



Compliance Report - SSD 5792

Cairncross Waste Management Facility Compliance Report (Operational)

Port Macquarie Hastings Council

27 February 2024



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ACKNOWLEDGEMENT OF COUNTRY

The Board and employees of Water Technology acknowledge and respect the Aboriginal and Torres Strait Islander Peoples as the Traditional Custodians of Country throughout Australia. We specifically acknowledge the Traditional Custodians of the land on which our offices reside and where we undertake our work.

We respect the knowledge, skills and lived experiences of Aboriginal and Torres Strait Islander Peoples, who we continue to learn from and collaborate with. We also extend our respect to all First Nations Peoples, their cultures and to their Elders, past and present.





27 February 2024

Sean McKinnon
Waste Project Officer
Port Macquarie Hastings Council
PO Box 84
Port Macquarie NSW 2444

Via email: Sean.McKinnon@pmhc.nsw.gov.au

Dear Sean

Cairncross Waste Management Facility Compliance Report (Operational)

Thank you for the cooperation and support Council extended during the time of conducting the compliance reporting for the Cairncross Landfill Facility from December 2023 to February 2024.

We are pleased to submit the Compliance Report from 12 November 2022 until 11 November 2023 which was conducted to assess compliance with the conditions of consent in Consolidated Conditions of Consent SD 5792 Mod 1. It was conducted in accordance with the Department of Environment and Planning's *Compliance Reporting Post Approval Requirements (May 2020)*.

Yours sincerely

Lilian De Torres
Senior Environmental Consultant
Lilian.detorres@watertech.com.au
WATER TECHNOLOGY PTY LTD



EXECUTIVE SUMMARY

The Cairncross Waste Management Facility (hereafter referred to as Cairncross Facility) located at 351 Telegraph Point Road, Pembroke NSW 2446 (Lot 1, DP 1202080) is carrying out works to expand the landfill capacity, aimed at extending the life of the landfill facility by 36 years to 2056.

Development Consent SSD-5792 for this development was granted on 05 November 2019. Further modification known as SSD-5793 Mod 1 to increase the emergency storage for leachate generated from Cairncross Facility was granted on 31 August 2023. The conditions of consent include the requirement to have independent environmental audits and compliance reporting undertaken at pre-determined intervals. This document presents the Compliance Report for the period 12 November 2022 to 11 November 2023.

The project is deemed to be generally compliant with the conditions of consent.



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1 INTRODUCTION

1.1 Background

Port Macquarie-Hastings Council (hereafter referred to as PHMC) operates the Cairncross Waste Management Facility (hereafter referred to as Cairncross Facility) located at 351 Telegraph Point Road, Pembroke NSW 2446 (Lot 1, DP 1202080), in the PMHC Local Government Area (LGA). The Facility is licensed by the NSW Environment Protection Agency (EPA) under the *Protection of the Environment Operations Act 1997* (POEO Act), Environmental Protection Licence (EPL) number 11189 (EPL 11189).

The Cairncross Facility opened for operation in 2001 and is the primary centre for PMHC's waste operations. The site contains; a landfill, Waste Transfer Station (WTS), Organic Resource Recovery Facility (ORRF), Materials Recovery Facility (MRF), and ancillary waste stockpile areas (i.e., scrap metal and green-waste). Approximately 60,000 tonnes of material goes to landfill at Cairncross annually, and the landfill site services a population of about 86,000 residents.

As the existing landfill was reaching capacity and there was a need to continue servicing the PMHC LGA, development consent SSD-5792 was granted on 5 November 2019 for an expansion to the facility. The construction of part of Stage 1 of the expansion has been completed, along with the required Initial Independent Audit (Stage 1 Construction). Further modification to SSD-5792 known as SSD-5792 Mod 1 was granted on 31 August 2023 to increase the emergency storage for leachate generated from the Cairncross Facility. An associated pre-treatment and storage tank for treated leachate is proposed.

Condition C12 of this approval requires Compliance Reports of the project to be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018). It is noted that although the development consent states that the 2018 version of the PAR must be used, Council has received approval from Department of Planning and Environment (DPE) to use the 2020 version. The 2020 version of the PAR stipulate that compliance reporting must be carried out at intervals no greater than 52 weeks from commencement. Operations commenced on 13 January 2021 and the first compliance report for the period 13 January 2021 to 11 November 2021 was submitted early in December 2021. The second compliance report for the period 12 November 2021 to 11 November 2022 was submitted in February 2023. The next compliance report for the period 12 November 2022 to 11 November 2023 was originally due on 13 January 2024. PHMC requested for an extension of time in submitting this period's Compliance Report. An extension was granted by the Department and the submission for compliance reports for this period and subsequent period will now be every 31 March (see Appendix E).

The above activity has to be undertaken in accordance with the consolidated consent (SSD-5792 Mod 1) with 80 conditions and 126 sub-conditions being assessed.

Water Technology was engaged by PMHC to complete the compliance reporting for the Cairncross Facility in accordance with the above-mentioned requirements. Water Technology is to submit a comprehensive report (this report) which outlines previous actions, compliance status, incidents, and complaints.

A site plan using an updated aerial image showing the operation footprint at the completion of the reporting period is available in Appendix A.

1.2 Reporting Period

Operations commenced on 13 January 2021 and the first compliance report for the period 13 January 2021 to 11 November 2021 was submitted early in December 2021. The second compliance report for the period 12 November 2021 to 11 November 2022 was submitted in February 2023 after an extension was granted by DPE. This compliance report is for the period 12 November 2022 to 11 November 2023. An extension for submitting compliance reports was granted by DPE for this period and subsequent years. The amended due date will now be 31 March of every year.



1.3 Roles and responsibilities

The following PHMC staff are responsible for the environmental compliance management of the development:

- Sean McKinnon – Waste Project Officer
Email: Sean.McKinnon@pmhc.nsw.gov.au
Phone: 02 6581 8691 mobile: 0427 226 425
- Omar Kabbara – Process Utilities Manager/Community Utilities
Email: omar.kabbara@pmhc.nsw.gov.au
Phone: 02 6581 8297 mobile: 0419 432 579

The compliance assessment which includes a desktop and onsite assessment was conducted by Lilian De Torres, Senior Environmental Consultant of Water Technology. Steven Molino, Water Technology Director reviewed this compliance report. Water Technology's contact details are indicated on the last page of this report.

Sean McKinnon supported the compliance assessment by providing all data and information relating to SSD-5792 Mod 1. Sean and Corrine both assisted during the site inspection conducted on a day with light showers on 16 January 2024.

1.4 Summary of Project Activities During Reporting Period

Construction of Stage 1 began on 13 January 2021 and was finalised early 2022. Project activities updated during the compliance reporting period are summarised as follows:

- Landfilling in the first sub-cell of stage 1 and some areas covered. These areas will be landfilled over again in the near future.
- Filing of second sub-cell of stage 1 continuing and some areas covered. These areas will be landfilled over again in the near future except for sub-cell 1C.
- Koala Connectivity Corridor planting commenced May 2023 and is now completed.

1.5 Objectives

This compliance report is in accordance with Condition C12 of development consent SSD-5792 Mod 1, which states that "... the Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018) ...". With approval from DPE, this Compliance Report has been prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2020) which have since superseded the prior version. This compliance report communicates the status of the performance of the project during the stated period in relation to compliance with the conditions of consent.



2 PREVIOUS ACTIONS

An Independent Environmental Audit (IEA) (Operational) report and accompanying Compliance Report were submitted on 17 February 2023. Nine non-compliances were raised in the previous EIA, all of which were reported in the Compliance Report of 17 February 2023. According to the previous compliance report, seven of these non-compliances were originally identified during the first audit due to a date being missed and as a result will be permanently marked as non-compliant (B34a to g). The other two remaining non-compliances identified in the previous audit, conditions C13 and C16 respectively were still assessed as non-compliant during this reporting period. Hence two corrective actions from the previous IEA were recognised as still outstanding for the current compliance reporting period. Opportunities for improvement for conditions B6b, B7b and C18a were identified from the previous IEA, noting that these conditions were either compliant or not triggered however environmental performance can be further improved. All actions for improvements were already completed. Table 2-1 shows the actions proposed from the previous IEA conducted and the status of these actions.

Table 2-1 Action Status Table from the Previous IEA

Source	Condition number	Action Proposed	Proposed Completion Date	Status	Action completed
Corrective actions against non-compliances					
IEA Feb 2023	B34a to g	Non-compliances (7) from last audit, due to date being missed. No corrective action.	Not Applicable	Will remain non-compliant for the current reporting period	No further action required
IEA Feb 2023	C13	Ensure written notification to DPE is provided in line with this condition in the future	7 days before publication of a Compliance report	Proposed to make contact with DPE to see if this part of the condition can be removed. Otherwise, ensure notification is provided.	Not yet completed
IEA Feb 2023	C16	Ensure written notification to DPE is provided in line with this condition in the future	7 days before publication of an Audit report	Proposed to make contact with DPE to see if this part of the condition can be removed. Otherwise, ensure notification is provided.	Not yet completed
Opportunities for improvement					



Source	Condition number	Action Proposed	Proposed Completion Date	Status	Action completed
IEA Feb 2023	B6b	Ensure processes are in place to record the volume and type of fill to be used when imported soil is sourced for capping material.	16 February 2023	Internal discussions to review record keeping practices for capping material imported onsite have taken place.	16 February 2023
IEA Feb 2023	B7b	There is some litter at the bottom of the site, which Council is aware needs to be tidied up.	16 February 2023	Litter has been cleaned up at the bottom of the site and staff have been advised to address litter clean ups ongoing.	16 February 2023
IEA Feb 2023	C18a	Include the link to the monitoring results on the main project page.	16 February 2023	Link has been added to main project webpage.	16 February 2023



3 COMPLIANCE STATUS SUMMARY

This annual Compliance Report reports on the period 12 November 2022 to 11 November 2023. A request for extension of submission of this Compliance Report has been granted and the new due date was changed to 31 March 2024.

For this period, thirteen (13) non-compliances were reported. Nine (9) of these non-compliances were originally identified during the previous audit and compliance reporting as a due date was missed and/or written notifications to DPE were not provided.

An additional four (4) new non-compliances were identified (B8b, C5, C8 and C9) for which corrective actions are required. These non-compliances were only identified in the preparation of this compliance report. These have not been reported to the Department of Planning and Environment. Immediate action is required to be taken for condition C5 by the proponent.

The non-compliances condition numbers and details are set out in Table 3-1.

Table 3-1 Non-compliances and Corrective Actions

Condition Number	Non-compliances	Corrective Action
B8b	Sighted SOP39.2 Weekly site inspection checklists from 7 Oct 2022 up to 24 Nov 2022. Checklists indicated presence of feral cats, rats, deer, dogs, fox, cane toads and flies. However, the checklists do not indicate how these feral animals are managed. Although Council verified that the 1.8 metres wired fencing around the site boundary prevented most feral animals from entering the facility, each checklist must be filled out properly by indicating whether each feral species was observed as present or not and stating what measures were undertaken to exclude these animals. The forms as they currently stand either indicate that the fencing is not excluding any feral animals or that operators are not correctly filling out the forms. Field observations on the day of the audit suggest that the latter is more likely. In either case this is a non-compliance.	Fill out the weekly site inspection checklist appropriately by indicating whether feral species have been observed on site and stating what response measures were undertaken to prevent their future presence



Condition Number	Non-compliances	Corrective Action
B34a B34b B34c B34d B34e B34f B34g	<p>Note that this condition was non-compliant on the previous Compliant Reporting dated February 2023 as no secretary approval was provided at that time and was outside of the 12 months deadline outlined in this condition.</p> <p>Investigation was conducted as follows: BFMP Revision 5 dated 26 July 2021 by Arcadis was sighted by the Compliance Officer. A letter of approval from DPE dated 24 Nov 2020 was sighted, approving BFMP Revision 4 dated 29 October 2020. As SSD 5792 was approved 5 November 2019 then the BFMP was due on 5 November 2020. On 20 October 2020, Council consulted with RFS via email and on 28 October 2020 RFS response was received (BFMP Appendix A). BFMP revision 4 was finalised on 29 October 2020. Council consulted DPE for help in submitting the BFMP via the portal on 6 November 2020, a day after the deadline. DPE approved BFMP Revision 4 on 24 November 2020.</p> <p>This condition will permanently be considered as non-compliant.</p>	Non-compliances (7) from last audit, due to date being missed. No further corrective action required.
C5	<p>SSD 5792 Mod 1 was granted on 31 August 2023 and as a result of this, some conditions of this consent have been revised. The Leachate Management Plan including any plans or strategies that will be affected by these changes should be revised. The due date for this revision is on 30 November 2023. The revision of the Leachate Management Plan will be completed on 31 January 2024 which is past the due date.</p>	Ensure all management plans needed to be revised because of SSD-5792 Mod 1 changes are being actioned by the due date.
C8	<p>The previous compliance report dated February 2023 identified conditions C13 and C16 as non-compliant. No written notification was sighted to inform DPE that there were non-compliant conditions from the previous compliance reporting period.</p>	Ensure that written notification is provided to DPE within 7 days after Council becomes aware of any non-compliances for the reporting period.
C9	As per C8	Ensure the development, consent identification, condition number, reasons for not complying and actions that will be undertaken to address non-compliance are all included in the written notification in condition C8 in the future.



Condition Number	Non-compliances	Corrective Action
C13	<p>Compliance Report dated February 2023 was sighted at the Council's website on https://www.pmhc.nsw.gov.au/Your-Council/Policies-plans-and-strategies/Plans/Cairncross-Waste-Facility-Management-Plans.</p> <p>Although written notification was sighted for DPE's review of Compliance Report for 2021, no written notification was sighted for the assessment period (12 Nov 2021 - 11 November 2022).</p>	<p>Ensure written notification to Department is provided in line with this condition in the future.</p>
C16	<p>In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2018), the Applicant must:</p> <p>(c) make each Independent Audit Report and response to it publicly available no later than 60 days after submission to the Department and notify the Department in writing at least 7 days before this is done.</p> <p>No written notification to the Department was sighted.</p>	<p>Ensure written notification to Department is provided in line with this condition in the future.</p>



4 INCIDENTS

No incidents were reported for the period of 12 November 2022 to 11 November 2023.



5 COMPLAINTS

There was one complaint reported for the period of 12 November 2022 to 11 November 2023. This was an odour complaint from one of the residents registered on 21 February 2023. The Acting Waste Services Manager and Outdoor Coordinator were both informed, and the issue was investigated. It was determined that no further action was required at that time.

This was also reported in the annual return for the period but was not identified as a non-compliance. According to Council, while investigating, it couldn't be determined that odour was emanating from the Cairncross landfill facility. The odour could be emanating from the organic material recycling facility which has a separate licence and DA. There is also a farm located to the northeast of the Cairncross site on the highway which periodically applied fertiliser to its property which can produce unpleasant odours. Combined with the prevalent northeasterly winds in summer and autumn, neighbouring properties may be led into thinking that odour is emanating from the waste facility.

During the inspection, no unpleasant odour was detected from the landfill operation. No further action is required, unless a similar complaint is repeated in the future.



APPENDIX A CURRENT FACILITY PLAN



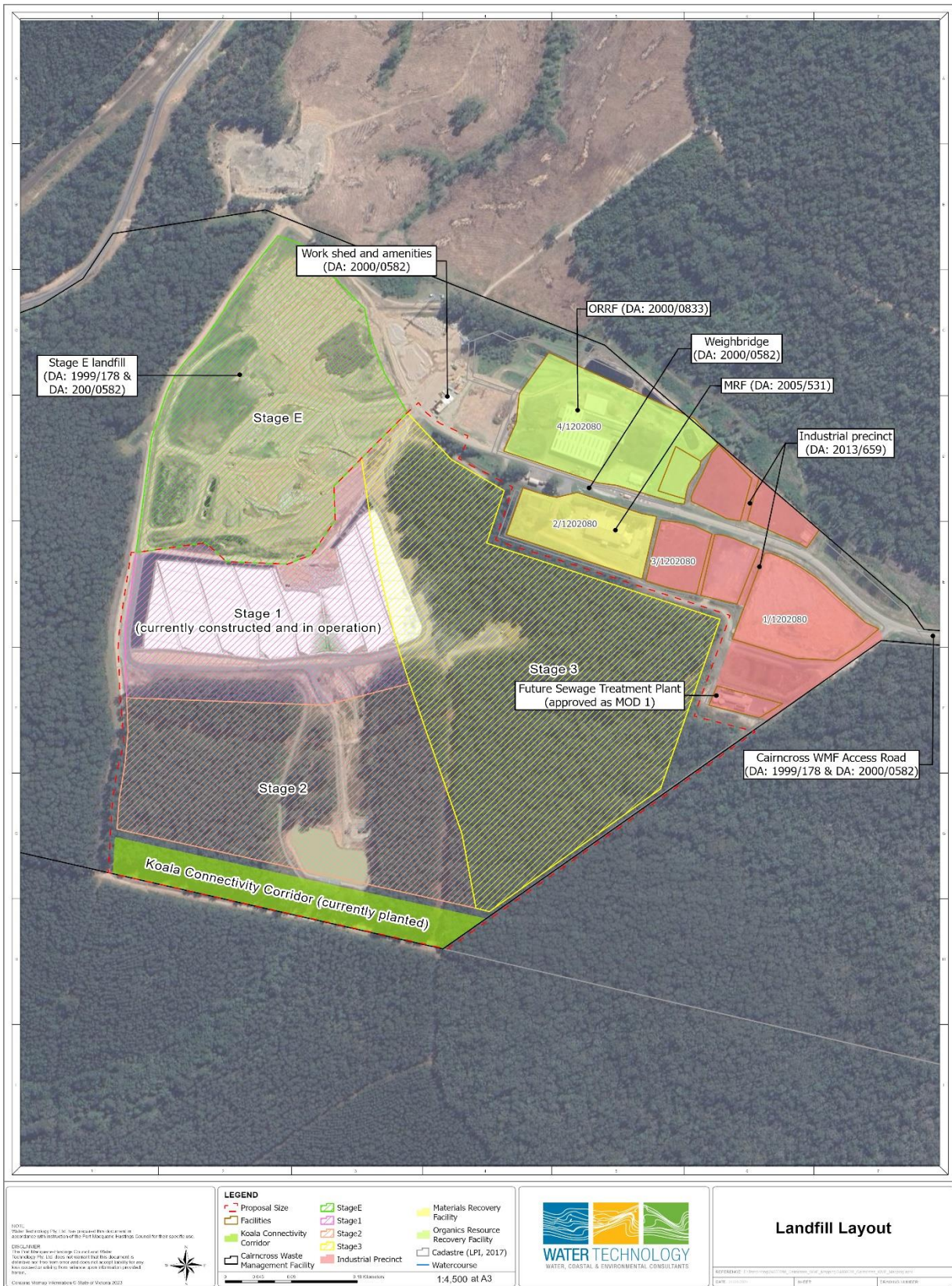


Figure 5-1 Updated Site Layout



APPENDIX B COMPLIANCE TABLE

Condition Number	Compliance Requirement	Evidence Requested	Development phase	Evidence and comments	Compliance Status
A1 Obligation to Minimise Harm to the Environment	In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the development, and any rehabilitation required under this consent	To be determined at the completion of this reporting	All phases	The site is being well run and managed. Mitigation measures as required are in place and these work to minimise risk of material harm to the environment.	Compliant
A2 Terms of Consent	The development may only be carried out: (a) in compliance with the conditions of this consent;	To be determined at the completion of this reporting	All phases	The development is being carried out in compliance with the conditions of this consent with the few exceptions as noted elsewhere in these schedules	Compliant
	The development may only be carried out: (b) in accordance with all written directions of the Planning Secretary;	To be determined at the completion of this reporting	All phases	Proponent advised no written directions received from the Planning Secretary at this stage.	Compliant
	The development may only be carried out: (c) in accordance with the EIS and RTS and Modification Assessments;	To be determined at the completion of this reporting	All phases	Compliance to the extent outlined in these schedules	Compliant
	The development may only be carried out: (d) in accordance with the Development Layout in Appendix 1; and	To be determined at the completion of this reporting	All phases	Works onsite viewed and appear to be in accordance with the layout in App 1.	Compliant
	The development may only be carried out: (e) in accordance with the management and mitigation measures in Appendix 2.		All phases	Works onsite viewed and appear to be in accordance with mitigation measures in Appendix 2.	Compliant
A3 Terms of Consent	Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to: (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and	Planning Secretary Written Directions if Applicable	At any phase	PMHC advised there has there have been no written directions from the secretary received for this period.	Not Triggered
	Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to: (b) the implementation of any actions or measures contained in any such document referred to in condition A3(a).	Planning Secretary Written Directions if Applicable	At any phase	There have been no written directions from the secretary	Not Triggered
A4 Terms of Consent	The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.	Planning Secretary Written Directions if Applicable	At any phase	Noted. There have been no written directions from the secretary for this period.	Not Triggered
A5 Limits of Consent	This consent lapses five years after the date from which it operates, unless the development has physically commenced on the land to which the consent applies before that date.	Not applicable	All phases	Works have commenced onsite as per January 2021 and as such this condition does not apply.	Not Triggered
	The Applicant must not receive more than: (a) 100,000 tonnes of general solid waste (putrescible) waste per year on site for landfill disposal;	Waste Records Weighbridge Report Annual Returns	All phases	A waste report summary dated 21 December 2023 for the period of 12 November 2022 until 11 November 2023 was sighted and it was assumed that the "Net" amount in this report signifies tonnes of waste. The report indicated that around 71,301 tonnes of general solid (putrescible) wastes were received onsite which is below the 100,000 tonnes waste threshold limit for this condition.	Compliant

Condition Number	Compliance Requirement	Evidence Requested	Development phase	Evidence and comments	Compliance Status
A6 Limits of Consent	The Applicant must not receive more than: (b)100,000 tonnes of general solid waste (non-putrescible) and asbestos waste per year on site for landfill disposal;		All phases	The waste summary report mentioned in Condition A6(a) indicated that around 60,411 tonnes of general solid (non-putrescible) wastes and asbestos wastes were received onsite which is below the 100,000 tonnes waste threshold limit for this condition.	Compliant
	The Applicant must not receive more than: (c) the quantity of waste required to meet the final landform profile described in the RTS and shown in Appendix 4	Waste Records Weighbridge Report Annual Returns	At Stage 3	As the development is still at Stage 1, it is not near its final landform yet, however review of waste records sighted for this period confirmed that the landfill received wastes that were below the threshold limits specified in condition A6a and A6b.	Compliant
A7 Notification of Commencement	The date of commencement of operation of the development must be notified to the Department in writing, at least one month before that date.	Evidence of department notification one month prior to commencement	One month before commencement of Stage 1	From the last Independent Audit Report by Molino Stewart (now Water Technology) it was stated that a letter from Michael Magalhaes, Waste Manager (PMHC) dated 27 November 2020 to Heidi Waters (DPIE) outlines that construction was anticipated to commence in January 2021. The letter is dated at least one month prior to commencement date.	Compliant
A8 Notification of Commencement	The Applicant must notify the Department in writing at least one month before the commencement of landfilling in Stage 1, Stage 2 and Stage 3 of the development	Evidence of department notification one month prior to commencement of landfilling	One month before commencement of Stage 1, Stage 2 and Stage 3	A letter from Sean McKinnon Acting Waste Manager (PMHC) dated 8th April 2022 to Heidi Waters (DPIE) was sighted by the Compliance Officer. The letter outlines the intent to commence landfilling after 6th May 2022. The commencement date ended up being 20th July 2022.	Compliant
A9 Evidence of Consultation	Where conditions of this consent require consultation with an identified party, the Applicant must: (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and	Compliance Report dated February 2023 Evidence of consultation with relevant party	All phases	As per responses in Condition A9 of the previous Compliance Report dated February 2023, consultation with relevant agencies occurred in the previous assessment period for the preparation of Leachate Management Plan (B11b), Water Management Plan (B15b, B16b, B17bB), Vegetation Management Plan (B27a), Bushfire and Fuel Management Plan (B34a). For this assessment period, consultation for SSD 5792 Modification 1 application occurred as evidenced by the following agency letter responses as sighted in the NSW Major Projects Planning Portal at https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=PAE-57710281%2120230427T025055.896%20GMT . -DPE Water, letter dated 27 April 2023 by Maddy Gunethilake; -DPE Environmental and Heritage Group, letter dated 1 May 2023 by Gabrielle Pietrini; - Transport for NSW, letter dated 2 May 2023 by Court Walsh; -NSW Rural Fire Service, letter dated 3 May 2023 by Allyn Purkiss; and -EPA, letter dated 17 May 2023 by Scott King.	Compliant
	Where conditions of this consent require consultation with an identified party, the Applicant must: (b) provide details of the consultation undertaken including: (i) the outcome of that consultation, matters resolved and unresolved; and	Evidence of consultation with relevant party (overall compliance dependent on outcome of relevant conditions)	All phases	As per responses in Condition A9a above. Details and outcome of consultations were indicated in the above mentioned letters.	Compliant
	Where conditions of this consent require consultation with an identified party, the Applicant must: (b) provide details of the consultation undertaken including: (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.	Evidence of consultation with relevant party (overall compliance dependent on outcome of relevant conditions)	All phases	As per responses in Condition A9a above. Details and outcome of consultations were indicated in the above mentioned letters.	Compliant

Condition Number	Compliance Requirement	Evidence Requested	Development phase	Evidence and comments	Compliance Status
A10 Staging, Combining And Updating Strategies, Plans or Programs	With the approval of the Planning Secretary, the Applicant may: (a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);	Believe that staging applicable, with the Stage 1 Construction completion - Council to advise how staging will unfold into the future	All phases	Staging will be applicable, but for now Council is filling the Stage 1 Cell. All Stage 1 documentation has been developed and an update of the Leachate Management Plan due to the approval of SSD 5792 Modification 1 application will be completed by the end of January 2024.	Compliant
	With the approval of the Planning Secretary, the Applicant may: (b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and	Believe that staging applicable, with the Stage 1 Construction completion - Council to advise how staging will unfold into the future	At any phase	It is noted that the Groundwater Management Plan (B16a) and Surface Water Management Plan (B17a) is combined under the Water Management Plan with Revision 7 dated June 2021 approved by the Planning Secretary via a letter dated 11 June 2021 sighted by the Compliance Officer.	Compliant
	With the approval of the Planning Secretary, the Applicant may: (c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).	Believe that staging applicable, with the Stage 1 Construction completion - Council to advise how staging will unfold into the future	All phases	As a result of the SSD 5792 modification 1 approved 31 August 2023, the Leachate Management Plan (LMP) is being reviewed and is expected to be completed by 31 January 2023. A letter from Council to Lindsay Blecher of DPE dated 5 December 2023 confirmed this review.	Compliant
A11 Staging, Combining And Updating Strategies, Plans or Programs	If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.	Believe that staging applicable, with the Stage 1 Construction completion - Council to advise how staging will unfold into the future	All phases	Staging will be applicable, but for now Council is filling the Stage 1 Cell. All Stage 1 documentation has been developed and an update of the Leachate Management Plan due to the approval of SSD 5792 Modification 1 application will be completed by end of January 2024	Compliant
A12 Staging, Combining And Updating Strategies, Plans or Programs	If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.	Believe that staging applicable, with the Stage 1 Construction completion - Council to advise how staging will unfold into the future	All phases	Due to recent modification of SSD 5792, the Leachate Management Plan (LMP) is currently being reviewed and updated. A letter to DPE dated 5 December 2023 was sighted to confirm this. During the inspection it was sighted that the updated Water Management Plan was being implemented onsite. An example of this implementation is the presence of clean diversion drains within the facility which collects stormwater and direct this to the sedimentation pond which is routinely monitored before any offsite release. According to Council, if water doesn't meet the criteria of <50 mg/L of suspended solids, no water release is permitted. They are applying flocculant to attain the water quality needed for release.	Compliant
A13 Compliance	The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.	Staff training records Landfill Environmental Management Plan	All phases	The Landfill Environmental Management Plan (LEMP) dated 15 August 2021 by Arcadis was sighted by the Compliance Officer. Section 5.1 of the LEMP states the roles and responsibilities of all employees undertaking operational activities in Cairncross WMF. The training programs to be completed by each role is also indicated in Section 5.2 Training and Awareness of the LEMP. Asbestos Awareness training log dated 12 May 2022 was sighted with nine Council staff in attendance. There is also a presentation of new cell requirements held on 23 June 2022 that was attended by three facility staff. According to Council, there are no new employees or contractors that require induction during the period.	Compliant
	All plant and equipment used on site, or to monitor the performance of the development, must be: (a) maintained in a proper and efficient condition; and	Maintenance and service records for all plant and equipment	All phases	Two evaluation reports and 2 verification reports for the weighbridge (Mettler Toledo/QWM Serial No. QWMN/75) dated 24 & 25 May 2023 were sighted by the Compliance Officer. The reports indicated a "Pass" performance for all requirements such as repeatability, eccentricity, accuracy etc. Tax invoice dated 9 March 2023 for the repair of leachate pump no. 1 was also sighted. These documents indicate that the Council is fulfilling its responsibilities for the maintenance and repairs of equipment onsite.	Compliant

Condition Number	Compliance Requirement	Evidence Requested	Development phase	Evidence and comments	Compliance Status
A14 Operation of Plant and Equipment	All plant and equipment used on site, or to monitor the performance of the development, must be: (b)operated in a proper and efficient manner.	Maintenance and service records for all plant and equipment Verification of Competency/Staff training records for operating plant and equipment	All phases	Staff competencies and training records in operating plant and equipment was sighted in a Competency Report record that is updated regularly. For example, Ian Pensini-Waste Excavator Operator obtained his excavator and front end loader certificates on 23 August 2018 and 08 Septemeber 2021 respectively. Andrew Collins -Team Leader has a medium rigid vehicle licence which is due to expire on 18 November 2024 while Phillip O'Connell, Waste Relief Operator have current licences for VOC excavator and front end loader obtained on 17 March 2022.	Compliant
A15 Utilities and Services	Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.	Evidence of relevant approvals from service providers e.g. RMS, Electricity, Telephone etc. - if triggered - council to confirm	All phases	No utility works were constructed during the assessment period.	Not Triggered
A16 Applicability of Guidelines	References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.	Noted	All phases		
A17 Applicability of Guidelines	However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.	Has this occurred?	All phases	There have been no written directions from the secretary	Not Triggered
AN1 Advisory Notes	All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents	Updated copy of SSD 5792	All phases	A consolidated version of SSD 5792 known as SSD 5792- Mod 1 was prepared by the DPE on 31 August 2023 due to recent modification for the increase of emergency storage generated from the facility with the installation of an above ground tank. An associated pre-treatment and storage tank for treated leachate is also proposed. A letter of modification approval from DPE signed by Lindsey Blecher, Team Leader Industry Assessments dated 7 September 2023 was sighted by the Compliance Officer.	Compliant

Condition Number	Compliance Requirement	Evidence Requested	Development Phase	Evidence and comments	Compliance Status
Waste Management					
B1 Receipt, Storage and Handling of Waste	The Applicant must only receive waste on site that is authorised for receipt by an EPL.	EPL11189 Summary Waste Report from 12 Nov2022 to 11 Nov2023 Landfill Environmental Management Plan Annual Return from 23 Oct 2023 to 22 Oct 2023	All phases	The LEMP dated 15 August 2021 by Arcadis was sighted by the Compliance Officer. The landfill is authorised to receive general solid waste (putrescible and non-putrescible). Waste classification for putrescible waste and non-putrescible were detailed in Sections 2.2.1.1 and 2.2.1.2 of the LEMP. Excluded wastes are stated in Section 2.2.1.3. Review of the summary waste report for the period indicates that no excluded wastes are being recorded.	Compliant
B2 Receipt, Storage and Handling of Waste	The Applicant must ensure any waste generated on the site is classified in accordance with the EPA's Waste Classification Guidelines 2014 or its latest version and disposed of to a facility that may lawfully accept the waste.	Weighbridge report period from 11 Nov 2022 - 2023 Landfill Environmental Management Plan dated 15 Aug 2021 Evidence of waste segregation	All phases	During the inspection, it was sighted that the weighbridge operator inspects incoming waste and directs the driver to proceed to the appropriate tipping area. Within the tipping area it was observed that there is a clear system of segregating wastes in accordance with the EPA's Waste Classification Guidelines. In the waste transfer station, there were steel recycling bins for cardboard, a small amount of chemicals and paints generated in a bundled container and a steel cabinet for corrosive substances. These wastes are waiting to be collected by JR Richards for transfer to another waste facility. In another area of the facility, the plastic containers and metal stockpiles were separately segregated. Putrescible and non-putrescible wastes were processed in the landfill. The waste generated at the site is predominantly the clay material from excavation. This didn't need a report as it was excavated and the past landuse was assessed. Only other waste is from the staff facilities - treated as general waste.	Compliant
B3 Receipt, Storage and Handling of Waste	The Applicant must provide details of the quantity, type and source of wastes received on the site to the EPA and the Planning Secretary when requested.	Summary Waste Report from 12 Nov 2022 to 11 Nov 2023 Landfill Environmental Management Plan	All phases	The Summary Waste Report sighted contains the type, item classification number, and quantity of wastes and products entering and going-out from the facility. The source of wastes including vehicle details are generated from the weighbridge report. These documents are readily available to the EPA and Planning Secretary when requested. During the period, no request for waste information was received from the EPA and Planning Secretary.	Compliant
	From the commencement of landfilling, the Applicant must implement a Waste Monitoring Program for the development. The program must: (a) be prepared by a suitably qualified and experienced person (s) prior to the commencement of landfilling;	Evidence of a Waste Monitoring Program implementation Landfill Environmental Management Plan	All phases	Note that condition B4 is a revised condition which resulted from SSD 5792 Mod 1 approval on August 2023. The Waste Monitoring Program is not a requirement of the original consent. It is noted that the current LEMP contains Section 2.2.4 Waste Monitoring, which indicates that a waste monitoring program is being implemented onsite. The LEMP was prepared by Heather Tilly, Principal Environmental Consultant of Arcadis with over 30 years' experience in environmental impact assessment and post approvals, including preparation and review of environmental management plans, on-site construction environmental management, environmental auditing and compliance monitoring on large infrastructure projects.	Compliant
	From the commencement of landfilling, the Applicant must implement a Waste Monitoring Program for the development. The program must: (b) include suitable provision to monitor the quantity, type and source of waste received on site; and	Landfill Environmental Management Plan	All phases	Section 2.2.2 of the LEMP includes provision to monitor the quantity, type and source of waste received onsite. During the inspection, it was sighted that a weighbridge record was generated from every vehicle that entered the site. The quantity, waste classification and the vehicle registration details were recorded by the weighbridge operator in the waste tracking system. This system also generated the waste summary report from 12 November 2022 to 11 November 2023 that were previously sighted as part of the desktop assessment.	Compliant

Condition Number	Compliance Requirement	Evidence Requested	Development Phase	Evidence and comments	Compliance Status
B4 Waste Monitoring Program	From the commencement of landfilling, the Applicant must implement a Waste Monitoring Program for the development. The program must: (c) ensure that all waste that is controlled under a tracking system has the appropriate documentation prior to acceptance at the site; and	Records from waste locate system	All phases	According to Council the only waste accepted for disposal that requires tracking is asbestos. This uses the Waste Locate system which is administered by the EPA and requires waste generators and transporters to log amounts over the threshold in the system for how much material there is and where it is being sent to for disposal. Council obligation under this system is not to check for documentation prior to entry, but rather report to the EPA on customers who don't use the system. Records of vehicle registration number, time and date of delivery of asbestos wastes from 1 to 31 October 2023 was sighted, two registration numbers were highlighted in blue which were assumed to be the regos of vehicles who don't use the system. Council indicated that they reached out to the Department to query this condition, as they are not sure why CoA B4c was added to MOD 1 conditions of consent when the changes to MOD 1 relates to onsite leachate storage and treatment only.	Compliant
	From the commencement of landfilling, the Applicant must implement a Waste Monitoring Program for the development. The program must: (d) ensure that staff receive adequate training to be able to recognise and handle any hazardous waste, asbestos or prohibited waste.	Staff training records	All phases	Section 5.2 of the LEMP specifies a variety of training staff are required to undergo to ensure an adequate level of skill and education is achieved to enable all tasks and activities to be carried out successfully. The last training done was on 12 May 2022 for asbestos awareness attended by nine Council staff. Record of attendance was sighted by the Compliance Officer.	Compliant
B5 Landfill Operations	The Applicant must: (a) minimise the exposed or cleared areas at the landfill;	Landfill Environmental Management Plan Site inspection to verify	All phases	It was stated in Section 2.2.2.2 of the LEMP that staff will restrict the tipping face to about 600m ² (30m X 20m), depending on the level of demand and where health and safety considerations allow. Site inspection verified that only operational areas were exposed areas.	Compliant
	The Applicant must: (b) ensure a compaction of 650 kilograms per cubic metre is achieved for each 50,000 tonnes of waste disposed on the site;	Compaction test results	All phases	The Compliance Officer sighted a volumetric survey checklist signed by Alex Carpenter (the surveyor) dated 16 August 2023. During the 6-monthly survey period, 720 kg/m ³ is the average estimated compaction rate of the 31,159.05 tonnes of waste disposed of or buried in the active cell. This compaction rate is higher than the target rate of 650 kg/m ³ .	Compliant
	The Applicant must: (c) cover all landfilled waste in accordance with the requirements of the EPA's Environmental Guidelines: Solid Waste Landfills 2016 or its latest version;	Landfill Environmental Management Plan Cover material specifications/testing results/certification Site inspection to verify	All phases	Section 2.2.2.2 of the LEMP makes reference to EPA's Environmental Guidelines: Solid Waste Landfills 2016. As required by the Landfill Guidelines, waste will be covered daily and at intermediate stages of operation to minimise odour, dust, litter, the presence of scavengers and vermin, the risk of fire, rainwater infiltration into the waste and the emission of landfill gas. Council has verified that daily cover of exposed areas is applied by the end of each day.	Compliant
	The Applicant must: (d) ensure cover material is either overburden or Virgin Excavated Natural Material (VENM), or another alternative material approved in writing by the EPA;	Summary Waste Report from 12 Nov 2022 to 11 Nov 2023 Landfill Environmental Management Plan	All phases	As stated in Section 2.2.2.2 of the LEMP, "Daily cover will comprise natural site soils and will be applied at a minimum thickness of 150 mm. Existing daily cover is sourced from clay stockpiled from the Stage 1 landfill excavation and other sources as required; During filling of Stages 1 and 2, a clay deficit is expected for each stage. Clay from Stage E excavation is not available for daily cover during filling of Stages 1 and 2 therefore daily cover material and clay will need to be externally sourced. For Stage 3, sufficient clay is expected to be available for daily cover from the landfill excavation." The Summary Waste Report indicated that approximately 4,647 tonnes net quantity of approved clean soil was received on site. This was used for daily cover.	Compliant

Condition Number	Compliance Requirement	Evidence Requested	Development Phase	Evidence and comments	Compliance Status
	The Applicant must: (e) maintain at least two weeks of cover material on the site; and	Landfill Environmental Management Plan Volume of material onsite Site inspection to verify	All phases	Section 2.2.2.2 of the LEMP references the two weeks cover material requirement. The volume of cover material available during site inspection was verified.	Compliant
	The Applicant must: (f) ensure landfill cells are capped progressively during operation.	Landfill Environmental Management Plan Site inspection to verify	All phases	Section 2.2.2.2 of the LEMP makes reference of capping requirements. An intermediate cover of 300 mm will be applied to surfaces which will be unused for a period of 90 days or more. A daily cover of 150mm applies to exposed areas at the end of each operating day. This was verified during the site inspection.	Compliant
B6 Imported Soil	The Applicant must: (a) ensure that only VENM, Excavated Natural Material (ENM), or other material approved in writing by EPA is used for capping the landfill;	EPA Approval for cover material Documentation showing specifications of materials used for capping Landfill Environmental Management Plan	All phases	Landfill Environmental Management Plan sighted Section 2.2.2.2 Waste process and cover has detailed requirements on cover. It says: "Cover material will be sourced from excess excavated material from landfill cells"; and During filling of Stages 1 and 2, a clay deficit is expected for each stage (see Table 3-2). Clay from Stage E excavation is not available for daily cover during filling of Stages 1 and 2 therefore daily cover material and clay will need to be externally sourced. This is not yet an issue. When it does become an issue reports of material incoming are provided by those who are bringing in material. Council advised intermediate capping material is mostly won-onsite from excavation so no testing is required.	Not Triggerred
	The Applicant must: (b) keep accurate records of the volume and type of fill to be used; and	Records of fill quantity and type	All phases	This condition refers to the final capping material, so this will not be triggered.	Not Triggerred
	The Applicant must: (c) make these records available to the EPA and the Planning Secretary upon request.	Discussion with Council	All phases	Records have not been requested. See above for details.	Not Triggerred
B7 Litter and Pest Control	The Applicant must: (a) implement suitable measures to prevent the unnecessary proliferation of litter both on and off site, including the installation and maintenance of a mesh fence of not less than 1.8 metres high around the perimeter of the active landfill cell; and	Site inspection to verify Landfill Environmental Management Plan	All phases	LEMP sighted. Litter Control (section 2.3.8) page 15 states "All litter fences, perimeter fences and gates are inspected daily and cleared of litter as required." During the site inspection, it was verified that a mesh fence of not less than 1.8 metres high around the perimeter of the active landfill cell is in place across the site.	Compliant
	The Applicant must: (b) inspect and clear the site (and surrounding area, where necessary) of litter on at least a weekly basis.	Weekly site inspection checklists Site inspection to verify	All phases	Sighted SOP39.2 Weekly site inspection checklists from 7 Oct 2022 up to 24 Nov 2022 indicated housekeeping including litter collection and litter levels are satisfactory. This condition was verified as satisfactory during site inspection.	Compliant

Condition Number	Compliance Requirement	Evidence Requested	Development Phase	Evidence and comments	Compliance Status
B8 Litter and Pest Control	The Applicant must: (a) implement suitable measures to manage pests, vermin and declared noxious weeds on the site; and	Site inspection to verify measures in place to control vermin and weeds Weed management records Landfill Environmental Management Plan	All phases	Chemical spraying, mechanical removal of weeds, undertaking visual monitoring and training of staff in the handling and use of herbicides are some of the measures stated in Section 2.3.10 of the LEMP for weed management. Weed management records sighted during the period include the date and type of chemical spray applied to certain weeds. For example, on 5 Sept 2023, Matthew Bell authorised chemical spraying of Lantana onsite using 600g/L of Metsulfuron methyl. Section 2.3.9 of the LEMP states that the landfill operates under the Pest Management Plan (PMHC 2013).	Compliant
	The Applicant must: (b) inspect the site on a regular basis to ensure these measures are effective, and 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 the surrounding area. <i>Note: For the purposes of this condition, noxious weeds are those species subject to an order declared under the Biosecurity Act 2015.</i>	Site inspection to verify measures in place to control vermin and weeds Weed management records Landfill Environmental Management Plan	All phases	Sighted SOP39.2 Weekly site inspection checklists from 7 Oct 2022 up to 24 Nov 2022. Checklists indicated presence of feral cats, rats, deer, dogs, fox, cane toads and flies. However, the checklists do not indicate how these feral animals are managed. Although Council officers stated that the 1.8 metres wired fencing around the site boundary prevented most feral animals from entering the facility this is not what each checklist indicates. The checklists must be filled-out properly by indicating whether each feral species was observed as present or not and stating what measures were undertaken to exclude these animals. The forms as they currently stand either indicate that the fencing is not excluding any feral animals or that operators are not correctly filling out the forms. Field observations on the day of the audit suggest that the latter is more likely. In either case this is a non-compliance.	Non-Compliant
Leachate					
B9 Leachate Barrier and Collection System	The Applicant must design, install and manage the leachate barrier and collection system in accordance with the requirements of the EPA's Environmental Guidelines: Solid Waste Landfills 2016 or its latest version, or as otherwise approved by the EPA.	Leachate Management Plan dated 14 December 2020 Site inspection to verify Notification letter to DPE	All phases	SSD 5792 Mod 1 approved by DPE on 31 August 2023 proposed to modify the leachate barrier and collection system to increase the leachate storage capacity of the landfill in order to manage the risk of significant leachate generated from the landfill cells in Stage 1. To reduce leachate generation, the detailed design was modified to include the establishment of seven sub-cells within the overall new cell, which allows Council to control which cells are active and connected to the leachate system. Non-active sub cells drain to the stormwater system. Figure 3-1, page 12 of the modification application prepared by Arcadis on January 2023 gives the indicative layout of the proposed interim leachate storage solution. As a result of the modification the Leachate Management Plan (LMP) is being reviewed and is expected to be completed by 31 January 2023. A letter from Council to Lindsay Blecher of DPE dated 5 December 2023 confirmed this review.	Compliant
B10 Leachate Barrier and Collection System	All above ground storage tanks containing material that may cause material harm must be banded or have an alternative spill containment system in place.	Site inspection to verify	All phases	The only above ground storage tanks sighted during site inspection were the two leachate storage tanks. These tanks were satisfactorily banded.	Compliant
	Prior to the commencement of landfilling, the Applicant must prepare a Leachate Management Plan (LMP) to the satisfaction of the Planning Secretary. The LMP must: (a) be prepared by a suitably qualified and experienced person(s);	Qualifications of person preparing LMP Evidence of secretary satisfaction prior to commencement of landfilling	Stage 1	Letter from Chris Ritchie (DPE) dated 23/12/2020 sighted states that DPE was satisfied with Leachate Management Plan, Revision 5, dated 14 December 2020, prepared by Arcadis Pty Ltd. Qualifications and experience of author (Doug Craven) detailed on page 2 of LMP. Due to the proposed modification of the leachate barrier and collection system, the LMP is currently being reviewed and updated by 31 January 2024.	Compliant

Condition Number	Compliance Requirement	Evidence Requested	Development Phase	Evidence and comments	Compliance Status
B11 Leachate Management Plan	Prior to the commencement of landfilling, the Applicant must prepare a Leachate Management Plan (LMP) to the satisfaction of the Planning Secretary. The LMP must: (b) be prepared in consultation with the EPA;	Evidence of consultation with EPA	Stage 1	A letter from Scott Hunter of EPA dated 11 December 2020 was sighted which indicates that the EPA has reviewed the management plans. For SSD 5792 MOD 1 changes, correspondence between Sean McKinnon of Council and Jarrod Grimston of NSW EPA in the period between 23 June 2022 to 29 November 2022 demonstrated a consultative process in the preparation and design of the soon to be updated Leachate Management Plan.	Compliant
	Prior to the commencement of landfilling, the Applicant must prepare a Leachate Management Plan (LMP) to the satisfaction of the Planning Secretary. The LMP must: (c) detail measures to collect and store all leachate and prevent leachate from escaping to surface water, groundwater or the surrounding soils;	Leachate Management Plan Containing Content in line with condition	Stage 1	Leachate Management Plan dated 14/12/2020 sighted. Section 5 details measures to collect and store all leachate and prevent leachate from escaping to surface water, groundwater or the surrounding soils. As stated above, there will be an update of the LMP due to proposed modification of the leachate barrier and collection system.	Compliant
	Prior to the commencement of landfilling, the Applicant must prepare a Leachate Management Plan (LMP) to the satisfaction of the Planning Secretary. The LMP must: (d) include best management practices and best available technology to reduce the potential for surface water to be contaminated with leachate during landfilling;	Leachate Management Plan Containing Content in line with condition	Stage 1	Leachate Management Plan dated 14/12/2020 sighted. Section 5.3, 5.4 and 5.5 includes best management practices and best available technology to reduce the potential for surface water to be contaminated with leachate during landfilling. As stated above, there will be an update of the LMP due to proposed modification of the leachate barrier and collection system.	Compliant
	Prior to the commencement of landfilling, the Applicant must prepare a Leachate Management Plan (LMP) to the satisfaction of the Planning Secretary. The LMP must: (e) detail contingency measures for managing any leachate contamination in groundwater, surface water and surrounding soils.	Leachate Management Plan Containing Content in line with condition	Stage 1	Leachate Management Plan dated 14/12/2020 sighted section 5.5. and 6 details contingency measures for managing any leachate contamination in groundwater, surface water and surrounding soils. As stated above, there will be an update of the LMP due to proposed modification of the leachate barrier and collection system.	Compliant
B12 Leachate Management Plan	The Applicant must: (a) not commence landfilling until the LMP required by condition B11 is approved by the Planning Secretary; and	Evidence of secretary satisfaction prior to commencement of landfilling	Stage 1	Letter from Chris Ritchie (DPE) dated 23/12/2020 sighted states that DPE was satisfied with Leachate Management Plan, Revision 5, dated 14 December 2020, prepared by Arcadis Pty Ltd.	Compliant
	The Applicant must: (b) implement the most recent version of the LMP approved by the Planning Secretary for the duration of the development.	Evidence of LMP Implementation (current version) Site inspection	All phases	There will be an update of the LMP due to proposed modification of the leachate barrier and collection system. Once the updated plan is completed approval from the Planning Secretary will be sought.	Not Triggered
Surface Water and Groundwater					
B13 Erosion and Sediment Control	Prior to any surface disturbance for Stage 1, Stage 2 and Stage 3, the Applicant must install and maintain suitable erosion and sediment control measures on site, in accordance with the relevant requirements of the Managing Urban Stormwater: Soils and Construction - Volume 1: Blue Book (Landcom, 2004).	Water Management Plan dated 4 June 2021 Any evidence of maintenance of measures during construction period e.g. reports, photos etc Site inspection to verify	All phases	Water Management Plan revision 7 dated 04 JUNE 2021 by Arcadis sighted. Section 4.3.2 and 4.3.3 include the erosion and sediment control measures in place. Site inspection verified erosion and sediment control system in place.	Compliant
B14 Discharge Limits	The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided for in an EPL.	Details of water management onsite; Have there been any incidences relating to water pollution	All phases	Council advised there were no incidents related to water pollution within this audit period. This was confirmed during site inspection.	Compliant
B15 Groundwater Collection System Design	The Applicant must provide detailed technical specifications and full construction plans of the groundwater collection system for consideration by the EPA, prior to construction of the groundwater collection system.	Evidence of provision of GW system details to EPA prior to construction	Stage 1	As per the previous Compliance Report dated February 2023, findings for condition B15 were found to be compliant.	Compliant

Condition Number	Compliance Requirement	Evidence Requested	Development Phase	Evidence and comments	Compliance Status
B16 Ground Water Management Plan	Prior to the commencement of landfilling, the Applicant must prepare a Groundwater Management Plan (GMP) to the satisfaction of the Planning Secretary. The GMP must: (a) be prepared by a suitably qualified and experienced person(s);	Qualifications of person preparing WMP Evidence of secretary satisfaction prior to commencement of landfilling	Stage 1	It was noted that the original WMP was uploaded to the NSW planning portal on 19 April 2021. Landfilling has not yet commenced during that time. The Compliance Officer sighted a letter from Chris Ritchie of DPE dated 11 June 2021 confirming the approval of the updated Water Management Plan (WMP revision 7 dated 4 June 2021). The Groundwater Management Plan (GMP) is part of the WMP. The plan was prepared by suitably qualified and experienced staff of Arcadis who were found to be compliant in the February 2023 audit.	Compliant
	Prior to the commencement of landfilling, the Applicant must prepare a Groundwater Management Plan (GMP) to the satisfaction of the Planning Secretary. The GMP must: (b) be prepared in consultation with the EPA and DOI Lands and Water Division;	Evidence of consultation with EPA and DOI Lands and Water Division	Stage 1	As per the previous Compliance Report dated Feb 2023, Scott Hunter of EPA and Dol Water (NRAR) were both consulted in the preparation of the GMP. This condition was found to be compliant in the previous audit.	Compliant
	Prior to the commencement of landfilling, the Applicant must prepare a Groundwater Management Plan (GMP) to the satisfaction of the Planning Secretary. The GMP must: (c) include baseline data on groundwater levels and quality;	Groundwater Management Plan containing content in line with condition	All phases	Section 5.1.3 of the WMP includes the baseline data on groundwater levels and quality. This condition was found to be compliant in the previous audit.	Compliant
	Prior to the commencement of landfilling, the Applicant must prepare a Groundwater Management Plan (GMP) to the satisfaction of the Planning Secretary. The GMP must: (d) include a program to monitor groundwater levels and quality;	GMP containing content in line with condition	All phases	Section 5.4 of the WMP includes the program to monitor groundwater levels and quality.	Compliant
	Prior to the commencement of landfilling, the Applicant must prepare a Groundwater Management Plan (GMP) to the satisfaction of the Planning Secretary. The GMP must: (e) describe the measures to be implemented to prevent contamination of groundwater with leachate;	GMP containing content in line with condition	All phases	Section 5.4.5 of the WMP describes the measures to be implemented to prevent contamination of groundwater with leachate.	Compliant
	Prior to the commencement of landfilling, the Applicant must prepare a Groundwater Management Plan (GMP) to the satisfaction of the Planning Secretary. The GMP must: (f) detail groundwater discharge water quality trigger values and management measures for groundwater not suitable for discharge;	GMP containing content in line with condition	All phases	Section 5.4.1 of the WMP details groundwater discharge water quality trigger values and management measures for groundwater not suitable for discharge.	Compliant
	Prior to the commencement of landfilling, the Applicant must prepare a Groundwater Management Plan (GMP) to the satisfaction of the Planning Secretary. The GMP must: (g) detail contingency measures for managing any detected groundwater contamination;	GMP containing content in line with condition	All phases	Section 5.4.4 of the WMP details contingency measures for managing any detected groundwater contamination.	Compliant
	Prior to the commencement of landfilling, the Applicant must prepare a Groundwater Management Plan (GMP) to the satisfaction of the Planning Secretary. The GMP must: (h) detail the water licence requirements for the development;	GMP containing content in line with condition	All phases	Section 3.4 of the WMP details the water licence requirements for the development.	Compliant
B17 Surface Water Management Plan	Prior to the commencement of landfilling, the Applicant must prepare a Surface Water management Plan (SWMP) to the satisfaction of the Planning Secretary. The SWMP must: (a) be prepared by a suitably qualified and experienced person(s);	Surface Water Management Plan	Stage 1	As per response in B16a noting that the SWMP is part of the WMP.	Compliant
	Prior to the commencement of landfilling, the Applicant must prepare a Surface Water management Plan (SWMP) to the satisfaction of the Planning Secretary. The SWMP must: (b) be prepared in consultation with EPA and DOI Lands and Water Division;	Evidence of secretary satisfaction prior to commencement of landfilling	Stage 1	As per response in B16b noting that the SWMP is part of the WMP.	Compliant
	Prior to the commencement of landfilling, the Applicant must prepare a Surface Water management Plan (SWMP) to the satisfaction of the Planning Secretary. The SWMP must: (c) include measures to divert clean surface water away from operational areas of the site;	SWMP containing content in line with condition	All phases	Section 4.3.1 of the WMP includes measures to divert clean surface water away from operational areas of the site.	Compliant
	Prior to the commencement of landfilling, the Applicant must prepare a Surface Water management Plan (SWMP) to the satisfaction of the Planning Secretary. The SWMP must: (d) include a program to monitor surface water flows and quality;	SWMP containing content in line with condition	All phases	Section 4.4 of the WMP describes the program to monitor surface water flows and quality.	Compliant
	Prior to the commencement of landfilling, the Applicant must prepare a Surface Water management Plan (SWMP) to the satisfaction of the Planning Secretary. The SWMP must: (e) detail trigger levels for investigating any potential adverse surface water impacts;	SWMP containing content in line with condition	All phases	Section 4.4.5 of the WMP details trigger levels for investigating any potential adverse surface water impacts.	Compliant
	Prior to the commencement of landfilling, the Applicant must prepare a Surface Water management Plan (SWMP) to the satisfaction of the Planning Secretary. The SWMP must: (f) include a protocol for investigation and mitigation of exceedances of the surface water trigger levels.	Evidence of WMP implementation (current version) Site inspection	All phases	Section 4.4.8 of the WMP includes a protocol for investigation and mitigation of exceedances of the surface water trigger levels.	Compliant
	The Applicant must: (a) not commence landfilling until the GMP required by condition B16 and the SWMP required by condition B17 are approved by the Planning Secretary; and	Approval letter of WMP	Stage 1	As per response in condition B16a.	Compliant

Condition Number	Compliance Requirement	Evidence Requested	Development Phase	Evidence and comments	Compliance Status
B18 Surface Water Management Plan	The Applicant must: (b) implement the most recent version of the GMP and SWMP approved by the Planning Secretary for the duration of the development.	WMP revision 7 dated 4 June 2021 Evidence of WMP implementation - annual returns site inspection	All phases	Revision 7 of WMP dated 4 June 2021 was approved by the Planning Secretary via a letter from Chris Ritchie (DPE) dated 11 June 2021. The site inspection verified the separation of clean water from landfill areas, leachate and stormwater collection ponds are separated, no surface water non-compliances occurred during this period and annual return reporting on EPL 11189 for the period (23 Oct 2022 to 22 Oct 2023) confirmed results for groundwater and surface water monitoring at locations specified in their EPL.	Compliant
Odour and Air Quality					
B19 Odour and Air Quality Limits	The Applicant must ensure the development does not cause or permit the emission of any offensive odour(as defined in the POEO Act)	Landfill Environmental Management Plan Complaints register	All phases	There is an odour issue recorded in the complaints register on 21 February 2023. The acting Waste Services Manager and Outdoor Coordinator were both advised and the issue was investigated. It was determined that no further action is required at that time. This was also reported in their annual return for the period but was not identified as a non-compliance. According to Council, while investigating it couldn't be determined that odour was emanating from the Cairncross landfill facility. The odour could be emanating from the organic material recycling facility which has a separate licence and DA. There is also a farm located to the northeast of the Cairncross site on the highway which periodically applied fertiliser to its property which can produce unpleasant odours, combined with the prevalent northeasterly winds in summer and autumn which may lead to neighbouring properties thinking that odour is emanating from the waste facility. During the inspection, no unpleasant odour was detected from the landfill operation. Due to these reasons Condition B19 is considered compliant.	Compliant
B20 Dust Minimisation	The Applicant take all reasonable steps to minimise dust generated during all works authorised by this consent.	Landfill Environmental Management Plan Complaints register	All phases	Section 6.3.6.2 of the LEMP pertains to dust with mitigation measures outlined in Table 6-9 page 50. No dust issues recorded in the complaints register which was verified during the site inspection.	Compliant
B21 Dust Minimisation	The Applicant must ensure that: (a)exposed surfaces and stockpiles are suppressed by regular watering;	Landfill Environmental Management Plan Complaints register	All phases	Section 6.3.6.2 of the LEMP pertains to dust with mitigation measures outlined in Table 6-9 page 50. No dust issues recorded in the complaints register which was verified during the site inspection. Water cart is available onsite when needed.	Compliant
	The Applicant must ensure that: (b)all trucks entering or leaving the site with loads have their loads covered;	Landfill Environmental Management Plan Complaints register site inspection	All phases	During site inspection , the Compliance Officer sighted trucks with covered loads while entering and leaving the site.	Compliant
	The Applicant must ensure that: (c)trucks associated with the development do not track dirt onto the public road network; and	Landfill Environmental Management Plan Complaints register	All phases	During site inspection, no evidence of mud tracking was observed. No complaints received for dirt on public road during the period.	Compliant
	The Applicant must ensure that: (d)rehabilitation works are carried out progressively on site to minimise exposed surfaces.	Landfill Environmental Management Plan Complaints register	All phases	Site inspection verified works are carried out progressively on site to minimise exposed surfaces. Daily cover is being applied to operational areas at the end of the day.	Compliant
Noise					
B22 Hours of Work	The Applicant must comply with the hours detailed in Table 1, unless otherwise agreed in writing by the Planning Secretary. Table 1 Hours of Work	Sign-in sheets Complaints register	All phases	Section 2.3.1 of the LEMP details the landfill operating hours. There are within the hours of operation detailed in Condition B22.	Compliant
	Works outside of the hours identified in condition B22 may be undertaken in the following circumstances: (a)Works that are inaudible at the nearest sensitive receivers;	Discussion with Council	All phases	Not applicable. B22a potentially would apply, given the above times and location.	Not Triggered
	Works outside of the hours identified in condition B22 may be undertaken in the following circumstances: (b)Works agreed to in writing by the Planning Secretary;	Details, if this situation is applicable	All phases	Not applicable	Not Triggered

Condition Number	Compliance Requirement	Evidence Requested	Development Phase	Evidence and comments	Compliance Status						
B23 Hours of Work	Works outside of the hours identified in condition B22 may be undertaken in the following circumstances: (c) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or	Details, if this situation is applicable	All phases	Not applicable	Not Triggered						
	Works outside of the hours identified in condition B22 may be undertaken in the following circumstances: (d) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.	Details, if this situation is applicable	All phases	Not applicable	Not Triggered						
B24 Noise Limits	<p>The Applicant must ensure noise generated by operation of the development does not exceed the noise limits in Table 2.</p> <table border="1"> <caption>Table 2 Noise Limits</caption> <thead> <tr> <th>Location</th> <th>Day $L_{Aeq}(15\text{ minute})$ dB(A)</th> </tr> </thead> <tbody> <tr> <td>Monitoring Point 10</td> <td>35</td> </tr> <tr> <td>Monitoring Point 11</td> <td>35</td> </tr> </tbody> </table> <p>Note 1 Noise generated by the development is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Noise Policy for Industry (EPA, 2017) (as may be updated or replaced from time to time). Refer to the plan in Appendix 3 for noise monitoring locations.</p> <p>Note 2 L_{Aeq} (15-minute) dB(A) is the equivalent continuous sound level over a 15 minute period, measured as A-weighted decibels.</p>	Location	Day $L_{Aeq}(15\text{ minute})$ dB(A)	Monitoring Point 10	35	Monitoring Point 11	35	Complaints register Noise monitoring	All phases	LEMP sighted includes noise limits (table 6-3 page 43) in line with those in table 2 of condition B24. There's no complaints received during the period, therefore measurement/monitoring was not undertaken.	Compliant
Location	Day $L_{Aeq}(15\text{ minute})$ dB(A)										
Monitoring Point 10	35										
Monitoring Point 11	35										
Biodiversity											
B25 Offsets	Prior to any clearing works for Stage 3, the Applicant must retire the following ecosystem and species credits, as determined in accordance with the OEH's Framework for Biodiversity Assessment (FBA) and the Biobanking Assessment Methodology 2014 (BAM). (a) 221 ecosystem credits to offset the removal of 3.4 hectares of Blackbutt-Pink Bloodwood Shrubby Open Forest of the Coastal Lowlands of the NSW North Coast Bioregion;	Receipts of purchased offsets in line with B25(a)	Stage 3	Council is filling Stage 1 currently; Stage 3 has not commenced	Not Triggered						
	Prior to any clearing works for Stage 3, the Applicant must retire the following ecosystem and species credits, as determined in accordance with the OEH's Framework for Biodiversity Assessment (FBA) and the Biobanking Assessment Methodology 2014 (BAM). (b) 84 species credits to offset the removal of koala habitat;	Receipts of purchased offsets in line with B25(b)	Stage 3	Council is filling Stage 1 currently; Stage 3 has not commenced	Not Triggered						
	Prior to any clearing works for Stage 3, the Applicant must retire the following ecosystem and species credits, as determined in accordance with the OEH's Framework for Biodiversity Assessment (FBA) and the Biobanking Assessment Methodology 2014 (BAM). (c) 248 species credits to offset the removal of Green-Thighed Frog habitat; and	Receipts of purchased offsets in line with B25(c)	Stage 3	Council is filling Stage 1 currently; Stage 3 has not commenced	Not Triggered						
	Prior to any clearing works for Stage 3, the Applicant must retire the following ecosystem and species credits, as determined in accordance with the OEH's Framework for Biodiversity Assessment (FBA) and the Biobanking Assessment Methodology 2014 (BAM). (d) 3 species credits to offset the removal of Southern Myotis habitat. Note: If the Applicant seeks a variation to the offset rules, the Applicant must demonstrate that reasonable steps have been taken to find like-for-like offsets in accordance with Section 10.5.4.2 of the FBA and Appendix A of the OEH's NSW Biodiversity Offsets Policy for Major Projects 2014. Koala Connectivity Corridor	Receipts of purchased offsets in line with B25(d)	Stage 3	Council is filling Stage 1 currently; Stage 3 has not commenced	Not Triggered						
B26 Offsets	The Applicant must establish and maintain the koala connectivity corridor shown in Figure 1 in Appendix 1. The Applicant must determine the timing for establishing the koala connectivity corridor in consultation with the Biodiversity and Conservation Division of the Department of Environment, Energy and Science. The agreed timing must be included in the Vegetation Management Plan required by condition B27	Evidence of timing determination and consultation with the Biodiversity and Conservation Division of the Department of Environment, Energy and Science VMP Site inspection DPE approval of VMP	All phases	Sighted the Vegetation Management Plan (VMP) Revision 5 dated 27 Aug 2021. Sighted the DPE approval letter for the plan dated 19 Oct 2021. Sighted DPE Biodiversity and Conservation response to consultation dated 13 May 2021 in Appendix 1 of the VMP. DPE was consulted on 10 March 2021. Section 5.2.5 of the VMP states that "The koala connectivity corridor will be demarcated from other area within 6 months of the approval of this plan. This will involve marking out the exact boundaries and installing some bunting." Planting at the corridor will be undertaken within 2 years of the VMP approval. The VMP was approved on 19 October 2021 and according to Council, planting the Koala Corridor commenced in May 2023. During the site inspection it was verified that plants along the corridor started growing.	Compliant						

Condition Number	Compliance Requirement	Evidence Requested	Development Phase	Evidence and comments	Compliance Status
B27 Vegetation Management Plan	Within 12 months of the date of this consent, the Applicant must prepare a Vegetation Management Plan (VMP) to the satisfaction of the Planning Secretary. The VMP must: (a) be prepared in consultation with the Biodiversity and Conservation Division of the Department;	Evidence of secretaries satisfaction with VMP Evidence of consultation with the Biodiversity and Conservation Division of the Department of Environment, Energy and Science	Stage 1	SSD 5792 was granted on 5 Nov 2019 while SSD 5792 Mod 1 was granted on 31 August 2023. The preparation of the VMP started on 27 Feb 2020, approximately 4 months after SSD 5792 consent approval. DPE Biodiversity and Conservation was consulted on 10 March 2021 via email and a response from the Department was received on 13 May 2021. The final version of the plan was submitted to DPE on 27 Aug 2021 and approved on 19 Oct 2021. Note: The timing of this condition was revised from two years (SSD 5792) to 12 months (SSD 5792 Mod 1).	Compliant
	Within 12 months of the date of this consent, the Applicant must prepare a Vegetation Management Plan (VMP) to the satisfaction of the Planning Secretary. The VMP must: (b) detail the measures for managing impacts of the development on the Rawdon Creek Nature Reserve in accordance with the Guidelines for developments adjoining land managed by the Office of Environment and Heritage (OEH, 2013);	Evidence of secretaries satisfaction with VMP VMP containing required detail as per condition	Stage 1	Section 5.7 refers to the Guidelines for developments adjoining land managed by the Office of Environment and Heritage (OEH, 2013) and sets out the risks and mitigation measures that will be implemented to reduce the risk to Rawdon Creek Nature Reserve in Table 5-4.	Compliant
	Within 12 months of the date of this consent, the Applicant must prepare a Vegetation Management Plan (VMP) to the satisfaction of the Planning Secretary. The VMP must: (c) detail the procedures for coordinated management of the koala connectivity corridor on the southern boundary, the Strategic Fire Advantage Zone on the south-eastern boundary and the established biodiversity offset area to the west of the site; and	Evidence of secretaries satisfaction with VMP VMP containing required detail as per condition	Stage 1	Section 5.2 of the VMP addresses the koala connectivity corridor management which states aspects of integrated management of adjacent areas including the SFAZ. Section 5.3 addresses revegetation which makes specific mention of the koala connectivity corridor.	Compliant
	Within 12 months of the date of this consent, the Applicant must prepare a Vegetation Management Plan (VMP) to the satisfaction of the Planning Secretary. The VMP must: (d) detail the fencing to be installed, the timing for installation and how this will prevent access by koalas and other fauna into the landfill.	Evidence of Secretary's satisfaction with VMP VMP containing required detail as per condition	Stage 1	Section 5.2.4 addresses fencing strategy pre- and post-construction phases to prevent migration of koalas, and other fauna onto the landfill site.	Compliant
B28 Vegetation Management Plan	The Applicant must implement the most recent version of the VMP approved by the Planning Secretary for the duration of the development	Evidence of Secretary's satisfaction with VMP Evidence of implementation - eg receipts/bush regen contractor's reports etc Site inspection	All phases	The Vegetation Management Plan (VMP Revision 5 dated August 2021 was approved by DPE on 19 October 2021. The letter of approval was sighted by the Compliance Officer. Planting within the Koala Corridor needs to be done within two years from the date of approval of the VMP, due by 19 October 2023. During the site inspection, it was sighted that the Koala Corridor has been planted.	Compliant
Hazards and Risk					
B29 Dangerous Goods	The quantities of dangerous goods stored and handled at the site must be below the threshold quantities listed in the Department of Planning's Hazardous and Offensive Development Application Guidelines — Applying SEPP 33 at all times.	LEMP Details of DGs stored and handled onsite Documentation to show how this is in line with SEPP Guidelines	All phases	According to Council, other than fuel and oil used for onsite plant (stored in the cage in the site shed), the only other materials which may be classed as dangerous goods are the small amount of problem waste (e.g. chemicals, gas bottles) which customers drop off to the facility and these are stored for a short time at the transfer station section of the broader facility. These are very small quantities and are transported to the Kingfisher Waste Transfer Station regularly for collection by Council's contractors. A chemicals report was sighted which shows transactions for incoming household chemicals noting that "household quantity" in this context means <20kg/L. A tip run report for the period was also sighted indicating that the total for mixed wastes received (including chemicals and other wastes) is equivalent to 34.72 tonnes. From these reports it is unlikely that the threshold for dangerous goods listed in the Department's Guideline - Applying SEPP 33 for the period were exceeded. This was verified during the site inspection.	Compliant
Fire Management					

Condition Number	Compliance Requirement	Evidence Requested	Development Phase	Evidence and comments	Compliance Status
B30 Defendable Space	The Applicant must establish a defendable space around the operational areas of the landfill to allow for emergency service personnel to undertake property protection activities. The defendable space shall be a minimum 10 metres in width and managed as an inner protection area (IPA) as outlined in section 4.1.3 and Appendix 5 of Planning for Bush Fire Protection (NSW RFS 2006) and the NSW Rural Fire Service Standard for Asset Protection Zones	LEMP Bushfire and Fuel Management Plan - Site inspection checklists Site inspection to verify	All phases	Sighted Bushfire and Fuel Management Plan (BFMP) dated 26 July 2021. Section 5.3 page 25 refers to defendable space which specifies: "A 20 m wide Defendable Space will be provided to each leachate tank. A minimum of 10m Defendable Space will be provided around operational areas of the landfill." Site inspection verified compliance of the site defendable space to the NSW Rural Fire Service for Asset Protection Zones.	Compliant
B31 Defendable Space	The Applicant must establish a 6 metre wide trafficable space with adequate access for a fully laden 15 tonne (GVM) Rural Fire Service / State Forests Category 1 Tanker around the perimeter of the landfill. The trafficable space may be contained within the defendable space area required by Condition B30.	LEMP BFMP Site Plans Site inspection to verify	All phases	Section 5.4 of the BFMP includes requirement for temporary fire breaks. " The temporary fire breaks will include a 6 m access track which provides adequate access for a fully laden 15 tonne (GVM) Rural Fire Service State Forests Category 1 Tanker (Category Tanker)." Site inspection verified that this trafficable space complies with Condition B31.	Compliant
B32 Defendable Space	Any hazardous materials storage, buildings and open space areas must be located a minimum 50 metres from unmanaged vegetation.	LEMP Site Plans/WAE plans Site inspection to verify	All phases	Site inspection verified that hazardous materials storage, buildings and open space areas within the landfill are far away (>50 metres) from any vegetation areas.	Compliant
B33 Defendable Space	The Applicant must establish and maintain a 30 metre wide Strategic Fire Advantage Zone (SFAZ) around the southern side of Stage 2 and the eastern side of Stage 3, as shown on Figure 3 in Appendix 1	LEMP BFMP Site Plans/WAE plans Site inspection to verify	All phases	Section 5.1 states that a 30 m wide SFAZ will be provided and maintained along the boundary with the adjoining Rawdon Creek Nature Reserve (eastern side of Stage 3). This was verified during the site inspection.	Compliant
	Within 12 months of the date of this consent, the Applicant must update the Bush Fire and Fuel Management Plan (BFFMP) for the Cairncross Waste Management Facility to include the development, to the satisfaction of the Planning Secretary. The BFFMP must: (a) be prepared in consultation with the NSW Rural Fire Service MidCoast District Fire Control Centre	BFMP Evidence of secretary approval Evidence of consultation with the NSW Rural Fire Service MidCoast District Fire Control Centre	Stage 1	Note that this condition was non-compliant on the previous Compliant Reporting dated February 2023 as no secretary approval was provided at that time and was outside of the 12 months deadline outlined in this condition. Investigation was conducted as follows: BFMP Revision 5 dated 26 July 2021 by Arcadis was sighted by the Compliance Officer. A letter of approval from DPE dated 24 Nov 2020 was sighted, approving BFMP Revision 4 dated 29 October 2020. As SSD 5792 was approved 5 November 2019 then the BFMP was due on 5 November 2020. On 20 October 2020, Council consulted with RFS via email and on 28 October 2020 RFS response was received (BFMP Appendix A). The finalisation date for the BFMP was 29 October 2020 which was 7 days earlier than the due date of 5 November 2020. Council consulted DPE for help in submitting the BFMP via the portal on 6 November 2020, a day after the deadline. DPE approved BFMP Revision 4 on 24 Nov 2020. This condition will permanently be considered as non-compliant.	Non-Compliant
	Within 12 months of the date of this consent, the Applicant must update the Bush Fire and Fuel Management Plan (BFFMP) for the Cairncross Waste Management Facility to include the development, to the satisfaction of the Planning Secretary. The BFFMP must: (b) be prepared by a suitably qualified and experienced person(s)	BFMP CV or qualifications of person preparing BFFMP	Stage 1	The BFMP was prepared by Arcadis staff, Heather Tilley with Bachelor of Science qualifications in Biological Life Sciences and Physical Geography. Heather has over 30 years' experience in environmental impact assessment and post approvals, including preparation and review of environmental management plans, on-site construction environmental management, environmental auditing and compliance monitoring on large infrastructure projects. The submission date was outside of the 12 months deadline outlined in the condition and has been noted as non-compliance.	Non-Compliant

Condition Number	Compliance Requirement	Evidence Requested	Development Phase	Evidence and comments	Compliance Status
B34 Bushfire and Fuel Management Plan	Within 12 months of the date of this consent, the Applicant must update the Bush Fire and Fuel Management Plan (BFFMP) for the Cairncross Waste Management Facility to include the development, to the satisfaction of the Planning Secretary. The BFFMP must: (c)include details of: (i) 24/7 contact details including alternative telephone contact; (ii)maintenance measures for the defensible spaces and SFAZ; (iii)location of hazards (physical, chemical and electrical) that may impact on firefighting operations and procedures to manage identified hazards during firefighting operations;	BFFMP including items outlined in condition	Stage 1	The BFMP include the following details in specific sections: (i) 24/7 contact details including alternative telephone contact, section 3.5; (ii)maintenance measures for the defensible spaces and SFAZ, section 5.3 and section 5.1.1; (iii)location of hazards (physical, chemical and electrical) that may impact on firefighting operations and procedures to manage identified hazards during firefighting operations, section 2.7 and figure 2-5. The submission date was outside of the 12 months deadline outlined in the condition and has been noted as non-compliance.	Non-Compliant
	Within 12 months of the date of this consent, the Applicant must update the Bush Fire and Fuel Management Plan (BFFMP) for the Cairncross Waste Management Facility to include the development, to the satisfaction of the Planning Secretary. The BFFMP must: (d) identify strategies to contain and minimise the effects of any threats to the environment and public health including but not limited to: (i) measures to minimise the risk of fire on site, including in the landfill area/s; actions to extinguish any fires on site promptly; (iii) measures to ensure adequate firefighting capacity on site, including a firefighting tanker	BFFMP including items outlined in condition	Stage 1	BFMP identifies strategies to contain and minimise the effects of any threats to the environment and public health including but not limited to: (i) measures to minimise the risk of fire on site, including in the landfill area/section 5.10; (ii)actions to extinguish any fires on site promptly; section 5.10; (iii) measures to ensure adequate firefighting capacity on site, including a firefighting tanker section 5.7 and 5.8. The submission date was outside of the 12 months deadline outlined in the condition and has been noted as non-compliance.	Non-Compliant
	Within 12 months of the date of this consent, the Applicant must update the Bush Fire and Fuel Management Plan (BFFMP) for the Cairncross Waste Management Facility to include the development, to the satisfaction of the Planning Secretary. The BFFMP must: (e) include plans of site infrastructure, firefighting water supply, site access and internal roads;	BFFMP including items outlined in condition	Stage 1	Figure 2-5 of the BFMP includes plans of site infrastructure, firefighting water supply (3,000m ³ firefighting water storage dam), site access and internal roads. The submission date was outside of the 12 months deadline outlined in the condition and has been noted as non-compliance.	Non-Compliant
	Within 12 months of the date of this consent, the Applicant must update the Bush Fire and Fuel Management Plan (BFFMP) for the Cairncross Waste Management Facility to include the development, to the satisfaction of the Planning Secretary. The BFFMP must: (f) detail a communication strategy for notifying the relevant government agencies and potentially affected community in a fire event; and	BFFMP including items outlined in condition	Stage 1	Details of a communication strategy for notifying the relevant government agencies and potentially affected community in a fire event are included in Section 6.2.2 and Table 6-3 of the BFMP. The submission date was outside of the 12 months deadline outlined in the condition and has been noted as non-compliance.	Non-Compliant
	Within 12 months of the date of this consent, the Applicant must update the Bush Fire and Fuel Management Plan (BFFMP) for the Cairncross Waste Management Facility to include the development, to the satisfaction of the Planning Secretary. The BFFMP must: (g)any additional matters required by the NSW Rural Fire Service.	BFFMP including items outlined in condition	Stage 1	No additional matters were identified in the BFMP. The submission date was outside of the 12 months deadline outlined in the condition and has been noted as non-compliance.	Non-Compliant
	B35 Bush Fire and Fuel Management Plan	The Applicant implement the most recent version of the BFFMP approved by the Planning Secretary for the duration of the development.	Evidence of secretary approval Evidence of implementation	All phases	Site inspection and audit checklists sighted for the period verified that fire extinguishers are in place and tags are current, hydrant boosters were installed on site, stockpiles of green waste were minimised and temperature will not provide spontaneous combustion and gas bottles are stored in accordance with Work Cover and OEH requirements. Site inspection verified compliance with this condition.
Traffic and Access					
B36 Operating Conditions	The Applicant must ensure: (a)the development does not result in any vehicles queuing on the public road network;	LEMP \ TMP or other relevant documentation Site inspection to verify	All phases	LEMP , section 6.3.4 traffic and transport includes table 6-6 traffic mitigation measures. Site inspection verified that there were no vehicles queued across the roads, nor parked on local footpaths prior to stopping. Private facility road is approx 2 kms long.	Compliant
	The Applicant must ensure: (b)heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site;	LEMP \ TMP or other relevant documentation Site inspection to verify	All phases	Section 6.3.4 traffic and transport of the LEMP includes table 6-6 traffic mitigation measures. Site inspection verified that there were no vehicles queued across the roads, nor parked on local footpaths prior to stopping. Private facility road is approximately 2 kms long.	Compliant
	The Applicant must ensure: (c)all vehicles are wholly contained on site before being required to stop;	LEMP \ TMP or other relevant documentation Site inspection to verify	All phases	Site inspection to verified that there were no vehicles queued across the roads, nor parked on local footpaths prior to stopping. Private facility road is approx 2 kms long.	Compliant

Condition Number	Compliance Requirement	Evidence Requested	Development Phase	Evidence and comments	Compliance Status
	The Applicant must ensure: (d) all loading and unloading of materials is carried out on site; and	LEMP \ TMP or other relevant documentation Site inspection to verify	All phases	Site inspection to verified that there were no vehicles queued across the roads, nor parked on local footpaths prior to stopping. Loading and unloading of materials done onsite is supervised by facility staff.	Compliant
	The Applicant must ensure: (e) all trucks entering or leaving the site with loads have their loads covered and do not track dirt onto the public road network.	LEMP \ TMP or other relevant documentation Site inspection to verify	All phases	Site inspection verified that all incoming trucks have loads covered. No tracking on the public road of dirt was observed.	Compliant
Aboriginal and Historic Heritage					
B37 Unexpected finds Protocol	If any item or object of Aboriginal heritage significance is identified on site: (a) all work in the immediate vicinity of the suspected Aboriginal item or object must cease immediately;	Unexpected finds Protocol contains measures as per condition Any objects found? -- if so details of management	All phases	LEMP section 6.3.3 refers to Aboriginal heritage table 6-5 page 44 which includes mitigation measures for unexpected finds including AB-02" which states that, "In the event that any identified or suspected Aboriginal objects are detected at any time, all disturbance work shall immediately cease within 20 m of the find and temporary protective fencing erected around this 'no-go-zone' pending further management Pre-construction advice from the BCDEES." Council advised no objects were currently found.	Compliant
	If any item or object of Aboriginal heritage significance is identified on site: (b) a 10 m wide buffer area around the suspected item or object must be cordoned off; and	Unexpected finds Protocol contains measures as per condition Any objects found? -- if so details of management	All phases	Council advised no objects were currently found.	Not Triggered
	If any item or object of Aboriginal heritage significance is identified on site: (c) the Biodiversity and Conservation Division of the Department (former OEH) must be contacted immediately.	Unexpected finds Protocol contains measures as per condition Any objects found? -- if so details of management	All phases	Council advised no objects were currently found.	Not Triggered
B38 Unexpected finds Protocol	Work in the immediate vicinity of the Aboriginal item or object may only recommence in accordance with the provisions of Part 6 of the National Parks and Wildlife Act 1974.	Unexpected finds Protocol contains measures as per condition - note there was a n/c here from last audit, so need to show how this was addressed as well. Any objects found? -- if so details of management	All phases	Council advised no objects were currently found.	Not Triggered
B39 Unexpected finds Protocol	If any archaeological relics are uncovered during the course of the work, then all works must cease immediately in that area. Unexpected finds must be evaluated and recorded in accordance with the requirements of the Department of Premier and Cabinet Heritage Division.	Unexpected finds Protocol contains measures as per condition - note there was a n/c here from last audit, so need to show how this was addressed as well. Any objects found? -- if so details of management	All phases	Council advised no objects were currently found.	Not Triggered
B40 Fencing	All fencing must be erected in accordance with the development plans included in the EIS and RTS. <i>Note: This condition does not apply to temporary construction and safety related fencing.</i>	Details of fencing installed, plans Site inspection to verify fencing in place	All phases	Sighted Cairncross Waste Management Facility Staging Plans which gives fence location; photo showing fence installed. Site inspection verified fencing is in place in accordance with plans.	Compliant
Rehabilitation, Final Landform And Closure					
B41 Rehabilitation	The Applicant must progressively rehabilitate the completed landfill cells to achieve the final landform shown in Appendix 4. The vegetation types, maintenance, monitoring and performance criteria for the rehabilitation works must be detailed in the LEMP required by condition C2.	LEMP Site inspection to verify	Stage 3	The new landfill cell has only commenced landfilling Stage 1 and Council advises it is not anywhere near close to requiring rehabilitation.	Not Triggered
B42 Final Landform	The Applicant must rehabilitate the site to achieve the final landform shown in Appendix 4, and in accordance with the criteria in the EPA's Environmental Guidelines: Solid Waste Landfills 2016, or its latest version.	Expect this is not triggered?	Stage 3	The new landfill cell has only commenced landfilling Stage 1 and Council advises it is not anywhere near close to requiring rehabilitation.	Not Triggered
	The Applicant must prepare and implement a Landfill Closure Plan (LCP) to the satisfaction of the Planning Secretary. The LCP must: (a) be prepared in accordance with section 76 of the POEO Act;	Expect this is not triggered? If it is: Evidence of Secretary's satisfaction LCP in line with condition	Stage 3	The new landfill cell has only recently commenced landfilling and Council advises it is not anywhere near closure	Not Triggered
	The Applicant must prepare and implement a Landfill Closure Plan (LCP) to the satisfaction of the Planning Secretary. The LCP must: (b) be prepared in consultation with the Biodiversity and Conservation Division of the Department;		Stage 3	The new landfill cell has only recently commenced landfilling and Council advises it is not anywhere near closure	Not Triggered
	The Applicant must prepare and implement a Landfill Closure Plan (LCP) to the satisfaction of the Planning Secretary. The LCP must: (c) be prepared by a suitably qualified and experienced expert(s);	Cv/qualifications of person preparing	Stage 3	The new landfill cell has only recently commenced landfilling and Council advises it is not anywhere near closure	Not Triggered
	The Applicant must prepare and implement a Landfill Closure Plan (LCP) to the satisfaction of the Planning Secretary. The LCP must: (d) be submitted to the EPA and the Planning Secretary twelve (12) months prior to the planned closure of the landfill (Stage 3);	Evidence of submission to Planning secretary 12 months prior to closure (if applicable)	Stage 3	The new landfill cell has only recently commenced landfilling and Council advises it is not anywhere near closure	Not Triggered
	The Applicant must prepare and implement a Landfill Closure Plan (LCP) to the satisfaction of the Planning Secretary. The LCP must: (e) be approved by the EPA and the Planning Secretary prior to the commencement of the final phase of landfill capping and rehabilitation works;	Evidence of Planning secretary and EPA approval 12 months prior to closure (if applicable)	Stage 3	The new landfill cell has only recently commenced landfilling and Council advises it is not anywhere near closure	Not Triggered

Condition Number	Compliance Requirement	Evidence Requested	Development Phase	Evidence and comments	Compliance Status
B43 Landfill Closure Plan	The Applicant must prepare and implement a Landfill Closure Plan (LCP) to the satisfaction of the Planning Secretary. The LCP must: (f) detail the requirements for ongoing management of the capped waste mass;	LCP containing details in condition	Stage 3	The new landfill cell has only recently commenced landfilling and Council advises it is not anywhere near closure	Not Triggered
	The Applicant must prepare and implement a Landfill Closure Plan (LCP) to the satisfaction of the Planning Secretary. The LCP must: (g) detail the design, installation and maintenance of the final capping, in accordance with the requirements of the EPA's Environmental Guidelines: Solid Waste Landfills 2016, or its latest version;	LCP containing details in condition	Stage 3	The new landfill cell has only recently commenced landfilling and Council advises it is not anywhere near closure	Not Triggered
	The Applicant must prepare and implement a Landfill Closure Plan (LCP) to the satisfaction of the Planning Secretary. The LCP must: (h) describe monitoring and management measures to ensure the integrity of the cap;	LCP containing details in condition	Stage 3	The new landfill cell has only recently commenced landfilling and Council advises it is not anywhere near closure	Not Triggered
	The Applicant must prepare and implement a Landfill Closure Plan (LCP) to the satisfaction of the Planning Secretary. The LCP must: (i) describe ongoing surface water and leachate management, odour and dust control;	LCP containing details in condition	Stage 3	The new landfill cell has only recently commenced landfilling and Council advises it is not anywhere near closure	Not Triggered
	The Applicant must prepare and implement a Landfill Closure Plan (LCP) to the satisfaction of the Planning Secretary. The LCP must: (j) detail landfill gas monitoring and maintenance; and	LCP containing details in condition	Stage 3	The new landfill cell has only recently commenced landfilling and Council advises it is not anywhere near closure	Not Triggered
	The Applicant must prepare and implement a Landfill Closure Plan (LCP) to the satisfaction of the Planning Secretary. The LCP must: (k) identify future land use/s on the site.	LCP containing details in condition	Stage 3	The new landfill cell has only recently commenced landfilling and Council advises it is not anywhere near closure	Not Triggered
B44 Community Engagement	The Applicant must consult with the community regularly throughout the development, including consultation with the nearby sensitive receivers, relevant regulatory authorities, Registered Aboriginal Parties and other interested stakeholders.	Community consultation records	All phases	Signed consultation emails and letters to and from the EPA, DPE Environment & Heritage Group, DPE Water Group, NSW RFS and TfNSW throughout the desktop assessment conducted for this period. A community hotline number is provided at the entrance gate of the facility.	Compliant

Condition Number	Compliance Requirement	Evidence Requested	Development phase	Evidence and comments	Compliance Status
Environmental Management	Management plans required under this consent must be prepared in accordance with relevant guidelines, and include: (a) detailed baseline data;	Bushfire and Fuel Management Plan dated 26 July 2021 (Arcadis) Leachate Management Plan dated 14 December 2020 (Arcadis) Water Management Plan dated 4 June 2021 (Arcadis) Landfill Environmental Management Plan dated 15 August 2021 (Arcadis) Vegetation Management Plan dated 27 August 2021 (Arcadis)	All phases	Sighted Leachate Management Plan baseline data included in section 4.3 historic leachate quality page 15. Sighted Bushfire and Fuel Management Plan existing environmental section included in section 2.5 page 4. Sighted Water Management Plan baseline data included in section 4.1 existing environment page 17. Sighted Landfill Environmental Management Plan included in section 2 existing environment page 5. Sighted Vegetation Management Plan included in section 4 page 15.	Compliant
	Management plans required under this consent must be prepared in accordance with relevant guidelines, and include: (b) details of: (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions); (ii) any relevant limits or performance measures and criteria; and (iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;	Bushfire and Fuel Management Plan dated 26 July 2021 (Arcadis) Leachate Management Plan dated 14 December 2020 (Arcadis) Water Management Plan dated 4 June 2021 (Arcadis) Landfill Environmental Management Plan dated 15 August 2021 (Arcadis) Vegetation Management Plan dated 27 August 2021 (Arcadis)	All phases	Sighted Leachate Management Plan (Arcadis) with statutory requirements included in section 4.3, section 6.2 covers relevant limits or performance measures and criteria and 6.2.3 covers the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures. Sighted Bushfire and Fuel Management Plan (Arcadis) with statutory requirements included in section 3 page 14, management and mitigation included in section 5 page 25. Sighted Water Management Plan (Arcadis) with statutory requirements included in section 3, section 5.4 covers relevant limits or performance measures and criteria and 5.4.4 covers the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures. Sighted Landfill Environmental Management Plan (Arcadis) with statutory requirements included in section 4 page 22, section 6.3 covers relevant limits or performance measures and criteria. Sighted Vegetation Management Plan (Arcadis) with statutory requirements included in section 3 page 8, section 5 and 6 has performance measures and criteria included in each habitat subsection.	Compliant
	Management plans required under this consent must be prepared in accordance with relevant guidelines, and include: (c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;	Bushfire and Fuel Management Plan dated 26 July 2021 (Arcadis) Leachate Management Plan dated 14 December 2020 (Arcadis) Water Management Plan dated 4 June 2021 (Arcadis) Landfill Environmental Management Plan dated 15 August 2021 (Arcadis) Vegetation Management Plan dated 27 August 2021 (Arcadis)		Sighted Leachate Management Plan program for improvement included in section 6.2.3 and 7.3. Sighted Bushfire and Fuel Management Plan including detailed audit requirements used to evaluate environmental performance and the compliance status of the Facility operation outlined in Section 7.4 of the LEMP, review and improvement included in section 7.3. Sighted Water Management Plan with improvements not included in WMP. Council said that the program to investigate is the ongoing water monitoring and ways to implement improvements to the environmental performance would then be identified based on the causes of the issue. For example, in the LEMP there is a table in Appendix A which captures all the compliance requirements of the plans. In it, GWP-03 Groundwater pollution states that "A groundwater assessment report will be prepared at least once every five years, or should the groundwater monitoring program detect a possible failure of the leachate containment system." Detailed audit requirements used to evaluate environmental performance and the compliance status of the facility operation is outlined in Section 7.4 of the LEMP. Sighted Landfill Environmental Management Plan and section 7.6 includes review and continuous improvement. Sighted Vegetation Management Plan (Arcadis) which has a section for review and improvement (section 7.3).	Compliant

Condition Number	Compliance Requirement	Evidence Requested	Development phase	Evidence and comments	Compliance Status
C1 Management Plan Requirements	Management plans required under this consent must be prepared in accordance with relevant guidelines, and include: (d) a program to monitor and report on the: (i) impacts and environmental performance of the development; and (ii) effectiveness of the management measures set out pursuant to paragraph (c) above;	Bushfire and Fuel Management Plan dated 26 July 2021 (Arcadis) Leachate Management Plan dated 14 December 2020 (Arcadis) Water Management Plan dated 4 June 2021 (Arcadis) Landfill Environmental Management Plan dated 15 August 2021 (Arcadis) Vegetation Management Plan dated 27 August 2021 (Arcadis)	All phases	Leachate Management Plan dated 14 December 2020 (Arcadis) sighted impacts of environmental performance measures and criteria included in section 6.2.3, and effectiveness of management measures included in section 7.3 Bushfire and Fuel Management Plan dated 26 July 2021 (Arcadis) sighted impacts of environmental performance measures and criteria and effectiveness of management measures included in section 6.3, . Water Management Plan dated 4 June 2021 (Arcadis) sighted impacts of environmental performance measures and criteria included in sections 4.2 and 5.2, and effectiveness of management measures included in sections 4.4.and 5.4. Landfill Environmental Management Plan dated 2 December 2020 (Arcadis) sighted impacts of environmental performance measures and criteria included in section 6.2/6.3, and effectiveness of management measures included in section 7 Vegetation Management Plan (Arcadis) sighted, section 5 and 6 have reporting and monitoring requirements outlines each habitat subsection. There is also the review section to consider the effectiveness.	Compliant
	Management plans required under this consent must be prepared in accordance with relevant guidelines, and include: (e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;	Bushfire and Fuel Management Plan dated 26 July 2021 (Arcadis) Leachate Management Plan dated 14 December 2020 (Arcadis) Water Management Plan dated 4 June 2021 (Arcadis) Landfill Environmental Management Plan dated 15 August 2021 (Arcadis) Vegetation Management Plan dated 27 August 2021 (Arcadis)	All phases	Leachate Management Plan (Arcadis) sighted contingency plan included in section 7.6. Bushfire and Fuel Management Plan (Arcadis) sighted contingency plan included in section 7.6.1 page 35. Water Management Plan dated 4 June 2021 (Arcadis) sighted contingency plan included in section 5.4.4 and 4.4.8. Landfill Environmental Management Plan dated 15 August (Arcadis) sighted contingency plan included in section 7.6.2. Vegetation Management Plan (Arcadis) sighted, section 7.3 has review and improvement, with incidents including any unpredicted impacts to be managed as per VMP and PIRMP.	Compliant
	Management plans required under this consent must be prepared in accordance with relevant guidelines, and include: (f) a program to investigate and implement ways to improve the environmental performance of the development over time;	Bushfire and Fuel Management Plan dated 26 July 2021 (Arcadis) Leachate Management Plan dated 14 December 2020 (Arcadis) Water Management Plan dated 4 June 2021 (Arcadis) Landfill Environmental Management Plan dated 15 August 2021 (Arcadis) Vegetation Management Plan dated 27 August 2021 (Arcadis)	All phases	Leachate Management Plan sighted program for improvement included in section 6.2.3 and 7.3 Bushfire and Fuel Management Plan sighted detailed audit requirements used to evaluate environmental performance and the compliance status of the Facility operation is outlined in Section 7.4 of the LEMP. Review and improvement included in section 7.3 of the plan. Water Management Plan sighted improvements not included in WMP. Council said that the program to investigate is the ongoing water monitoring and ways to implement improvements to the environmental performance would then be identified based on the causes of the issue. For example, in the LEMP there is a table in Appendix 1 which captures all the compliance and assessment roles of the plans. In it, GWP-03 Groundwater pollution states "A groundwater assessment report will be prepared at least once every five years, or should the groundwater monitoring program detect a possible failure of the leachate containment system." Detailed audit requirements used to evaluate environmental performance and the compliance status of the Facility operation is outlined in Section 7.4 of the LEMP. Landfill Environmental Management Plan sighted section 7.6 includes review and continuous improvement. Vegetation Management Plan (Arcadis) sighted, section 7.3 has review and improvement	Compliant

Condition Number	Compliance Requirement	Evidence Requested	Development phase	Evidence and comments	Compliance Status
	Management plans required under this consent must be prepared in accordance with relevant guidelines, and include: (g)a protocol for managing and reporting any: (i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria); (ii) complaint; (iii) failure to comply with statutory requirements; and	Bushfire and Fuel Management Plan dated 26 July 2021 (Arcadis) Leachate Management Plan dated 14 December 2020 (Arcadis) Water Management Plan dated 4 June 2021 (Arcadis) Landfill Environmental Management Plan dated 15 August 2021 (Arcadis) Vegetation Management Plan dated 27 August 2021 (Arcadis)	All phases	Leachate Management Plan sighted incidents management and non-compliance (section 7.4/7.6), complaint (section 7.5) and failure to comply with statutory requirements (section 7.6). Bushfire and Fuel Management Plan sighted incident management and non-compliance included in section 7.2, complaints included in section 7.5. Water Management Plan sighted incidents management and non-compliance (section 6.3), complaints (section 6.4) and failure to comply with statutory requirements (section 6.5). Landfill Environmental Management Plan sighted section 7.4 (non-compliance) Section 5.5.1 (Incidents) Section 7.6.2 (contingency measures), and failure to comply with statutory requirements (section 7.5.3). Vegetation Management Plan sighted, section 7.4 - 7.6 covers incidents complaints non-compliances and corrective actions.	Compliant
	Management plans required under this consent must be prepared in accordance with relevant guidelines, and include: (h)a protocol for periodic review of the plan. <i>Note: the Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans</i>	Bushfire and Fuel Management Plan dated 26 July 2021 (Arcadis) Leachate Management Plan dated 14 December 2020 (Arcadis) Water Management Plan dated 4 June 2021 (Arcadis) Landfill Environmental Management Plan dated 15 August 2021 (Arcadis) Vegetation Management Plan dated 27 August 2021 (Arcadis)	All phases	Leachate Management Plan sighted review protocol included in section 7.3. Bushfire and Fuel Management Plan sighted review protocol included in section 7. Water Management Plan sighted review protocol included in section 6. Landfill Environmental Management Plan sighted review protocol included in section 7.6.1. Vegetation Management Plan sighted, section 7.3 has review protocol.	Compliant
Landfill Environmental Management Plan					
C2 Landfill Environmental Management Plan	The Applicant must prepare a Landfill Environmental Management Plan (LEMP), in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary	Evidence of Secretary's satisfaction LEMP in line with condition C1 specifications	All phases	Landfill Environmental Management Plan (LEMP) sighted. Letter from Chris Ritchie (DPE) dated 23/12/2020 sighted which approved the Landfill Environmental Management Plan (LEMP), Revision 3, dated 2 December 2020, prepared by Arcadis Pty Ltd. The LEMP was updated on 15 July 2021 to address the findings of the previous independent audit.	Compliant
	As part of the LEMP required under Condition C2 of this consent, the Applicant must include the following: (a) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;	LEMP including role, responsibility, authority and accountability of all key personnel	All phases	Landfill Environmental Management Plan (LEMP) sighted revision 4 dated 15 July 2021. Section 5.1 includes the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development.	Compliant
	As part of the LEMP required under Condition C2 of this consent, the Applicant must include the following: (b) describe the procedures that would be implemented to: (i) keep the local community and relevant agencies informed about the operation and environmental performance of the development; (ii) receive, handle, respond to, and record complaints; (iii) resolve any disputes that may arise; (iv) respond to any non-compliance; (v) respond to emergencies; and	LEMP containing all aspects of condition	All phases	Landfill Environmental Management Plan (LEMP) sighted revision 4 dated 15 July 2021 noting the following: (i) keep the local community and relevant agencies informed about the operation and environmental performance of the development; Section 5.3.5 (ii) receive, handle, respond to, and record complaints; Section 5.3 (iii) resolve any disputes that may arise; Section 5.3.3 (iv) respond to any non-compliance; Section 7.4 (v) respond to emergencies; Section 5.4	Compliant

Condition Number	Compliance Requirement	Evidence Requested	Development phase	Evidence and comments	Compliance Status
C3 Landfill Environmental Management Plan	As part of the LEMP required under Condition C2 of this consent, the Applicant must include the following: (c)include: (i)Leachate Management Plan (see Condition B11); (ii) Groundwater Management Plan (see Condition B16); (iii) Surface Water Management Plan (see Condition B17); (iv) measures to control dust and odour from all emission sources on site; (v) a Landfill Gas Monitoring Plan (LGMP) developed in accordance with the requirements of the EPA's Environmental Guidelines: Solid Waste Landfills 2016 or its latest version; (vi) management measures for the control of feral animals, including foxes and wild dogs; (vii) measures to control litter and prevent illegal dumping, with reference to the Memorandum of Understanding between NSW National Parks and Wildlife Service, Forestry Corporation of NSW and Port Macquarie-Hastings Council; (viii) details of vegetation types, maintenance, monitoring and performance criteria for progressive rehabilitation works and a weed management plan.	LEMP containing all aspects of condition	All phases	(i)Leachate Management Plan included in Appendix B (ii) Water Management Plan included in Appendix C. This covers both surface and groundwater (iii) measures to control dust and odour from all emission sources on site included in section 6.3.6 page 50 (iv) a Landfill Gas Monitoring Plan (LGMP) included in Appendix E, developed in accordance with the requirements of the EPA's Environmental Guidelines: Solid Waste Landfills 2016 (v) management measures for the control of feral animals, including foxes and wild dogs included in section 2.3.9; (vi) measures to control litter and prevent illegal dumping, with reference to the Memorandum of Understanding between NSW National Parks and Wildlife Service, Forestry Corporation of NSW and Port Macquarie-Hastings Council included in section 2.3.8; (vii)details of vegetation types, maintenance, monitoring and performance criteria for progressive rehabilitation works and a weed management plan. included in Appendix G.	Compliant
C4 Landfill Environmental Management Plan	The Applicant must: (a) not commence landfilling until the LEMP is approved by the Planning Secretary; and	Secretary approval dated prior to landfilling commencement	Stage 1	December 2020 which approved the Landfill Environmental Management Plan (LEMP), Revision 3, dated 2 December 2020, prepared by Arcadis Pty Ltd. No landfilling has commenced onsite. Construction work was set to commence in January 2021 according to a letter to DPE from Michael Magalhaes (Council) dated 27 November 2020. As such this date is subsequent to the approved LEMP and is in line with C4 (a). The Applicant must: (b) operate the development in accordance with the	Compliant
	The Applicant must: (b) operate the development in accordance with the LEMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time)	LEMP informing site operations Revisions history reflective of condition requirements	All phases	Table 5-2 Program A of the LEMP was updated to address the findings of the independent audit on 14 July 2021; subplans also updated.	Compliant
Revision Of Strategies, Plans And Programs					
C5 Revision Of Strategies, Plans And Programs	Within three months of: (a) the submission of a Compliance Report under condition C12;	Evidence of and details of revision	All phases	Not applicable during the assessment period, however within 3 months of submission of this compliance report the revised Leachate Management Plan and any other plans or documents that needs to be revised as a result of SSD Mod 1 changes will need to be completed.	Not Triggered
	Within three months of: (b) the submission of an incident report under condition C7;	Evidence of and details of revision	All phases	No incident was reported during he assessment period.	Not Triggered
	Within three months of: (c) the submission of an Independent Audit under condition C15;	Evidence of and details of revision	All phases	Not applicable during the assessment period.	Not Triggered
	Within three months of: (d) the approval of any modification of the conditions of this consent;	Evidence of revision if applicable (and details of Mod)	All phases	SSD 5792 Mod 1 was granted on 31 August 2023 and as a result of this, some conditions of this consent have been revised. The Leachate Management Plan including any plans or strategies that will be affected by these changes should be revised. The due date for this revision is on 30 November 2023. The revision of the Leachate Management Plan will be completed on 31 January 2024 which is past the due date. Please ensure that all management plans needed to be revised as a result of SSD 5792 Mod 1 changes are actioned immediately.	Non-Compliant

Condition Number	Compliance Requirement	Evidence Requested	Development phase	Evidence and comments	Compliance Status
	Within three months of: (e)or the issue of a direction of the Planning Secretary under condition A2(b) which requires a review,	Evidence of revision if applicable	All phases	No direction was issued by the Planning Secretary during the assessment period.	Not Triggered
	the strategies, plans and programs required under this consent must be reviewed, and the Department must be notified in writing that a review is being carried out.	Notification letter to DPE dated 5 December 2023	All phases	Sighted a notification letter to DPE dated 5 December 2023 for the review of the Leachate Management Plan.	Compliant
C6 Revision Of Strategies, Plans And Programs	If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review. <i>Note: This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.</i>	Evidence of revision if applicable	All phases	The revision of the Leachate Management Plan is not completed yet, so this condition will not be triggered.	Not Triggered
Reporting and Auditing					
C7 Incident Notification, Reporting and Response	The Department must be notified in writing to compliance@planning.nsw.aov.au immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 3.	Have there been any incidents? If so, report/s with these details	All phases	No incident was reported during the assessment period.	Not Triggered
C8 Non-compliance Notification	The Department must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance.	Have there been any non-compliances? -- note there was a point for improvement against this condition in the last audit. DPE notification	All phases	The previous compliance report dated February 2023 identified conditions C13 and C16 as non-compliant. No written notification was sighted to inform DPE that there were non-compliant conditions from the previous compliance reporting period. Please ensure that written notification is sent to DPE within 7 days after Council becomes aware of any non-compliances from this reporting period.	Non-Compliant
C9 Non-compliance Notification	A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.	Have there been any non-compliances? If so, n/c notification with these details	All phases	As per response in Condition C8.	Non-Compliant
C10 Non-compliance Notification	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	Noted	All phases	Not applicable	Not Triggered
C11 Compliance reporting	No later than 6 weeks before the date notified for the commencement of operation, a Compliance Monitoring and Reporting Program prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018) must be submitted to the Department.	Evidence of Compliance Monitoring and Reporting Program submission to secretary	Stage 1	As per the previous Compliance Report dated Feb 2023, Council emailed DPE on 24 November 2020 regarding the submission of programs for compliance reporting and independent auditing. A letter from DPE dated 9 December 2020 informed Council that the department is satisfied that the Compliance Reporting Program and their Independent Audit Program for the development are consistent with Post Approval Requirements (2020). DPE states in letter dated 9 December 2020 that: "Based on your notification for commencement being January 2021, the first Independent Audit for the construction of Stage 1 of the landfill is due on 29 March 2021 and the first Operation Compliance Report is due on 3 January 2022"	Compliant
C12 Compliance reporting	Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).	Evidence that compliance Reports carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).	All phases	The last Compliance Report dated February 2023 was sighted and verified to comply in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).	Compliant

Condition Number	Compliance Requirement	Evidence Requested	Development phase	Evidence and comments	Compliance Status
C13 Compliance reporting	The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Department and notify the Department in writing at least 7 days before this is done.	Evidence of submission Evidence of departments notification	All phases	Compliance Report dated February 2023 was sighted at the Council's website on https://www.pmhc.nsw.gov.au/Your-Council/Policies-plans-and-strategies/Plans/Cairncross-Waste-Facility-Management-Plans . Although written notification was sighted for DPE's review of Compliance Report for 2021, no written notification was sighted for the assessment period (12 Nov 2021 - 11 November 2022).	Non-Compliant
C14 Independent Audit	No later than 4 weeks before the date notified for the commencement of operation, an Independent Audit Program prepared in accordance with the Independent Audit Post Approval Requirements (Department 2018) must be submitted to the Department.	Independent Audit Program	Stage 1	As per the previous Compliance Report dated Feb 2023, Council emailed DPE on 24 November 2020 regarding the submission of programs for compliance reporting and independent auditing. A letter from DPE dated 9 December 2020 informed Council that the department is satisfied that the Compliance Reporting Program and their Independent Audit Program for the development are consistent with Post Approval Requirements (2020). DPE states in letter dated 9 December 2020 that: "Based on your notification for commencement being January 2021, the first Independent Audit for the construction of Stage 1 of the landfill is due on 29 March 2021 and the first Operation Compliance Report is due on 3 January 2022"	Compliant
C15 Independent Audit	Independent Audits of the development must be carried out in accordance with: (a) the Independent Audit Program submitted to the Department under condition C14 of this consent; and	Independent Audit Program	All phases	Sighted the last independent audit report dated February 2023. Stage 1 Construction for the development has been completed and the Initial Independent Audit (Construction) was completed by Molino Stewart (now Water Technology). Landfilling operations commenced on 20 July 2022 and condition C15 requires an Independent Audit to be carried out within 26 weeks of the commencement of operation (landfilling), i.e. by no later than 18 January 2023. An extension to this date until close of business 28 February 2023 was granted by DPE, ref. letter by Heidi Watters, DPE to Louise Hoade, PMHC dated 25 November 2022. The audit was verified to be in accordance with the <i>Independent Audit Post Approval Requirements Guideline (2020)</i> which is in line with the independent audit program.	Compliant
	Independent Audits of the development must be carried out in accordance with: (b) the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2018).		All phases	As per responses in Condition C14 and C15a.	Compliant
C16 Independent Audit	In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2018), the Applicant must: (a) review and respond to each Independent Audit Report prepared under condition C15 of this consent;	Response to last audit	All phases	Sighted the Independent Audit Response to Audit Requirements document dated 19 July 2023 at the Council's website: https://www.pmhc.nsw.gov.au/Your-Council/Policies-plans-and-strategies/Plans/Cairncross-Waste-Facility-Management-Plans .	Compliant
	In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2018), the Applicant must: (b) submit the response to the Department; and	Response to last audit & evidence of submission	All phases	The audit response was submitted to DPE on 19 July 2023 (see Condition C16a).	Compliant
	In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2018), the Applicant must: (c) make each Independent Audit Report and response to it publicly available no later than 60 days after submission to the Department and notify the Department in writing at least 7 days before this is done.	Evidence of upload and DPE notification	All phases	No written notification to the Department was sighted.	Non-Compliant

Condition Number	Compliance Requirement	Evidence Requested	Development phase	Evidence and comments	Compliance Status
C17 Monitoring and Environmental Audits	<p>Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance reporting and independent auditing.</p> <p><i>Note: For the purposes of this condition, as set out in the EP&A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.</i></p>	Noted	All phases	Noted	
C18 Access to Information	<p>At least 48 hours before the commencement of operation until the completion of all works under this consent, including rehabilitation, the Applicant must:</p> <p>(a) make the following information and documents (as they are obtained or approved) publicly available on its website:</p> <p>(i) the documents referred to in condition A2 of this consent;</p> <p>(ii) all current statutory approvals for the development;</p> <p>(iii) all approved strategies, plans and programs required under the conditions of this consent;</p> <p>(iv) the proposed staging plans for the development if the development is to be staged;</p> <p>(v) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent;</p> <p>(vi) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;</p> <p>(vii) a summary of the current stage and progress of the development;</p> <p>(viii) contact details to enquire about the development or to make a complaint; a complaints register, updated monthly;</p> <p>(x) the Compliance Report of the development;</p> <p>(xi) audit reports prepared as part of any Independent Audit of the development and the Applicant's response to the recommendations in any audit report;</p> <p>(xii) any other matter required by the Planning Secretary; and</p>	<p>Link to project website - with all items required listed on it</p> <p>Note there is n/c from last audit - need to show how this was rectified as well</p>	Stage 1	<p>Website URL-1: https://www.pmhc.nsw.gov.au/Your-Council/Policies-plans-and-strategies/Plans/Cairncross-Waste-Facility-Management-Plans. This website offers the following PDF documentation:</p> <ul style="list-style-type: none"> - Environment Protection Licence; - Cairncross Signed Consent; - Bushfire and Fuel Management Plan (BFFMP); - Stage 1A, 1C and 1E Construction Plans; - Cairncross Landfill Expansion - EIS; - Cairncross Landfill Expansion - Response to Submissions of EIS; - Cairncross Leachate Management Plan (Rev 4); - Cairncross Landfill Environmental Management Plan (Rev4) - Cairncross Water Management Plan (Rev7); - Cairncross WMF Complaints Register; - Cairncross Vegetation Management Plan (Rev5); - 1270 Cairncross Waste Management Facility IEA Final Report; - Cairncross Waste Management Facility SS05792 Compliance Report Final.2021-11-11 - Independent Audit Response to Audit Requirements 19.07.23 - Cairncross WMF Compliance Report February 2023 - Independent Environmental Audit February 2023 - (vi) a comprehensive summary of monitoring results (available at https://www.pmhc.nsw.gov.au/Your-Council/Council-reports/Environment-reports/Landfill-reports/Cairncross-landfill-reports); and - (vi) a summary of the current stage and progress of the development.: states "Sub-stages 1A, 1C and 1E completed construction in December 2021 and landfilling in this cell commenced in July 2022." <p>The website explicitly states that "...Condition 18 of the conditions of consent requires us to make information and documents pertaining to the landfill expansion publicly available on the website."</p>	Compliant
	<p>At least 48 hours before the commencement of operation until the completion of all works under this consent, including rehabilitation, the Applicant must:</p> <p>make the following information and documents (as they are obtained or approved) publicly available on its website:</p> <p>(b) keep such information up to date, to the satisfaction of the Planning Secretary.</p>	<p>Link to project website - with all items required listed on it</p> <p>Note there is n/c from last audit - need to show how this was rectified as well</p>	All phases	<p>With reference to the website details set out in the findings for Condition C18(a), it is evident that documentation is made publicly available on the website on a regular basis - case in point being the Initial Independent Audit (Stage 1 Construction) and the associated Compliance Report.</p>	Compliant



APPENDIX C SITE PHOTOS



Trucks entering with covered load



Weighbridge Operator inspecting the type of load



Landfilling in operation for fully lined Stage 1 cells



Diversion drains for clean stormwater



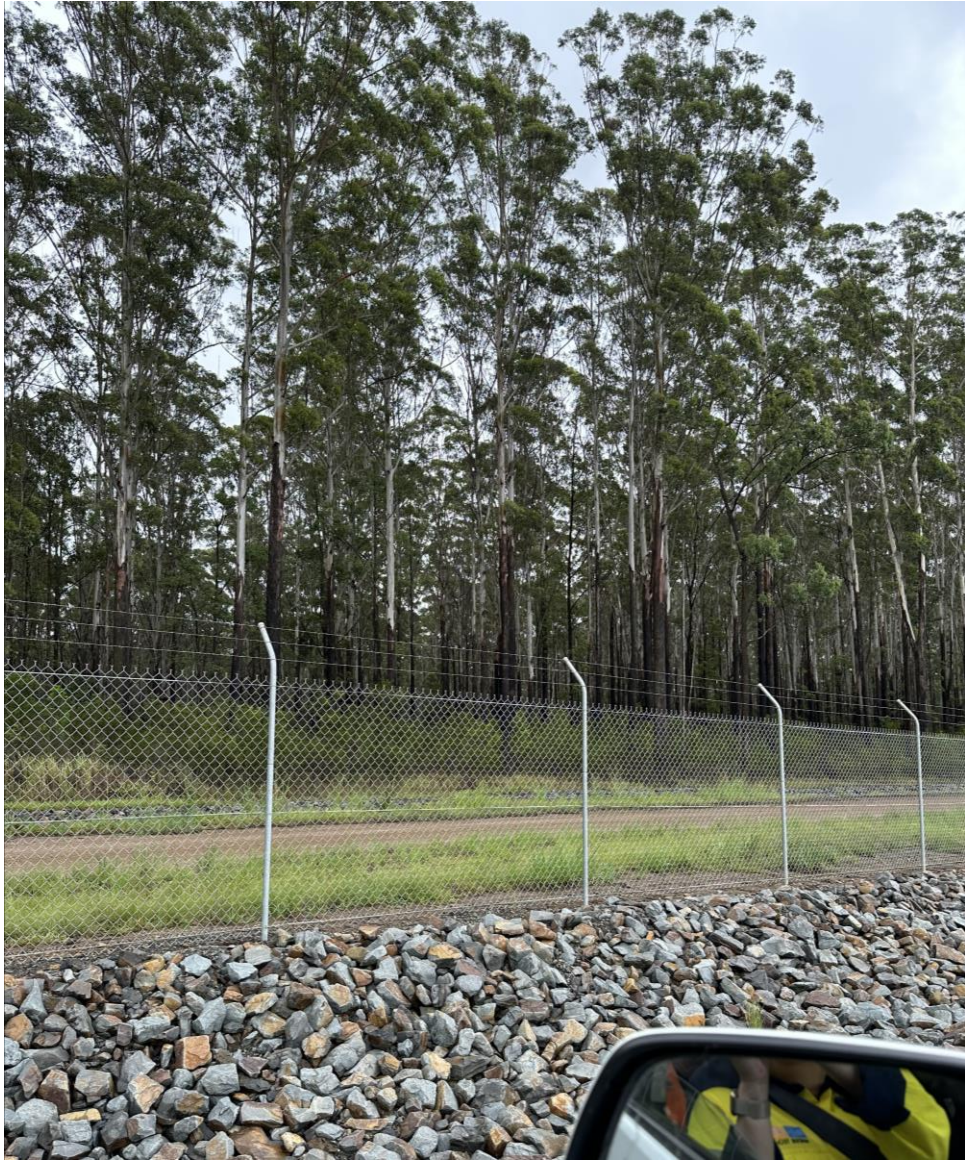
Bunded above ground leachate storage tanks



Fully fenced sediment pond



Newly planted Koala Connectivity Corridor



Perimeter fencing prevented feral animals from entering the facility



Excavated materials use for daily cover



Water truck use for firefighting and dust suppression



Segregation of plastic waste containers



Segregation of metal wastes



Fire hydrant booster



Approximately two kilometres site entrance with signages and contact details



APPENDIX D

DECLARATION OF INDEPENDENCE

Declaration of Independence Form - Auditor

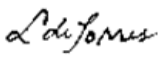
Project Name	Cairncross Landfill Compliance Reporting
Consent number	SSD 5792 Mod 1
Description of Project	Undertake compliance assessment and reporting to assess compliance with SSD 5792 Mod 1 and associated documents for the period of 12 November 2022 to 11 November 2023
Project Address	351 Telegraph Point Road, Pembroke, NSW, 2446
Proponent	Port Macquarie-Hastings Council
Date	16 January 2024

I declare that:

- i. I am not related to any proponent, owner, operator or other entity involved in the delivery of the project. Such a relationship includes that of employer/employee, a business partnership, sharing a common employer, a contractual arrangement outside an Independent Audit, or that of a spouse, partner, sibling, parent, or child;
- ii. I do not have any pecuniary interest in the project, proponent or related entities. Such an interest includes where there is a reasonable likelihood or expectation of financial gain (other than being reimbursed for performing the audit) or loss to the auditor, or their spouse, partner, sibling, parent, or child;
- iii. I have not provided services (not including independent reviews or auditing) to the project with the result that the audit work performed by themselves or their company, except as otherwise declared to the Department prior to the audit;
- iv. I am not an Environmental Representative for the project; and
- v. I will not accept any inducement, commission, gift or any other benefit from auditee organisations, their employees or any interested party, or knowingly allow 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) 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 Proposed Auditor	Lilian De Torres
Signature	
Qualification	Master of Eng (Chem), BEng (Chem), Dip Proj Management, Certified ISO 14001 Environmental Management Systems Lead Auditor (Cert 121354)
Company	Water Technology Pty Ltd



APPENDIX E

DEPARTMENT'S EXTENSION DATE APPROVAL

NSW Planning ref: SSD-5792-PA-23

Sean McKinnon
Projects Officer
Port Macquarie Hastings Council
Biripi Country
17 Burrawan Street
PORT MACQUARIE NSW 2444

06/02/2024

Sent via the Major Projects Portal only

Subject: Cairncross Waste Management Facility Expansion - Extension Request

Dear Mr McKinnon

I refer to your post approval matter, SSD-5792-PA-23, requesting an extension of time to submit the 2023 Compliance Report for the Cairncross Waste Management Facility, submitted to the NSW Department of Planning, Housing and Infrastructure (NSW Planning) on 19 January 2024.

NSW Planning notes that the reporting period is currently 12 November to 11 November annually, which results in the procurement activities, inspection and reporting having to be done close to the Christmas/New Year shut down period and difficulty in meeting the reporting submission timeframe.

In Council's revised Compliance Reporting and Independent Audit Program for the development:

- the reporting period for compliance reports will be 12 November to 11 November with the report submitted to NSW Planning by 31 March in the subsequent year.
- the construction activities for Stages 2 and 3 (not yet commenced) will be audited in the operational audits every three years.

Under the provisions of Schedule 2, Condition A3 of the development consent SSD-5792 as modified, the Planning Secretary requires Port Macquarie Hastings Council to carry out compliance reporting and independent audits in accordance with the revised program. This program will be published on the Major Project website:

www.planningportal.nsw.gov.au/major-projects/projects/cairncross-waste-management-facility-expansion

Should you wish to discuss the matter further, please contact Jennifer Sage, Senior Compliance Officer on 0400 245 170 or email compliance@planning.nsw.gov.au

Yours sincerely

A handwritten signature in black ink that reads "H Watters".

Heidi Watters
Team Leader Northern
Compliance

As nominee of the Planning Secretary



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