a) The revised LEMP was prepared in consultation with the EPA (sighted letter) but was not prepared in consultation with NOW. A consultation letter dated 24 April 2020 was sighted with NRAR, but this was after it had been submitted to the Director General for approval (b) Initial draft of LEMP has been prepared by J. Davies from GHD and handed over to B. Hornery from the LMCC on the 10 October 2019. In the last update included the revision of the fill out plan and project approval records. (c) Section 6 details the operations of the Project while Section 9 details the environmental management of the site in accordance with conditions of the approval and relevant matters referred to in the Environmental Guidelines for Solid Waste Landfills; (d) The LEMP generally includes majority of plans and programs required under this approval. A quality assurance plan prepared by GHD is included as Appendix P in the LEMP. (e) It is outlined in the LEMP the local community and relevant agencies are informed about environmental performance regularly via the LMCC website and this was confirmed on the date.

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
	management system and any capping of the landfill cells that covers the relevant issues outlined in sections 1 – 2 of Appendix A of the Environmental Guidelines for Solid Waste Landfills; (e) describe the procedures that would be implemented to: • keep the local community and relevant agencies informed about the operation and environmental performance of the Project; • receive, handle, respond to, and record complaints; • resolve any disputes that may arise during the course of the Project; and • respond to emergencies; (f) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the Project; and (g) be placed on Council's website within 2 weeks of its approval.			A review of the LEMP showed the methodology of how complaints were handled and responded to in Section 7.11 and how complaints were recorded in Section 7.13. The LEMP does not outline how complaints are received. Dispute resolution is detailed in Section 6.12 while response to emergencies is outlined in Section 6.10 with further detail referenced to Appendix F: Awaba Waste Pollution Incident & Emergency Response Plan. (f) Detailed in Section 4 of the LEMP states the role and main responsibilities of key personnel involved in the environmental management of the Project with further information referenced in Appendix R Management Structure and Position Descriptions (g) At the time of audit, the LEMP was available on the LMCC website. Recommendation: It is recommended the LEMP be updated to include a procedure outlining how complaints are received.
MANAGEMENT PLAN REQUIREMENTS				
3	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:	Biodiversity Management Plan 2015	NC – 39 Non-compliant	Management plans required under this approval have been prepared in accordance with relevant guidelines. Management plan requirements is detailed further below: (a) The Operational Noise Management Plan does not include a detailed baseline data. This is a result of Operational Noise Validation has not been undertaken.

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
	- 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: - 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;			(b) Relevant statutory requirements are not provided in the Air Quality and Odour Management Plan or the Biodiversity Management Plan. The Air Quality and Odour Management Plan also does not include relevant limits or performance criteria as outlined in this approval. (c) All relevant plans include a description of measures that would be implemented to comply with relevant statutory requirements. (d) The Air Quality and Odour Management Plan and the Operational Noise Management Plan does not include a program to measure the impacts and effectiveness of environmental performance. In addition, no clear or detailed plan to monitor the effectiveness of management measures is included within the Biodiversity Management Plan (e) No contingency plan to manage unpredicted impacts has been prepared for the Biodiversity Management Plan (f) The Air Quality and Odour Management Plan and the Biodiversity Management Plan do not have a program to investigate and implement ways to improve the environmental performance of the Project over time. (g) The Greenhouse Gas Management Plan, Biodiversity Management Plan and Biodiversity Conservation Area Management Plan do not have a protocol for reporting complaints procedures etc.

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
	(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.			(h) The Air Quality and Odour Management Plan, the Biodiversity Management Plan and Soil, Water and Leachate Management Plan do not have a protocol for review. It should also be noted the Air Quality and Odour Management Plan has no date which makes it difficult to track changes. Recommendation: It is recommended LMCC include relevant findings from the Operational Noise Validation (including record of baseline) within the Operational Noise Management Plan. Recommendation: It is recommended the Air Quality and Odour Management Plan and the Biodiversity Management Plan be revised to include relevant statutory requirements of and include relevant limits or performance criteria as outlined in this approval. Recommendation: The Air Quality and Odour Management Plan, Biodiversity Management Plan and the Operational Noise Management Plan include a program to measure the impacts and effectiveness of environmental performance Recommendation: It is recommended a contingency program to manage unpredicted impacts e.g. weed infestations be included within the Biodiversity Management Plan. Recommendation: It is recommended Greenhouse Gas Management Plan, Biodiversity Management Plan and Biodiversity Conservation Area Management Plan be revised to include a protocol for reporting non-compliances and complaints

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
				Recommendation: It is recommended Air Quality and Odour Management Plan, the Biodiversity Management Plan and Soil, Water and Leachate Management Plan are updated to ensure appropriate review protocol is in place. Recommendation: It is recommended the Air Quality and Odour Management Plan and the Biodiversity Management Plan be revised to include a program to investigate improvements in environmental performance. Recommendation: It is recommended a compliance system be created to ensure management plans are reviewed in accordance with their respective protocols. Recommendation: It is recommended all relevant management plans/programs required under this approval be reviewed to reflect current operations.
ANNUAL REVIEW				
4	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	Annual Review 2020-2021	Compliant	An Annual Review was prepared by LMCC for this reporting period (2020-2021). (a) Operations undertaken over the past year including landfill operations and construction activities. are described in Section 4 of the Annual Review 2020-2021 (b) Section 6 and Section 8.2 of the Annual Review 2020-2021 provides clear analysis of the monitoring results and complaint records of the Project over the reporting period. As this is the first Annual Review results could not be compared to previous years.

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
	- relevant statutory requirements, limits or performance measures/criteria; - 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.			(c) Identification of any non-compliances are shown in Table 1.2 of the Annual Review 2020-2021 with corrective actions outlined in Section 10. (d) Trends in monitoring data are identified in Section 6 of the Annual Review. (e) Areas of improvement are identified in Section 6 under their respective area of concern. For example, in Section 6.1.3 it was noted remediation options would be developed to mitigate leachate migrating offsite over the next reporting period.
REVISION OF PLANS & PROGRAMS				
5	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, (d) the Proponent shall review, and if necessary, revise the plans and programs required under this approval to the satisfaction of the Director-General. <i>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.</i>	EPL Correspondence dated 31 March Soil, Water and Leachate Management Plan August 2017	NC – 40 Non-compliant	The Soil, Water and Leachate Management Plan has been revised in accordance with Condition (b) in response to the Leachate Incident in March 2021 however the plans within the plan have not been revised e.g. Leachate Management Plan. Recommendation: It is recommended all plans within the Soil, Water and Leachate Management Plan be revised as required to ensure consistent with the updates made to main document.

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
REPORTING				
INCIDENT				
6	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.	EPL Annual Return 2020-2021 EPA Correspondence dated 26 August 2020, 3 November 2020, 2 February 2021, 31 March 2021, 1 April 2021, 31 August 2021 EPA Penalty Notice Advice Letter 12 October 2017	NC – 41 Non-compliant	A series of incidents associated with the Project have occurred during the audit period and are detailed below: • On the 8 May 2017 an excavator struck a valve of the polypipe causing leachate to discharge uncontrolled from the damaged polypipe. The discharge wasn't discovered to the 9 May where it was contained and reported to the EPA. • On the 27 July 2020 monitoring points (Monitoring Point 6 and Monitoring Point 7) exceeded criteria for nitrate. This was notified to the EPA via email on the 26 August 2020 (sighted correspondence). • On the 12 October 2020 various monitoring points exceeding criteria for a number of analytes which included pH, aluminium, ammonia, chromium, copper, lead and zinc. This was notified to the EPA via email on the 3 November 2020 (sighted correspondence). • On the 20 January 2021 various monitoring points exceeding criteria for a number of analytes which included pH, ammonia and nitrate. This was notified to the EPA via email on the 2 February 2021(sighted correspondence). • Following a period of heavy rainfall between 14 March 2021 – 20 March 2021 leachate dams reached capacity. To avoid overtopping the lower leachate dam a controlled discharge of low concentrating of leachate was carried out between 21 March 2021 – 24 March 2021 totalling 64.5 hours equating to approximately 2.5542 ML. This was notified to the EPA on the

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
				21 March 2021. A detailed report was submitted to the EPA via email on the 31 March 2021 (sighted correspondence). • On the 22 March 2021 two sampling points Monitoring Point 6 and Monitoring Point 7 exceeded the criteria for suspended solids concentration limit. This was notified to the EPA via email on the 1 April 2021(sighted correspondence). • On the 31 August 2021 a fire was noticed on the covered floor area of the current tipping face. The fire was not authorised and ignition source unknown. The fire firstly smothered with VENM prior to the onsite water cart fully extinguishing the fire with water, while the waste was turned by site plant. This was notified to the EPA via telephone call on the 3:07 pm 31 August 2021, with subsequent report submitted the same day (sighted correspondence). No incidents were reported to the Director General at the time of incidence or as soon as practical as required by this condition. Recommendation: LMCC should seek to engage with DPIE to provide them a briefing on the above incidents that have occurred and confirm if they require them to be reported retrospectively. If required incident report(s) should be provided to meet DPIE's requirements. Recommendation: It is recommended LMCC revise their reporting procedure and ensure relevant authorities including the Director General are notified of all relevant incidents.

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
REGULAR				
7	The Proponent shall provide regular reporting on the environmental performance of the Project on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this approval, and to the satisfaction of the Director-General.	Gas Monitoring Monthly Results Jan 2020 – May 2021 Water Quarterly Monitoring Results Q1 2020 – Q2 2021	NC – 42 Non-compliant	Gas (Monthly) and Water (Quarterly) monitoring results for the AWMF are available on the LMCC website however results from recent monitoring months are missing. For this reporting period (2020-2021) the LMCC website only provides gas results up to May 2021 and up to 2nd Quarter for Water2021. It also noted some results are mislabelled e.g. Awaba Waste Management Facility Water Monitoring June 2021(PDF, 1000KB) is actually surface gas monitoring sheet dated June 20 to June 21. Recommendation: It is recommended all missing data is uploaded to the website as required and that LMCC implement a procedure / process to ensure that all data as required be regularly uploaded to the LMCC website
INDEPENDENT ENVIRONMENTAL AUDIT				
8	Within a year of the commencement of operations of the Project, and every three (3) years thereafter, unless the Director-General directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the Project. The Audit shall: (a) be conducted by suitably qualified, experienced and independent team of expert/s whose appointment has been endorsed by the Director-General; (b) include consultation with the relevant agencies; (c) Assess the environmental performance of the Project and assess whether it is	DPIE Approval Letter 21 July 2021	Compliant	LMCC commissioned Umwelt to conduct an Independent Environmental Audit for their first year of operations. (a) The audit was led by Daniel Sullivan (Lead Auditor) followed by Joshua Wheatley (Assistant Auditor) who were granted DPIE approval to conduct the Independent Environmental Audit of the AWMF in correspondence from the Department dated 21 July 2021. (b) Consultation was undertaken with DPIE. (c) Environmental Performance of the project was assessed against Project Approval Conditions, statement of commitments and EPL conditions of which is outlined in the audit report. (d) Plans and programs have also been reviewed and is outlined in Section 4 of the audit report.

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
	complying with the relevant requirements in this approval and any relevant EPL (including any plan or program required under these approvals); (d) review the adequacy of any plans or programs required under these approvals; and, if appropriate; (e) recommend measures or actions to improve the environmental performance of the Project, and/or any plan or program required under these approvals. <i>Note: This Audit team shall be led by a suitably qualified auditor and include experts in any fields specified by the Director-General.</i>			(e) Measures and/or actions to improve environmental performance have been recommended as part of this audit report as referenced within these compliance tables and the main volume of the audit report (refer Section 6 of the main audit report).
9	Within 6 weeks of the completing of this audit, or as otherwise agreed by the Director-General, the Proponent shall submit a copy of the audit report to the Director-General, together with its response to any recommendations contained in the audit report.		Noted	
ACCESS TO INFORMATION				
10	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: (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	LMCC Website	NC – 43 Non-compliant	(a) A copy of the latest approval (PA 10_0139 MOD 1) and EPBC Approval 2011/5973 is not provided on the LMCC website. (b) The EPL and other relevant plans are included as appendices within the LEMP but is not available as a separate approval document. (c) Gas and Water monitoring results for the AWMF are available on the LMCC website however results from recent monitoring months are missing. The website only provides gas results up to May 2021 and Water 2nd Quarter 2021.

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
	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.			(d) Complaint's register is not provided on the LMCC Website (e) Annual review is also not provided on the LMCC website. Recommendation: A copy of the most recent Project Approval (PA 10_0139 MOD 1) dated August 2014 and EPBC Approval 2011/5973 should be uploaded to the website along with the latest version of the EPL. Recommendation: All required plans and programs (in addition to the LEMP) should be uploaded to the LMCC website. Recommendation: It is recommended monitoring results be regularly updated and uploaded to the LMCC website. Recommendation: The complaints register and the Annual Review for the AWMF should be made publicly accessible and uploaded to the LMCC website. The complaints line should also be made available on the website so that members of the public understand how they can make complaints.
COMMUNITY EDUCATION PROGRAM				
11	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.	LEMP Appendix G – Community Education Program	Compliant	LMCC has prepared the Awaba Community Recycling Centre Communication and Education Plan which includes a Waste Education Plan and it is included within the LEMP which was submitted to and approved by the Department. It is noted in the Waste Education Plan that it is planned to operate between 2017 and 2019 which is noted to be prior to the commencement of operations. The plan focuses on reducing waste to landfill and promoting resource recovery.

Condition	Requirement	Audit Document	Compliance Status (inc ID for NC's)	Independent Audit Findings and Recommendations
				Recommendation: It is recommended that LMCC update the Waste Education Plan in the LEMP to confirm the scope of it is to continue to run during the operational phase of the project.

Table 2.0 Statement of Commitments

Requirement	Compliance Status	Independent Audit Findings and Recommendations
General		
LMCC will undertake the proposed works as described in this EA in accordance with the mitigation and management measures identified in this EA.	Non-compliant	Based on the findings of this IEA the AWMF is not being carried out generally in accordance with the EA or the conditions of this approval.
LMCC will ensure that a Construction Environmental Management Plan (CEMP) is prepared and implemented for the proposed works. The CEMP will detail appropriate mitigation measures for a range of construction activities and will address soil erosion and sediment control, slope stability, uncovering of contaminated, saline and/or acid sulfate soil, spill management, dust suppression, construction noise and vibration (as a minimum).	Compliant	A CEMP has been prepared by GHD and implemented by Daracon. The CEMP detailed appropriate mitigation measures and included an array of control plans covering soil erosion and sediment control, dust suppressions and construction noise and vibration etc.
LMCC will gain all necessary approvals and permits supporting both the construction and operational phases, including: - Updating and obtaining a reissue of the existing EPL (Licence No. 5873) for the site, or obtaining a new EPL for the site; and - Obtaining approval under Section 15 of the Mine Subsidence Compensation Act 1961.	Compliant	All necessary approvals and permits have been obtained for both construction and operation phases of the AWMF.
LMCC will update and continue to apply the existing LEMP for the AWMF to incorporate any new management/mitigation measures and monitoring requirements considered necessary for the proposed works.	Compliant	LEMP has been updated and revised to reflect existing operations of the AWMF.
LMCC will undertake community consultation as identified in Section 4.4 during the exhibition period of this EA Report, including holding information sessions for the community and stakeholders.	Compliant	Consultation undertaken as part of EA exhibition during the pre-approval period (outside of audit period)
LMCC will ensure that site monitoring is undertaken in accordance with the existing and future Environmental Protection Licence (EPL) for the site.	Non-compliant	Monitoring results have not been recorded appropriately as required by the EPL with monitoring results missing times and name of sampler.

Requirement	Compliance Status	Independent Audit Findings and Recommendations
Waste Management		
LMCC will ensure that during construction the site will be kept clear of unnecessary construction waste. Waste materials generated during the construction phase on both the AWMF site and along the sewer pipeline route will be recycled or reused wherever possible in the first instance.	Non-verifiable	Could not be determined by the scope of this audit due to lack of evidence provided as construction phase was beyond the audit period and no observations could be made.
LMCC will stockpile and reuse soil and vegetation required to be excavated/cleared for the new landfill cells and either reuse these resources as daily cover material for the active tipping face (soil) or process as green waste and use as mulch (vegetation).	Compliant	Refer to Schedule 4 Condition 14
LMCC will, wherever practical, place any felled trees or tree limbs in nearby surrounding bushland to act as potential habitat for fauna and reduce the volume of green waste.	Compliant	Felled trees were placed in nearby surrounding bushland as stated in Table 5 of the Biodiversity Management Plan.
LMCC will extend the gas extraction infrastructure into the proposed new landfill Areas on a progressive basis into the future so that the capacity for gas capture and energy generation will be enhanced.	Compliant	LMCC explained process for degassing and recovering gas and flaring or using in onsite gas PowerStation
LMCC will continue to apply cover material to the active tip face to suppress any litter from becoming airborne during strong winds and escaping into the surrounding environment. LMCC will also continue to undertake litter patrols to manage stray litter.	Non-Compliant	LMCC apply an alternative spray cover daily to the active tip face. No evidence of litter patrols was provided.
LMCC will construct the additional facilities at the AWMF out of recycled materials, wherever possible.	Compliant	LMCC have endeavoured to construction additional facilities at the AWMF out of recyclable materials as outlined in Table 3.3 (Management Measures) of the CEMP.
LMCC will adopt a phased “three-bin source separated organics” processing system as its preferred waste processing technology for targeting domestic waste, which includes the implementation of a three-bin system for domestic use (general rubbish, recycling and organic waste).	Compliant	Refer to Schedule 3 Condition 5.

Requirement	Compliance Status	Independent Audit Findings and Recommendations
Soil and Contamination		
LMCC will ensure that an Erosion and Sediment Control Plan (ESCP) will be prepared and implemented in accordance with the Managing Urban Stormwater: Soils and Construction Volume 2 series (DECC, 2008a, 2008b and 2008c) prior to works commencing. The ESCP should include a range of measures in accordance with best practice, including but not limited to progressive/staged vegetation clearing, implementation of sediment fences and flow diversion structures, covering or wetting of stockpiles, usage of excavation materials as future daily cover, ceasing of works and checking the integrity of erosion and sediment controls during heavy rainfall, stabilisation of access points and the installation of rumble grids at access points, and rapid backfilling of excavated pipeline trenches.	Compliant	Refer to Schedule 4 Condition 13.
LMCC will ensure that an Acid Sulfate Soils Management Plan must be prepared for the proposed works in accordance with the Acid Sulfate Soils Manual (Stone et al., 1998) that will focus on the trenching works for the installation of the sewer pipeline.	Compliant	Refer to Schedule 4 Condition 13.
LMCC will ensure that a Salinity Management Plan will be prepared for the proposed works that will focus on the trenching works for the installation of the sewer pipeline.	Non-compliant	A salinity management plan has not been prepared.
LMCC will ensure that a Contamination Management Plan is prepared and implemented in the event that contaminated land is encountered during excavation. In such an event, works would cease immediately and OEH would be notified. Emergency measures (such as diversion of surface runoff away from contaminated areas) would also be implemented in a timely fashion.	Not Triggered	No contaminated soils were encountered during construction (B. Hornery pers.com).
Prior to construction, LMCC will consider the existing Geotechnique Report (Appendix F) and the results of the subsidence risk assessment currently being undertaken by Centennial Coal to support an application	Compliant	Subsidence risks were considered and subject to review and approval by the MSB.

Requirement	Compliance Status	Independent Audit Findings and Recommendations
being prepared to support future mine-workings. (This report is currently being prepared in partnership with LMCC, the Mine Subsidence Board, Centennial Coal, GSS Environmental, GHD and MSEC). LMCC will undertake a design review to ensure that the final design considers the worst case mine subsidence parameters and will accommodate the worst case ground movement identified in either document without suffering structural failure or compromising environmental protection.		
LMCC will facilitate the management of erosion and sediment in the operational phase through stability control measures, utilisation of the proposed wheel wash facility, progressive revegetation of capped landfill area and utilisation of the proposed road to minimise surface and vegetation disturbance.	Compliant	Refer to Schedule 4 Condition 19.
Water Quality and Hydrology		
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 ○ Water management on site. Surface Water Management Plan which will include:	Non-compliant	Refer to Schedule 4 Condition 19

Requirement	Compliance Status	Independent Audit Findings and Recommendations
○ 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 exceedences 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 exceedences of the groundwater impact assessment criteria.		
In accordance with the site's EPL, LMCC currently undertakes groundwater quality monitoring using annual or quarterly grab samples at five sites. Parameters monitored include alkalinity (as calcium carbonate), aluminium, ammonia, arsenic, biochemical oxygen demand (BOD), barium, benzene, cadmium, calcium, chloride, chlorinated volatile compounds, chromium (hexavalent), chromium (total), cobalt, conductivity, copper, ethyl benzene, fluoride, iron, lead, magnesium, manganese, mercury, nitrate, organochlorine pesticides, organophosphate pesticides, PCBs, phosphate, polycyclic aromatic hydrocarbons, potassium, sodium, sulfate, toluene, total phenolics,	Compliant	Additional groundwater wells have been installed as shown in Figure 5.5 (B. Hornery as per comms).

Requirement	Compliance Status	Independent Audit Findings and Recommendations
total dissolved solids, total organic carbon, total petroleum hydrocarbons, zinc, pH. It is expected that the EPL will be amended for the site to account for the proposed site changes, and LMCC will continue to undertake monitoring according to the amended licence conditions. In addition, LMCC propose to install additional groundwater monitoring wells as shown in Figure 5.5 to enable improved monitoring of groundwater quality.		
LMCC will ensure that, should dewatering of groundwater be required as part of any excavation works, a licence is sought under the Water Management Act 2000.	Not triggered	Dewatering of groundwater was not required during construction (B. Hornery per comms)
LMCC will ensure that a Stormwater Management Plan is prepared and implemented for the construction phase of the proposed works to mitigate the impacts on water quality.	Compliant	The Surface and Stormwater Management Plan was prepared by GHD and is included in Appendix C of the CEMP.
LMCC will ensure that temporary stormwater quantity and quality management measures are implemented during the construction phase, including the installation of silt curtains, hay bale filters and stormwater diversions.	Compliant	A Stormwater Management Plan has been prepared for the construction phase of the Project. Management measures are included in Section 4.
In accordance with the site's EPL, LMCC currently undertakes stormwater quality monitoring using annual or quarterly grab samples at four sites. Parameters monitored include alkalinity (as calcium carbonate), aluminium, ammonia, arsenic, biochemical oxygen demand (BOD), barium, benzene, cadmium, calcium, chloride, chlorinated volatile compounds, chromium (hexavalent), chromium (total), cobalt, conductivity, copper, ethyl benzene, fluoride, iron, lead, magnesium, manganese, mercury, nitrate, organochlorine pesticides, organophosphate pesticides, PCBs, phosphate, polycyclic aromatic hydrocarbons, potassium, sodium, sulfate, toluene, total phenolics, total dissolved solids, total organic carbon, total petroleum hydrocarbons, total suspended solids, zinc and pH.	Non-compliant	Exceedances with EPL criteria and incidents as reported under the EPL to the EPA (see Development Consent Tables and audit report for further details)

Requirement	Compliance Status	Independent Audit Findings and Recommendations
LMCC will ensure that the quality of stormwater leaving the site will be in accordance with the limits outlined by ANZECC (2000) and the existing EPL.		
LMCC will ensure that a 30m buffer zone will be established from the watercourse centre-line and that all water management measures, both temporary construction phase measures and permanent measures, are located outside of this buffer.	Compliant	A 30 m buffer zone has been established from the water course centre link confirmed by aerial photography and Section 4 of the Surface and Stormwater Management Plan within the CEMP.
LMCC will ensure that the proposed expansion will incorporate appropriate design principles for leachate basins, including ensuring that basin liners are utilised, active storage depths in the proposed basins are 0.75m from the permanent water level to the level of the primary spillway, and overflows from the basins are conveyed to the outfall(s) via 0.5m deep rock lined channel with base widths of 2m and side slopes of 1(V):2(H).	Compliant	EPA approved designs of the leachate ponds are installed as part of the Project. Leachate basins incorporate appropriate designs principals as outlined by this condition.
With regards to Hunter Water Corporation assets, LMCC will ensure that no sludge will be discharged to the receiving access chamber, if required.	Compliant	No sludge has been discharged (B. Hornery per comms)
Leachate		
Leachate will be managed in accordance with best practice: - 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.	Non-compliant	During the audit period there has been two incidences where leachate has not been appropriately managed. Refer to Schedule 4 Condition 06 for further detail.

Requirement	Compliance Status	Independent Audit Findings and Recommendations
LMCC will incorporate aeration in the proposed 8ML leachate pond, as discussed in Section 6.4.4 and determined in consultation with HWC, such that surplus leachate disposed of to the sewer network (via the proposed sewer pipeline) meets HWC's quality requirements. The existing 6ML leachate pond will be retained and operated in series to provide additional physical treatment.	Not triggered	The 8ML pond has not been installed or required. Basic Aeration however is installed and currently operating in the existing 6ML pond (B. Hornery per comms)
LMCC will ensure that engineering cell design drawings that meet EPA specifications (including the provision of cross sections, cell extension lining, anchoring and capping, leachate collection and disposal system and gas collection system) will be developed as part of the detailed design. LMCC note that this information is also required as part of the required application to vary the existing EPL (Licence No. 5873) to permit the construction of the cell extension.	Compliant	Refer to Schedule 4 Condition 11 and Condition 12
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.	Compliant	Refer to Schedule 4 Condition 6 (Condition does not state agreement has to cover life of project)
LMCC will ensure that a sewer flowmeter is installed, and a sampling point established, at the AWMF package pumping station so that volumes and quality of leachate discharged to the HWC sewer network can be monitored.	Compliant	A sewer flowmeter is installed, and a sampling point established (B. Hornery as per comms) and confirmed by Hunter Water invoice (sighted).
LMCC currently undertakes leachate quality monitoring via quarterly grab samples at one location, and this includes testing for alkalinity (as calcium carbonate), ammonia, biochemical oxygen demand (BOD), calcium, chloride, fluoride, iron, magnesium, manganese, nitrate, organochlorine pesticides, potassium, sodium, sulfate, total phenolics, total organic carbon, total petroleum hydrocarbons, total suspended solids and pH. LMCC will ensure that leachate quality monitoring continues in accordance with the conditions of the new EPL to be issued for the site.	Compliant	Monitoring under EPL undertaken as required. Minor issues with not recording the time the samples are collected. This has been raised in compliance review of the EPL and included in IEA report.

Requirement	Compliance Status	Independent Audit Findings and Recommendations
Flora and Fauna		
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	Non-compliant	Restrictive covenant not in place on title. Refer to Development Consent Compliance tables for details of this non-compliance
LMCC's Biodiversity Offset Strategy includes: - the offsetting of 33,853 <i>Tetratheca juncea</i> credits, calculated under the NSW Biobanking calculator, to offset the removal of 2,302 <i>Tetratheca juncea</i> plants at the site; and, - the offsetting of 392 Ecosystem credits, calculated under the NSW Biobanking calculator, to offset the removal of 7.2ha of native vegetation communities at the site (a total of 8.55ha of vegetation is to be impacted).	Compliant	Relevant credits are outlined in Table 1 of the Biodiversity Offset Strategy.
LMCC will provide DP&I with a Biodiversity Offset Management Plan that commits the proposed Awaba Offset Site as shown on Figure 2 of the "Biobanking Assessment Report Awaba Biobank Site – Lot 463, Wilton Road, Awaba NSW" prepared by Niche September 2013. The required management actions will be determined in consultation with OEH.	Non-compliant	Refer to Schedule 4 Condition 51
LMCC will ensure that a Vegetation Management Plan is prepared and implemented prior to commencement of the proposed works that will include details pertaining to procedures for clearing, landscaping and revegetation/rehabilitation works that are planned for the AWMF site during the construction, operational and post-closure phases and also immediately following completion of the installation of the sewer pipeline. The plan will include a Vegetation Clearing Protocol and a Weed Management Sub-Plan.	Non-compliant	Refer to Condition 55.

Requirement	Compliance Status	Independent Audit Findings and Recommendations
LMCC will ensure that a Fauna Management Plan is prepared and implemented prior to commencement of the proposed works that will provide a protocol for responding to the detection and relocation of native fauna present in trees, hollows and logs that lie within the proposed areas for clearing. LMCC will ensure that details regarding the most appropriate season(s) to undertake clearing with regard to reducing disturbance to fauna (especially nestlings) are included in addition to details regarding the proposed management of pest species during the proposed works. Where they have been prepared and where applicable, LMCC will consider the details set out in Recovery Plans, Threat Abatement Plans or Priority Action Statements for listed threatened species and incorporate relevant mitigation measures into the Fauna Management Plan.	Non-compliant	Refer to Condition 55.
Suitably experienced wildlife handlers will be present during preclearance surveys to relocate any fauna located during the works.	Non-compliant	There is not enough evidence to suggest suitably experienced wildlife handlers were present during preclearance surveys.
Air Quality and Odour		
LMCC will ensure that a Construction Environmental Management Plan is prepared and implemented prior to commencement of the proposed works, and that this plan will include management/mitigation procedures for air quality, odour and dust, including minimising the number of stockpiles on site, limiting unnecessary vegetation clearing, and reducing/controlling the number of trips and trip distances where possible.	Compliant	Refer to Schedule 5 Condition 1
LMCC will ensure that standard odour management practices for landfill sites will be utilised in the operational phase of the works, including the continuation of current practices such as daily covering/capping of the active tip face, gas monitoring programs and an odour complaints register.	Compliant	Standard odour management measures are included in the Air Quality and Odour Management Plan under Section 3.2

Requirement	Compliance Status	Independent Audit Findings and Recommendations
LMCC will ensure that standard air quality management practices for landfill sites will be utilised in the operational phase of the works, including the maintenance of gas collection infrastructure, power generation unit, flare stack, and plant and equipment on site, and a flare stack emission monitoring program.	Compliant	Landfill gas generated onsite is currently managed by an active landfill gas collection and treatment system that is designed, installed and operated by a specialist contactor (LMS Pty Ltd).
LMCC will ensure that air quality, odour and dust mitigation measures are implemented during the operational phase of the works, including covering/capping of waste, gas emission monitoring programs, and maintenance of gas infrastructure and site plant/equipment.	Compliant	The Air Quality and Odour Management Plan outlines all mitigation strategies currently implemented onsite in relation to dust, odour and air. While the Greenhouse Gas Management Program outlines the gas emission monitoring program. Operation and maintenance of gas infrastructure is handled by an external contactor (LMS Pty Ltd).
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.	Compliant	Methane gas monitoring is ongoing and is monitored in accordance with the requirements of the EPL.
LMCC will prepare an Odour Control Plan and provide it to Hunter Water in support of the development application.	Non-compliant	No odour control plans have been prepared.
Aboriginal Heritage		
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 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	Non-compliant	Refer to Schedule 4 Condition 45

Requirement	Compliance Status	Independent Audit Findings and Recommendations
previously unrecorded sites (excluding human remains), and compliance procedures in the unlikely event that noncompliance with the CHMP is identified.		
LMCC will ensure that further archaeological survey around the creek lines at the AWMF site and sub-surface testing of the midden site identified along the pipeline route is undertaken prior to the commencement of construction works to determine the full nature and extent of these archaeologically sensitive areas. These investigations will initially comprise a series of 1m ² probes spaced evenly over the area of impact along the creek line but may be expanded if artefact densities warrant further investigation or salvage. A monitoring and collection program will then be undertaken by the registered Aboriginal stakeholders during all proposed sub-surface excavations to allow collection of any artefacts that may be disturbed in this area (with subsequent relocation and reburial “in country” and in a location that will not be subject to any future impacts).	Non-compliant	There is not enough evidence to suggest further archaeological surveys around the creek lines at the AWMF site and sub-surface testing of the midden site identified along the pipeline route were undertaken prior to the commencement of construction works.
LMCC will ensure that a minimum buffer of 5m around culturally modified trees to be retained will be delineated and enforced to reduce the impacts on these sites. LMCC will conduct further investigations during the detailed design phase as to whether an increase in the size of the buffer distance around culturally modified trees of the project is achievable given site constraints.	Compliant	During the site inspection the culturally modified tree was in good condition, and it was noted in the site inspection downslope installed a significant retaining wall protecting the site. .
LMCC will provide an opportunity for the Registered Aboriginal Parties (RAPs) to monitor the initial ground disturbance works associated with all sections of the excavations (ground surface impacts) so that any potentially impacted artefacts may be collected by the RAPs.	Non-complaint	There is not enough evidence to suggest Registered Aboriginal Parties were provided the opportunity to monitor the initial ground disturbance works associated with all sections of the excavations
LMCC will develop and implement an Aboriginal Cultural Heritage Induction Program for all personnel associated with the project, to make them aware of the site’s Aboriginal heritage values and artefacts that are to be conserved at the site.	Compliant	The Aboriginal Cultural Heritage Awareness Training program is included as Appendix D of the CEMP and details site’s Aboriginal heritage values and artefacts that are to be conserved at the site.
LMCC will ensure that any new Aboriginal artefacts located uncovered due to the development and/or sub-surface excavation or monitoring activities will be recorded and registered with the EPA as part of the	Not triggered	No new Aboriginal artefacts were uncovered during construction and/or sub-surface excavation or monitoring activities.

Requirement	Compliance Status	Independent Audit Findings and Recommendations
assessment process in accordance with the requirements of Section 89A of the NPW Act.		
LMCC will ensure that work is ceased immediately in the event that any bone or stone artefacts, discrete distributions of shell or any other objects of potential cultural association are uncovered during earthmoving or other activities, in accordance with the National Parks and Wildlife Act 1974, “stop work” provisions.	Not triggered	No bone or stone artefacts, discrete distributions of shell or any other objects of potential cultural association are uncovered during earthmoving or other activities
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).	Non-compliant	Refer to Schedule 4 Condition 45.
LMCC will ensure that archaeological excavations of known or Potential Archaeological Deposit/archaeological sensitivity will be conducted (as recommended by the ACHAR) where impacts may result from construction works. The objective of any such excavations will be to confirm whether there is a likelihood of any objects being present (and therefore impacted by the works), and where this is the case to develop appropriate management strategies in collaboration with the Registered Aboriginal Parties and to formalise these in an Aboriginal Cultural Heritage Management Plan.	Non-compliant	There was not enough evidence to confirm that excavation works were completed for PADs and sensitive areas prior to construction
Non-Aboriginal heritage		
LMCC will ensure that none of the non-Aboriginal heritage items identified in the vicinity of the proposed works will be impacted by the proposed works by making the Contractors aware of the items and ensuring Contractors avoid them.	Not Compliant	The site induction does not currently adequately cover management of risks to Aboriginal Cultural Heritage. Recommendation to include in induction to address approval requirements and CHMP requirements for all staff and contractors.

Requirement	Compliance Status	Independent Audit Findings and Recommendations
Visual Landscape		
LMCC will progressively excavate, fill and re-vegetate cells one to nine as shown in the Staging Plan, SK061 rev A dated 19.12.13-staging of landfill areas, which has been developed to minimise the visual impacts of the proposed works.	Compliant	Landfill operations during the audit period comprised exclusively of Cell 1
LMCC will ensure that the application of daily cover to the active tipping face is continued during the construction and operational phases of the works to ensure regular concealment of the landfill emplacement.	Compliant	The application of daily cover to the active tipping face is outlined in table 3.3 of the CEMP and Section 6.3.1 of the LEMP.
LMCC will ensure that revegetation and rehabilitation will be undertaken at the site once the landfill has reached capacity, so that effective concealment of the emplacement will be achieved in the long term.	Not triggered	No cells have reached capacity during the audit period.
Greenhouse Gas		
LMCC will continue to recover gases produced by the AWMF for energy generation and to minimise GHG emissions from the AWMF landfill. LMCC will increase the potential for landfill gas harvesting and electricity generation on site through the expansion of gas extraction infrastructure at the site.	Compliant	LMCC explained process for degassing and recovering gas and flaring or using in onsite gas PowerStation
Prior to the commencement of the proposed works, LMCC will review the design of the final landfill gas management infrastructure to ensure that it meets the objective of capturing the majority of the gases from the landfill emplacement.	Compliant	LMCC explained process for degassing and recovering gas and flaring or using in onsite gas PowerStation
LMCC will continue to monitor landfill gases generated for reporting purposes	Compliant	Gas monitoring records viewed for audit period (being reported)
Traffic and Transport		
LMCC will ensure that a Construction Traffic Management Plan is prepared and implemented for the proposed works.	Compliant	Refer to Schedule Condition 38.
LMCC will ensure that the intersection of Wilton/Wangi Roads is upgraded to appropriately provide for existing traffic volumes and to	Compliant	Refer to Schedule Condition 33.

Requirement	Compliance Status	Independent Audit Findings and Recommendations
reduce average delays experienced at the intersection for vehicles turning right onto Wangi Road.		
Hazards and Risks		
LMCC will continue to undertake the procedures detailed in the Awaba Landfill Environmental Management Plan (LMCC, 2006) to achieve compliance with the EPL issued for the site.	Non-compliant	Procedures detailed in the Awaba Landfill Management Plan are not closely followed this is supported by missing details in EPL monitoring records and non-compliances recorded against EPL and PA.
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.	Non-compliant	There is not enough evidence to confirm if a detailed risk review was undertaken during the detailed design of the proposed additions,
LMCC will revise the site-specific Fire Management Plan within the Awaba Landfill Environmental Management Plan to ensure it remains current considering the proposed works.	Compliant	Refer to Schedule 4 Condition 42 (b)
LMCC will continue to implement OH&S practices and adhere to relevant OH&S standards to ensure employee and user safety at the AWMF site.	Compliant	OH&S Procedures are undertaken in accordance with the AWMF Work Health and Safety Policy
LMCC will work with HWC, as required, to enable the AWMF, pipeline and WWPS risks to be managed in an integrated manner.	Compliant	Refer to Schedule 4 Condition 06. The leachate is also subject to monitoring with LMCC in regular consultation with Hunter Water.
The standards defined in Section 3 and Section 7 of the Australian Standard AS3959-2009 (Construction of buildings in bush fire-prone areas) will be adopted as minimum design standards during the detailed design phase.	Compliant	Refer to Schedule 4 Condition 42 (a)

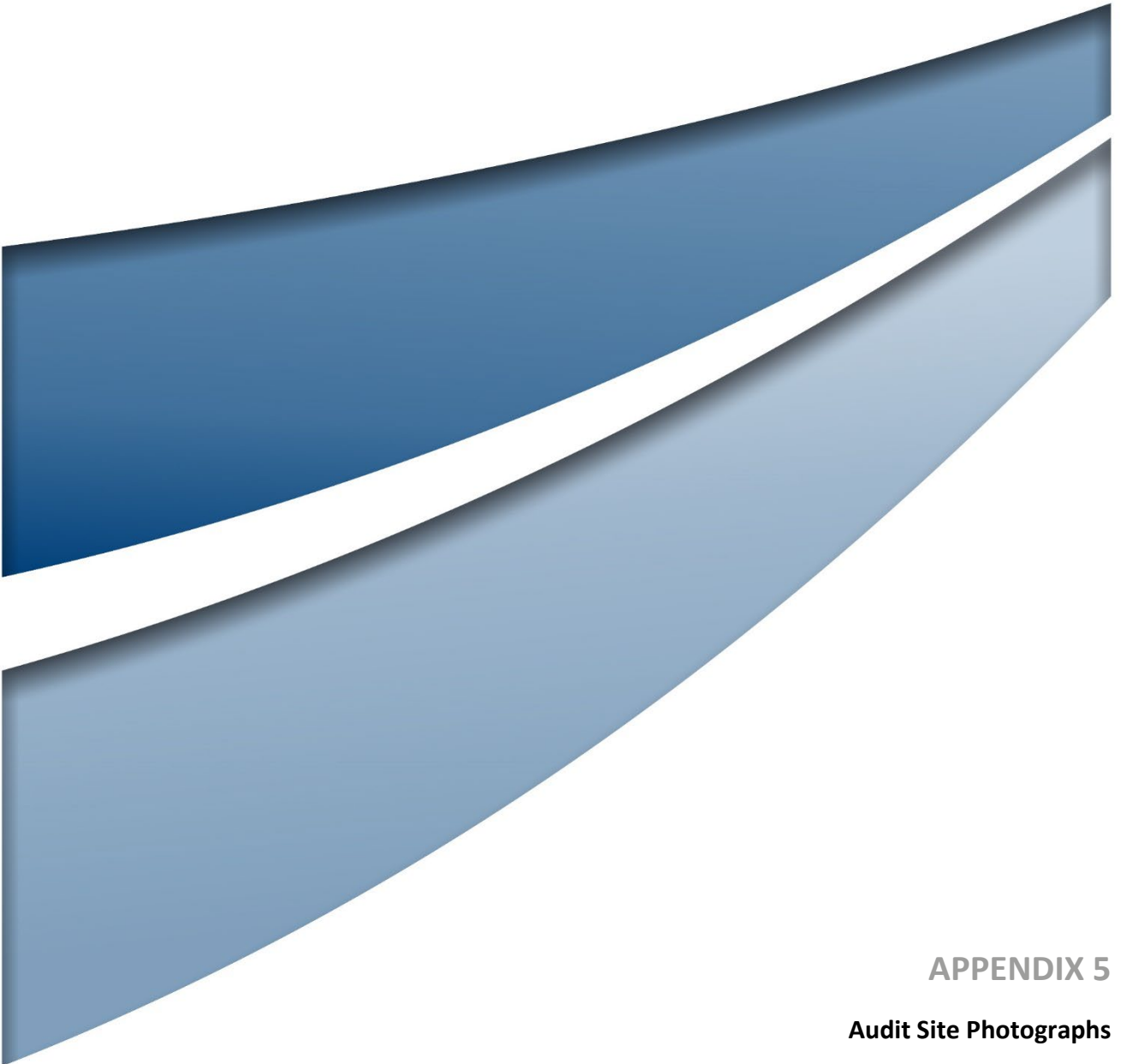
Requirement	Compliance Status	Independent Audit Findings and Recommendations
Noise and Vibration		
LMCC will ensure that a Noise and Vibration Management Plan is prepared in accordance with the Interim Construction Noise Guideline (DECC, 2009b) and implemented for the construction phase of the proposed works.	Compliant	Refer to Schedule 4 Condition 31 (f)
LMCC will continue to undertake the procedures detailed in the Awaba Landfill Environmental Management Plan (LMCC, 2006) to mitigate operational noise at the site.	Not triggered	Plan superseded and operational noise management plan in place
LMCC will ensure that construction normally takes place only between the hours of 7am to 6pm Monday to Friday, and 8am to 1pm Saturday, with no construction on Sundays or Public Holidays. LMCC will obtain prior written permission from the EPA for any construction activities which are required outside these times.	Compliant	Refer to Schedule 4 Condition 30
LMCC will ensure that a Construction Noise Management Plan (CNMP) is prepared and implemented prior to commencement of construction activities. The Noise Assessment will be performed in accordance with the NSW Industrial Noise Policy (EPA 2000), or the relevant policy adopted by the EPA at the time of the Noise Assessment and is expected to include the following: - • Identification of any noise sensitive locations (these will be mapped or described); - • The existing background and ambient noise levels determined for each sensitive receiver; - • Derivation and identification of the project-specific noise levels for each sensitive receiver; - • The expected noise level and noise character (e.g. tonality, impulsiveness, vibration, etc.) likely to be generated from noise sources during operation.	Compliant	Refer to Schedule 4 Condition 31

Requirement	Compliance Status	Independent Audit Findings and Recommendations
• Noise source data will be included for each source in 1/1 or 1/3 octave band frequencies including methods or references used to determine noise source levels: - • The noise levels likely to be received at the most sensitive receivers, including potential impacts for any identified significant meteorological conditions; - • The findings of the predictive modelling and direct monitoring will be discussed and, where relevant noise criteria have not been met, additional mitigation measures will be recommended; - • Details of any proposed mitigation will be provided, including the attenuation that will be achieved and the revised noise impact predictions following mitigation; and – • After application of all feasible and reasonable mitigation measures, the residual level of noise impact will be quantified by identifying locations of where noise level exceeds the criteria and the extent of exceedance; numbers of people or areas affected; time when criteria will be exceeded; likely impact on activities; change in ambient conditions; and the result of any community consultation or negotiated agreement.		

Table 3.0 EPBC 2011/5973 Approval

Condition	Requirement	Compliance Status	Independent Audit Findings and Recommendations
1	To compensate for the loss of approximately 2,300 Black-eyed Susan (<i>Tetratheca juncea</i>) plants, the person taking the action must provide for the protection and management for conservation the biodiversity offset areas, as shown on the map in Schedule 1 of this notice as 'Biobanking Areas'. The biodiversity offset areas must be protected and managed by a secure and enduring conservation mechanism (for example, a Biobanking Agreement), including legal instrument on the land title, prior to <u>commencement</u> of the action.	Non-compliant	A restrictive covenant has not been placed on the title of land. Refer the Schedule 4 Condition 51A.
2	The person taking the action must provide evidence to the <u>Department</u> of their compliance with Condition 1, along with <u>offset attributes</u> , <u>shapefiles</u> and textual descriptions and maps to clearly define the location and boundaries of the offset site, prior to the <u>commencement</u> of the action.	Compliant	A Biodiversity Offset Management Plan was submitted to the Department before the commencement of the action which included details maps of the biodiversity offset area. Refer to Schedule 4 Condition 51
3	If the person taking the action is unable to comply with the Condition 1 and 2 above they must propose an alternative offset strategy for Black-eyed Susan (<i>Tetratheca juncea</i>) that meets the current <u>Commonwealth EPBC Act Environmental Offsets Policy</u> . The proposed action must not commence until the alternative proposed offset has been approved in writing by the <u>Minister</u> .	Not triggered	
4	Within 30 days after the <u>commencement</u> of the action, the person taking the action must advise the <u>Department</u> in writing of the actual date of <u>commencement</u> .	Non-compliant	The date of commencement of action was dated 2 May 2017, with notification being sent to the Department on the 16 June 2017, which is outside the 30 days. The Department noted the late submission, but no further action was taken.

Condition	Requirement	Compliance Status	Independent Audit Findings and Recommendations
5	The person taking the action must maintain the accurate records substantiating all activities associated with / relevant to these conditions of approval, including measures taken to implement the offset strategy, and make them available upon request to the <u>Department</u> . Such records may be subject to audit by the <u>Department</u> or an independent auditor in accordance with section 458 of the EPBC Act or used to verify compliance with the conditions of the approval, Summaries of audits will be posted on the <u>Department's</u> website. The result of audits may also be published through the general media.	Non-compliant	No records detailing monitoring activities undertaken within the biodiversity offset area could be provided during the audit period.
6	Within three months of implementing the above conditions, the person taking the action must publish a report on their website addressing compliance with each of the conditions of this approval.	Non-compliant	Progress and activities undertaken to maintain the biodiversity offset area are included in the AWMF Annual review however the review does not refer to any conditions of this approval. In addition the annual review I not published on LMCC website. Recommendation: It is recommended a report addressing compliance of these conditions be prepared and published on the LMCC website.



APPENDIX 5

Audit Site Photographs

Appendix 5 Site Inspection Photographs



Photograph 1 – Site of culturally modified tree (45-7-0331)



Photograph 2 – Construction area of a bunded area for leachate truck transfers



Photograph 3 – Temporary leachate loading station (unbunded on main access road)



Photograph 4 – Adjacent Road to temporary leachate loading station with stormwater drains nearby



Photograph 5 – Overview of leachate pond 1



Photograph 6 – Overview of sediment dam



Photograph 7 – Weeds obstructing stormwater drains



Plate 8 – Stormwater drains filled with litter



Photograph 09 – Weed growth and litter obstructing clean water diversion outlet



Photograph 10 – Community waste separation centre



Photograph 11 – Bunding of waste batteries



Photograph 12 – Gas energy plant at AWMF (hydrocarbon / chemical containers unbunded and leaking)



Photograph 13 - Fuels and chemicals were not located within bunded areas



Photograph 14 – Hydrocarbon barrels located outside bunded areas



Photograph 15 – Gravel stockpile located uphill of leachate ponds



Photograph 16 – Subsoil Stockpiles onsite with weed infestations



Photograph 17 – minor erosion of unsealed roads



Photograph 18 – Weeds located along internal access roads



Photograph 19 – Improper use of erosion and sediment controls in areas that drains offsite



Photograph 20 – Overview of operations cell 1 and cell 2



Photograph 21 – Overview of operations cell 1 and cell 2



Photograph 22 – Litter spreading into surrounding bushland (outside perimeter fence)



Photograph 23 – Uncontrolled litter adjacent to stormwater drains



Photograph 24 – Litter spreading offsite, into surrounding bushland (outside perimeter fence)

