




Lucas Heights Resource Recovery Park

Independent Environmental Audit 2024

Cleanaway

8 August 2024

Report	Report Title Main Second Title
Client	Cleanaway
Revision	Final Rev 1
Date	8 August 2024
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ABBREVIATIONS

Abbreviation	Description
AEMR	Annual Environmental Management Report
AHMP	Aquatic Habitat Monitoring Plan
ANSTO	Australian Nuclear Science and Technology Organisation
ARRT Facility	Advanced Resource Recovery Facility
AQOMP	Air Quality and Odour Management Plan
CEMP	Construction Environmental Management Plan
Council	Sutherland Shire Council
CRG	Community Reference Group
CTMP	Construction Traffic Management Plan
DCCEEW	NSW Department of Climate Change, Energy, the Environment and Water (includes the previous Department of Primary Industries, Office of Water – DPI Water)
DPHI	Department of Planning, Housing and Infrastructure (previously the Department of Planning, Industry and Environment – DPIE)
EIS	Environmental Impact Statement
EMP	Environmental Management Plan
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EPA	Environment Protection Authority
EPL	Environment Protection Licence
GO Facility	Garden Organics Facility
GMP	Groundwater Management Plan
IEA	Independent Environmental Audit
LH1	Lucas Heights 1 (former now closed landfill)
LHCA	Lucas Heights Conservation Area
LHRRP	Lucas Heights Resource Recovery Park
MOD 1	Modification 1 to the Development Consent for the extension of landfill operating hours, dated 5 June 2018
MOD 2	Modification 2 to the Development Consent for Garden organics facility layout changes and increase to landfill input rate, dated 23 November 2023

Abbreviation	Description
MYOSH	Cleanaway incident and complaint management system
OEMP	Operational Environmental Management Plan
OFI	Opportunity for Improvement
PCYC	Police and Community Youth Club
PIRMP	Pollution Incident Response Management Plan
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
PRP	Pollution Reduction Program
SIMS	SUEZ incident and complaint management system
SOP	Standard Operating Procedure
SSC	Sutherland Shire Council
the 'audit period'	6 May 2021 to 10 May 2024
tpa	tonnes per annum
TfNSW	Transport for NSW
TPA	Truck Parking Area
TSP	Total Suspended Particulate
VENM	Virgin Excavated Natural Material
VFMP	Vegetation and Fauna Management Plan
VPA	Voluntary Planning Agreement

EXECUTIVE SUMMARY

Ethos Environmental Pty Ltd (Ethos Environmental) was engaged by Cleanaway Pty Ltd (Cleanaway) to conduct the 2024 Independent Environmental Audit (IEA) of the Lucas Heights Resource Recovery Park (LHRRP) (the 'site'), located at Little Forest Road, Lucas Heights in the Sutherland Shire Council (SSC) local government area of NSW.

The IEA was conducted to address the requirements of Condition D12 of Development Consent SSD 6835 which was granted on 23 January 2017 to increase landfill capacity, relocate and expand the garden organics facility and construct and operate a new resource recovery facility.

This is the third IEA undertaken under Development Consent SSD 6835 and covered the period from the 6 May 2021 (date following the previous audit site inspection) to 10 May 2024 (final day of the site inspection associated with this audit).

The IEA process was based on the *Independent Audit: Post Approval Requirements* (DPHI, May 2020), the auditing standard *AS/NZS ISO 19011:2014 Guidelines for Auditing Management Systems* and Ethos Environmental proposal (dated 20 November 2023).

The IEA methodology included:

- Initial correspondence with Cleanaway to organise the audit, including the provision of key documentation, site visit and timing
- Consultation with key government agencies (Department of Planning, Housing and Infrastructure – DPHI, Environment Protection Authority – EPA and SSC)
- Preparation of compliance assessment checklist including the list of Conditions of Consent to be assessed for compliance (SSD-6835)
- Site inspections on the 8 and 10 May 2024
- Interviews were conducted during the site inspections with site personnel and contractors
- Review of documentation provided during the site inspection and additional information provided after the site inspection
- Preparation of a draft IEA report and provision to Cleanaway to provide additional information and /or correct errors in fact
- Finalisation of the IEA report following receipt of feedback from Cleanaway

The IEA assessed compliance with relevant approvals, licences and management plans applicable to the LHRRP. A detailed Compliance Table identifying audit findings, comments and recommendations is presented in Appendix A. Non-compliances identified against relevant approvals are identified and discussed in Section 3.3.

A summary of the LHRRP's overall compliance status is provided in Table ES- 1.

Table ES- 1 Summary of overall compliance status

Approval	No. of Conditions Compliant	No. of Conditions Non-compliant	No. of Conditions Not triggered	No. of Conditions Complete
Development Consent SSD 6835	54	13	19	5

The scope of the audit included a review of the environmental performance of the site (Section 3.1) and a high-level review of the adequacy of the Environmental Management Plans for the site (Section 3.2). Continuous improvement opportunities were identified and are presented throughout the report.

A summary of recommended actions to improve environmental performance and compliance status is presented in Section 4.

1 INTRODUCTION

1.1 Project background

Ethos Environmental Pty Ltd (Ethos Environmental) was engaged by Cleanaway Pty Ltd (Cleanaway) to conduct the 2024 Independent Environmental Audit (IEA) of the Lucas Heights Resource Recovery Park (LHRRP) (the 'site'), located at Little Forest Road, Lucas Heights in the Sutherland Shire Council (SSC) local government area of NSW.

The IEA was conducted to address the requirements of Condition D12 of Development Consent SSD 6835 which was granted on 23 January 2017 to increase landfill capacity, relocate and expand the garden organics facility and construct and operate a new resource recovery facility.

This is the third IEA undertaken under Development Consent SSD 6835.

1.2 Audit scope

The audit was conducted in accordance with the requirements set out in SSD 6835, Schedule 2, Condition D12, and Section 3.3 of the Department of Planning, Industry and Environment (now Department of Planning, Housing and Infrastructure - DPHI) *Independent Audit Post Approval Requirements* (DPHI, 2020) as detailed in Table 1.

The scope of the audit included the activities approved under Development Consent SSD 6835 within the approved footprint. The following areas were not assessed as part of this audit:

- Lucas Heights 1 (LH1) closed landfill, now active sporting and recreation areas managed by SSC
- Waste to energy power station managed by EDL under a separate Environmental Protection Licence (EPL)
- The Police and Community Youth Club (PCYC) minibike club
- Area leased to the Sydney International Clay Target Association

The audit period was from the 6 May 2021 (date following the previous audit site inspection) to 10 May 2024 (final day of the site inspection associated with this audit).

Table 1: Audit Scope

Condition	Requirement	Where addressed in this report
SSD 6835, Schedule 2, Condition D12,		
D12	Within one year of the date of this consent, and every three years thereafter, unless the Secretary directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the site. The audit must:	
(a)	be carried out by a suitably qualified, experienced and independent audit team whose appointment has been endorsed by the Secretary;	Section 1.3 and Appendix C
(b)	assess the environmental performance of the site, and its effects on the surrounding environment;	Section 3.1
(c)	determine whether the site is complying with the relevant standards, performance measures and statutory requirements;	Appendix A and Section 3.3
(d)	review the adequacy of the Environmental Management Plans for the site, compliance with this consent, and any other licences and consents; and, if necessary; and	Section 3.2
(e)	recommend measures or actions to improve the environmental performance of the site, and/or any plan/ program required under this consent.	Summarised in Section 4

Condition	Requirement	Where addressed in this report
DPHI Independent Audit Post Approval Requirements		
Section 3.3	An Independent Audit must include:	
1	An assessment of compliance with:	
(a)	all conditions of consent applicable to the phase of the development that is being audited. Should there be any uncertainty to which conditions are to be audited, the auditor can seek clarification during the consultation as per Section 3.2;	Appendix A and Section 3.3
(b)	all post approval and compliance documents prepared to satisfy the conditions of consent, including an assessment of the implementation of Environmental Management Plans and Sub-plans; and	Appendix A and Section 3.2
(c)	all environmental licences and approvals applicable to the development excluding environment protection licences issued under the Protection of the Environment Operations Act 1997.	Appendix A
2	a review of the environmental performance of the development, including but not necessarily limited to, an assessment of:	
(a)	actual impacts compared to predicted impacts documented in the environmental impact assessment;	Appendix A
(b)	the physical extent of the development in comparison with the approved boundary;	Section 2.3
(c)	incidents, non-compliances and complaints that occurred or were made during the audit period;	Section 3.1
(d)	the performance of the development having regard to agency policy and any particular environmental issues identified through consultation carried out when developing the scope of the audit; and	Section 1.4 and Section 3.1
(e)	feedback received from the Department, and other agencies and stakeholders, including the community or Community Consultative Committee, on the environmental performance of the project during the audit period;	Section 1.4
3	the status of implementation of previous Independent Audit findings, recommendations and actions (if any);	Appendix B
4	a high-level assessment of whether Environmental Management Plans and Sub-plans are adequate; and	Section 3.2
5	any other matters considered relevant by the auditor or the Department, taking into account relevant regulatory requirements and legislation, knowledge of the development's past performance and comparison to industry best practices.	Section 1.4

1.3 Audit team

The audit was conducted by the following qualified, experienced and independent audit team which was endorsed by DPHI (refer Appendix C).

- Helen Onus, Lead Auditor
- Michael Woolley, Auditor and Peer Reviewer

Helen Onus and Michael Woolley are both registered as Lead Auditors by Exemplar Global and have over 20 years of environmental auditing / consulting experience.

There was no requirement for the audit team to include technical specialists.

1.4 Audit methodology

The audit scope was developed to meet the requirements of Condition D12, the *Independent Audit Post Approval Requirements* and considering any feedback on the scope received during consultation with the relevant agencies (discussed below).

The IEA was undertaken in general accordance with:

- Independent Audit: Post Approval Requirements (DPHI, May 2020)
- AS/NZS ISO 19011:2014 Guidelines for auditing management systems
- Ethos Environmental proposal (dated 20 November 2023)

The IEA methodology included:

- Initial correspondence with Cleanaway to organise the audit, including the provision of key documentation, site visit and timing
- Consultation with key government agencies as summarised in Table 2. Refer to Appendix D for copies of the correspondence received
- Preparation of compliance assessment checklist including the list of Conditions of Consent to be assessed for compliance (SSD-6835)
- Site inspections on the 8 and 10 May 2024
- Interviews were conducted during the site inspections with the following site personnel and contractors:
 - LC Chiang, Cleanaway LHRRP Landfill Manager
 - Helina Kila, Cleanaway Environmental Technician
 - Isa Yunusa, Cleanaway Environmental Technical Manager
 - Dylan Julius, Select Civil, Landfill Operations Manager
 - Elliot Cassar, JPG Engineering, Electrical Maintenance Supervisor
- Review of documentation provided during the site inspection and additional information provided after the site inspection
- An assessment of compliance was undertaken by viewing evidence of documents associated with each aspect of the consent and associated plans, programs and strategies, interviews with site personnel and observations made during the site inspection. The Compliance Table included in Appendix A lists the evidence reviewed in assessing compliance with each condition. The performance categories used to describe the compliance status for each condition is provided in Table 3 aligns with the Independent Audit Post Approval Requirements
- Preparation of a draft IEA report and provision to Cleanaway to provide additional information and /or correct errors in fact
- Finalisation of the IEA report following receipt of feedback from Cleanaway

Table 2 Summary of consultation with relevant authorities

Agency	Details of consultation	Summary of response and key focus areas
Department of Planning, Housing and Infrastructure (DPHI)	Initial email request for feedback sent by Ethos Environmental on 6 May 2024 Response from DPHI Senior Compliance Officer received on 7 May 2024	Scope of the IEA to include requirements in Section 3.3 of Independent Audit Post Approval Requirements Provide an assessment of the environmental performance of the project including commentary on whether the environmental management plans, sub-plans and post approval documents are adequate Ensure the IEA includes a site map clearly identifying areas within the site where works are continuing, as well as areas where works are now complete and/or operational, with commentary to support details provided in the map

Agency	Details of consultation	Summary of response and key focus areas
Environment Protection Authority (EPA)	<p>Initial email request for feedback sent by Ethos Environmental on 6 May 2024</p> <p>Response from EPA Operations Officer received 7 May 2024</p>	<p>Given the amount of putrescible waste received at the premises, the EPA receives a low number of odour complaints. This is due partly to the distance between the tip face and local residents, and partly due to the diligence of the licensee in applying daily cover at the tip face, intermediate cover, and final capping layers</p> <p>Methane exceedances have been reported and are dealt with by the installation of additional gas wells</p> <p>The EPA investigated noise complaints by a complainant at Barden Ridge. The noise source was identified as a blower unit at the leachate processing facility. Noise monitoring conducted by the EPA showed that the noise level was below the noise levels set out in the development consent. Cleanaway installed additional noise mitigating material, which reduced the noise further and the EPA was satisfied that there was no issue. The complainant was/continues to be unhappy about the level of noise</p> <p>There are no outstanding or ongoing compliance issues or actions concerning the site</p> <p>The licensee responds positively to issues raised by the EPA in regard to activities taking place at the site</p> <p>The EPA would like the IEA to focus on odour and noise from the leachate processing plant</p>
Sutherland Shire Council (SSC)	<p>Initial email request for feedback sent by Ethos Environmental on 6 May 2024</p> <p>Response from Sutherland Shire Council Environmental Project Officer provided on 17 June 2024</p>	<p>SSC receives quarterly reporting on environmental performance in accordance with the requirements of a Voluntary Planning Agreement (VPA) between Council and Cleanaway. In addition, quarterly meetings are held to discuss the performance reporting and other issues and a site inspection is undertaken at every second meeting (i.e. every six months)</p> <p>Increased odour complaints in April 2022 were discussed with Cleanaway. As a result of these discussions, the number of landfill gas extraction wells were increased and capping of some perimeter batter slopes was improved. As a result of these works, odour complaints reduced. There are currently no outstanding actions</p> <p>The current VPA performance reporting and follow up actions arising from regular quarterly meetings is currently working well, and Cleanaway respond positively to issues raised at these meetings</p> <p>There are no particular areas that council would like the IEA to focus on</p>

Table 3: Performance category assessment criteria

Performance category	Definition
Compliant	The auditor has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with within the scope of the audit
Non-compliant	The auditor has determined that one or more specific elements of the conditions or requirements have not been complied with within the scope of the audit
Not Triggered	A requirement has an activation or timing trigger that has not been met during the temporal scope of the audit being undertaken (may be a retrospective or future requirement), therefore an assessment of compliance is not relevant
Complete	The requirement of the condition was completed and assessed outside of the audit period and there are no ongoing requirements associated with this condition. Notwithstanding this, the Condition requirements remains in force.

1.5 Format of report

The format of this report is as follows:

- Section 1 is introductory
- Section 2 describes the operations at the LHRRP
- Section 3 presents the audit findings including:
 - Environmental performance, Section 3.1
 - Review of Environmental Management Plans, Section 3.2
 - Compliance with Conditions of Consent, Section 3.3
- Section 4 presents a summary of the recommendations of the IEA
- Appendix A provides the Compliance Table for the Conditions of Consent
- Appendix B documents the close out of the recommendations of the previous IEA
- Appendix C provides DPHI approval of the audit team
- Appendix D provides copies of the correspondence received as part of the agency consultation
- Appendix E provides the Auditor Declaration

2 LUCAS HEIGHTS RESOURCE RECOVERY PARK OPERATIONS

2.1 Site description

The LHRRP is located on Little Forest Road, Lucas Heights in the SSC local government area, approximately 30 km south west of the Sydney city centre. The approved project is located on:

- Lot 101 DP 1009354
- Lot 3 DP 1032102
- Lot 2 DP 605077

The LHRRP occupies an area of approximately 205 hectares (ha) of which Cleanaway owns 89.5 ha. The remaining land (115.5 ha) falls within the Australian Nuclear Science and Technology Organisation (ANSTO) 1.6 km radius exclusion zone. Land owned by ANSTO is leased to Cleanaway. The ANSTO bushland areas border the site.

LHRRP is situated directly adjacent to the Lucas Heights Conservation Area. Mill Creek, a tributary of the Georges River, originates from the western perimeter of the LHRRP and flows in a northerly direction through the Lucas Heights Conservation Area towards the Georges River.

The PCYC operates a minibike club on approximately 11 ha of rehabilitated landfill area near the south-eastern corner of the LHRRP area. The Sydney International Clay Target Association lease an area from Cleanaway on the western boundary of the LHRRP for clay target shooting.

To the north east of the site, LH1 (closed since 1985) has been redeveloped into a sporting/recreation area.

The closest residential receivers from the LHRRP include the following:

- ANSTO hotel located approximately 300 m to the east
- Suburbs of Engadine, Barden Ridge and Menai located approximately 2 km, 3 km and 3.5 km east respectively
- Future residential subdivision 'The Ridgeway' under construction at the time of this IEA, approximately 2.5 km to the east.

2.2 Approvals and licences

The major approvals and licences in place for the LHRRP are summarised in Table 4.

Table 4 Summary of major approvals and licences

Approval / Licence	Date granted	Details
Development Consent SSD 6835	23 January 2017	Replaced previous Development Consent (DA 11-01-99) granted in 1999 for operation of Lucas Heights 1 and Lucas Heights 2 landfills. SSD 6835 approved an increase in landfill capacity by re-profiling over previously landfilled areas. It also approved the expansion of the GO Facility and the construction and operation of a new Advanced Resource Recovery Treatment (ARRT) facility
SSD 6835 – Modification 1 (MOD 1)	5 June 2018	Approved changes to the operating hours allowing landfilling from 5 am to 5pm Monday to Friday and 6 am to 5 pm Saturday
SSD 6835 – Modification 2 (MOD 2)	23 November 2023	Approved the following changes to the Development Consent: <ul style="list-style-type: none"> • Increase in the quantity of general solid waste received at the site for landfill disposal from 850,000 tonnes per year to 970,000 tonnes per calendar year • Increase in garden and wood waste able to be received at the GO Facility from 80,000 tonnes to 100,000 tonnes per calendar year • Removed the ARRT • Reconfigured the GO Facility into eastern facilities and western GO facility
EPL 5065	12 April 2001	Licences the following Scheduled Activities: <ul style="list-style-type: none"> • Waste disposal (application to land) • Waste processing (non-thermal treatment) • Waste storage
EPL 12520	17 August 2006	Licences the following Scheduled Activities: <ul style="list-style-type: none"> • Composting • Waste processing (non-thermal treatment)
Consent to Discharge Industrial Trade Wastewater	4 April 2024	The Trade Waste Agreement with Sydney Water allows Cleanaway to discharge treated wastewater from the Lucas Heights landfill leachate treatment system to sewer. The Agreement is renewed every 24 months. Consent to Discharge Industrial Trade Wastewater
Voluntary Planning Agreement (VPA)	17 March 2017	Cleanaway entered into a VPA with SSC in accordance with the requirements of the <i>Environmental Planning and Assessment Act 1979 (EP&A Act)</i> . Under the VPA, Cleanaway has committed to meeting a number of requirements related to the Site's environmental performance.

2.3 Description of site operations

The LHRRP comprises of the following waste management and resource recovery services to the domestic, municipal and commercial sectors:

- Engineered landfill accepting general solid (putrescible and non-putrescible) waste and asbestos waste
- Garden organics facility receiving and processing garden and wood waste
- Public drop off for pre-sorted loads of paper and cardboard, steel and aluminium cans, e-waste, scrap metals, limited quantities of sump oil, paints, white goods and vehicle batteries
- Small vehicle drop-off area for mixed loads of general solid waste

Figure 1 shows the existing infrastructure of the LHRRP.

Operations also include the management of leachate and gas generated by the landfill.

The leachate management system comprises the leachate collection system including pipes, junction

pits, extraction risers and gas wells, leachate storage at the main leachate dam, emergency leachate dam and GO leachate pond, transfer via the leachate transfer line and treatment through the leachate treatment plant prior to discharge to sewer.

Landfill gas management includes gas extraction and collection utilising ring mains, gas wells and dual gas / leachate wells and transfer to the power station where it is transformed into energy for power generation. Landfill gas management at LHRRP is managed by EDL. EDL is responsible for designing and progressively installing the gas extraction system and controlling landfill gas emissions from the LHRRP. The waste to energy power station is operated by EDL under a separate EPL.

The LHRRP has been operated by Cleanaway since December 2021, previously the facility was managed and operated by SUEZ.

The following activities were undertaken during the audit period:

Garden Organics

The existing GO facility ceased processing garden and wood waste at the end of 2022. This was primarily so that landfilling could commence in Area C (the former compost maturation area). Activities at the existing GO facility (eastern GO facilities) undertaken since this time include, receipt of green waste, decontamination and shredding, before loading onto trucks and transporting offsite for processing by others.

Landfilling

The following provides a summary of the landfilling works as they progressed throughout the audit period. These can be seen in the April 2024 survey prepared by Landair Surveys is included as Figure 2.

- Area B: Capping and gas collection was substantially completed in late 2022. Seeded with grass in early 2023
- Area A: Filling was completed in mid / late 2021. Capping and gas collection was substantially completed in late 2022. Seeded with grass in early 2023
- Area G: Filling commenced in late 2021 and continued until early 2023. Installation of gas wells completed in September 2023. At the time of the audit site inspection in May 2024 capping works were reported to be almost complete and the area had been recently seeded (April 2024)
- Area C: Filling commenced in 2023 and was largely completed in April 2024. At the time of the audit site inspection, gas wells were being installed. It was reported that Cleanaway will go back and fill in the access road once Area F reaches the required height. Capping was planned to commence in August – September 2024
- Area F: Filling commenced in March 2024. At the time of the audit site inspection, the active tip face was in Area F.
- Area I: cell development work commenced in mid 2022 including north wall excavation works. This was continuing at the time of the audit site inspection.

Landfilling operations have generally aligned with the EIS however with changes to the sequencing as summarised Table 5 below. At the time of the audit site inspection, Cleanaway was in Phase 7 of the filling plan which correlates with Phase 6 of the original EIS filling plan and the Development Plans included in Appendix A of the Development Consent.

Table 5 Sequencing of filling proposed vs actual

Phase	Active cell in EIS Filling Plan	Active cell filled / proposed
Phase 4	Area A	Area A
Phase 5	Area C	Area G
Phase 6	Area F	Area C
Phase 7	Area I	Area F
Phase 8	Area H	Area H
Phase 9	Area G	Area I

Construction

Construction of the new GO facility (western GO facility) commenced in January 2023. This involved vegetation clearing and Stage 1 excavation works. The vegetation that was cleared was mulched and sent to the existing GO facility. The topsoil was stockpiled on site for later re-use. The excavated material was stockpiled, crushed and was being used as daily cover at the active tip-face. A key driver for commencing the works was understood to be to provide needed cover material.

Construction of the leachate cut off trench continued during the audit period and was completed in early 2024.

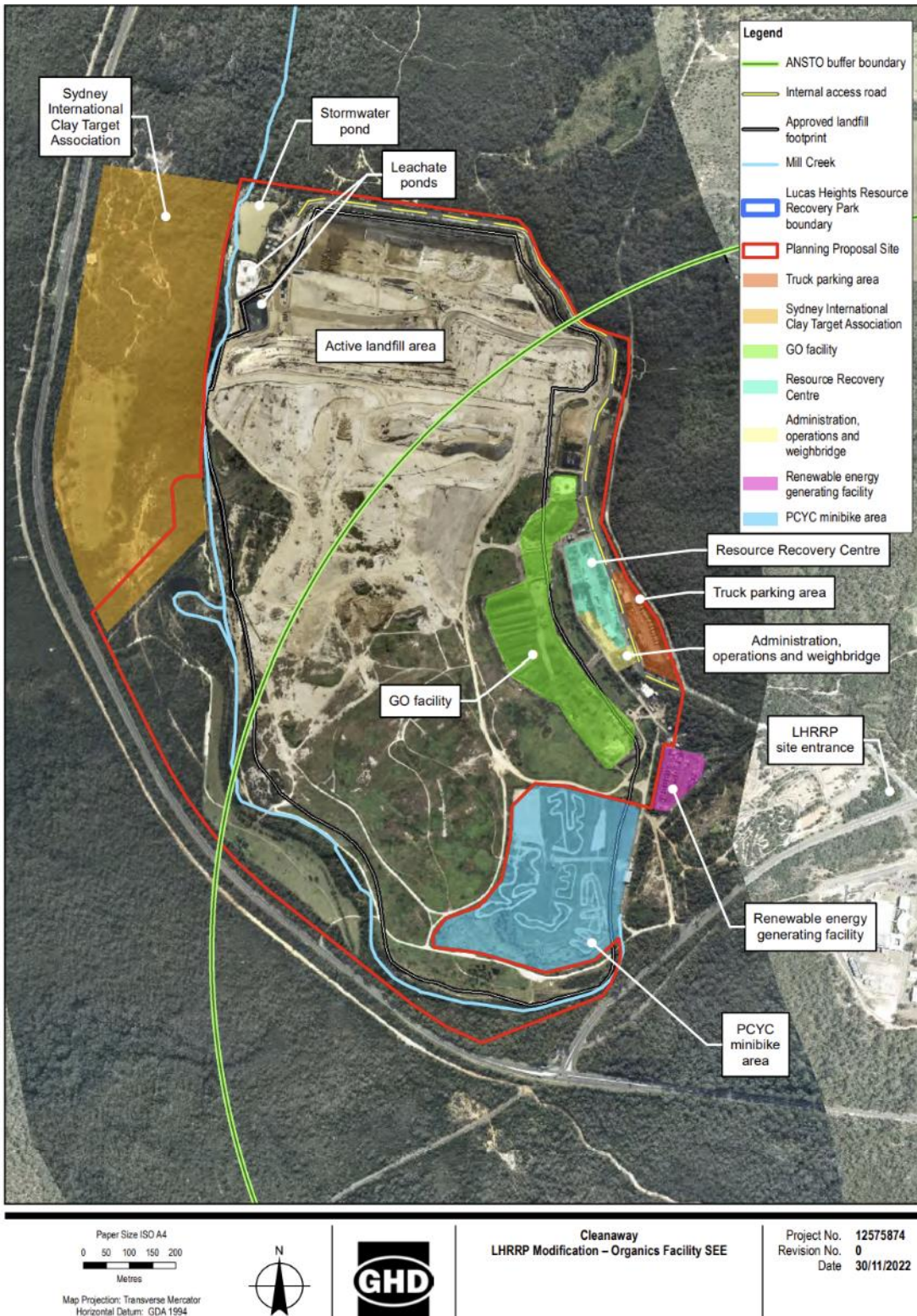


Figure 1 Site Map showing existing LHRRP infrastructure (from MOD 2 State of Environmental Effects, GHD, 2022)

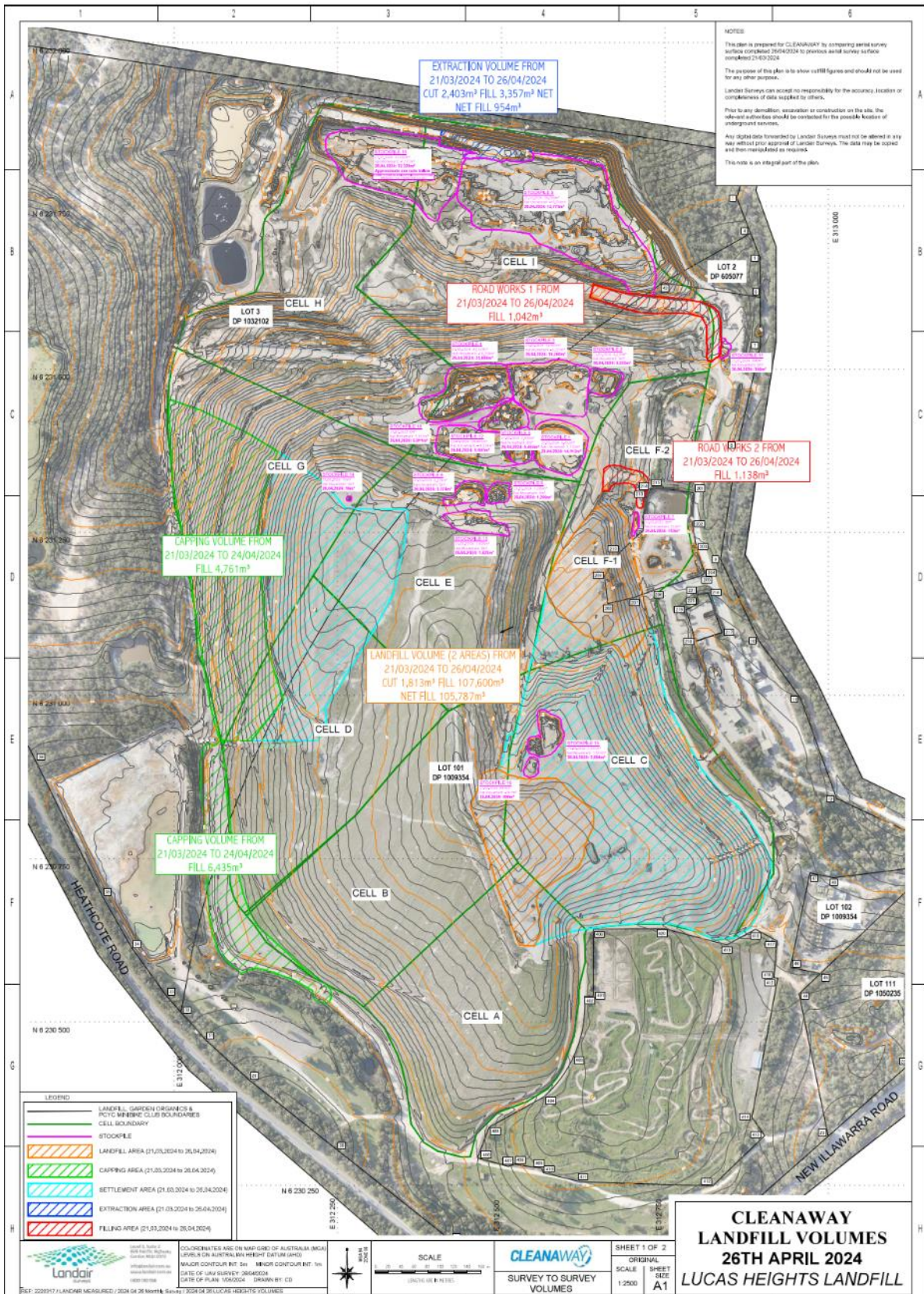


Figure 2 Site Map showing Area (Cell) boundaries, capping, landfilling and filling areas(Source: April 2024 Landair Survey)

2.4 Site inspection observations

The site inspection took place on the 8 and 10 May 2024. There had been significant rain prior in the two days leading up to the audit site inspection and the rain continued steadily throughout the site inspection on the 8 May 2024. On the 10 May 2024 the rain was easing and there were some clear patches during the site inspection.

The auditors were escorted around the site by the LHRRP Landfill Manager and the Environmental Technician who made all areas requested, accessible to the auditors.

Table 6 presents photographs of infrastructure and issues observed during the site inspection. Photographs relating to surface water management are included in Section 3.1.5.

Table 6 Photographs of infrastructure and issues observed during the audit site inspections



Photo No.	Description / comment	
#01	Area C gas well installation	
#02	Odour suppressant unit and fence along boundary of Area C. Litter fence also visible	


Photo No.	Description / comment	
#03	<p>Waste to energy Power Station</p> <p>Not inspected during audit</p>	
#04	<p>Weather station, adjacent to Area A which was final capped and planted with grass approximately one year prior to the site inspection</p>	



Photo No.	Description / comment	
#05	<p>Access road to new (western) GO Facility area</p> <p>Grassed topsoil stockpiles visible along roadway</p> <p>Some areas of cleared vegetation remained as un-vegetated.</p>	
#06	<p>Western GO Facility excavation area.</p> <p>Stage 1 of the excavation works for the GO Facility footprint had been completed and the site was draining inwards with water accumulating in the excavated area</p>	



Photo No.	Description / comment	
#07	<p>Internal access road boundary with Mill Creek</p> <p>Some weeds were evident in the creek corridor</p> <p>2024 IEA REC 01: Develop and implement the annual weed control program for 2024</p>	
#08	<p>Existing (eastern) GO Facility with activities limited to shredding, removal of contaminants and load out off site for further treatment</p> <p>De-contamination sorting line to the left, stockpiled material centre, odour suppressant mists visible to the right</p>	



Photo No.	Description / comment	
#09	GO Facility leachate pond	
#10	Trucks on internal access roads on route to active tip face. Trucks were queued up more than usual due to the muddy conditions after significant rain leading to slower than usual tipping times	

Photo No.	Description / comment	
#11	Active tip face in Area F	


Photo No.	Description / comment	
#12	Dual leachate / gas well	 A black dual leachate/gas well rig is positioned in a field. The rig has two vertical pipes and a horizontal pipe. The field is green with some dry grass in the foreground. A date stamp '08/05/2024' is visible in the bottom right corner of the photo.
#13	Stockpiled material from western GO Facility excavation being used for daily and intermediate cover	 A large stockpile of material is visible in the background. The material appears to be a mix of brown and grey. In the foreground, there is a fence made of wooden posts and wire. The sky is overcast.



Photo No.	Description / comment	
#14	North wall excavation works (Area I cell development)	
#15	Main Leachate Dam with aerators operating	



Photo No.	Description / comment	
#16	<p>Main Leachate Dam in fenced area</p> <p>Sediment Dam 5 to the right</p>	
#17	<p>Concrete storage tanks used to store groundwater from Area 5 (old unlined and single lined section of landfill) which has the potential to be contaminated with leachate</p> <p>Groundwater collected in these tanks is discharged directly to sewer if it meets the discharge criteria of the Trade Waste Agreement or treated by the LTP and then discharged to sewer</p>	

Photo No.	Description / comment	
#18	<p>Wheel wash extended in 2023 to be double the length. Use of the wheel wash appeared to be effective. Some minor tracking of dirt was noted on internal roads, but not on roads external to the site</p>	

Photo No.	Description / comment	
#19	Water treatment and reuse at wheel wash	
#20	<p>Truck Parking Area and maintenance workshop not in use at the time of the site inspection as the collection contract for Georges River Council was not part of the Cleanaway acquisition and remained with SUEZ (now Veolia) and was therefore moved offsite</p> <p>The 60,000 L bunded and covered diesel tank for refuelling collection vehicles was still in place</p>	


Photo No.	Description / comment	
#21	Public drop-off recycling facility	
#22	Public drop-off paints and oils Spill kits maintained at public drop-off area	



Photo No.	Description / comment	
#23	<p>Above ground tank for storing waste oil decanted from public drop off area</p> <p>At the time of the audit site inspection, considerable rain had been received at the site and the bund was not observed to contain much rain water, raising concerns of the integrity of the bund</p> <p>2024 IEA REC 02: Review and assess the integrity the concrete bund containing the waste oil tank at the back of the public drop off area</p>	
#24	Select Civil Worksop	



Photo No.	Description / comment	
#25	Select Civil Workshop bundled fuel storage	
#26	Select Civil Workshop oil water separator	

Photo No.	Description / comment	
#27	Real-time monitoring of leachate volumes using SCADA system	
#28	Leachate Treatment Plant at LH1	




Photo No.	Description / comment	
#29	Leachate holding dam at LH1	
#30	Leachate Plant – batch reactor in operation	

Photo No.	Description / comment	
#31	<p>Leachate treatment plant blower units</p> <p>Noise absorptive material was installed in October 2023 in response to a noise complaint. Refer Section 3.1.3 for further discussion of complaints</p>	
#32	<p>Active tip face on second day of site inspection (08/05/2024) taken at 4:30 pm as operators were covering tip face for the day</p> <p>Combination of tarps and daily cover used</p>	

Photo No.	Description / comment	
#33	Tarp machine	 A photograph showing a construction site. In the foreground, there is a large area of dirt and debris, including some plastic waste. A yellow excavator is visible on the left side, and a yellow tarp machine is in the center. The background shows a line of trees and a cloudy sky with some light breaking through.

3 AUDIT FINDINGS

3.1 Environmental Performance

The environmental performance of the LHRRP was assessed by reviewing regulatory action, incidents, complaints, odour management and Community Reference Group meetings as well as through site inspection observations (refer Section 2.4) and feedback received from government agencies during consultation (Section 1.4).

3.1.1 Regulatory action

Cleanaway was issued with three Warning Letters by DPHI during the audit period relating to waste limit exceedances and an Advisory Letter from the EPA regarding the application of daily cover. These are discussed further below.

2021 Waste limit exceedance

Cleanaway reported that it had exceeded the 850,000 tonne general solid (putrescible and non-putrescible) and 10,000 tonne general solid (non-putrescible) limit set in Condition B6 for the 2021 calendar year by letter to DPHI on the 12 January 2022. Further details were provided on the 18 February 2022 outlining the causes of the exceedance, including:

- Cleanaway acquired the LHRRP from SUEZ on 18 December 2021 and initially did not have clear visibility of the exact volumes accepted on site due to changeover and previous competition restrictions
- Cleanaway sought clarification on the timing of the limits and whether they apply to the calendar year or anniversary date (DPHI confirmed calendar year)
- During 2021 there was increased demand in the catchment area for the LHRRP due to flooding that occurred in greater Sydney, temporary closure of Veolia at Horsley Park landfill and reduced intake to Bingo's Eastern Creek Landfill and Cleanaway's Erskine Park landfill

DPHI issued Cleanaway with a Warning Letter dated 24 March 2022 for failing to comply with the Condition B6 (waste limits) and Condition D10 and D11 of the Consent (for not reporting the incident within 7 days).

2022 Waste limit exceedance

On 7 December 2022 Cleanaway reported an incident to DPHI in accordance with Condition D10, stating that it had exceeded the limit set in Condition B6(a) and had received 892,878 tonnes of general solid waste by the end of November 2022. The main factors causing the exceedance as outlined in Cleanaway's Incident Report submission dated 15 December 2022 and Cleanaway's response to the Department's request for information received on 20 December 2022 were:

- The La Nina weather pattern which had a major impact on waste infrastructure on the east coast of Australia with Sydney experiencing its wettest year on record. The significant rain events and flooding during 2022 resulted in several closures of the rail line which is used to transport putrescible waste to Veolia Woodlawn Landfill (Tarago). During these emergency events, the LHRRP was able to respond and facilitate requests to extend opening hours and accept additional waste. Works were carried out in full consultation with and approval of the department, the response alleviated and avoided a major waste crisis
- Lucas Heights Landfill also played a major role in the various flood clean-up projects
- There was reduced capacity for landfilling in Sydney due to the permanent closure of the Veolia Horsley Park Landfill, along with reduced intake to Bingo's Eastern Creek Landfill due to odour issues and restrictions. These all led to increased demand on the remaining landfill services in Sydney

After considering the above factors and Cleanaway's commitment to submit a modification application to increase acceptable tonnage limits, DPHI issued Cleanaway with a Warning Letter dated 22 December 2022 for failing to comply with Condition B6(a) of the consent relating to not receiving more than 850,000 tonnes per year of general solid waste.

DPHI however, was concerned with the amount of waste received during the 2022 calendar year (which was greater than the increased amount proposed in the modification application) and continued to investigate the waste tonnage exceedance. A Notice to Furnish Information and Records was issued to Cleanaway on 15 May 2023 requesting (amongst other things) that Cleanaway provide the quantity and type of waste received at the site during 2022 and 1 January to 30 April 2023. Cleanaway responded to the Notice providing the requested records by letter dated 13 July 2023.

A further Notice to Furnish Information and Records was issued by DPHI on 20 September 2023 to request information on the monthly revenue raised by Cleanaway from general solid and asbestos received at the Site for landfill disposal from 1 January to 31 December 2022. The request included financial records, bank records and weighbridge dockets.

Cleanaway responded to the Notice providing the requested records by letter dated 17 November 2023. DPHI responded requesting additional information by letter dated 28 November 2023. This request included copies of the correspondence with the EPA and DPHI referred to in Cleanaway's response, discussing the issue of Cleanaway accepting increased volumes of waste to assist Greater Sydney in dealing with unprecedented volumes of waste in a national emergency situation. Cleanaway responded to this request by letter dated 12 January 2024.

After reviewing all of the information and records provided by Cleanaway, DPHI issued Cleanaway with a Warning Letter dated 15 March 2024 for failing to comply with Condition B6 for the 2022 reporting period.

MOD 2 was approved on 23 November 2023 which increased the limit of general solid waste permitted to be received on site to 970,000 tonnes. The 2023 Annual Environmental Management Report (AEMR) reported that 956,740 tonnes of general solid waste had been received at the Site during 2023.

Application of daily cover

The EPA inspected the site on 20 July 2023 to conduct noise monitoring at the leachate treatment plant in response to a noise complaint received from a resident in Barden Ridge (discussed in Section 3.1.3). The EPA also inspected the active tip face following receipt of odour complaints. The EPA issued Cleanaway with an Advisory Letter regarding the application of daily cover on the 2 August 2023. The EPA reported that during the site inspection on the 20 July 2023, the EPA officers observed an area of the landfill, adjacent to the tip face, in which a large amount of waste material was exposed that appeared to have been exposed for more than a day. Based on the observations from the inspection and the number of odour complaints received, the EPA was concerned that the Licensee may not have been applying the daily and/or intermediate cover as required under the licence conditions. The EPA reminded Cleanaway of the importance of applying daily cover and noted that should future inspections indicate non-compliance with licence conditions associated with adequate cover at the premises, the EPA may consider further regulatory action.

A follow up site inspection was conducted by the EPA on the 17 August 2023 to inspect the active tip face and the application of daily cover. General comments were that the EPA was satisfied with the daily cover. No further correspondence was received from Cleanaway relating to this issue.

As part of the consultation conducted as part of this IEA, the EPA commented that the licensee has been diligent in applying daily cover at the tip face. During the audit site inspection, the auditors observed the process of covering the active tip face at the end of the day using a combination of tarps and daily cover material.

3.1.2 Environmental incident management

Cleanaway records incidents in the Cleanaway MYOSH Safety Management Software using the MYOSH incident reporting tool. The reporting tool includes a form which captures the required information including date, time, classification (which includes environment, complaint, self-assessed non-compliance, regulator notice as well as safety related classifications), description, details, investigation, sign off).

Prior to December 2021 (when Cleanaway acquired the LHRRP) incidents were recorded by SUEZ in its SIMS database. SUEZ had an Incident Reporting and Corrective Action Procedure (PROC008) which outlined how incidents (including environmental) and complaints should be managed. This is referenced in the Operational Environmental Management Plan (OEMP). The OEMP had not been updated to reflect Cleanaway's operating procedures and systems. Refer Section 3.2 for further discussion of the adequacy of environmental management plans including the OEMP.

A review of the Complaints and Incident Register, Regulator Activity Register, Annual Returns, AEMRs and correspondence to the EPA and DPHI identified the following incidents with the potential to cause material harm to the environment or pollute waters and reportable exceedances (Table 7). The SIMS database was unable to be accessed during the audit. Information on the incidents reported in 2021 was obtained from the 2021 AEMR.

Table 7 Summary of exceedances and / or incidents with the potential to cause material harm to the environment or pollute waters

Date	Category	Details	Reported	Audit findings
19-21 /03/2022	Leachate contamination of surface water	<p>Sediment Dam 5 went into overflow on 19/03/2022</p> <p>On 21/03/2022, leachate was found in the stormwater drain leading to Sediment Dam 5</p> <p>Cleanaway reported that it engaged pumps at MC1 (EPA Point 1) and Sediment Dam 5 to pump the contaminated water in Sediment Dam 5 into the leachate collection system</p> <p>The source of the contamination was identified as seepages from the waste batter in Area G</p> <p>The seepages were diverted into the nearby leachate cut-off trench to enter the leachate management system</p> <p>Monitoring was undertaken on the 21/03/2022 which identified that ammonia levels were below the EPL limit of 2.5 mg/L for EPA Point 1</p>	<p>Reported to the EPA and DPHI</p> <p>No further action / correspondence was received from the EPA following provision of the written report</p>	<p>Monitoring was not undertaken within 24 hours of discharge from EPA Point 1 as required by the EPL (monitoring was undertaken on 21/03/2022, discharging commenced on 19/03/2022)</p> <p>2024 IEA REC 03: Ensure that monitoring at EPA Point 1 is undertaken within 24 hours of discharge as required by EPL Condition M2.3</p> <p>A total of 39mm of rainfall was recorded by the weather station in the 5 days up to 9am on 19/03/2022. Sediment Dam 5 was designed to retain the 90th percentile 2-day rain event (34.8mm) and the EPL requires that the 10 ML settling zone is re-established within five days of the rainfall event occurring. It is noted that March had experienced exceptionally high rainfall with 448 mm falling from 1-19 March 2022. This would have reduced Cleanaway's ability to re-establish the freeboard before 19 March 2022</p>
19-21 /03/2022	Leachate contamination of surface water	<p>It was reported to the auditor that at a similar time to the incident described above where leachate seepages from Area G had entered the stormwater system, the GO Facility leachate pond had also overtopped resulting in leachate to enter the stormwater system</p> <p>Further details of this incident were not available as it had not been recorded in Cleanaway's incident management system. Cleanaway stated that this was considered the same incident as the incident described above</p>	<p>Not reported to EPA or DPHI</p>	<p>2024 IEA REC 04: Include further details in incident reports to capture all aspects of the incident, such as sources of contamination and / or causes of the incident, to allow for effective identification of corrective and preventative measures</p>

Date	Category	Details	Reported	Audit findings
27/03/2022	Leachate contamination of surface water	<p>During heavy rainfall the bund at the organics pad was damaged causing stormwater that had been in contact with organics to enter the stormwater system and Mill Creek</p> <p>Runoff from the organics pad is typically collected and treated as leachate</p> <p>This incident was not recorded in Cleanaway's incident management system</p> <p>Cleanaway reported in the Annual Return, that immediate actions were taken to reinstate the bund and to transport potentially contaminated stormwater offsite to the Cleanaway Homebush facility for treatment</p>	<p>The ammonia exceedance caused by this incident was reported to the EPA in the 2022 Annual Return</p> <p>Not reported as an incident to EPA or DPHI</p>	<p>2024 IEA REC 05: Ensure all incidents and exceedances of concentration limits are recorded in Cleanaway's incident management system so that they are appropriately investigated and a record is retained</p> <p>2024 IEA REC 06: Implement a process to ensure DPHI and any other relevant agencies are notified immediately of any incident that causes (or may cause) material harm to the environment or any exceedance of limits or performance criteria in the Consent.</p>
8/04/2022	Leachate contamination of surface water	<p>During heavy rainfall the drains controlling surface run-off at the tip face were damaged causing stormwater that had been in contact with the tip face to enter the stormwater system and Mill Creek.</p> <p>Runoff from the tip face is typically collected and treated as leachate.</p> <p>This incident was not recorded in Cleanaway's incident management system.</p> <p>Cleanaway reported in the Annual Return, that immediate actions were taken to reinstate the drains and direct all potentially contaminated surface run-off from the tip face to the leachate dam for treatment. Additional drains were also reported to have been installed to prevent this from re-occurring</p>	<p>The ammonia exceedance caused by this incident was reported to the EPA in the 2022 Annual Return</p> <p>Not reported as an incident to EPA or DPHI</p>	<p>Refer 2024 IEA REC 05 and 2024 IEA REC 06</p>
12/01/2022	Waste limit exceedance	<p>Exceedance of annual waste limit set by Condition B6 for 2021 calendar year.</p>	<p>Reported to DPHI</p>	<p>Refer Section 3.1.1</p>
7/12/20022	Waste limit exceedance	<p>Exceedance of annual waste limit set by Condition B6 for 2022 calendar year.</p>	<p>Reported to DPHI</p>	<p>Refer Section 3.1.1</p>

Cleanaway also reported nine fires to the EPA (as required by Condition R4.1 of its EPL) and six instances where surface gas monitoring detected methane levels above 500 parts per million (as required by Condition M8.1). A review of the written reports provided to the EPA following the surface gas exceedances indicated that the following actions were undertaken following the surface gas exceedances (Table 8).

Table 8 Summary of actions taken following surface gas exceedances

Surface gas exceedance	Details	Action taken (as reported to EPA)
28/09/2022	One methane exceedance identified during surface gas monitoring	<ul style="list-style-type: none"> Worked with EDL to increase suction in the area Additional gas wells installed in the area
29/11/2022	Two methane exceedances identified during surface gas monitoring	<ul style="list-style-type: none"> Repaired intermediate cap at two locations with elevated levels
28/02/2023	One methane exceedance identified during surface gas monitoring	<ul style="list-style-type: none"> Surface soil was excavated, source of the leak was identified and remediated, are re-capped with clay Surface gas readings taken on 12/05/2023 were below 500 ppm limit
31/05/2023	Twelve methane exceedances identified during surface gas monitoring	<ul style="list-style-type: none"> Additional cover placed on the batter
15/09/2023	Seven methane exceedances identified during surface gas monitoring	<ul style="list-style-type: none"> Installed clay around 3 gas wells to seal cracks identified in intermediate cap caused by settlement Planned installation of leachate cut off trench in area where one of the exceedances was identified Increased suction of surrounding wells at locations where exceedances were identified
27-28 March 2024	Three methane exceedances identified during surface gas monitoring	<ul style="list-style-type: none"> Gas extraction of nearby wells reviewed and increased where possible by EDL Additional gas well installed and connected on 4/04/2024 and is being monitored

The Complaints and Incident Register was also noted to include five minor environmental incidents relating to gas release, minor diesel spills and breaches of waste acceptance criteria. Each incident had been investigated and closed out as evidenced by the close out comments provided.

Based on the review of incidents as outlined above, the auditor considers incidents were, in general, adequately investigated and actioned. However, some incidents had not been recorded within Cleanaway's incident management system and some had not been reported to the EPA or DPHI. **2024 IEA REC 05** and **2024 IEA REC 06** address this finding.

3.1.3 Complaint management

Cleanaway operates a free-call environmental feedback hotline (1800 213 753) to receive feedback on environmental matters across all of its NSW facilities. The service is available 24 hours, 7 days a week and the number was advertised on Cleanaway's website and at the sign at entrance to the LHRRP. Complaints received directly from residents were logged in the Complaint and Incident Register in the Cleanaway MYOSH Safety Management Software. Complaints received from the EPA were logged within the Regulator Activity Register in MYOSH. The MYOSH system was demonstrated during the audit site inspection and an extract of the Complaints and Incidents Register provided for the period 2022-May 2024. The Complaints and Incidents Register was noted to include (amongst other things): the date, status, brief description, classification, details, incident category and risk level and attachments. The auditor requested additional information on the follow up action / close out of a selection of incidents to assess the general complaint management process.

Prior to December 2021 (when Cleanaway acquired the LHRRP) SUEZ operated a similar environmental report hotline and logged complaints in its SIMS database. The SIMS database was unable to be accessed. Information on the complaints received in 2021 was obtained from the AEMR

and further details on a selection of complaints were provided by Cleanaway.

A summary of the complaints received during the audit period compiled from a review of the MYOSH Complaints and Incident Register, Regulator Activity Register and from the AEMRs, is presented in Table 9. In undertaking this review, it was noted that some complaints had been missed from AEMR reporting. **2024 IEA REC 07** addresses this finding.

Table 9 Summary of complaints received during the audit period

Year	Odour	Noise	Dust	Wastewater	Erosion	Litter	Total
2021	18	1	1	1			21
2022	25 ¹	1			1 ²	1 ²	27
2023	9	2					11
2024	5	4				1	10
Total	57	8	1	1	1	2	69

Notes: 1. Two complaints not reported in AEMR

2. One complaint from SSC relating to litter and erosion. Not reported in the AEMR

A total of 69 complaints were received during the audit period, 57 relating to odour. This was a reduction from the previous IEA where 98 complaints were received, 96 relating to odour. Odour complaints are discussed further in Section 3.1.4.

Eight complaints were received relating to noise during the audit period. Seven of these were from the same complainant in Barden Ridge and related to noise from the leachate treatment plant at LH1. The auditor reviewed the Complaints and Incident Register, correspondence between Cleanaway and the EPA and the complainant and additional information provided by Cleanaway and provide the following summary:

- EPA notified Cleanaway of a complaint from a Barden Ridge resident in December 2022 described as a humming industrial pump noise run on a 4-5 cycle several times a day / night
- Cleanaway undertook some initial investigations and responded to the EPA that some increased noise was identified from a mechanical fault with one of the blower pressure release valves at the Leachate Treatment Plant (LTP) which was rectified on the 9 December 2022. Cleanaway acknowledged that this may not have been the source of the noise complaint and requested the street address of the complainant so that further monitoring could be undertaken
- Further complaints were received in March and June 2023 with additional detail provided by the complainant. The EPA requested information from Cleanaway on the actions taken to investigate the noise complaint. Cleanaway responded and noted that there had been no changes to processes at the LTP, no new machinery installed, fault repairs or maintenance operations in the last few months
- EPA advised that it would like to conduct noise monitoring at the LTP and requested an operating schedule of the LTP. This was provided and noise monitoring was conducted at the LTP and at the complainant's residence by the EPA in July 2023
- The EPA informed Cleanaway in August 2023 that initial consideration of the noise monitoring indicated that the leachate plant blower is audible from the complainant's property and a tone was identified from the southern-most blower. It was noted that while the measured noise does not appear to be above regulatory requirements, it is possible that addressing the tonal characteristics associated with the blower may rectify the issue and reduce the impact on the complainant. The EPA requested that Cleanaway engage the services of a suitably qualified person to conduct its own investigation to ascertain if action is required
- Cleanaway engaged acoustic consultants, RWDI, to provide advice on this matter and the recommendation was to install some noise absorbing material inside the blower room and on the tank surface directly outside the blower room to minimise noise reflection to the neighbours. The installation of the material was completed on 31 October 2023
- RWDI conducted noise monitoring in December 2023 at the receiver and at the LTP to understand the noise characteristics of the noise generating equipment. The noise assessment found that the LTP was audible at night at some times and was perceived as a continuous low hum at the residences. Noise levels were estimated to be 28 dBA which is below the night time criteria of 35 dBA. The LTP noise was not considered to be tonal or contain any other annoying characteristics (such as low frequency noise)

- Further complaints were received in January and February 2024 reporting that there had been an increase in noise on specific days and requesting if there had been any changes to the LTP and requesting screenshots of the LTP's SCADA system for the times advised. Cleanaway responded that there had been no changes and provided the requested SCADA records.
- The EPA inspected the LTP in February 2024 to confirm that the noise mitigation cladding was installed and in good condition
- EPA received a complaint from the complainant regarding the reporting of noise complaints in AEMR and questioning why all of the noise complaints were not reported. Cleanaway responded that the original complaint was included in the 2022 AEMR and all subsequent correspondence and follow up actions were considered part of the original complaint rather than a new complaint. Whilst the auditor appreciates this response, it is considered that each time the complainant contacts the EPA or Cleanaway with a new complaint (e.g. stating that the noise was very loud last night) this should be counted and reported as a separate complaint (as opposed to responses back and forth investigating the same event). The AEMR can include a note / discussion that all of the noise complaints relate to the same issue. **2024 IEA REC 07** addresses this issue.
- In May 2024 a complaint was made to the Cleanaway CEO and a meeting was held with the complainant. It was agreed that the complainant would log noise events for a few days and provide this data to Cleanaway and acoustic consultant to devise a noise mitigation solution. Cleanaway reported that the log was provided however it could not identify the source of the noise from the log and has proposed to conduct unattended noise monitoring at the complainant's premises. At the time of writing this was yet to be agreed however, Cleanaway was committed to the ongoing investigation and resolution of this issue.

One complaint was received by the EPA in 2021 from a resident about a large amount of sand / dust entering their premises from an uncovered sand stockpile at LHRRP. Cleanaway reported that it investigated the complaint and determined that there was no dust and the stockpile referred to was part of the landfill. Details of the investigation were not available as the complaint was recorded in SUEZ SIMS database which could not be accessed.

One complaint was received by the EPA in 2021 from an anonymous source relating to wastewater contaminated with hydrocarbons and degreasers from the TPA maintenance workshop entering the stormwater drain. Cleanaway reported that it investigated the complaint and inspected the area and did not identify any contamination. Details of the investigation were not available as the complaint was recorded in SUEZ SIMS database which could not be accessed.

One complaint was received in August 2022 from SSC stating that SSC had received several complaints from the community regarding litter in Mill Creek and damage from stormwater overflows from the permitter drain at the northern end of the landfill. SSC inspected the area and confirmed that there was considerable litter along the entire length of Mill Creek within the Conservation Area (approximately 1 km) on both sides of the bank extending about 20 m and that that the nutrient rich flows had introduced weeds into the area. In response it was reported that a joint inspection was undertaken by Cleanaway and SSC and that the following actions were taken: litter pickers were organised to remove the litter, weed sprayers were arranged and erosion controls were repaired.

Another complaint was received in April 2024 from SSC reporting the migration of waste off-site to the Mill Creek Mountain Bike Trail following heavy rainfall in April 2024. Cleanaway provided an email response to SSC the following week reporting that the waste deposited within the bike track and along the road had been removed and that the tree branches and debris that had accumulated in the culvert after the last heavy rain had also been cleared.

Based on the review of complaints as outlined above, the auditor considers that Cleanaway has adequately investigated and responded to complaints received from community members, the EPA and SSC. The following recommendations are made relating to the reporting of complaints in the AEMR.

2024 IEA REC 07: Implement checks to ensure that all complaints received are included in the complaints reporting presented in the AEMR, including multiple complaints received from the same complainant

2024 IEA REC 08: Include within the discussion of complaints in the AEMR, details of any actions taken as an outcome of complaints received

3.1.4 Odour management

In 2019, in response to heightened environmental risks relating to offensive odours identified by the EPA and the community, the EPA required Cleanaway to conduct an Odour Risk Reduction Study. This was completed by Northstar Air Quality and the subsequent report which contained a number of recommendations was incorporated into a Pollution Reduction Program (PRP) included in the EPL.

During the audit period, Cleanaway submitted a variation application to have EPL Conditions U1.1 to U1.9 relating to the PRP removed as it had been completed. The EPA did not approve this request and instead replaced these conditions by a single condition (U1.1) that requires Cleanaway to implement and maintain improvements recommended by the program for ongoing odour reduction.

Cleanaway undertook the following measures to mitigate odour from the LHRRP during the audit period:

- Odour units and fencing were installed at the active tip face at Area F and at the eastern GO Facility receivals area. Portable odour units were being used as required
- Leachate dams were aerated for 8-10 hours per day (on a timer)
- Weather conditions were monitored when potentially odorous works were being undertaken
- The active tip face was restricted to no more than 2,500 m² at any one time
- The active tip face was covered with a combination of tarps and daily cover at the end of each day
- Gas collection and extraction was being managed by EDL, the operators of the gas infrastructure. EDL undertake inspections and identify areas that require additional wells or additional clay cover
- Gas extraction wells were installed following capping as soon the seal bearing layer was complete
- The EDL Monthly Reports provide a summary of the gas field works completed in the month, the current and proposed gas field works and gas field monitoring. As an example, In April 2024:
 - 28 wells were installed in Area C
 - 7 wells on the Area C southern batter were connected
 - All wells in Area G were back online and header connections complete following the completion of capping works in Area G
 - There was a total of 588 wells installed at the site with 70 non-producing wells
 - A total of 6 wells were offline during the month due to a combination of capping and tipping operations
- Odour patrols were undertaken by the Environmental Technician in the mornings in and around the site to identify potential odour using an Odour Patrol Checklist.

A total of 57 complaints were received relating to odour during the audit period:

- 2021 – 18 odour complaints
- 2022 – 25 odour complaints
- 2023 – 9 odour complaints
- 2024 – 5 odour complaints to date

This was a significant reduction from the previous audit period where 96 complaints were received. The VPA Complaint Reporting Requirements trigger for an internal technical audit (15 or more complaints received within any calendar month) was not triggered during the audit period. The highest cluster of complaints was received in April 2022 where 10 complaints were received during the month, six of those on the 20 and 21 April 2022. Cleanaway reported that the cluster was likely due to unfavourable wind conditions and temperature inversions. As per the VPA Complaint Reporting Requirements outlined in the AQOMP, the SSC was notified and a summary of the complaints provided. As part of the consultation with SSC conducted as part of this audit, SSC reported that the April 2022 complaints were discussed with Cleanaway and that as a result of these discussions, the number of landfill gas extraction wells were increased and capping of some perimeter batter slopes was improved. SSC reported that as a result of these works, odour complaints reduced.

A review of the Complaints and Incidents Register, additional detail requested for a selection of odour complaints and discussions with Cleanaway noted the following general process was implemented following receipt of odour complaints:

- Cleanaway investigates the complaint including reviewing the wind direction and if any temperature inversions were present (accessed from the weather station data)

- Environmental Technician reviews odour patrols undertaken at the time of the complaint and / or undertakes additional odour patrol
- Environmental Technician checks what activities were being undertaken at the landfill and if any unusual operations were being carried out. Also, if odour reduction measures on site were operating (e.g. odour suppressant fences)
- Additional operational measures may be implemented such as additional cover applied to waste, discussions of odour and complaints at morning toolbox with contractors, discussions with EDL regarding landfill gas
- If the complainant has provided details, Cleanaway contacts the complainant and provides an update. It is noted some complaints are received from the EPA and the complainants prefer not to be contacted

In general, it was considered that Cleanaway had adequate processes in place to identify and manage odours, including investigating complaints and implementing continual improvement controls. The frequency of odour complaints had reduced significantly compared to the previous IEA period, noting that the cessation of composting and the storing of composed material at the existing GO Facility would have contributed to this. During the audit site inspections, odours were not considered to be particularly offensive.

3.1.5 Surface water management

Most of the LHRRP site lies within the Mill Creek catchment. Mill Creek originates from the LHRRP and flows north along the western boundary towards the Georges River. Cleanaway manages surface water with an aim to prevent the pollution of Mill Creek by diverting clean surface water around active filling and disturbed areas and diverting stormwater runoff into sedimentation dams.

The main sedimentation dam (Sediment Dam 5) was designed to retain the 90th percentile 2-day rain event (34.8mm). Sediment laden water captured in Sediment Dam 5 can be used on site for dust suppression or be treated through the stormwater treatment plant. The stormwater treatment plant operates by dosing water with flocculant and coagulant and can manage up to 2.5 ML/day.

EPL 5065 includes the following discharge points:

- EPA Point 1 – discharge point at Mill Creek (MC1)
- EPA Point 22 – overflow from Sediment Dam 5
- EPA Point 21 – pumped discharge from stormwater treatment plant
- EPA Point 20 – pumped discharge from Sediment Dam 5

Concentration limits are specified for Point 20, 21 and 22 for nitrogen (ammonia) and TSS. Concentration limits for Point 1 include conductivity, dissolved oxygen, pH, Phenol, nitrogen (ammonia) and TSS. Monitoring is required to be undertaken within 24 hours of discharge at Point 1 and Point 22 and weekly during discharge at Point 20 and Point 21.

Condition L2.5 of the EPL states that the licensee is not taken to have breached the licence TSS limits for Point 1 and Point 22 if the overflow is caused by a rainfall event and the licensee has taken all practical measures to avoid and minimise water pollution. The EPL also includes conditions for the management of surface waters including maintaining 10 ML of freeboard in the sediment dam and re-establishing the 10 ML capacity settling zone within 5 days of a 2 day 90th percentile rainfall event of 34.8mm or more.

A review of the monitoring data and rainfall data from the weather station for the audit period by the auditor indicated the following:

EPA Point 1 discharge point to Mill Creek (MC1)

- EPA Point 1 was sampled 39 times (indicating there were 39 discharge events)
- Nineteen (19) exceedances of the 50 mg/L TSS limit were recorded (ranging from 62-1,500 mg/L). All of the exceedances followed rainfall events (noting that there were two discharge events where this could not be confirmed as weather station data was not available). The majority of the rainfall events exceeded the design capacity of the sediment basin (2-day rain event of 34.8 mm). Two of the exceedances were after smaller rain events

- Three exceedances of the 2.5 mg/L ammonia limit were recorded. Two of these were reported in the 2022 Annual Return submitted to the EPA and in the 2022 AEMR. The explanation provided in the Annual Return for the exceedance recorded on 27/03/2022 was that the bund at the organics pad was damaged during heavy rainfall, resulting in stormwater from the organics pad reaching Mill Creek. The explanation provided for the exceedance recorded on 8/04/2022 was that during heavy rainfall, the drains controlling surface run-off at the tip face were damaged and contaminated water reached Sediment Dam 5 and Mill Creek
- The ammonia exceedance recorded on the 7/03/2022 was not reported in the Annual Return or the AEMR. None of the events that resulted in these exceedances were recorded as incidents in the Complaints and Incidents Register
- Two exceedances of the dissolved oxygen limit of >6 mg/L were recorded at EPA Point 1 in 2022. These were not reported in the Annual Return, AEMR or recorded in the Complaints and Incident Register

EPA Point 22 overflow from Sediment Dam 5

- EPA Point 22 was sampled 12 times (indicating there were 12 discharge events from Sediment Dam 5)
- Eleven (11) exceedances of the 50 mg/L TSS limit were recorded (ranging from 106-1,830 mg/L). All of the exceedances followed rainfall events (noting that there was one discharge event where this could not be confirmed as weather station data was not available). All but one of the rainfall events exceeded the design capacity of the sediment basin (2-day rain event of 34.8 mm)
- One exceedance of the 2.5 mg/L ammonia limit was recorded at EPA Point 22 on the 08/04/2022. This was caused by the failure in the drains at the tip face described above for the exceedance at EPA Point 1

EPA Point 21 pumped discharge from stormwater treatment plant

- EPA Point 21 was sampled 38 times (indicating a minimum of 38 discharges from the stormwater treatment plant).
- All but one discharge was below the 50 mg/L TSS limit. An exceedance was recorded on the 14/01/2022 (63 mg/L) and attributed to insufficient coagulant use. In response it was reported that the coagulant dosing pump was adjusted to increase the input of coagulant into the treatment system. This exceedance was reported in the 2022 Annual Return and 2022 AEMR but was not recorded in the Complaints and Incident Register.

EPA Point 20 – pumped discharge from Sediment Dam 5

- Cleanaway reported that there were no pumped discharges directly from Sediment Dam 5 and therefore EPA Point 20 was not monitored during the audit period

Additional surface water monitoring

Mill Creek 3 (MC3) is located downstream of the LHRRP (where the northerly extension of Little Forest Road crosses Mill Creek). The Soil and Water Management Plan and Monitoring Program states that additional surface water monitoring may be undertaken at MC3, as well as at the PCYC Dam and Sediment Dam 1 (western sediment and water reuse basin). It is noted there is no licence requirement to monitor at these locations.

Ten (10) rounds of monitoring were undertaken at MC3, the last one recorded on the 4/07/2022. Ammonia levels were low (below 2.5 mg/L) in all samples. TSS was monitored only once on the 04/07/2022 by the lab and recorded a level of 114 mg/L. The other samples had the turbidity measured using a probe in the field and recorded levels ranging from 50-230 NTU.

Incidents

Incidents were discussed in Section 3.1.2. In summary there were four incidents recorded during the audit period with the potential to pollute waters.

Site inspection observations

On the first day of the audit site inspection (8/05/2024) the site was experiencing heavy rainfall, with 43.4 mm of rain recorded in the 24 hours up to 9 am on the 6/05/2024. Sediment Dam 5 had been overflowing to MC1 since Sunday night (5/05/2024). The Stormwater Treatment Plant had started operating on Monday morning (6/05/2024) and was operating during the site inspections on the 8/05/2024 and 10/05/2024. Rain had eased by the second day of the audit inspection on 10/05/2024.

Photographs and commentary relating to surface water management as observed during the audit site inspections are provided in Table 1Table 10.

Table 10 Photographs relating to surface water management observed during the audit site inspections



Photo No.	Description / comment	
#34	<p>Newly constructed drain, rock channel, excavated flat channel and footbridge allowing safer access to monitoring points</p> <p>The drain, rock channel and excavated flat channel were designed as part of the Final Cap and Stormwater Design.</p>	
#35	<p>Excavated flat channel. Receives surface runoff from clean water drain and from Sediment Dam 5 and overflows to Mill Creek discharge point (MC1, EPA Point 1)</p> <p>This represents the Initial works of the flow diversion structure into Sediment Dam 5. During this phase (before the catchment is revegetated), the channel flows southward into Sediment Dam 5 when the dam is empty and northwards towards Mill Creek when Sediment Dam 5 is full and over topping.</p>	

Photo No.	Description / comment	
#36	<p>Clean water drain leading to excavated flat channel and Sediment Dam 5. Designed as part of final capping and stormwater</p> <p>Permanent erosion control matting. Design documents state that in future it is expected that this would be overlain with grass</p> <p>First photo on first day of audit 8/05/2024 following heavy rainfall showing coloured water</p> <p>Second photo on second day of audit 10/05/2024 after rain had eased showing levels of turbidity had decreased</p>	




Photo No.	Description / comment	
#37	<p>Spill way to MC1</p> <p>Black pipe is pumped discharge from Stormwater Treatment Plant</p> <p>It was reported that the Sediment Dam had been overflowing since Sunday night (5/05/2024) and the Stormwater Treatment Plant had started operating on Monday morning (6/05/2024)</p> <p>43.4 mm of rain had been recorded in the 24 hours up to 9am on the 6/05/2024</p> <p>First photograph taken on first day of audit 8/05/2024</p> <p>Second photograph taken on second day of audit 10/05/2024. Sediment Dam 5 had stopped overflowing. The Stormwater Treatment Plant was still in operation and discharging treated water to reduce levels in Sediment Dam 5</p> <p>EPL requires that a 10 ML capacity settling zone within Sediment Dam 5 is re-established within 5 days of a rainfall event occurring</p>	

Photo No.	Description / comment	
#38	<p>Mill Creek discharge point (MC1, EPA Point 1)</p> <p>Pumps installed in 2020 to enable pumping back to leachate dam in the event of an incident</p>	
#39	<p>Probe and EC monitor with high level alarms installed during audit period</p> <p>Landfill Manager is notified if EC is above alarm level</p>	

#40

Erosion and Sediment Controls in Area G where capping and seeding had recently been completed

Erosion and Sediment controls were observed in place. Some minor erosion observed on steeper areas where vegetation had not yet been established



Photo No.	Description / comment	
#41	<p>Permanent drainage channel installed for collecting surface water flows from capped and grassed areas and directing them to Mill Creek</p> <p>Area to the left of the green channel is Area G</p> <p>Area to the right of the green channel is Area D which had been previously capped and grassed.</p> <p>Photo shows sediment accumulated in Mill Creek at drainage point.</p>	 <p>The top photograph shows a concrete drainage channel with two openings. A bright green tarp covers the slope above the channel. The surrounding area is a mix of dirt and sparse vegetation. A date stamp '08/05/2024' is visible in the bottom right corner.</p> <p>The bottom photograph shows a drainage point where water is flowing into a pool. The water is turbid and brown, indicating sediment accumulation. Large rocks are visible in the foreground. A date stamp '08/05/2024' is visible in the bottom right corner.</p>


Photo No.	Description / comment	
#42	<p>Access road crossing Mill Creek</p> <p>Recently planted Area G visible with temporary sediment controls in place (sediment fencing)</p> <p>Potential for sediment from access roads to enter Mill Creek</p>	

Photo No.	Description / comment	
#43	<p>Mill Creek at the western GO Facility construction area showing evidence of erosion of the batter of the dirt road accessing the area.</p> <p>Potential that sediment has entered Mill Creek. Creek appeared turbid</p>	 <p>The image consists of two photographs. The top photograph shows a dirt road with a large rock slide. A worker in a high-visibility vest and hard hat is visible near the road. A white pickup truck is parked in the background. A date stamp '08/05/2024' is visible in the bottom right corner of the photo. The bottom photograph shows a yellow excavator near a creek. The water in the creek is turbid and brown. A large rock is visible in the foreground, partially covered by a white tarp. The background shows a dirt road and some vegetation.</p>



Photo No.	Description / comment	
#44	<p>Mill Creek showing former concrete/engineered base eroded with water travelling under the concrete for some sections</p> <p>Noted water in Mill Creek was brown coloured for its length and has significant inflows from the Cleanaway site</p>	

Photo No.	Description / comment	
#45	Access road along base of capped area Cell C showing some erosion across internal roads and deposition of sand from unvegetated slopes.	 <p>The top photograph shows a wide, unpaved access road with visible tire tracks and a large area of sand deposition on the left side. The sky is blue with scattered white clouds. A date stamp '08/05/2024' is visible in the bottom right corner of the image.</p> <p>The bottom photograph shows a similar access road, but with a more vegetated area on the left side. A stack of black pipes or containers is visible on the right side of the road. The sky is overcast. A date stamp '08/05/2024' is visible in the bottom right corner of the image.</p>

Photo No.	Description / comment	
#46	<p>Erosion and sediment controls were observed alongside Mills Creek needing maintenance</p> <p>Sand deposition indicates ongoing sedimentation in the area from capped areas</p>	
#47	<p>Sediment built up in small drainage line near site entrance showing the catchment for this and other similar drains generate a high sediment load in run off</p>	

In summary, observations made in respect of water management during the IEA site inspections during and following heavy rain events included:

- High volumes of turbid flow over topping the dam wall at the main sediment dam
- Turbid water in the clean water diversion drain discharging into the main sediment dam and immediately over topping the dam
- Turbid water in Mill Creek along its length, with varying inputs from the landfill
- Sedimentation at Mill Creek near drainage points from the capped areas of the landfill
- Evidence of erosion at the road crossings of Mill Creek
- Evidence of erosion and sedimentation along the access road around the base of the landfill to the western GO Facility
- Some minor scouring of areas of capping

The following recommendations have been made in relation to surface water management, in particular relating to erosion and sediment controls:

2024 IEA REC 09: Conduct a review by an expert of Erosion and Sediment Control and Management at the site and implement additional controls to improve water quality in water discharging from the site such as to Mill Creek and the clean water drain to the north of the landfill area

2024 IEA REC 10: Implement additional erosion and sediment controls at the road crossings of Mill Creek to prevent sediment from entering the creek

2024 IEA REC 11: Reinstate periodic (rainfall based) surface water monitoring at locations along Mill Creek upstream and downstream of the LHRRP to better understand the performance of the Landfill in managing their impacts on the Creek. Consider aligning these with the monitoring locations chosen for the Aquatic Habitat monitoring

3.1.6 Community Reference Group

The LHRRP has an established a Community Reference Group (CRG) chaired by the Cleanaway Education & Community Grants Officer. The CRG includes members of the community, councillors and Cleanaway employees. Invitees also include the Menai Wildflower Group and members of parliament.

During the audit period the meetings were held twice per year in 2021 (due to Covid 19 restrictions) and then quarterly from 2022 onwards. Community member attendance at the meetings ranged from 1 to 4 community members.

At each meeting the Landfill Manager presented an overview of landfill operations, this typically covered where the active tip face was, the rainfall received, any significant updates on projects and included photographs.

The Compliance Officer / Environmental Technician presented an overview of the environmental monitoring results including complaints, total rainfall, landfill gas, dust monitoring, leachate and groundwater. The Environmental Update was attached to the meeting minutes.

The meetings also covered general discussion, actions arising and outstanding issues.

The review of the meeting minutes indicated that questions raised by community members and councillors were answered where possible or taken on notice and information provided at the next meeting.

A site tour was undertaken each year at meetings held in December 2021, 2022 and 2023.

3.2 Review of Environmental Management Plans

As required by CoC D12 and the *Independent Audit Post Approval Requirements*, the audit scope included a high-level review of whether the Environmental Management Plans and sub plans are adequate. It is noted that the audit team did not undertake a technical or detailed assessment of these management plans.

The following management plans were reviewed:

- Operational Environmental Management Plan (OEMP)
- Air Quality and Odour Management Plan (AQOMP)
- Groundwater Management Plan (GMP)
- Aquatic Habitat Monitoring Plan (AHMP)
- Mill Creek Stream Rehabilitation, Stabilisation and Vegetation Management Plan
- Soil and Water Management Plan and Monitoring Program
- CEMP for the GO Facility
- Vegetation and Fauna Management Plan (VFMP)
- Erosion and Sediment Control Plan for GO Facility
- Construction Traffic Management Plan (CTMP)

It is noted the Soil and Water Management Plan and Monitoring Program is not specifically required to be prepared by the Development Consent, however it forms an Appendix to the OEMP.

The CEMP for the Dual Gas and Leachate Trench was not reviewed as it is understood that these works are now complete.

3.2.1 Operational Environmental Management Plan

The OEMP was updated in October 2021 to incorporate the recommendations made in the 2021 IEA report. The OEMP was submitted to DPHI in November 2021 however Cleanaway reported that it then transitioned from SUEZ to Cleanaway and was unaware if the OEMP was approved by DPHI.

The OEMP provides management strategies for surface water, leachate, landfill gas, odour, dust, litter, noise, pest, vermin and weeds, traffic and groundwater.

The OEMP lists the following plans as appendices:

- Soil and Water Management Plan and Monitoring Program
- Weed Management Plan
- Air Quality and Odour Management Plan (Condition C11)
- Groundwater Management Plan (Condition C35)
- Emergency Response Plan (Condition C63)

The Mill Creek Stream Rehabilitation, Stabilisation and Vegetation Management Plan and Aquatic Habitat Monitoring Plan have been prepared and are available on the Cleanaway website but have not been listed as appendices to the OEMP.

The OEMP is a SUEZ document and reflects SUEZ's systems, processes and company structure.

The following recommendations have been made relating to the OEMP:

2024 IEA REC 12: Update the OEMP to incorporate the measures identified in the MOD 2 Modification Assessment and to remove activities and references related to the ARRT and submit to DPHI for approval

2024 IEA REC 13: Update the OEMP to remove references to SUEZ and to reflect Cleanaway's management system, structure, key roles and responsibilities, internal audit and review processes and complaint and incident management and reporting

2024 IEA REC 14: Undertake a thorough and detailed review of the OEMP to improve its readability, including consolidating sections to remove duplication. For example, complaint management is discussed in Section 6.5.2 and Section 7.14, incident reporting is discussed in Section 5 (EPA reporting) and Section 6.4 (DPHI reporting), staffing is discussed in Section 4 and Section 7.10

2024 IEA REC 15: Update the OEMP to discuss the consultation undertaken in preparation of the OEMP as required by Condition D4. Consider including evidence of this consultation as an appendix to the OEMP

2024 IEA REC 16: Update Noise section of OEMP to reflect MOD 2 including adding noise limits and monitoring location for new receiver R8, The Ridgeway, and updated landfill operation hours

3.2.2 Air Quality and Odour Management Plan

The AQOMP was last updated in September 2021 and is considered to adequately address the requirements of Condition C11.

The following recommendations have been made relating to the AQOMP:

2024 IEA REC 17: Update the AQOMP in accordance with Condition 11A, including ensuring consultation with the EPA, and submit to DPHI

2024 IEA REC 18: Update the AQOMP to remove references to SUEZ and to ensure roles and responsibilities align with Cleanaway staff

2024 IEA REC 19: Update the AQOMP to reference all of the EPL conditions that are relevant to odour including: EPL Condition U1.1 which relates to implementing and maintaining the measures to reduce risk of odours outlined in the PRP review report; and Condition E5 which requires that gas field infrastructure is installed and maintained to minimise the emission of odours

2024 IEA REC 20: Consider including additional discussion of landfill gas management and references to the landfill gas monitoring program

2024 IEA REC 21: Update Section 9 (table 7) of the AQOMP to make it clear that the 4 g/m²/month depositional dust criteria is an annual average. Similarly, the 90 µg/m³ Total Suspended Particulate (TSP) criteria is also an annual average. Reporting in the AEMR should reflect this understanding

2024 IEA REC 22: Update the AQOMP to discuss the change in location of Dust Gauge 1 and to show the location of the new gauge

2024 IEA REC 23: Investigate the cause of the frequent TSP monitor outages to ensure continuous monitoring of TSP is undertaken as per the AQOMP

3.2.3 Groundwater Management Plan

The GMP was prepared by Douglas Partners and has not been revised since January 2018. The previous IEA noted that there was a disagreement between Cleanaway and DPI Water (now DEECCW) over whether a licence is required for groundwater extraction. Cleanaway reported that this issue had not been resolved.

The recommendations from the GMP review in the previous IEA have not been addressed and are still considered relevant.

2024 IEA REC 24: Resolve issue over requirement for a Water Access Licence and obtain DPHI approval of GMP

2024 IEA REC 25: Update Section 1.1 to include reference to where in the GMP each requirement has been addressed. In addition, include reference to Condition D8 which includes a number of triggers for updating the strategies, plans and programs required under SSD 6835

The GMP requires a major update to reflect changes that have occurred since 2018. This includes changes to the Development Consent and EPL and also changes to activities on site

The following recommendations have been made relating to the GMP:

2024 IEA REC 26: Update the GMP to reflect approved works including the GO Facility and removal of ARRT facility and to reference the modified Consent and most up to date EPL, noting the changes to Condition C36 for additional monitoring

2024 IEA REC 27: Update the GMP to include EPL and AEMR reporting requirements

Section 6 of the GMP includes the adopted groundwater investigation trigger levels for the groundwater monitoring program. It states that an exceedance of the trigger level will trigger further investigation and also recommended that Mann-Kendall Trend Analysis be conducted on an annual basis to determine if there are statistically significant trends at the sampling points. This analysis was not being undertaken and discussion in the AEMR was limited to ammonia. The following recommendation relates to implementation of the GMP:

2024 IEA REC 28: Undertake a more detailed interpretation and analysis of groundwater monitoring results against the groundwater trigger levels adopted in the GMP. Undertake Mann-Kendall Trend Analysis on an annual basis to determine if there are statistically significant trends at the monitoring points as outlined in the GMP and provide a discussion of this analysis in the AEMR

3.2.4 Aquatic Habitat Monitoring Plan

The AHMP was prepared in April 2021 by a senior aquatic ecologist from GHD and is considered to adequately address the requirements of Condition C33.

The following recommendation is made relating to the AHMP:

2024 IEA REC 29: Update the AHMP to reflect MOD 2 and remove discussion of the ARRT Facility

The AHMP requires biannual monitoring in spring and autumn with the first event occurring prior to the construction of the new GO Facility to allow for the collection of baseline data at new monitoring site MC0 (Mill Creek downstream of proposed GO Facility). The first biannual monitoring event was undertaken in Spring 2023 which was after the commencement of construction of the new GO Facility in January 2023.

Cleanaway reported that this was because the construction activities undertaken (vegetation clearing and bulk earthworks) did not impact Mill Creek and that the works associated with the Mill Creek crossing and initial realignment would not commence until September 2024. The auditor considers that the bulk excavation works could impact Mill Creek and notes observations of erosion at creek crossings used for construction.

2024 IEA REC 30: Consult with the GHD aquatic ecologist on whether not commencing the monitoring prior to construction has had a significant effect on the baseline data and whether any changes are required to the aquatic habitat monitoring program to account for this such as additional monitoring

3.2.5 Mill Creek Stream Rehabilitation, Stabilisation and Vegetation Management Plan

The Mill Creek Stream Rehabilitation, Stabilisation and Vegetation Management Plan was prepared in April 2021 by a senior water resources engineer from GHD and is considered to adequately address the requirements of Condition C34.

The following recommendation is made relating to the AHMP:

2024 IEA REC 31: Update the Mill Creek Stream Rehabilitation, Stabilisation and Vegetation Management Plan to reflect MOD 2 and remove discussion of the ARRT Facility

3.2.6 Soil and Water Management Plan and Monitoring Program

The Soil and Water Management Plan was last updated in October 2021. The plan is not required by a specific Consent Condition but forms an Appendix to the OEMP to describe the way in which surface water is managed at the LHRRP.

The surface water monitoring program is limited to what is required by the EPL during discharge and does not include broader monitoring to identify impacts on Mill Creek and assess whether the LHRRP is causing pollution of waters.

The following recommendations are made relating to the Soil and Water Management and Monitoring Plan:

2024 IEA REC 32: Update the Soil and Water Management and Monitoring Plan to reflect current site conditions, controls and operating practices

2024 IEA REC 33: Revise the Soil and Water Management and Monitoring Plan to include performance indicators for Mill Creek and broaden the water quality monitoring program so that impacts to Mill Creek can be measured. This should consider additional monitoring locations along Mill Creek, additional analytes including metals and additional frequency, for example when there is rain but no discharge from site

2024 IEA REC 34: Update Figure 0.2 of the Soil and Water Management and Monitoring Plan 'Indicative locations of monitoring points'(26/09/2017) with a better plan showing the actual monitoring locations

2024 IEA REC 35: Include a detailed plan within the Soil and Water Management and Monitoring Plan showing the drainage lines and defining the type and location of controls to mitigate impacts to Mille Creek

2024 IEA REC 36: Update the Reporting and Review section of the Soil and Water Management and Monitoring Plan to include AEMR reporting requirements. The AEMR should include details of the overflow and discharge events that occurred during the year and the rainfall that was received prior to these events as well as a discussion of the measures that were taken to avoid and minimise water pollution

3.2.7 CEMP for the GO Facility

The GO Facility CEMP was prepared in April 2021 and submitted to DPHI. DPHI requested additional information and it was revised and approved by DPHI in June 2021. The latest plan is dated July 2021.

The GO Facility CEMP covers the construction activities associated with the GO Facility which includes construction of the new western GO Facility and relocation works within the existing eastern GO Facility. The GO Facility CEMP outlines the management measures for waste, noise, visual amenity, dust, groundwater, contamination, hazards and risks, fire prevention, heritage and socio-economic impacts.

The GO Facility CEMP includes the following plans as appendices:

- CEMP for Dual Gas and Leachate Trench Construction Works (C23)
- Erosion and Sediment Control Plan
- Vegetation Management Plan (Condition C43)
- Construction Traffic Management Plan (Condition C48)

The following recommendations have been made relating to the GO Facility CEMP

2024 IEA REC 37: Update the GO Facility CEMP to remove references to SUEZ and reflect Cleanaway's management system, including roles and responsibilities and references, training, project website, and complaint and incident management and reporting

2024 IEA REC 38: Update the GO Facility CEMP to reflect MOD 2 and remove discussion of the ARRT Facility

2024 IEA REC 39: Include a revision history / document control box within the GO Facility CEMP

3.2.8 Vegetation and Fauna Management Plan

The VFMP for the GO Facility was prepared in April 2021 by senior ecologists from GHD and is considered to adequately address the requirements of Condition C43.

The following recommendation is made relating to the VFMP:

2024 IEA REC 40: Update the VFMP to reflect MOD 2 and remove discussion of the ARRT Facility

3.2.9 Erosion and Sediment Control Plan

The Erosion and Sediment Control Plan was prepared by in April 2021 by GHD. It is based on general principals and procedures outlined in the Blue Book Volume 1 (Landcom, 2004). The plan outlines the erosion and sediment control strategy for two phases of surface drainage, the initial 'outwards draining' phase based on the existing surface at the GO Facility site and then the 'inwards drainage' phase as construction works commence. Erosion and Sediment Control Plans (drawings showing surface water management) are included for each phase.

At the time of the audit site inspection, stage 1 of the excavation works for the GO Facility footprint had been completed and the site was draining inwards.

Based on a high level review the Erosion and Sediment Control Plan was considered adequate. The following recommendation is made:

2024 IEA REC 41: Update the Erosion and Sediment Control Plan to reflect MOD 2 and remove discussion of the ARRT Facility

3.2.10 Construction Traffic Management Plan

The CTMP for the GO Facility was revised in July 2021 and approved by DPHI in October 2021. In general, the CTMP is considered to adequately address the requirements of Condition C48, however requirement (g) to detail procedures for notifying residents and the community of any potential disruption to routes has not been addressed.

2024 IEA REC 42: Update the CTMP to include procedures for notifying residents and the community of any potential disruptions to routes

2024 IEA REC 43: Update the CTMP to reflect MOD 2 and remove discussion of the ARRT Facility

3.3 Compliance with Conditions of Consent

The compliance assessment against Condition of Consent is presented in **Appendix A**.

Comments are provided next to each condition to explain evidence sighted relevant to each condition. Where considered relevant, observations have been made regarding specific compliance issues.

Conditions assessed as non-compliant are summarised in Table 11. The table includes a discussion of the compliance status and recommendations for improvement where appropriate.

Table 11 Development Consent SSD 6835 Conditions assessed as non-compliant

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status
B6	<p>The Applicant shall not receive more than:</p> <p>(a) 970,000 850,000 tonnes of general solid waste (putrescible and non-putrescible) and asbestos waste per calendar year on site for landfill disposal;</p> <p>(b) 10,000 tonnes of recyclable general solid waste (non-putrescible) and batteries per calendar year on site at the Resource Recovery Centre and waste collection point;</p> <p>(c) 100,000 80,000 tonnes of garden and wood waste and 2,000 tonnes of manure per calendar year at the GO Facility;</p> <p>(d) 200,000 tonnes of general solid waste (putrescible and non-putrescible) per year including 10,000 tonnes of biosolids at the ARRT Facility; and</p> <p>(d) the quantity of waste required to meet the final landform profile described in the EIS.</p>	<ul style="list-style-type: none"> 2023 AEMR Section 88 reports for Jan-Dec 2023 Various correspondence between Cleanaway and DPHI relating to this exceedance 	<p>Cleanaway exceeded the limit of general solid waste permitted to be received on site (850,000 tonnes) in 2021 and 2022.</p> <p>Following the 2021 exceedance, DPHI issued Cleanaway with a Warning Letter for failing to comply with Condition B6.</p> <p>Following the 2022 exceedance, DPHI issued Cleanaway with two Warning Letters for failing to comply with Condition B6 and a number of Notices to Furnish Information and Records to investigate the exceedance. This is discussed in further detail in Section 3.1.</p> <p>MOD 2 was approved on 23/11/2023 and increased the limit of general solid waste permitted to be received on site to 970,000 tonnes per calendar year.</p> <p>Cleanaway records the waste type and mass received at the site via its weighbridge using the Mandalay software. It reports monthly waste data to the EPA through Section 88 reports and provides Council with an annual summary. Cleanaway reported that it uses the Council report to track the cumulative total each month in order to manage annual limits.</p> <p>The following waste volumes were reported for 2023 in the AEMR:</p> <ul style="list-style-type: none"> 956,740 tonnes of general solid waste 422 tonnes of recyclable waste 42,935 tonnes of garden and wood waste <p>The AEMR did not separate out the tonnage of manure received at the existing GO Facility. Cleanaway reported that it has not received manure at the site for a few years.</p> <p>The auditor checked these volumes with the monthly data used to populate the Section 88 reports and found them to generally align.</p> <p>This condition has been assessed as non-compliant on the basis of the exceedance of former general solid waste limits in 2021 and 2022. As compliance with the increased limit was achieved in 2023, no recommendations have been made.</p>	Non-compliant
C8	<p>The Applicant must ensure the Development does not cause or permit the emission of any offensive odour, as defined in the POEO Act.</p>	<ul style="list-style-type: none"> Audit site inspection Interviews with site personnel Examples of completed Odour Patrol Checklist Daily Sheets Odour Patrol Checklist spreadsheet, June 2019 to present (31/05/2024) Pollution Reduction Program Review Report, Northstar Air Quality, June 2020 LHRRP (LH2) Landfill Gas Monitoring Program, GHD, March 2020 	<p>Cleanaway undertook the following measures to mitigate odour from the LHRRP during the audit period:</p> <ul style="list-style-type: none"> The active tip face was covered with a combination of tarps and daily cover at the end of each day An odour unit and fencing was installed at the active tip face at Area F and another at the GO Facility receivals area. Portable odour units were being used as required Leachate dams were aerated for 8-10 hours per day (on a timer) Weather conditions were monitored when potentially odorous works were being undertaken Odour patrols were undertaken by the Environmental Technician in the mornings in and around the site to identify potential odour using an Odour Patrol Checklist. The Odour Patrol Checklist records the date, start time, end time, wind direction, wind speed, and whether any odour detected is organic, landfill, gas or leachate, as well as an assessment of the strength (1-5). The checklist includes room for a comment which was observed to also include comments on litter or other issues observed during the odour patrol. This information is then transcribed into the Odour Patrol Checklist spreadsheet as a cumulative record of odour patrols undertaken. A new Environmental Technician started at Cleanaway in May 2023. The Odour Patrol Checklist spreadsheet indicated a gap in odour patrols between October 2022 and May 2023 during this changeover in personnel. Cleanaway reported that during this time, odour patrols were conducted by the Operations Supervisor, however no official records were made Gas collection and extraction was continuing. EDL, the operators of the gas infrastructure undertake inspections and identify areas that require additional wells or additional clay cover <p>A total of 57 complaints were received relating to odour during the audit period:</p> <ul style="list-style-type: none"> 2021 – 18 odour complaints 2022 – 25 odour complaints 2023 – 9 odour complaints 2024 – 5 odour complaints to date 	Non-compliant

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status
			<p>This was a significant reduction from the previous audit period where 96 complaints were received. The VPA Complaint Reporting Requirements trigger for an internal technical audit (15 or more complaints received within any calendar month) was not triggered during the audit period. The highest cluster of complaints was received in April 2022 where 10 complaints were received during the month, six of those on the 20 and 21 April 2022. Cleanaway reported that the cluster was likely due to unfavourable wind conditions and temperature inversions. As per the VPA Complaint Reporting Requirements outlined in the AQOMP, the SSC was notified and a summary of the complaints provided.</p> <p>The POEO Act defines offensive odour as an odour that interferes unreasonably with the comfort or repose of a person who is outside the premises from which it is emitted (Dictionary (a) ii)). As 57 complaints were received relating to odour, it is considered likely that odour would have interfered with the comfort of the complainants during the audit period. On this basis, this condition is considered non-compliant. However, the following is noted and no recommendations are made:</p> <ul style="list-style-type: none"> Cleanaway has processes in place to identify and manage odours, including investigating complaints and implementing continual improvement controls The frequency of odour complaints has reduced significantly compared to the previous audit period During the site inspection, odours were not considered to be particularly offensive <p>Refer also to discussion of odour management in Section 3.1.</p>	
C11A	<p>The Applicant must update the Site Air Quality and Odour Management Plan required by Condition C11 of this consent to include the Modification Assessments. The updated plan must:</p> <p>(a) be prepared by a suitably qualified and experienced person in consultation with the EPA;</p> <p>(b) be submitted to the Planning Secretary within six months of the determination of SSD 6835 MOD-1 MOD-2;</p> <p>(c) detail additional mitigation measures which will be employed to prevent future odour emissions at the site; and</p> <p>(d) address the requirements of Condition C11 of this consent.</p>	<ul style="list-style-type: none"> Air Quality and Odour Management Plan, Rev 3, 09/09/2021 Post approval Document Received email from DPHI dated 04/11/2021 Interviews with site personnel 	<p>The requirement to update the AQOMP following the determination of MOD 1 was not met at the time of the 2021 IEA and this condition was assessed as non-compliant. Following the 2021 IEA, Cleanaway updated the AQOMP (Rev 3, 09/09/2021) and submitted it to DPHI on the 04/11/2021. The updated plan was not provided to the EPA for consultation.</p> <p>Cleanaway reported that it was in the process of updating the AQOMP following the determination of MOD 2. At the time of the audit site inspection this had not been completed and therefore this condition is considered non-compliant.</p>	<p>Non-compliant</p> <p>2024 IEA REC 17: Update the AQOMP in accordance with Condition 11A, including ensuring consultation with the EPA, and submit to DPHI</p>
C30	<p>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.</p>	<ul style="list-style-type: none"> LH2 Surface Water Samples 2011 – present Weather Station Data 6 May 2021 – 10 May 2024 Complaints and Incidents Register 6 May 2021 – 10 May 2024 Regulatory Activity Register 6 May 2021 – 10 May 2024 2021, 2022 & 2023 AEMRs 2021, 2022 & 2023 Annual Returns Soil and Water Management Plan and Monitoring Program (SWMP), Rev 3, 26/10/2021 (Appendix B to OEMP) 	<p><u>Discharges and monitoring results</u></p> <p>EPL 5065 includes the following discharge points:</p> <ul style="list-style-type: none"> EPA Point 20 – pumped discharge from Sediment Dam 5 EPA Point 21 – pumped discharge from stormwater treatment plant EPA Point 22 – overflow from Sediment Dam 5 EPA Point 1 – discharge point at Mill Creek (MC1) <p>Concentration limits are specified for Point 20, 21 and 22 for nitrogen (ammonia) and TSS. Concentration limits for Point 1 include conductivity, dissolved oxygen, pH, Phenol, nitrogen (ammonia) and TSS. Monitoring is required to be undertaken within 24 hours of discharge at Point 1 and Point 22 and weekly during discharge at Point 20 and Point 21.</p> <p>Condition L2.5 of the EPL states that the licensee is not taken to have breached the licence TSS limits for Point 1 and Point 22 if the overflow is caused by a rainfall event and the licensee has taken all practical measures to avoid and minimise water pollution. The EPL also includes conditions for the management of surface waters including maintaining 10 ML of freeboard in the sediment dam and re-establishing the 10 ML capacity settling zone within 5 days of a 2 day 90th percentile rainfall event of 34.8mm or more.</p> <p>A review of the monitoring data and rainfall data from the weather station for the audit period by the auditor indicated the following:</p> <ul style="list-style-type: none"> EPA Point 1 was sampled 39 times (indicating there were 39 discharge events). Nineteen (19) exceedances of the 50 mg/L TSS limit were recorded (ranging from 62-1,500 mg/L). All of the exceedances followed rainfall events (noting that there were two discharge events where this could not be confirmed as weather station data was not available). The majority of the rainfall events exceeded the design capacity of the sediment basin (2-day rain event of 34.8 mm). Two of the exceedances were after smaller rain events. 	<p>Non-compliant</p> <p>2024 IEA REC 05: Ensure all incidents and exceedances of concentration limits are recorded in Cleanaway's incident management system so that they are appropriately investigated and a record is retained.</p> <p>2024 IEA REC 09: Conduct a review by an expert of Erosion and Sediment Control and Management at the site and implement additional controls to improve water quality in water discharging from the site such as to Mill Creek and the clean water drain to the north of the landfill area.</p> <p>2024 IEA REC 10: Implement additional erosion and sediment controls at the western GO Facility area, near the access road across Mill Creek to prevent sediment from entering Mill Creek</p>

		<ul style="list-style-type: none"> • Three exceedances of the 2.5 mg/L ammonia limit were recorded at EPA Point 1. Two of these were reported in the 2022 Annual Return submitted to the EPA and in the 2022 AEMR. The explanation provided in the Annual Return for the exceedance recorded on 27/03/2022 was that the bund at the organics pad was damaged during heavy rainfall, resulting in stormwater from the organics pad reaching Mill Creek. The explanation provided for the exceedance recorded on 8/04/2022 was that during heavy rainfall, the drains controlling surface run-off at the tip face were damaged and contaminated water reached Sediment Dam 5 and Mill Creek. • The exceedance recorded on the 7/03/2022 was not reported in the Annual Return or the AEMR. None of the events that resulted in these exceedances were recorded as incidents in the Complaints and Incidents Register. • Two exceedances of the dissolved oxygen limit of >6 mg/L were recorded at EPA Point 1 in 2022. These were not reported in the Annual Return, AEMR or recorded in the Complaints and Incident Register. • EPA Point 22 was sampled 12 times (indicating there were 12 discharge events from Sediment Dam 5). Eleven (11) exceedances of the 50 mg/L TSS limit were recorded (ranging from 106-1,830 mg/L). All of the exceedances followed rainfall events (noting that there was one discharge event where this could not be confirmed as weather station data was not available). All but one of the rainfall events exceeded the design capacity of the sediment basin (2-day rain event of 34.8 mm). • One exceedance of the 2.5 mg/L ammonia limit was recorded at EPA Point 22 on the 08/04/2022. This was caused by the failure in the drains at the tip face described above for the exceedance at EPA Point 1. • EPA Point 21 was sampled 38 times (indicating a minimum of 38 discharges from the stormwater treatment plant). All but one discharge was below the 50 mg/L TSS limit. An exceedance was recorded on the 14/01/2022 (63 mg/L) and attributed to insufficient coagulant use. In response it was reported that the coagulant dosing pump was adjusted to increase the input of coagulant into the treatment system. This exceedance was reported in the 2022 Annual Return and 2022 AEMR but was not recorded in the Complaints and Incident Register. • There were no pumped discharges directly from Sediment Dam 5 and therefore EPA Point 20 was not monitored during the audit period. • Mill Creek 3 (MC3) is located downstream of the LHRRP (where the northerly extension of Little Forest Road crosses Mill Creek). The Soil and Water Management Plan and Monitoring Program (SWMP) states that additional surface water monitoring may be undertaken at MC3, as well as at the PCYC Dam and Sediment Dam 1 (western sediment and water reuse basin). It is noted there is no licence requirement to monitor at these locations. Ten (10) rounds of monitoring were undertaken at MC3, the last one recorded on the 4/07/2022. Ammonia levels were low (below 2.5 mg/L) in all samples. TSS was monitored only once on the 04/07/2022 by the lab and recorded a level of 114 mg/L. The other samples had the turbidity measured using a probe in the field and recorded levels ranging from 50-230 NTU. <p><u>Incidents</u></p> <p>A review of the Complaints and Incident Register, Regulator Activity Register, Annual Returns, AEMRs and correspondence to the EPA and DPHI identified the following incidents with the potential to pollute waters:</p> <ul style="list-style-type: none"> • 19/03/2022, Sediment Dam 5 went into overflow. On the 21/03/2022, leachate was found in the stormwater drain leading to Sediment Dam 5. Cleanaway reported that it engaged pumps at MC1 (EPA Point 1) and Sediment Dam 5 to pump the contaminated water in Sediment Dam 5 into the leachate collection system. • The source of the contamination was identified as seepages from the waste batter in Area G. The seepages were diverted into the nearby leachate cut-off trench to enter the leachate management system. This incident was reported to the EPA and DPHI. It was reported that no further action / correspondence was received from the EPA following provision of the written report. • It is noted that monitoring was undertaken on the 21/03/2022 which identified that ammonia levels were below the EPL limit of 2.5 mg/L for EPA Point 1. However, the sediment dam began discharging on the 19/03/2022 and a sample was not taken within 24 hours of discharge as required by the EPL. • It is also noted that 24.4mm of rainfall was recorded by the weather station in the 48 hours up to 9am on the 19/03/2022. Sediment Dam 5 was designed to retain the 90th percentile 2-day rain event (34.8mm). It is expected that the sediment dam would not have overflowed in this event if the required 10ML of freeboard was maintained. 	<p>2024 IEA REC 11: Reinstate periodic (rainfall based) surface water monitoring at locations along Mill Creek upstream and downstream of the LHRRP to better understand the performance of the Landfill in managing their impacts on the Creek. Consider aligning these with the monitoring locations chosen for the Aquatic Habitat monitoring</p> <p>2024 IEA REC 44: Ensure all exceedances are appropriately reported in the Annual Returns to the EPA and in the AEMRs.</p>
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Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status
			<ul style="list-style-type: none"> 19/03/2022 (approximately), overflow of GO Facility leachate pond occurred. Details of the incident were not available. It was not recorded in Cleanaway's incident management system and was not reported to the EPA or DPHI. 27/03/2022, during heavy rainfall the bund at the organics pad was damaged causing stormwater that had been in contact with organics to enter the stormwater system and Mill Creek. Runoff from the organics pad is typically collected and treated as leachate. This incident was not recorded in Cleanaway's incident management system. The ammonia exceedance caused by this incident was reported to the EPA in the 2022 Annual Return (as discussed above). Cleanaway reported in the Annual Return, that immediate actions were taken to reinstate the bund and to transport potentially contaminated stormwater offsite to the Cleanaway Homebush facility for treatment. 8/04/2022, during heavy rainfall the drains controlling surface run-off at the tip face were damaged causing stormwater that had been in contact with the tip face to enter the stormwater system and Mill Creek. Runoff from the tip face is typically collected and treated as leachate. This incident was not recorded in Cleanaway's incident management system. The ammonia exceedance caused by this incident was reported to the EPA in the 2022 Annual Return (as discussed above). Cleanaway reported in the Annual Return, that immediate actions were taken to reinstate the drains and direct all potentially contaminated surface run-off from the tip face to the leachate dam for treatment. Additional drains were also reported to have been installed to prevent this from re-occurring. <p><u>Site inspection observations</u></p> <p>On the first day of the audit site inspection (8/05/2024) the site was experiencing heavy rainfall, with 43.4 mm of rain recorded in the 24 hours up to 9am on the 06/05/2024. Sediment Dam 5 had been overflowing to MC1 since Sunday night (05/05/2024). The Stormwater Treatment Plant had started operating on Monday morning (6/05/2024) and was operating during the site inspections on the 8/05/2024 and 10/05/2024. Rain had eased by the second day of the audit inspection on 10/05/2024.</p> <p>Stormwater controls had been installed leading to Sediment Dam 5 as part of the Final Cap and Stormwater Design. This included a newly constructed drain, rock channel, and excavated flat channel. The excavated flat channel receives surface runoff from the drain and from Sediment Dam 5 and overflows to Mill Creek discharge point (MC1). This represents the Initial works of the flow diversion structure into Sediment Dam 5. During this phase (before the catchment is revegetated), the channel flows southward into Sediment Dam 5 when the dam is empty and northwards towards Mill Creek when Sediment Dam 5 is full and overtopping.</p> <p>Permanent drainage structures had also been installed in Area G including contour drains and gabion channels.</p> <p>Areas A, B, E and D had been final capped and grass established and were no longer sources of sediment.</p> <p>Temporary erosion and sediment controls were observed in Area G which had been recently capped and seeded. This included sediment fences and hay bales to slow down flow until the grass establishes.</p> <p>Stage 1 of the excavation works for the western GO Facility footprint had been completed and the site was draining inwards and being utilised as a sediment basin.</p> <p>Observations made in respect of water management during the audit site inspections during and following heavy rain events included:</p> <ul style="list-style-type: none"> High volumes of turbid flow over topping the dam wall at the main sediment dam Turbid water in the clean water diversion drain discharging into the main sediment dam and immediately over topping the dam Turbid water in Mill Creek along its length, with varying inputs from the landfill Sedimentation at Mill Creek near drainage points from the capped areas of the landfill Evidence of erosion at the road crossings of Mill Creek Evidence of erosion and sedimentation along the access road around the base of the landfill to the western GO Facility Some minor scouring of areas of capping 	

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status															
			<p><u>Summary</u></p> <p>Some exceedances of the concentration limits of pollutants specified by EPL 5065 were recorded during the audit period. Exceedances of the TSS limits at Point 1 and Point 22 were not considered breaches of the EPL, as in each instance the overflow was caused by a rainfall event (as per EPL Condition L2.5). However, three exceedances of ammonia limits were recorded, which are considered breaches of the EPL. Two of these exceedances were caused by incidents where leachate entered the stormwater system and Mill Creek. The cause of the third ammonia exceedance is unknown as it was not reported. A further incident where leachate seepages from the waste batter in Area G entered Sediment Dam 5 (which was overflowing into Mill Creek at the time) was recorded on the 19-21 /03/2022 and reported to the EPA and DPHI. At around this time, it was reported that the GO facility leachate pond also overflowed resulting in leachate entering the stormwater system. This was not recorded in Cleanaway's incident management system or included in the incident reports provided to the EPA and DPHI regarding the leachate seepages from Area G.</p> <p>On the basis of the exceedances of the pollutant concentration limits specified in the EPL for ammonia caused by incidents where leachate entered the stormwater system and Mill Creek, as well as TSS contribution from site, this condition has been assessed as non-compliant.</p>																
C45	<p>The Applicant must purchase and retire the ecosystem and species credits listed in Table 1, in accordance with EHG's <i>Frameworks for Biodiversity Assessment 2014</i> and the <i>NSW Biodiversity Offsets Policy for Major Projects 2014</i>, to the satisfaction of the Planning Secretary. The credits must be purchased and retired prior to construction of the relevant facility listed in Table 1.</p> <p>TABLE 12: BIODIVERSITY OFFSET STRATEGY</p> <table border="1"> <thead> <tr> <th>Facility</th> <th>No. of Credits</th> <th>Offset Type</th> </tr> </thead> <tbody> <tr> <td rowspan="2">GO Facility</td> <td>185 ecosystem</td> <td>Red Bloodwood – Scribbly Gum Healthy woodland on sandstone plateaux</td> </tr> <tr> <td>97 species</td> <td>Eastern Pygmy-possum</td> </tr> <tr> <td rowspan="3">Former ARRT Facility</td> <td>143 ecosystem</td> <td>Red Bloodwood – Scribbly Gum Healthy woodland on sandstone plateaux</td> </tr> <tr> <td>88 species</td> <td>Eastern Pygmy-possum</td> </tr> <tr> <td>5154 species</td> <td><i>Allocasuarina diminuta subsp. Mimica</i></td> </tr> </tbody> </table> <p><i>Note: The areas referred to in Table 1 are shown on the figures in Appendix A.</i></p>	Facility	No. of Credits	Offset Type	GO Facility	185 ecosystem	Red Bloodwood – Scribbly Gum Healthy woodland on sandstone plateaux	97 species	Eastern Pygmy-possum	Former ARRT Facility	143 ecosystem	Red Bloodwood – Scribbly Gum Healthy woodland on sandstone plateaux	88 species	Eastern Pygmy-possum	5154 species	<i>Allocasuarina diminuta subsp. Mimica</i>	<ul style="list-style-type: none"> Letter to DPHI dated 30/11/2022 attaching BioBanking Credit Retirement Report 	<p>Cleanaway purchased and retired ecosystem and species credits for the western GO Facility prior to the commencement of construction of the western GO Facility in early 2023. Cleanaway stated that credits for the Former ARRT Facility will be purchased and retired prior to construction in that area.</p> <p>Cleanaway provided DPHI with a Credit Retirement Report by letter dated 30/11/2022. The report, which had an effective date of 4/11/2022, outlined that the following credits had been retired:</p> <ul style="list-style-type: none"> 134 ecosystem credits for Red Bloodwood – scribbly gum heathy woodland on sandstone plateaux of the Sydney Basin Bioregion (vegetation code HN566) 54 ecosystem credits for Smooth-barked Apple – Red Bloodwood – Sydney Peppermint heathy open forest on slopes of dry sandstone gullies of western and southern Sydney, Sydney Basis Bioregion (vegetation code HN586) 97 species credits for Eastern Pygmy-possum <p>Cleanaway reported that there was a shortage in the market for Red Bloodwood – scribbly gum heathy woodland credits and therefore credits for Smooth-barked Apple – Red Bloodwood – Sydney Peppermint heathy open forest were purchased and retired instead. This was not discussed with Environment and Heritage or with DPHI. The auditor is not an expert in biobanking, however on the basis that the biodiversity credits were not like-for like and the variation was not approved by the decision maker, this condition has been assessed as non-complaint.</p>	<p>Non-compliant</p> <p>2024 IEA REC 45: Seek retrospective approval from the decision maker that the alternative ecosystem credits purchased and retired meet the offset rules and satisfy the requirements of Condition C45.</p>
Facility	No. of Credits	Offset Type																	
GO Facility	185 ecosystem	Red Bloodwood – Scribbly Gum Healthy woodland on sandstone plateaux																	
	97 species	Eastern Pygmy-possum																	
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	88 species	Eastern Pygmy-possum																	
	5154 species	<i>Allocasuarina diminuta subsp. Mimica</i>																	
C46	<p>The Applicant must not commence construction of a facility listed in Table 1, until the Biodiversity Offset Strategy for that facility has been implemented, to the satisfaction of the Planning Secretary.</p>	<ul style="list-style-type: none"> Letter to DPHI dated 02/11/2022 re Report of Biodiversity Offset Strategy for GO Facility DPHI letter dated 30/11/2022 approving Biodiversity Offset Strategy 	<p>Cleanaway reported to DPHI by letter dated 02/11/2022 that it had implemented the Biodiversity Offset Strategy and secured the ecosystem credits and species credits outlined in Table 1 of C45. A copy of the Biobanking Register was attached which showed that Cleanaway was the owner of 134 ecosystem credits of vegetation code HN566 and 54 ecosystem credits of vegetation code H586 as well as 97 species credits for Eastern Pygmy-possum. The letter did not discuss that vegetation code HN586 was a different ecosystem to that outlined in the Table 1 of C45.</p> <p>DPHI approved the Biodiversity Offset Strategy by letter dated 30/11/2022. The letter specifically referenced the Biodiversity Offset Strategy dated 02/11/2022.</p> <p>The auditor considers that DPHI's approval was based on the Biodiversity Offset Strategy as outlined in the Cleanaway letter dated 02/11/2022 which stated that 185 ecosystem credits of Red Bloodwood -Scribbly Gum heathy woodland had been secured and that DPHI would have been unaware that a different ecosystem had been secured for 54 of the credits.</p> <p>On the basis that the approved Biodiversity Offset Strategy does not reflect the implemented Biodiversity Offset Strategy, this condition has been assessed as non-compliant.</p>	<p>Non-compliant</p> <p>2024 IEA REC 46: Seek retrospective approval from DPHI on the revised Biodiversity Offset Strategy.</p>															

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status																																											
C53	<p>The Applicant must comply with the hours detailed in Table 2, unless otherwise agreed in writing by the EPA or the Planning Secretary.</p> <p>TABLE 13: HOURS OF WORK</p> <table border="1"> <thead> <tr> <th>Facility</th> <th>Activity</th> <th>Day</th> <th>Time</th> </tr> </thead> <tbody> <tr> <td rowspan="5">Landfill</td> <td rowspan="2">Construction</td> <td>Mon-Fri</td> <td>7am-5pm</td> </tr> <tr> <td>Sat-Sun</td> <td>8am- 5pm</td> </tr> <tr> <td rowspan="3">Operation</td> <td>Mon-Fri</td> <td>5am-5pm</td> </tr> <tr> <td>Sat</td> <td>6am-5pm</td> </tr> <tr> <td>Sun</td> <td>8am-5pm</td> </tr> <tr> <td>Other operations¹</td> <td>Mon-Sun</td> <td>Anytime</td> </tr> <tr> <td rowspan="5">GO Facility</td> <td rowspan="2">Construction</td> <td>Mon-Fri</td> <td>7am-5pm</td> </tr> <tr> <td>Sat-Sun</td> <td>8am-5pm</td> </tr> <tr> <td rowspan="3">Operation</td> <td>Mon-Fri</td> <td>6am-5pm</td> </tr> <tr> <td>Sat-Sun</td> <td>8am-5pm</td> </tr> <tr> <td>Other operations²</td> <td>Mon-Sun</td> <td>Anytime</td> </tr> <tr> <td rowspan="3">ARRT Facility</td> <td rowspan="2">Construction</td> <td>Mon-Fri</td> <td>7am-5pm</td> </tr> <tr> <td>Sat-Sun</td> <td>8am-5pm</td> </tr> <tr> <td>Operation</td> <td>Mon-Sun</td> <td>Anytime</td> </tr> </tbody> </table> <p>Notes: 1 Other landfilling operations includes only security guard control, machinery maintenance and/or repairs, site infrastructure maintenance and/or repairs (landfill gas and leachate), and emergency management activities related to site safety, emergency repairs and site infrastructure repairs 2 Other GO operations includes only repair works, machinery maintenance and repairs, loading bunkers, final product preparation manufacture (but does not include shredding) and emergency management activities related to site safety, emergency repairs and site infrastructure repairs. Unloading bunkers tunnels is only permitted between the hours of operations listed under 'GO Facility - Operation' in Table 2.</p>	Facility	Activity	Day	Time	Landfill	Construction	Mon-Fri	7am-5pm	Sat-Sun	8am- 5pm	Operation	Mon-Fri	5am-5pm	Sat	6am-5pm	Sun	8am-5pm	Other operations ¹	Mon-Sun	Anytime	GO Facility	Construction	Mon-Fri	7am-5pm	Sat-Sun	8am-5pm	Operation	Mon-Fri	6am-5pm	Sat-Sun	8am-5pm	Other operations ²	Mon-Sun	Anytime	ARRT Facility	Construction	Mon-Fri	7am-5pm	Sat-Sun	8am-5pm	Operation	Mon-Sun	Anytime	<ul style="list-style-type: none"> Interviews with site personnel DPHI letter dated 03/03/2022 approving temporary extension of operating hours DPHI letter dated 18/03/2022 approving temporary extension of operating hours DPHI letter dated 11/05/2022 approving temporary extension of operating hours DPHI letter dated 25/05/2022 approving temporary extension of operating hours DPHI letter dated 27/07/2022 approving temporary extension of operating hours LHRRP Amendment to Landfill Operating Hours: Modification Report, GHD, 7/03/2023 Sample of Excel extracts of weighbridge data 25/04/2023, 14/05/2023, 16/07/2023, 03/08/2023, 06/09/2023, 13/11/2023, 21/11/2023 Statement of Work for GO Facility Bulk Earthworks, 01/06/2022 	<p>On 03/03/2022 temporary approval was granted by DPHI to extend operating hours from 4am-6pm weekdays, 5am-5pm Saturday and 6am-5pm Sunday. This was requested as the continued wet weather was impacting access to the tip face and resulting in considerable delays and restrictions on the number of loads able to be received daily. This approval was for a four-week period commencing 4/03/2022 until 01/04/2022.</p> <p>A further approval was requested and granted on 18/03/2022 to allow the Lucas Heights Landfill to accept waste 24 hours per day Mondays to Saturdays and between 6am to 5pm on Sundays. This was due to flooding of the rail line between Sydney and the Velia Woodlawn facility affecting that facilities ability to accept waste and increasing the demand for municipal waste disposal at the Lucas Heights landfill. This approval was for a four-week period commencing 18/03/2022 to 15/04/2022.</p> <p>Further extensions were granted in May and July extending the hours to 2am to 4pm weekdays, 5am to 4pm Saturdays and 6am to 4pm Sundays. On 30/09/2022 approval was received permitting operations from 3am to 5pm on weekdays, 5am to 4pm on Saturday and 6am to 4pm on Sunday. This temporary approval had an expiry date of 31/03/2023.</p> <p>Cleanaway began the process of seeking to permanently change its operating hours to 3am to 5pm weekdays, 5am to 4pm on Saturday and 6am to 4pm on Sunday through a modification of the development consent. A Modification Report was prepared by GHD and submitted to SSC in January 2023 for consultation as co-applicant. SSC provided feedback with regards to noise assessments for the site and considerations. The Modification Report was revised and resubmitted to SSC in March 2023. Cleanaway was hoping that the modification would be discussed and endorsed by SSC at their meeting in May 2023.</p> <p>The Modification Report was also submitted to DPHI and EPA on the 29/03/2023 and a request sought for an extension to the temporary approval of the extended hours whilst the formal process of lodging the modification progressed.</p> <p>The EPA responded by letter dated 11/04/2023 that it agreed to extend the temporary approval of the extended hours until the 10 June 2023.</p> <p>Cleanaway reported that SSC did not endorse the Modification application and therefore it was not officially submitted. Cleanaway continued to consult with SSC throughout 2023 and into 2024 and reported that it is still pursuing the Modification application.</p> <p>The auditor selected a sample of days and spot checked the weighbridge data for 'Time In' and 'Time Out'. The following was noted:</p> <ul style="list-style-type: none"> Tuesday 25/04/2023: earliest Time In: 3:01, latest Time Out: 15:48 Sunday 14/05/2023: earliest Time In: 8:01, latest Time Out: 15:41 Sunday 16/07/2023: earliest Time In: 8:01, latest Time Out: 16:11 Thursday 03/08/2023: earliest Time In: 3:01, latest Time Out: 16:02 Wednesday 06/09/2023: earliest Time In: 3:01, latest Time Out: 16:04 Monday 13/11/2023: earliest Time In: 3:00, latest Time Out: 16:02 Tuesday 21/11/2023: earliest Time In: 3:00, latest Time Out: 15:51 <p>Construction associated with the GO Facility commenced in 2023 and was undertaken by contractor Morris Civil. This included clearing and mulching of vegetation and excavation activities. It was reported that these activities were undertaken from 7am to 5pm. The Statement of Work between Cleanaway and Morris Civil for the GO Facility bulk earthworks dated 01/06/2022 was sighted and noted to include Development Consent SSD 6835, EPL 5065 and the GO Facility CEMP as attachments.</p> <p>Given that temporary approval of the extended operating hours lapsed on 10 June 2023 and Cleanaway continued to accept waste at 3am weekdays up until 11 June 2024, this condition has been assessed as non-compliant.</p>	<p>Non-compliant</p> <p>2024 IEA REC 47: Ensure that the operating hours specified by the Consent are adhered to</p>
Facility	Activity	Day	Time																																												
Landfill	Construction	Mon-Fri	7am-5pm																																												
		Sat-Sun	8am- 5pm																																												
	Operation	Mon-Fri	5am-5pm																																												
		Sat	6am-5pm																																												
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	Operation	Mon-Sun	Anytime																																												

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status
C56	<p>The Applicant must monitor noise from the site to demonstrate compliance with the noise limits in Table 3. The monitoring must be:</p> <p>(a) undertaken annually, or to address genuine noise complaints that are related to the site as determined by the EPA or the Planning Secretary;</p> <p>(b) in accordance with the <i>NSW Industrial Noise Policy</i>; and</p> <p>(c) reported to the EPA and the Planning Secretary within one month of completing the monitoring, including details of management actions taken and the effectiveness of the actions to address any exceedances of the limits in Table 3.</p>	<ul style="list-style-type: none"> Annual Noise Compliance Monitoring, RWDI, 20/12/2023 Annual Noise Compliance Monitoring, RWDI, 13/01/2023 Annual Compliance Noise Monitoring Report, RWDI, 07/02/2022 Post Mitigation Noise Testing of Cleanaway Leachate Plant, RWDI, 15/01/2024 Submission email to EPA, dated 14/02/2022 Submission email to EPA, dated 13/02/2023 Submission email to EPA, dated 30/01/2024 	<p>a) Annual noise compliance monitoring was undertaken by RWDI in 2021, 2022 and 2023.</p> <p>In addition, noise monitoring was undertaken on 12/12/2023 in response to a noise complaint received from a resident in Barden Ridge. This monitoring was initiated by Cleanaway and was not directed by the EPA or DPHI. This is discussed further in 3.1.</p> <p>b) The RWDI reports state in Section 1, that the assessments were conducted in accordance with the <i>NSW EPA Industrial Noise Policy</i>.</p> <p>c) The 2021 annual noise compliance monitoring was undertaken on 13/12/2021. The report dated 07/02/2022 was provided to the EPA on 14/02/2022. A summary of the results was provided in the 2021 AEMR however the report itself was not provided to DPHI.</p> <p>The 2022 annual noise compliance monitoring was undertaken on 19/12/2022. The report dated 13/01/2023 was provided to the EPA by email on 13/02/2023. A summary of the results was provided in the 2022 AEMR however the report itself was not provided to DPHI.</p> <p>The 2023 annual noise compliance monitoring was undertaken on 12/12/2023. The report dated 20/12/2023 was provided to the EPA by email on 30/01/2024. The report was included as an attachment to the 2023 AEMR which was submitted to DPHI on 29/02/2024.</p> <p>The monitoring undertaken on 12/12/2023 to address the noise complaint from the Barden Ridge resident was provided to the EPA on request by email on 30/01/2024. This monitoring and the outcomes were not discussed in the AEMR.</p> <p>The monitoring did not identify any exceedances with the limits of C54 and therefore management actions were not considered necessary, although it is noted that some mitigation measures were implemented in response to the Barden Ridge complaint.</p> <p>On the basis that the annual noise monitoring reports were not provided to DPHI in 2021 and 2022, this condition has been assessed as non-compliant. It is noted that the 2023 noise monitoring conducted in December was included within the 2023 AEMR submitted to DPHI in February, however technically this also does not meet the reporting timeframe.</p>	<p>Non-compliant</p> <p>2024 IEA REC 48: Ensure annual noise monitoring is provided to DPHI within one month of completing the monitoring</p>
D4	<p>The Applicant must amend the draft Operational Environmental Management Plan (OEMP) for the Landfill and GO and ARRT Facility, to the satisfaction of the Planning Secretary. The Plans must:</p> <p>(a) be prepared in consultation with Council and be approved by the Planning Secretary prior to operation of the Development;</p> <p>(b) identify the statutory approvals that apply to the site;</p> <p>(c) outline all environmental management practices and procedures to be followed during operation;</p> <p>(d) detail how the environmental performance of the Development will be monitored, and what actions will be taken to address identified adverse environmental impacts; and</p> <p>(e) include the management plans under Condition D5 of this consent.</p> <p>(f) incorporate the measures identified in the Modification Assessments in accordance with the timing specified in Condition D8(d)</p>	<ul style="list-style-type: none"> OEMP, Rev 4, 23/10/2021 DPHI Major Projects email 4/11/2021 confirming receipt of OEMP 	<p>The OEMP was updated in October 2021 following the 2021 IEA and submitted it to DPHI on 4/11/2021. Cleanaway reported that it then transitioned from SUEZ to Cleanaway and was unaware if the OEMP was approved by DPHI.</p> <p>a) Consultation with SSC during preparation of the OEMP is not discussed in the OEMP</p> <p>b) The statutory approvals that apply to the site are included in Section 1.7</p> <p>c) environmental management practices and procedures are discussed in Section 8</p> <p>d) monitoring requirements are discussed in Section 9. Environmental auditing and review is discussed in Section 6</p> <p>e) refer to Condition D5</p> <p>f) the measures from the Modification Assessment associated with MOD 2 have not been incorporated into this revision of the OEMP.</p> <p>The draft GO Facility OEMP will be amended prior to operation of the new GO Facility. The adequacy of the plan is discussed in Section 3.2.</p> <p>On the basis that the OEMP did not incorporate the measures identified in the MOD 2 Modification Assessment, this condition is considered non-compliant.</p>	<p>Non-compliant</p> <p>2024 IEA REC 12: Update the OEMP to incorporate the measures identified in the MOD 2 Modification Assessment and to remove activities and references related to the ARRT and submit to DPHI for approval</p>

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status
D6	<p>The Applicant must operate the Development in accordance with the OEMP's approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time), unless otherwise agreed by the Planning Secretary.</p>	<ul style="list-style-type: none"> Evidence sighted throughout this Compliance Table 	<p>The OEMP had not been updated to reflect Cleanaway's management structure, systems and procedures and therefore a number of aspects of the OEMP were not being implemented as described. This included roles and responsibilities, inspections, training, incident and complaint reporting, and internal audit procedures.</p> <p>Aspects of the OEMP that were being implemented include:</p> <ul style="list-style-type: none"> Monitoring was being undertaken, including surface water, groundwater, leachate, landfill gas, depositional dust, TSP, noise, meteorological, odour and litter The OEMP and AQOMP trigger for notifying SSC when 10 or more complaints are received within any calendar month was implemented in April 2022. AEMRs were prepared and submitted to DPHI on an annual basis The Community Reference Group (CRG) was established and met on a quarterly basis. Monitoring results were presented to the CRG. The Cleanaway website included the information required by Condition D15 including management plans, monitoring results, AEMRs, IEAs and the Complaints Register Complaints were recorded, however in Cleanaway's Complaint and Incident Register in the Cleanaway MYOSH Safety Management Software, rather than the SUEZ SIMS Safety Management Software Environmental inspections were carried out but not at the frequency outlined in the OEMP (Monthly inspections by the Environmental Technical Team rather than Weekly inspections by the Environmental Advisor) <p>The following aspects of the OEMP (and sub-plans) were not implemented:</p> <ul style="list-style-type: none"> Landfill operation hours had not been complied with. The LHRRP continued to operate from 3 am Monday to Friday after temporary approval for the extended hours had expired, refer Condition C53 Not all incidents were recorded in Cleanaway's incident management system, refer Condition D10 Biannual aquatic habitat monitoring did not commence prior to the commencement of construction of the GO Facility, refer Condition C32 Interpretation and trend analysis of groundwater monitoring results was not undertaken on an annual basis for analytes other than ammonia, refer Condition C36 <p>On the basis that the current SUEZ OEMP does not accurately reflect Cleanaway's management systems and procedures and on the aspects of the OEMP and sub plans not implemented as detailed above, this condition has been assessed as non-compliant.</p>	<p>Non-compliant</p> <p>2024 IEA REC 13: Update the OEMP to remove references to SUEZ and to reflect Cleanaway's management system, structure, key roles and responsibilities, internal audit and review processes and complaint and incident management and reporting</p> <p>Refer also to recommendations made under Conditions C53, D10, C32 and C36</p>
D8	<p>Within three months of:</p> <p>(a) an audit submitted under Condition D12;</p> <p>(b) an incident report under Conditions D10 and D11;</p> <p>(c) an annual review under Condition D9; and/or</p> <p>(d) a modification to this consent,</p> <p>the Applicant must review, and if necessary, revise the strategies, plans, and programs required under this consent to the satisfaction of the Planning Secretary.</p> <p><i>Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the site.</i></p>	<ul style="list-style-type: none"> Interviews with personnel OEMP, Rev 4, 23/10/2021 	<p>The OEMP was updated in October 2021 following the 2021 IEA.</p> <p>Cleanaway reported that it was in the process of updating the OEMP and sub plans following approval of MOD 2. Given MOD 2 was approved in November 2023 the three-month time frame specified by this Condition had not been met at the time of the audit (May 2024).</p> <p>It is also noted that the OEMP had not been reviewed following reportable incidents and annual reviews.</p> <p>On this basis, the Condition has been assessed as non-compliant.</p>	<p>Non-compliant</p> <p>2024 IEA REC 49 - Implement a process to ensure management plans are reviewed (and revised if necessary) following a reportable incident, Annual Review and/or Modification to the consent. Ensure the review process is documented, in particular where plans are reviewed but do not require revision.</p>

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status
D10	Upon detecting an exceedance of the limits/performance criteria in this consent or the occurrence of an incident that causes (or may cause) material harm to the environment, the Applicant must immediately (or as soon as practical thereafter) notify the Planning Secretary and any other relevant agencies of the exceedance/incident.	<ul style="list-style-type: none"> • Letters to DPHI dated 12/01/2022 and 24/01/2022 reporting exceedance of 2021 annual waste limit • Letter to DPHI dated 18/02/2022 providing detailed report of 2021 waste exceedance incident • Warning Letter issued by DPHI dated 24/02/2022 for failure to comply with Condition B6, D10 and D11 • Letter to DPHI dated 7/12/2022 reporting that it will exceed the 2022 annual waste limit. • Letter to DPHI dated 15/12/2022 providing written report of 2022 waste exceedance incident • Letter to DPHI dated 23/03/2022 reporting incident of sedimentation dam overflow with potential elevated ammonia concentration • Regulator Activity Register 6 May 2021-10 May 2024 • Complaints and Incident Register 6 May 2021 – 10 May 2024 • Multiple emails to EPA re fires and surface gas exceedances • EPA Annual Returns 2021, 2022, 2023 	<p>The following exceedances of limits and incidents were reported during the audit period:</p> <ul style="list-style-type: none"> • Exceedance of annual waste limit set by Condition B6 for 2021 calendar year. DPHI was notified on 12/01/2022 that Cleanaway had exceeded the 850,000 tonne general solid waste (putrescible and non-putrescible) and 10,000 tonne general solid waste (non-putrescible) at the end of 2021. • Exceedance of annual waste limit set by Condition B6 for 2022 calendar year. DPHI was notified on 7/12/2022 that it had received 892,878 tonnes of general solid waste (putrescible and non-putrescible) by the end of November 2022. • Leachate seepages from the waste batter in Area G was found on the 21/03/2022 to have entered the stormwater drain leading to the sedimentation dam which had been overflowing since 9am on the 19/03/2022. The incident was reported to the EPA on 21/03/2022 and to DPHI on 23/03/2022. <p>Cleanaway also reported nine fires to the EPA (as required by Condition R4.1 of its EPL) and six instances where surface gas monitoring detected methane levels above 500 parts per million (as required by Condition M8.1).</p> <p>In addition, a review of the EPA Annual Returns identified another two instances where leachate had entered the stormwater system and resulted in an exceedance of the ammonia limit at EPA Point 1. These were not recorded as incidents in Cleanaway's incident management system and were not reported to DPHI.</p> <p>Incidents and regulatory action are discussed further in Section 3.1.</p> <p>DPHI issued Cleanaway with a Warning Letter following the 2021 waste limit exceedance for failing to comply with Condition D10 and D11 to report the exceedance to DPHI. It is also noted that the incident involving contaminated water entering the stormwater drain and sediment basin, was not reported to DPHI immediately (or as soon as practical thereafter). On this basis, this Condition is considered non-compliant.</p>	<p>Non-compliant</p> <p>2024 IEA REC 06 Implement a process to ensure DPHI is notified immediately of any incident that causes (or may cause) material harm to the environment or any exceedance of limits or performance criteria in the Consent</p> <p>Refer also to recommendations relating to incident reporting under C30 and in Section 3.1.2</p>
D11	Within seven days of the date of the incident, the Applicant must provide the Planning Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.	<ul style="list-style-type: none"> • Letter to DPHI dated 18/02/2022 providing detailed report of 2021 waste exceedance incident • Warning Letter issued by DPHI dated 24/02/2022 for failure to comply with Condition B6, D10 and D11 re 2021 waste limit exceedance • Letter to DPHI dated 15/12/2022 providing written report of 2022 waste exceedance incident • Warning Letter issued by DPHI dated 22/12/2022 for failure to comply with Condition B6 re 2022 waste limit exceedance • Letter to DPHI dated 30/03/2022 providing written report for 21/03/2022 contaminated water incident 	<p>Following the 2021 annual waste limit exceedance, Cleanaway provided a detailed report to DPHI on 18/02/2021. DPHI issued Cleanaway with a Warning Letter for failing to comply with Condition D10 and D11 to report the exceedance to DPHI within seven days.</p> <p>The 2022 annual waste limit exceedance was originally reported on 7/12/2022 and a written report provided on 15/12/2022. Further information was provided (as requested) on the 20/12/2022.</p> <p>Following the incident involving contaminated water entering the stormwater system, Cleanaway provided a detailed report to DPHI on 30/03/2022. This was not within seven days of the date of the incident.</p> <p>On the basis that a Warning Letter was issued by DPHI for failure to comply with Condition D11 regarding the 2021 annual waste limit exceedance and considering that the detailed report for the contaminated water incident which occurred on the 21/03/2022 was not provided to DPHI within seven days, this condition has been assessed as non-compliant.</p>	<p>Non-compliant</p> <p>2024 IEA REC 50: Implement a process to ensure a detailed report is provided to DPHI within seven days of any reportable incident or exceedance</p>

4 SUMMARY OF RECOMMENDATIONS

A summary of the recommendations made as a result of the site inspection observations, environmental performance review, review of the adequacy of management plans and from the assessment of compliance with the Conditions of Consent is provided in Table 14. Opportunities for improvement (OFIs) are summarised in Table 15.

Table 14 Summary of IEA recommendations

Source	Recommendation
Site observations & Condition C58	2024 IEA REC 01: Develop and implement the annual weed control program for 2024
Site observations & Condition C37	2024 IEA REC 02: Review and assess the integrity the concrete bund containing the waste oil tank at the back of the public drop off area
Incident review	2024 IEA REC 03: Ensure that monitoring at EPA Point 1 is undertaken within 24 hours of discharge as required by EPL Condition M2.3
Incident review	2024 IEA REC 04: Include further details in incident reports to capture all aspects of the incident, such as sources of contamination and / or causes of the incident, to allow for effective identification of corrective and preventative measures
Incident review & Condition C30	2024 IEA REC 05: Ensure all incidents and exceedances of concentration limits are recorded in Cleanaway's incident management system so that they are appropriately investigated and a record is retained
Incident review & Condition D10	2024 IEA REC 06: Implement a process to ensure DPHI and any other relevant agencies are notified immediately of any incident that causes (or may cause) material harm to the environment or any exceedance of limits or performance criteria in the Consent.
Complaint review	2024 IEA REC 07: Implement checks to ensure that all complaints received are included in the complaints reporting presented in the AEMR, including multiple complaints received from the same complainant
Complaint review & Condition D9	2024 IEA REC 08: Include within the discussion of complaints in the AEMR, details of any actions taken as an outcome of complaints received
Surface water management performance & Condition C30	2024 IEA REC 09: Conduct a review by an expert of Erosion and Sediment Control and Management at the site and implement additional controls to improve water quality in water discharging from the site such as to Mill Creek and the clean water drain to the north of the landfill area
Surface water management performance & Condition C30	2024 IEA REC 10: Implement additional erosion and sediment controls at the western GO Facility area, near the access road across Mill Creek to prevent sediment from entering Mill Creek
Surface water management performance & Condition C30	2024 IEA REC 11: Reinstate periodic (rainfall based) surface water monitoring at locations along Mill Creek upstream and downstream of the LHRRP to better understand the performance of the Landfill in managing their impacts on the Creek. Consider aligning these with the monitoring locations chosen for the Aquatic Habitat monitoring
OEMP review & Condition D4	2024 IEA REC 12: Update the OEMP to incorporate the measures identified in the MOD 2 Modification Assessment and to remove activities and references related to the ARRT and submit to DPHI for approval
OEMP review & Condition D6	2024 IEA REC 13: Update the OEMP to remove references to SUEZ and to reflect Cleanaway's management system, structure, key roles and responsibilities, internal audit and review processes and complaint and incident management and reporting

Source	Recommendation
OEMP review	<p>2024 IEA REC 14: Undertake a thorough and detailed review of the OEMP to improve its readability, including consolidating sections to remove duplication. For example, complaint management is discussed in Section 6.5.2 and Section 7.14, incident reporting is discussed in Section 5 (EPA reporting) and Section 6.4 (DPHI reporting), staffing is discussed in Section 4 and Section 7.10</p> <p>2024 IEA REC 15: Update the OEMP to discuss the consultation undertaken in preparation of the OEMP as required by Condition D4. Consider including evidence of this consultation as an appendix to the OEMP</p> <p>2024 IEA REC 16: Update Noise section of OEMP to reflect MOD 2 including adding noise limits and monitoring location for new receiver R8, The Ridgeway, and updated landfill operation hours</p>
AQOMP review & Condition C11A	<p>2024 IEA REC 17: Update the AQOMP in accordance with Condition 11A, including ensuring consultation with the EPA, and submit to DPHI</p>
AQOMP review	<p>2024 IEA REC 18: Update the AQOMP to remove references to SUEZ and to ensure roles and responsibilities align with Cleanaway staff</p> <p>2024 IEA REC 19: Update the AQOMP to reference all of the EPL conditions that are relevant to odour including: EPL Condition U1.1 which relates to implementing and maintaining the measures to reduce risk of odours outlined in the PRP review report; and Condition E5 which requires that gas field infrastructure is installed and maintained to minimise the emission of odours</p> <p>2024 IEA REC 20: Consider including additional discussion of landfill gas management and references to the landfill gas monitoring program</p> <p>2024 IEA REC 21: Update Section 9 (table 7) of the AQOMP to make it clear that the 4 g/m²/month depositional dust criteria is an annual average. Similarly, the 90 µg/m³ Total Suspended Particulate (TSP) criteria is also an annual average. Reporting in the AEMR should reflect this understanding</p> <p>2024 IEA REC 22: Update the AQOMP to discuss the change in location of Dust Gauge 1 and to show the location of the new gauge</p>
AQOMP review & Condition C9	<p>2024 IEA REC 23: Investigate the cause of the frequent TSP monitor outages to ensure continuous monitoring of TSP is undertaken as per the AQOMP</p>
GMP review	<p>2024 IEA REC 24: Resolve issue over requirement for a Water Access Licence and obtain DPHI approval of GMP</p> <p>2024 IEA REC 25: Update Section 1.1 to include reference to where in the GMP each requirement has been addressed. In addition, include reference to Condition D8 which includes a number of triggers for updating the strategies, plans and programs required under SSD 6835</p> <p>2024 IEA REC 26: Update the GMP to reflect approved works including the GO Facility and removal of ARRT facility and to reference the modified Consent and most up to date EPL, noting the changes to Condition C36 for additional monitoring</p> <p>2024 IEA REC 27: Update the GMP to include EPL and AEMR reporting requirements</p>
GMP review & Condition C36	<p>2024 IEA REC 28: Undertake a more detailed interpretation and analysis of groundwater monitoring results against the groundwater trigger levels adopted in the GMP. Undertake Mann-Kendall Trend Analysis on an annual basis to determine if there are statistically significant trends at the monitoring points as outlined in the GMP and provide a discussion of this analysis in the AEMR</p>
AHMP review	<p>2024 IEA REC 29: Update the AHMP to reflect MOD 2 and remove discussion of the ARRT Facility</p>
AHMP review & Condition C33	<p>2024 IEA REC 30: Consult with the GHD aquatic ecologist on whether not commencing the monitoring prior to construction has had a significant effect on the baseline data and whether any changes are required to the aquatic habitat monitoring program to account for this such as additional monitoring</p>

Source	Recommendation
Mill Creek Stream Rehabilitation, Stabilisation and Vegetation Management Plan review	2024 IEA REC 31: Update the Mill Creek Stream Rehabilitation, Stabilisation and Vegetation Management Plan to reflect MOD 2 and remove discussion of the ARRT Facility
Soil and Water Management Plan and Monitoring Program review	<p>2024 IEA REC 32: Update the Soil and Water Management and Monitoring Plan to reflect current site conditions, controls and operating practices</p> <p>2024 IEA REC 33: Revise the Soil and Water Management and Monitoring Plan to include performance indicators for Mill Creek and broaden the water quality monitoring program so that impacts to Mill Creek can be measured. This should consider additional monitoring locations along Mill Creek, additional analytes including metals and additional frequency, for example when there is rain but no discharge from site</p> <p>2024 IEA REC 34: Update Figure 0.2 of the Soil and Water Management and Monitoring Plan 'Indicative locations of monitoring points'(26/09/2017) with a better plan showing the actual monitoring locations</p> <p>2024 IEA REC 35: Include a detailed plan within the Soil and Water Management and Monitoring Plan showing the drainage lines and defining the type and location of controls to mitigate impacts to Mille Creek</p> <p>2024 IEA REC 36: Update the Reporting and Review section of the Soil and Water Management and Monitoring Plan to include AEMR reporting requirements. The AEMR should include details of the overflow and discharge events that occurred during the year and the rainfall that was received prior to these events as well as a discussion of the measures that were taken to avoid and minimise water pollution</p>
GO Facility CEMP review	<p>2024 IEA REC 37: Update the GO Facility CEMP to remove references to SUEZ and reflect Cleanaway's management system, including roles and responsibilities and references, training, project website, and complaint and incident management and reporting</p> <p>2024 IEA REC 38: Update the GO Facility CEMP to reflect MOD 2 and remove discussion of the ARRT Facility</p> <p>2024 IEA REC 39: Include a revision history / document control box within the GO Facility CEMP</p>
VFMP review	2024 IEA REC 40: Update the VFMP to reflect MOD 2 and remove discussion of the ARRT Facility
Erosion and Sediment Control Plan review	2024 IEA REC 41: Update the Erosion and Sediment Control Plan to reflect MOD 2 and remove discussion of the ARRT Facility
CTMP review & Condition C48	2024 IEA REC 42: Update the CTMP to include procedures for notifying residents and the community of any potential disruptions to routes.
CTMP review	2024 IEA REC 43: Update the CTMP to reflect MOD 2 and remove discussion of the ARRT Facility
Condition C30	2024 IEA REC 44: Ensure all exceedances are appropriately reported in the Annual Returns to the EPA and in the AEMRs
Condition C45	2024 IEA REC 45: Seek retrospective approval from the decision maker that the alternative ecosystem credits purchased and retired meet the offset rules and satisfy the requirements of Condition C45
Condition C46	2024 IEA REC 46: Seek retrospective approval from DPHI on the revised Biodiversity Offset Strategy
Condition C53	2024 IEA REC 47: Ensure that the operating hours specified by the Consent are adhered to
Condition C56	2024 IEA REC 48: Ensure annual noise monitoring and monitoring undertaken to address noise complaints is provided to DPHI within one month of completing the monitoring

Source	Recommendation
Condition D8	2024 IEA REC 49: - Implement a process to ensure management plans are reviewed (and revised if necessary) following a reportable incident, Annual Review and/or Modification to the consent. Ensure the review process is documented, in particular where plans are reviewed but do not require revision
Condition D11	2024 IEA REC 50: Implement a process to ensure a detailed report is provided to DPHI within seven days of any reportable incident or exceedance
Condition C10	2024 IEA REC 51: Ensure any future outages of the weather station that result in continuous monitoring not being undertaken are reported in the Annual Return to the EPA
Condition C58	2024 IEA REC 52: Update the Weed Management Plan to reflect the change in administration of the weed control program between SSC and Cleanaway and ensure this is reflected in the Action Plan responsibilities
Condition D9	2024 IEA REC 53: Include discussion of TSP monitoring results in AEMR

Table 15 Summary of Opportunities for Improvement

Source	Opportunity for Improvement
B16	2024 IEA OFI 01: Implement processes to ensure that employees, contractors and sub-contractors are made aware of modifications to the Consent
B17	2024 IEA OFI 02: Introduce measures to encourage reporting by contractors of environmental incidents, (including minor incidents) to Cleanaway
D2	2024 IEA OFI 03: Update Appendix B of the GO Facility CEMP to include the most up to date CEMP for the Dual Gas and Leachate Trench construction works

5 STATEMENT OF LIMITATIONS

Ethos Environmental Pty Limited (Ethos Environmental) has prepared this report in accordance with the usual care and thoroughness of the consulting profession for the use of Client and only those third parties who have been authorised in writing by Ethos Environmental to rely on this report.

It is based on generally accepted practices and standards at the time it was prepared. No other warranty, expressed or implied, is made as to the professional advice included in this report. It is prepared in accordance with the scope of work and for the purpose outlined in the proposal dated contract dated 20 November 2023.

The methodology adopted and sources of information used by Ethos Environmental are outlined in this report. Where this IEA Report indicates that information has been provided to Ethos Environmental by third parties, Ethos Environmental has made no independent verification of this information except as expressly stated in the report. Ethos Environmental assumes no responsibility for any inaccuracies or omissions to that information.

This report was prepared between 10 May and 8 August and is based on the information reviewed and conditions encountered at the time of the site visits on the 8 and 10 May 2024. Ethos Environmental disclaims responsibility for any changes that may have occurred after the site visit.

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

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

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

Appendix A: Compliance Table - Development Consent SSD-6835

Compliance Table: Development Consent SSD-6835

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status
OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT				
B1	In addition to meeting the specific performance criteria established under this consent, the Applicant must implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the Development.		<p>The auditors conducted a review of incident occurrences at the Site during the audit period, complaints received, as well as a review of the general environmental performance of the site with various environmental management plans.</p> <p>Other than where issues were identified and recommendations made, measures have generally been implemented to prevent and/or minimise harm to the environment.</p>	Compliant
TERMS OF CONSENT				
B2	<p>The Applicant shall carry out the Development in accordance with the:</p> <p>(a) EIS and RTS;</p> <p>(b) Modification Assessments</p> <p>(c) Development plans and drawings in the EIS, RTS and Modification Assessments (see Appendix A);</p> <p>(d) management and mitigation measures (see Appendix B);</p> <p>(e) the draft Landfill, GO, ARRT and Post Closure Environmental Management Plans included in the EIS; and</p> <p>(e) modification application SSD-6835-MOD-1 and the accompanying environmental assessment titled Report for SUEZ Recycling and Recovery Pty Ltd – Modification to LHRRP Operation Hours, prepared by GHD and dated January 2018</p> <p>(f) conditions of this Consent, as modified</p>	<ul style="list-style-type: none"> • Interview with Cleanaway Landfill Manager • Site Inspection • Proposed reprofiling Development Plan (filling plan), GHD, 13/11/2020 • Volumetric Survey 18/12/2023 • Construction Quality Assurance Report Landfill Capping Areas A and B, GHD, 28/06/2023 	<p>a) The requirements of the EIS have been incorporated into the Conditions of Consent. This audit has focused on the review of compliance with the requirements of the Conditions of Consent.</p> <p>A detailed assessment of compliance with the EIS and RTS was not undertaken. Based on a high-level review the following is noted:</p> <ul style="list-style-type: none"> • Landfilling operations were being undertaken generally as described in the EIS. There have been some changes to the sequencing of the filling plan provided in the EIS. During the audit period, filling had been completed in Area C and Area G and was actively being filled in Area F. This correlates with Phases 5, 9 and 6 of the EIS filling plan. The new filling plan has works currently in Phase 7. • MOD 2 approved an increase in the quantity of general solid waste received at the site for landfill disposal from 850,000 tonnes per year to 970,000 tonnes per calendar year and increased the quantity of garden and wood waste able to be received at the GO Facility from 80,000 tonnes to 100,000 tonnes per calendar year. • MOD 1 approved changes to the operating hours allowing landfilling from 5 am to 5pm Monday to Friday and 6 am to 5 pm Saturday. • The Garden Organics (GO) Facility described in the EIS was modified by MOD 2. • The Advanced Resource Recovery Technology (ARRT) facility proposed in the EIS was removed by MOD 2. • The overall footprint of the development is as per the EIS. <p>Based on a high-level review it is considered the development is generally carried out in accordance with the EIS and RTS subject to the comments throughout the Compliance Table.</p> <p>b) MOD 1 approved changes to operating hours. Compliance with the hours of work is discussed under Condition C53.</p> <p>MOD 2 increased the amount of waste able to be received at the site. Compliance with the waste limits is discussed under Condition B6.</p> <p>MOD 2 also removed the ARRT and reconfigured the GO Facility into eastern facilities and western GO facility. The eastern facilities comprise the small vehicle drop off (Area 1), council green waste drop-off (Area 2) and blending and final product sale (Area 3). At the time of the audit site inspection Cleanaway operations at the eastern facilities included receipt of green waste and decontamination and shredding. The material was then sent off site for maturation by others. Cleanaway stopped maturation at the existing GO facility at the end of 2022.</p>	Compliant

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status
			<p>Construction of western GO Facility commenced in early 2023. This involved clearing the area and Stage 1 excavation works. To date the construction of the GO facility has been limited to excavation and removal of soil materials that Cleanaway has required for use as capping material at the landfill. Further excavation of material is planned prior to any further construction of the GO facility with Stage 2 excavation planned to commence later in 2024.</p> <p>c) The phasing plan from the EIS was provided to the landfill contractor, Select Civil, to develop the more detailed fill platform drawings (in consultation with Cleanaway). Whilst the sequencing has changed from that proposed in the EIS, the overall footprint remains the same. Cleanaway implements the following measures to ensure that it does not work outside of the approved boundary:</p> <ul style="list-style-type: none"> • Re-profiling plans are submitted to the EPA prior to the commencement of re-profiling and are approved by the EPA and included within the EPL (Condition E7). • A survey plan is submitted to the EPA on a six-monthly basis. The auditor sighted the survey plan for December 2023. • Construction Quality Assurance (CQA) plans and as-built records are provided to the EPA when the capping works are completed. The auditors sighted the CQA report prepared by consultant GHD for the Capping Works in Area A and Area B. The CQA report concluded that the capping works undertaken over Area A and Area B were constructed generally in accordance with the final design documentation. <p>d) The Management and Mitigation Measures included in Appendix B have been included in the appropriate management plans. A review of the management plans and their implementation is provided under the specific conditions relating to the plans.</p> <p>e) The draft LHRRP OEMP referred to in this condition was updated as required by Condition D4. Refer to Conditions D4 and D6 for discussion of the OEMP and its implementation.</p> <p>The draft GO OEMP will be amended as required by Condition D4 prior to the operation of the new GO Facility.</p> <p>The draft Post Closure Environmental Management Plan will be amended as required by Condition C40 12 months prior to the planned closure of the landfill.</p> <p>f) Refer to the remainder of the Compliance Table for assessment of compliance with the Conditions of Consent.</p>	
B3	If there is any inconsistency between the plans and documentation referred to in Condition B2 above, the most recent document must prevail to the extent of the inconsistency. However, the conditions of this consent must prevail to the extent of any inconsistency.		Not triggered during the audit period.	Not triggered
B4	The Applicant must comply with any reasonable requirement(s) of the Planning Secretary arising from the Department's assessment of: (a) any reports, plans or correspondences that are submitted in accordance with this consent; and (b) the implementation of any actions or measures contained in these documents.		Consultation with DPHI and the implementation of DPHI's requirements is discussed against the relevant conditions relating to management plans and reports.	Compliant
LIMITS OF CONSENT				
B5	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 the date on which the consent would otherwise lapse under Section 95 of the EP&A Act.		Cleanaway physically commenced activities on the land to which the consent applies in 2018. This was within five years of receiving the consent and therefore the consent is considered not to have lapsed.	Compliant

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status
B6	<p>The Applicant shall not receive more than:</p> <p>(a) 970,000 850,000 tonnes of general solid waste (putrescible and non-putrescible) and asbestos waste per calendar year on site for landfill disposal;</p> <p>(b) 10,000 tonnes of recyclable general solid waste (non-putrescible) and batteries per calendar year on site at the Resource Recovery Centre and waste collection point;</p> <p>(c) 100,000 80,000 tonnes of garden and wood waste and 2,000 tonnes of manure per calendar year at the GO Facility;</p> <p>(d) 200,000 tonnes of general solid waste (putrescible and non-putrescible) per year including 10,000 tonnes of biosolids at the ARRT Facility; and</p> <p>(d) the quantity of waste required to meet the final landform profile described in the EIS.</p>	<ul style="list-style-type: none"> • 2023 AEMR • Section 88 reports for Jan-Dec 2023 • Various correspondence between Cleanaway and DPHI relating to this exceedance 	<p>Cleanaway exceeded the limit of general solid waste permitted to be received on site (850,000 tonnes) in 2021 and 2022.</p> <p>Following the 2021 exceedance, DPHI issued Cleanaway with a Warning Letter for failing to comply with Condition B6.</p> <p>Following the 2022 exceedance, DPHI issued Cleanaway with two Warning Letters for failing to comply with Condition B6 and a number of Notices to Furnish Information and Records to investigate the exceedance. This is discussed in further detail in Section 3.1.</p> <p>MOD 2 was approved on 23/11/2023 and increased the limit of general solid waste permitted to be received on site to 970,000 tonnes per calendar year.</p> <p>Cleanaway records the waste type and mass received at the site via its weighbridge using the Mandalay software. It reports monthly waste data to the EPA through Section 88 reports and provides Council with an annual summary. Cleanaway reported that it uses the Council report to track the cumulative total each month in order to manage annual limits.</p> <p>The following waste volumes were reported for 2023 in the AEMR:</p> <ul style="list-style-type: none"> • 956,740 tonnes of general solid waste • 422 tonnes of recyclable waste • 42,935 tonnes of garden and wood waste <p>The AEMR did not separate out the tonnage of manure received at the existing GO Facility. Cleanaway reported that it has not received manure at the site for a few years.</p> <p>The auditor checked these volumes with the monthly data used to populate the Section 88 reports and found them to generally align.</p> <p>This condition has been assessed as non-compliant on the basis of the exceedance of general solid waste limits in 2021 and 2022. As compliance with the increased limit was achieved in 2023, no recommendations have been made.</p>	Non-compliant
B7	The receipt, processing and disposal of waste at the landfill and GO and ARRT facilities shall cease at the end of 2037.		Not triggered during audit period	Not triggered
OTHER CONSENT AND APPROVALS				
B8	Within 6 months of the date of this consent, the Applicant must modify DA 11-01-99 to remove the conditions of that consent that relate to the LHRRP. The modification shall be in accordance with the <i>Environmental Planning and Assessment Regulation, 2000</i> . The modification is required to ensure all activities undertaken at the LHRRP are covered by this consent only.	2021 IEA, AECOM, June 2021	This condition was assessed in the 2021 IEA and evidence sighted that the requirement has been completed.	Complete
STATUTORY REQUIREMENTS				
B9	The Applicant must ensure that all licences, permits and approval/consents are obtained as required by law and maintained as required throughout the life of the Development. No condition of this consent removes the obligation for the Applicant to obtain, renew or comply with such licences, permits or approval/consents.	<ul style="list-style-type: none"> • SSD 6835 MOD 1 – Modification Instrument • SSD 6835 MOD 2 - Modification Instrument • EPL 5065 (last issued on 09/05/2024) • EPL 12520 (last issued 20/12/2022) • Consent to Discharge Industrial Trade Wastewater, dated 04/04/2024 	<p>The Site has the following licences, permits and approvals/consents:</p> <ul style="list-style-type: none"> • Development Consent SSD 6835 • SSD 6835 MOD 1 – Extension of landfill operating hours, dated 05/06/2028 • SSD 6835 MOD 2 – Garden Organics Facility and increase to Landfill Input Rate, dated 23/11/2023 • EPL 5065 – for the operation of the LHRRP • EPL 12520 – for the operation of the existing GO facility • Trade Wastewater Agreement with Sydney Water which is renewed every 24 months. The agreement was sighted by the auditors, dated 4 April 2024 	Compliant

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status
			<ul style="list-style-type: none"> Voluntary Planning Agreement (VPA) with Sutherland Shire Council, dated 17 March 2017. Requirements of the VPA were not reviewed as part of this audit The ANSTO Agreement under which SUEZ lease land owned by ANSTO <p>Whether the site requires a groundwater extraction licence is the subject of ongoing discussions between SUEZ and DPE Water (now the Water Group in the NSW Department of Climate Change, Energy, the Environment and Water - NSW DCCEEW).</p> <p>No other approvals were reportedly required during the audit period.</p>	
STRUCTURAL ADEQUACY				
B10	<p>The Applicant must ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures are constructed in accordance with the relevant requirements of the BCA.</p> <p><i>Notes:</i></p> <ul style="list-style-type: none"> Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works; and Part 8 of the EP&A Regulation sets out the requirements for the certification of the Development. 	<ul style="list-style-type: none"> Interviews with site personnel Site inspection 	No new buildings or structures were constructed during the audit period.	Not triggered
OPERATION OF PLANT EQUIPMENT				
B11	<p>The Applicant must ensure that all plant and equipment used for the Development are:</p> <p>(a) maintained in a proper and efficient condition; and</p> <p>(b) operated in a proper and efficient manner.</p>	<ul style="list-style-type: none"> Leachate Inventory and Operations Daily Checklists examples sighted (09/05/2024) SCADA leachate management system Operation and Plant Condition Report LH2 Resource Recovery Park, JPG Engineering, April 2024 Maintenance Inspection Report, LH2 Resource Recovery Park, JPG Engineering, April 2024 Maintenance Inspection Report LH1 Closed Landfill, JPG Engineering, April 2024 Visual inspection of structural adequacy of concrete water tanks, JPG Engineering 03/09/2021 Stage 5-3 dam clean-out photographs North wall dam clean-out photographs 	<p>a) A number of procedures were in place to maintain plant and equipment in a proper and efficient condition, these included:</p> <ul style="list-style-type: none"> Cleanaway uses the JDE System to track maintenance requirements for Cleanaway owned machinery Select Civil undertake plant maintenance at the on-site workshop. The Select Civil maintenance schedule is maintained by head office and was reported to include dewatering pumps as well as plant and machinery The leachate management system was being maintained by JPG Engineering. JPG Engineering completes a Leachate Inventory and Operations Daily Checklist. It also completes a monthly Maintenance Inspection Report which documents the weekly planned routine inspection and servicing maintenance activities for the equipment associated with the environmental process plant at LH1 (comprising the leachate treatment plant, LH1 leachate sump pump system, LH1 leachate sump irrigation and emergency dam transfer pump system and LH1 sump emergency diesel sump). <p>A separate Maintenance Inspection Report is provided for LH2 (which includes the wheel wash facility, stormwater treatment plant, LH2 storage dams, various pumps and rising main and leachate gravity line pit inspections). JPG also completes a monthly Operation and Plant Condition Report for LH2. These reports include details of the weekly inspections undertaken by JPG Engineering technicians.</p> <p>Leachate levels are monitored through SCADA which sends low flow, high level alarm alerts to JPG Engineering. JPG view the SCADA system online and can control the system remotely. If leachate levels are high, leachate is automatically pumped to the LH1 leachate treatment plant.</p> <p>JPG Engineering completed a visual structural adequacy review in May 2021 of the five concrete water tanks used for holding groundwater from Area 5 (old unlined and single lined section of landfill) which has the potential to be contaminated with leachate. The JPG Engineering report noted that the three tanks in service, whilst displaying significant cracking, showed no signs of spalling or</p>	Compliant

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status
		<ul style="list-style-type: none"> • Sample of monthly EDL Reports (Jan - April 2024, March 2023, Aug 2023, Dec 2023, Feb 2022, June 2022, Oct 2022, July 2021, Nov 2021) • Certificate of Verification of a Measuring Instrument and Repair and Verification Reports, SSS Weighbridge Specialists, 27/11/2023 • Lucas Heights LF Training Matrix 31/05/2024 • Select Civil training records for Litter Control SOP (13/02/2024), Surface Water Management SOP (20/02/2024), Dust Control SOP (15/12/2023), Asbestos Waste Burial SOP (18/07/2023) 	<p>deterioration of concrete and considered the tanks were structurally sound in their present condition for continued use. JPG Engineering recommended annual visual inspection be carried out in conjunction with JPG Engineering's maintenance program and a detailed inspection be undertaken in 5 years.</p> <ul style="list-style-type: none"> • Sediment dams are maintained by Select Civil. It was reported that the Stage 5-3 dam and the north wall dam were cleaned out in 2023. Cleanaway provided photographs as evidence of this work being undertaken. • Landfill gas is managed by EDL. EDL provide Cleanaway with a monthly report shows methane concentration, flow and gas volumes, broken monitoring points, which wells are not producing gas (due to malfunction or low gas volume). EDL operates under a separate EPL. • The weighbridges are calibrated every six months. The auditors sighted the weighbridge Repair and Verification Reports, issued by Standard Scales and Services Pty Ltd for Inwards weighbridge, Weighbridge and Outwards weighbridge, dated 27/11/2023. <p>b) Each contractor on-site is contractually responsible for employing suitably trained and competent staff.</p> <p>Select Civil maintain a Training Matrix of site personnel and the training they have received. Specific training on Standard Operating Procedures (SOPs) is also provided. The auditor sighted the training records for the following SOPs: Litter Control, Surface Water Management, Dust Control, Asbestos Waste Burial.</p> <p>Cleanaway maintains a Training Matrix in MYOSH which records the training undertaken by Cleanaway staff.</p> <p><u>Summary</u></p> <p>Given the extent of the nature of this condition, not all aspects of the maintenance and operation of plant and equipment used on site was able to be assessed. This condition has been assessed as compliant based on the documents provided and listed. The summary of non-compliances and incidents may include some examples where this condition has not been met in its entirety.</p>	
PROTECTION OF PUBLIC INFRASTRUCTURE				
B12	Prior to the commencement of construction, the Applicant must: (a) prepare a dilapidation report of the public infrastructure in the vicinity of the site (including roads, kerbs, footpaths, nature trip, street trees and furniture); and (b) submit a copy of this report to the Planning Secretary and Council.	2021 IEA, AECOM, June 2021	This condition was assessed in the 2018 and 2021 IEAs and evidence sighted that the requirement has been completed.	Complete
B13	The Applicant must: (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged as a result of the Development; and (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the Development.	Interviews with site personnel	Not triggered during the audit period.	Not triggered
STAGED SUBMISSION OF PLANS OR PROGRAMS				
B14	With the approval of the Planning Secretary, the Applicant may: (a) submit any strategy, plan or program for the landfill re-profiling and GO Facility and ARRT Facility construction and operation, required by this consent, on a progressive basis; and/or (b) combine any strategy, plan or program required by this consent.	Interviews with site personnel	Not triggered during the audit period.	Not triggered

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status
DISPUTE RESOLUTION				
B15	In the event that a dispute arises between the Applicant and either Council or a public authority, in relation to an applicable requirement in this consent or relevant matter relating to the Development, either party may refer the matter to the Planning Secretary for resolution. The Planning Secretary's determination of any such dispute must be final and binding on the parties. <i>Note: This condition does not relate to disputes raised regarding matters in the Voluntary Planning Agreement required under Condition B19.</i>	Interviews with site personnel	Not triggered during the audit period.	Not triggered
COMPLIANCE				
B16	The Applicant must ensure that employees, contractors and sub-contractors are aware of, and comply with, the conditions of this consent relevant to their respective activities.	<ul style="list-style-type: none"> • Interviews with site personnel • Interviews with Select Civil Landfill Operations Manager • HSE Systems Compliance Audit - Select Civil, 22/06/2022 • Environmental Site Walk – Lucas Heights, 11/08/2023, 10/11/2023, 15/01/2024, 27/03/2024 	<p>Cleanaway reported that employees and contractors were made aware of the conditions of consent through OEMP training and toolbox talks. Cleanaway reported that it was in the process of updating the OEMP following approval of MOD 2 and that training in the new OEMP would follow.</p> <p>Cleanaway provides contractors with a copy of the consent for their records. The consent, EIS and EPL are also provided as part of the Select Civil contract (Tender Documents).</p> <p>The auditor interviewed the Select Civil Landfill Operations Manager. The Landfill Operations Manager was aware of the Consent and the OEMP.</p> <p>Cleanaway conducted a HSE systems compliance audit of Select Civil on 22/06/2022 and 16/05/2024 (outside the audit period). In addition, the Cleanaway Environment Technical Team conducts monthly inspections across all Cleanaway sites including contractor facilities. These commenced in August 2023.</p>	<p>Compliant</p> <p>2024 IEA OFI 01: Implement processes to ensure that employees, contractors and sub-contractors are made aware of modifications to the Consent</p>
B17	The Applicant must be responsible for environmental impacts resulting from the actions of all persons that it invites onto the site, including contractors, sub-contractors and visitors.	<ul style="list-style-type: none"> • Interviews with site personnel • Select Civil: Accident / Incident Report and Investigation dated 15/09/2023 • EPA acknowledgement email for report to EPA dated 15/09/2024 reporting minor fire 	<p>Cleanaway is aware that it is responsible for environmental impacts from the actions of its contractors, sub-contractors and visitors.</p> <p>Cleanaway reported that it requires site personnel and contractors to complete an online induction and a site-specific induction. Visitors are accompanied on-site.</p> <p>Contractors, sub-contractors and visitors are required to report incidents to Cleanaway. Examples of this were sighted for the audit period, including a small fire believed to be caused by combustible material (rubbish) coming into contact with the hot engine of the compactor and causing a small fire in the rear of the compactor. The fire was reported by Cleanaway to the EPA as required by EPL 5065.</p> <p>Other than a number of small fires reported by Select Civil, Cleanaway reported that there were no environmental incidents reported by other contractors during the audit period. This suggests that minor incidents such as small oil spills may not have been reported to Cleanaway and reduces confidence that all environmental incidents are being reported.</p>	<p>Compliant</p> <p>2024 IEA OFI 02: Introduce measures to encourage reporting by contractors of environmental incidents, (including minor incidents) to Cleanaway</p>
EVIDENCE OF CONSULTATION				
B18	Where consultation with any public authority or community group is required by the conditions of this consent, the Applicant must: (a) consult with the relevant public authority or community group prior to submitting the required documentation to the Planning Secretary for approval, where required; (b) submit evidence of this consultation as part of the relevant documentation required by the conditions of this consent; and (c) include the details of any outstanding issues raised by the relevant public authority or community group and an explanation of or agreement between any public authority or community group and the Applicant or any person acting on this Development consent.	<ul style="list-style-type: none"> • GMP, Douglas Partners, Rev 2, 31/01/2018 • AQOMP, 09/09/2021 • CEMP for the Dual Gas and Leachate Trench construction works, 02/10/2018 • GO Facility CEMP, July 2021 	<p>The following plans include records of consultation with the relevant agencies as appendices:</p> <ul style="list-style-type: none"> • Groundwater Management Plan (GMP) – EPA and DPI Water consultation included in Appendix D and F respectively • Air Quality and Odour Management Plan (AQOMP) – EPA, SSC, DPHI consultation included in Appendix 13 • Emergency Response Plan (ERP) – consultation with NSW Rural Fire Service and SSC included as Appendix 6. • GO Facility CEMP – DPHI and SSC consultation included in Appendix A 	Compliant

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status
		<ul style="list-style-type: none"> GO Facility Construction Traffic Management Plan, 29/07/2021 Mill Creek Stream Rehabilitation, Stabilisation and Vegetation Management Plan, April 2021 Aquatic Habitat Monitoring Plan, April 2021 ERP, Rev 13, 08/10/2021 	<ul style="list-style-type: none"> GO Facility Construction Traffic Management Plan – TfNSW consultation included in Appendix C CEMP for the Dual Gas and Leachate Trench construction works – EPA and SSC consultation included in Appendix 1 and 2 respectively Mill Creek Stream Rehabilitation, Stabilisation and Vegetation Management Plan – Consultation with Natural Resources Access Regulator included in Appendix A Aquatic Habitat Monitoring Plan - Consultation with Natural Resources Access Regulator included in Appendix A 	
PLANNING AGREEMENT				
B19	Prior to the commencement of construction and prior to receiving increased tonnes of waste in accordance with Condition B6(a), the Applicant must enter into the Voluntary Planning Agreement with Council in accordance with the Letter of Offer dated 15 December 2016.	2021 IEA, AECOM, June 2021	Assessed as complete in the previous IEA.	Complete
WASTE Receipt, Storage & Handling of Waste				
C1	The Applicant must only receive waste on site that is authorised for receipt by an EPL.	<ul style="list-style-type: none"> Examples of monthly Section 88 Reports for 2023 SOP40 Waste Acceptance and Receipt, Version4, 30/05/2019 Rejected loads folder 03/12/2023 to 26/05/2024 	<p>EPL 5065 authorises the landfill to receive general solid waste (putrescible and non-putrescible), asbestos waste, tyres, and other waste below licensing thresholds as well as leachate generated from LH1, Harringtons Quarry and the GO facility.</p> <p>EPL 12520 authorises the existing GO Facility to receive wood waste, garden waste, VENM, manure and fly ash.</p> <p>Reports on the types and quantities of waste received are provided to the EPA on a monthly basis in accordance with requirements under Section 88 of the POEO Act.</p> <p>Cleanaway has implemented procedures to identify and prevent the disposal of waste not permitted by the EPL. This is discussed further under Condition C3.</p> <p>Cleanaway maintains a Rejected Loads folder which includes the details of loads which were turned away by weighbridge personnel. The Rejected Loads folder for the period 03/12/2023 to 26/05/2024 included 18 rejected loads, the majority of which related to asbestos which was not properly wrapped.</p> <p>Based on a high-level review of the waste data supported by screening and rejection procedures, Cleanaway was considered to comply with this condition. Full verification of compliance with this condition is not considered practicable as part of the audit.</p>	Compliant
C2	The Applicant must ensure any waste generated on the site during construction is classified in accordance with the EPA's <i>Waste Classification Guidelines, 2014</i> or its latest version, and disposed of to a facility that may lawfully accept the waste.	<ul style="list-style-type: none"> Interviews with site personnel Site Inspection 	Cleanaway commenced construction of the new GO facility during the audit period. This involved clearing the area and Stage 1 excavation works. The vegetation that was cleared was mulched and sent to the existing GO facility. The topsoil was stockpiled on site for later re-use. The excavated material was stockpiled, crushed and was being used as daily cover at the active tip-face. No material was disposed of off-site.	Compliant

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status
C3	<p>The Applicant must:</p> <p>(a) implement auditable procedures to:</p> <p>i) ensure the site does not accept wastes that are prohibited;</p> <p>ii) screen incoming waste loads; and</p> <p>(b) ensure that:</p> <p>i) all waste types that are controlled under a tracking system have the appropriate documentation prior to acceptance at the site; and</p> <p>ii) staff receive adequate training in order to be able to recognise and handle any hazardous or other prohibited waste.</p>	<ul style="list-style-type: none"> • Interviews with site personnel • SOP40 Waste Acceptance and Receipt, Version4, 30/05/2019 • Rejected loads folder 03/12/2023 to 26/05/2024 • Record of unscanned loads for April 2024 • Work Instruction Receiving Asbestos on Site, Rev 1, 10/01/2023 • Cleanaway Toolbox Meeting Report Form - Waste Acceptance, 03/10/2023 	<p>(a) SOP40 <i>Waste Acceptance and Receipt</i> outlines the key actions to ensure that received waste is compatible with site design and operating approvals. This includes processing disposal requests from customers, reviewing waste prior to arrival and receiving waste at the weighbridge.</p> <p>Cleanaway reported that the following measures are implemented to screen incoming waste loads:</p> <ul style="list-style-type: none"> • Weighbridge operators visually screen incoming loads using cameras and / or physical inspection and any waste that is not licensed to be received at the site is rejected • Waste brought to site by the public are sent to the public waste drop-off and checked by Cleanaway staff • Asbestos must be bagged appropriately to be disposed of on-site, otherwise the load is rejected. • A Rejected Load Form is completed for all rejected loads and they are recorded in a rejected load folder <p>The public drop off area was inspected during the site visit. Cleanaway operators were on hand to direct people to the respective drop off point and to screen waste.</p> <p>The Rejected Loads folder for the period 03/12/2023 to 26/05/2024 was reviewed and noted to include 18 rejected loads, the majority of which related to asbestos which was not properly wrapped.</p> <p>(b) The only waste type received at LHRRP that is controlled under a tracking system is asbestos waste. Asbestos waste weighing more than 100 kilograms or consisting of more than 10 square metres of asbestos sheets in one load, is required to be tracked using the EPA's online system, WasteLocate. WasteLocate was replaced with a new Integrated Waste Tracking Solution (IWTS) for tracking and reporting on hazardous waste in February 2024.</p> <p>Cleanaway reported that prior to February 2024, customers with asbestos would scan a WasteLocate QR code upon arrival at the landfill to fulfil online reporting requirements. If they did not scan the code, a remark would be included against the transaction. At the end of each month Cleanaway would provide a list to the EPA including all transactions that were not able to scan the code. From February 2024, customers report asbestos waste via the IWTS platform. Cleanaway reported that as the system is new and some drivers are not aware of the IWTS, it maintains a log of unscanned loads at the weighbridge and manually uploads the details to the EPA portal. A copy of the unscanned loads for the period 11/04/2024 to 16/04/2024 was sighted.</p> <p>Cleanaway has developed a Work Instruction for Receiving Asbestos On Site which details the acceptance requirements at the weighbridge as well as the disposal process.</p> <p>Weighbridge staff and staff at the public drop off were trained in waste acceptance procedures. A toolbox meeting on waste acceptance was attended by Cleanaway personnel on the 3/10/2023.</p>	Compliant

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status
Monitoring				
C4	The Applicant must provide details of the quantity, type and source of wastes received on the site and provide these details to the EPA and the Secretary when requested.	<ul style="list-style-type: none"> Section 88 reports for 2023 Volumetric Survey 18/12/2023 Volumetric Survey Checklist for survey conducted 18/12/2023 Notice to Furnish Information and Records issued by DPHI dated 15/05/2023 Cleanaway letter to DPHI dated 13/07/2023 responding to Notice 	<p>Cleanaway records the waste type and mass received at the site via its weighbridge using the Mandalay software.</p> <p>Waste data is provided to the EPA on a monthly basis through the Section 88 Reports submitted via the Waste and Resource Reporting Portal and also six-monthly with the volumetric survey data.</p> <p>In response to Cleanaway reporting an exceedance of the annual amount of general waste received at the site in 2022, DPHI issued Cleanaway with a Notice to Furnish Information and Records requesting (amongst other things) details of the quantity, type and source of waste received at the site during 2022 and from 1 January to 30 April 2023. Cleanaway responded to the Notice providing the requested records by letter dated 13/07/2023.</p>	Compliant
Landfill Operations				
C5	<p>To minimise the potential for odour generation, the Applicant must, unless otherwise agreed in writing by the EPA:</p> <p>(a) ensure a maximum of 1 hectare of existing intermediate cover or 2 hectares of existing final capped cover may be stripped in advance of landfilling to form the prepared surface. The prepared surface must have a minimum depth of 300 millimetres;</p> <p>(b) at any one time a maximum of 2,500 metres squared of the prepared surface may be stripped back to expose previously landfilled waste to form the active tip face; and</p> <p>(c) the landfill gas field infrastructure must be retained and operating at all times, with the exception of the stripped back prepared surface.</p>	<ul style="list-style-type: none"> EPL 5065 Landfill Daily Checklist, 26/04/2024 Sample of monthly EDL Reports (Jan - April 2024, March 2023, Aug 2023, Dec 2023, Feb 2022, June 2022, Oct 2022, July 2021, Nov 2021) Site inspection observations 	<p>EPL Condition E11.1 Special Dictionary includes definitions of the following terms:</p> <ul style="list-style-type: none"> Prepared Surface - a maximum area of 1 hectare of existing intermediate cover or 2 hectares of existing final capped cover that is stripped of cover in advance of landfilling Stripped Back Area - the area of the Prepared Surface that is stripped back to expose previously landfilled waste Active Tip Face - the area being actively landfilled <p>In addition, the EPL includes the following conditions which relate to the uncovering of waste:</p> <ul style="list-style-type: none"> Condition O5.12 refers to retaining capping of at least 300mm in depth instead of the prepared surface having a minimum depth of 300mm. Condition O5.13 refers to the <i>Stripped Back Area</i> instead of the <i>Active Tip face</i> Condition O5.14 restricts the Active Tip face to no more than 2,500m² at any one time Condition O5.15 permits the exposure of landfilled waste to achieve final landfill level contours within the Stripped Back Area Condition O5.16 restricts the maximum amount of landfilled waste at any one time, unless approved by the EPA in writing or for emergency conditions. <p>The Landfill Daily Checklist includes a record of the approximate active landfill area, the final cap preparation area and the intermediate cap preparation area. The completed Landfill Daily Checklist for 26/04/2024 included the following:</p> <ul style="list-style-type: none"> Approximate Active Landfill area 2,400m² Final Cap Prep Area 2,400m² Intermediate Cap Prep Area 5,000m² <p>The EDL Monthly Reports provide a summary of the gas field works completed in the month, the current and proposed gas field works and gas field monitoring. As an example, In April 2024:</p> <ul style="list-style-type: none"> 28 wells were installed in Area C 7 wells on the Area C southern batter were connected 	Compliant

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status
			<ul style="list-style-type: none"> All wells in Area G were back online and header connections complete following the completion of capping works in Area G There was a total of 588 wells installed at the site with 70 non-producing wells A total of 6 wells were offline during the month due to a combination of capping and tipping operations <p>The gas infrastructure was observed during the site inspection.</p> <p>Based on a high-level review of the data provided, Cleanaway was considered to comply with this condition. Full verification of compliance with this condition is not considered practicable as part of the audit.</p>	
Imported Soil				
C6	<p>The Applicant must:</p> <p>(a) ensure that only VENM or ENM or other material approved in writing by the EPA is used as fill on the site;</p> <p>(b) keep accurate records of the volume and type of fill to be used; and</p> <p>(c) make these records available to the Planning Secretary upon request.</p>	<ul style="list-style-type: none"> Section 88 Reports for Jan – Dec 2023 Construction Quality Assurance Report Landfill Capping Areas A and B, GHD, 28/06/2023 Qualtest Laboratory: Mulgoa Quarries Badgerys Creek Stockpiled VENM Assessment 19/07/2023 Qualtest Laboratory: Mulgoa Quarries Badgerys Creek Stockpiled VENM Assessment 30/08/2023 JBS&G VENM Assessment Green Square Development Site 07/01/2021 Alliance VENM Report 6-16 Victoria St, Kogarah 18/11/2022 EIAustralia Waste Classification Certificate, Rockdale, 12/02/2021 EIAustralia Waste Classification Certificate, Villawood, 17/09/2020 Volumetric Survey and Checklist 18/12/2023 Notice to Furnish Information and Records issued by DPHI dated 15/05/2023 	<p>a) Cleanaway reported that all material that is brought onto site for operational purposes e.g. for use as fill, capping material, clay liner, is approved by the EPA as an Operational Product Deduction. This allows Cleanaway to apply for a levy exemption for those products when it provides its monthly Section 88 Reports to the EPA. The monthly Section 88 Reports for 2023 were reviewed and noted to include the tonnes of VENM received on site for final capping works as an Operational Product Deduction.</p> <p>During the audit period, Area A and Area B had capping works completed and a Construction Quality Assurance (CQA) report had been prepared for these works. The CQA report confirmed that the seal bearing material was VENM sourced from M5 tunnel spoil which had been assessed by GHD to be suitable in 2020. The material testing and VENM certificates were included as appendices to the CQA report. Each CQA report is provided to the EPA on completion.</p> <p>Waste classification reports were available for the VENM brought onto site for capping works in Area G (mostly complete), Area F (currently filling) and Area C (installing gas wells with plans for capping in August – September 2024). CQA reports will be prepared and provided to the EPA on completion of capping works in these areas.</p> <p>b) Cleanaway uses the Mandalay weighbridge system to record the types and quantities of materials imported to site. The weighbridge data included the waste category of VENM. Cleanaway also commissions a landfill volumetric survey and stockpile survey every six months (June and December) which details the type and volume of stockpiles (including VENM) and landfill capacity details. This report is submitted to the EPA on a six-monthly basis.</p> <p>c) The Notice to Furnish Information and Records issued by DPHI on 15/09/2023 requested that Cleanaway provide (among other things) a copy of records (inclusive of weighbridge transaction records) in relation to each delivery of other material received during 2022, including the amount in tonnes and a description of the nature of the material. Cleanaway responded to the Notice providing the requested records by letter dated 13/07/202.</p>	Compliant

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status
		<ul style="list-style-type: none"> Cleanaway letter to DPHI dated 13/07/2023 responding to Notice Sample of Excel extracts of weighbridge data 25/04/2023, 14/05/2023, 16/07/2023, 03/08/2023, 06/09/2023, 13/11/2023, 21/11/2023 		
C7	During construction, the Applicant must ensure any material brought on site for use as fill meets the requirements of the relevant Resource Recovery Order and Exemption issued under the <i>Protection of the Environment Operations (Waste) Regulation 2014</i> , to apply that material to land. The Applicant must retain records of all material brought on site for filling purposes and provide the records to the EPA and the Planning Secretary when requested.	<ul style="list-style-type: none"> Interviews with site personnel Section 88 Reports for Jan – Dec 2023 	<p>Construction activities during the audit period included stage 1 excavation of the new GO Facility and construction of the dual gas and leachate trench.</p> <p>No material was brought onto site during construction for use as fill. Cleanaway reported that in preparation for the GO bridge construction it has applied for an Operational Product Deduction for fill material.</p> <p>A review of the Section 88 Reports for 2023 confirmed that fill was not included as an Operational Product Deduction. Aggregate, however was brought onto site for use in construction of the landfill gas collection systems and was included in the Section 88 reports in 2023.</p>	Compliant
ODOUR & AIR QUALITY Limits				
C8	The Applicant must ensure the Development does not cause or permit the emission of any offensive odour, as defined in the POEO Act.	<ul style="list-style-type: none"> Audit site inspection Interviews with site personnel Examples of completed Odour Patrol Checklist Daily Sheets Odour Patrol Checklist spreadsheet, June 2019 to present (31/05/2024) Pollution Reduction Program Review Report, Northstar Air Quality, June 2020 LHRRP (LH2) Landfill Gas Monitoring Program, GHD, March 2020 	<p>Cleanaway undertook the following measures to mitigate odour from the LHRRP during the audit period:</p> <ul style="list-style-type: none"> The active tip face was covered with a combination of tarps and daily cover at the end of each day An odour unit and fencing was installed at the active tip face at Area F and another at the GO Facility receivals area. Portable odour units were being used as required Leachate dams were aerated for 8-10 hours per day (on a timer) Weather conditions were monitored when potentially odorous works were being undertaken Odour patrols were undertaken by the Environmental Technician in the mornings in and around the site to identify potential odour using an Odour Patrol Checklist. The Odour Patrol Checklist records the date, start time, end time, wind direction, wind speed, and whether any odour detected is organic, landfill, gas or leachate, as well as an assessment of the strength (1-5). The checklist includes room for a comment which was observed to also include comments on litter or other issues observed during the odour patrol. This information is then transcribed into the Odour Patrol Checklist spreadsheet as a cumulative record of odour patrols undertaken. A new Environmental Technician started at Cleanaway in May 2023. The Odour Patrol Checklist spreadsheet indicated a gap in odour patrols between October 2022 and May 2023 during this changeover in personnel. Cleanaway reported that during this time, odour patrols were conducted by the Operations Supervisor, however no official records were made Gas collection and extraction was continuing. EDL, the operators of the gas infrastructure undertake inspections and identify areas that require additional wells or additional clay cover 	Non-compliant

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status
			<p>A total of 57 complaints were received relating to odour during the audit period:</p> <ul style="list-style-type: none"> • 2021 – 18 odour complaints • 2022 – 25 odour complaints • 2023 – 9 odour complaints • 2024 – 5 odour complaints to date <p>This was a significant reduction from the previous audit period where 96 complaints were received. The VPA Complaint Reporting Requirements trigger for an internal technical audit (15 or more complaints received within any calendar month) was not triggered during the audit period. The highest cluster of complaints was received in April 2022 where 10 complaints were received during the month, six of those on the 20 and 21 April 2022. Cleanaway reported that the cluster was likely due to unfavourable wind conditions and temperature inversions. As per the VPA Complaint Reporting Requirements outlined in the AQOMP, the SSC was notified and a summary of the complaints provided.</p> <p>The POEO Act defines offensive odour as an odour that interferes unreasonably with the comfort or repose of a person who is outside the premises from which it is emitted (Dictionary (a) ii)). As 57 complaints were received relating to odour, it is considered likely that odour would have interfered with the comfort of the complainants during the audit period. On this basis, this condition is considered non-compliant. However, the following is noted and no recommendations are made:</p> <ul style="list-style-type: none"> • Cleanaway has processes in place to identify and manage odours, including investigating complaints and implementing continual improvement controls • The frequency of odour complaints has reduced significantly compared to the previous audit period • During the site inspection, odours were not considered to be particularly offensive <p>Refer also to discussion of odour management in Section 3.1.</p>	
C9	<p>The Applicant must:</p> <p>(a) operate and maintain all facilities within the site in a condition which controls the emission of dust; and</p> <p>(b) carry out all reasonable and feasible measures to minimise dust from the site.</p>	<ul style="list-style-type: none"> • Dust deposition monitoring 2018 to April 2024 • Weather station dust monitoring results, 2018 to present • Interviews with site personnel • Complaints and Incident Register 6 May 2021 – 10 May 2024 	<p>SUEZ implemented the following dust controls, as detailed in the AQOMP, during the audit period:</p> <ul style="list-style-type: none"> • A wheel wash was being used to minimise tracking of dirt onto roads in wet weather. The wheel wash was extended in length and additional jets added during the audit period to improve its wheel washing capabilities • Select Civil had three water trucks and a sweeper in operation during the audit period • The existing GO Facility had a water cart in operation during the audit period • Mulgoa Quarries had one water truck in operation during construction of the new GO Facility <p>The AQOMP includes requirements for dust management and monitoring. Included in the plan are the following performance criteria:</p> <ul style="list-style-type: none"> • Monthly dust deposition monitoring at the six dust gauges on site shall not exceed 4 g/m²/month (annual mean). The auditors reviewed the dust deposition monitoring data for the audit period. Whilst some dust gauges reported results for individual months above 4 g/m²/month the annual average was below the 4 g/m²/month performance measure 	<p>Compliant</p> <p>2024 IEA REC 23: Investigate the cause of the frequent TSP monitor outages to ensure continuous monitoring of TSP is undertaken as per the AQOMP</p>

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status
			<p>DG1 was moved to a new location in December 2023. It was reported that the new location was more suitable as it was more accessible and not under tree cover</p> <ul style="list-style-type: none"> Total suspended particulates (TSP) monitored continuously by the weather station should not exceed 90 µg/m³ (annual average). A review of the weather station data indicated that the TSP monitor was not recording properly for the majority of the audit period (25 out of 37 months). It was reported that the weather station experiences problems recording TSP from buildup overtime and that Cleanaway is looking at cleaning the monitor more frequently. The months where data was available averaged well below the target value of 90µg/m³, however it is noted this was not an annual average as there was insufficient data for a complete year. <p>There was one dust complaint received during the audit period. This was received in 2021 from a resident complaining about dust / sand from an uncovered stockpile entering their premises. Cleanaway reported that upon investigation there was no dust and the stockpile referred to was part of the landfill. Details of the investigation were not available as the complaint was recorded in SUEZ SIMS database which could not be accessed.</p> <p>During the IEA site inspection wet conditions were encountered, hence no adequate review of on-site dust minimisation practices could be made.</p>	
Meteorological Monitoring				
C10	The Applicant must install, operate and maintain a meteorological weather station on the site that complies with the requirements of an EPL for the site.	Cleanaway Lucas Heights RRP Weather Station Data, 6/05/2021-10/05/2024	<p>Cleanaway operates a meteorological weather station as required by Condition M4.1 of EPL 5065.</p> <p>The weather data for the audit period was provided and noted to record the wind speed, wind direction, temperature, rainfall, sigma theta and solar radiation as required by the EPL.</p> <p>It was noted that data was not available for the period 2/10/2022 – 12/11/2022. Cleanaway reported that the weather station was struck by lightning at the time. On the basis that this was an anomaly and data was available for 95% of the audit period, the intent of this condition is considered to have been met. It is noted however that this was not reported as a non-compliance in the 2022 Annual Return and it is considered that Cleanaway was not compliant with the requirement of Condition M4.1 for continuous monitoring during 2022.</p>	<p>Compliant</p> <p>2024 IEA REC 51: Ensure any future outages of the weather station that result in continuous monitoring not being undertaken are reported in the Annual Return to the EPA</p>
Site Air Quality and Odour Management Plan				
C11	The Applicant must prepare a Site Air Quality and Odour Management Plan. The plan shall: <ul style="list-style-type: none"> (a) be prepared by a suitably qualified and experienced person in consultation with the EPA and Council; (b) be submitted to the Planning Secretary prior to the commencement of construction; (c) list all emission sources across the LHRRP and key performance indicators for each emission type; (d) describe odour and dust monitoring methods, location, frequency and duration; (e) show the locations of real-time dust monitors on and off-site with appropriate trigger values; (f) report on the performance of the site against the key performance indicators for each emission type; (g) detail proactive mitigation measures for the control of dust and odour impacts; (h) detail the contingency measures to be implemented to respond to complaints or if dust or odour impacts are identified; and (i) include record keeping, a complaints register and compliance reporting. 	AQOMP, Rev 3, 09/09/2021	<ul style="list-style-type: none"> a) and b) The original AQOMP for the landfill re-profiling works and existing GO facility was prepared in 2018 in consultation with the EPA and Council and submitted to DPPI prior to the commencement of construction. The AQOMP was updated in 2021 in accordance with Condition 11A c) Emission sources are included in Section 7. Key performance indicators are included in Section 4 d) Monitoring is discussed in Section 9 e) Locations of monitors are included in Section 9 f) Performance reporting and review is discussed in Section 9 g) Preventative mitigation measures are included in Section 8 h) Rectification measures are included in Section 8 i) Record keeping, complaints register and compliance reporting is included in Sections 9 and 10 <p>A review of the adequacy of the Plan is presented in Section 3.2 of the report. The Plan requires updating as per Condition C11A for MOD 2.</p>	Compliant

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status
C11A	The Applicant must update the Site Air Quality and Odour Management Plan required by Condition C11 of this consent to include the Modification Assessments. The updated plan must: (a) be prepared by a suitably qualified and experienced person in consultation with the EPA; (b) be submitted to the Planning Secretary within six months of the determination of SSD 6835 MOD1 MOD-2; (c) detail additional mitigation measures which will be employed to prevent future odour emissions at the site; and (d) address the requirements of Condition C11 of this consent.	<ul style="list-style-type: none"> Air Quality and Odour Management Plan, Rev 3, 09/09/2021 Post approval Document Received email from DPHI dated 04/11/2021 Interviews with site personnel 	<p>The requirement to update the AQOMP following the determination of MOD 1 was not met at the time of the 2021 IEA and this condition was assessed as non-compliant. Following the 2021 IEA, Cleanaway updated the AQOMP (Rev 3, 09/09/2021) and submitted it to DPHI on the 04/11/2021. The updated plan was not provided to the EPA for consultation.</p> <p>Cleanaway reported that it was in the process of updating the AQOMP following the determination of MOD 2. At the time of the audit site inspection this had not been completed and therefore this condition is considered non-compliant.</p>	<p>Non-compliant</p> <p>2024 IEA REC 17: Update the AQOMP in accordance with Condition 11A, including ensuring consultation with the EPA, and submit to DPHI</p>
Landfill				
C12	The Applicant must conduct an odour audit of the landfill to validate the odour reductions described in the EIS have been achieved at the existing landfill. The odour audit must: (a) be prepared by a suitably qualified and experienced person in consultation with the EPA and Council; (b) be submitted to the EPA, Council and the Planning Secretary at least one month prior to the commencement of landfill re-profiling; (c) include collection and analysis of odour samples in accordance with the EPA's <i>Approved Methods for Sampling and Analysis of Air Pollutants in NSW</i> ; and (d) identify mitigation measures with a timeline for implementation, where the odour reductions identified in the EIS are not being achieved.	2021 IEA, AECOM June 2021	Assessed as complete in the previous IEA.	Complete
GO Facility				
C13	All organic material and waste must be stored at the GO Facility in accordance with the requirements of an EPL for the site, including limits on the height of stockpiles and use of breathable membrane covers on compost bunkers.		<p>This Condition relates to the new GO Facility which was not operational during the audit period.</p> <p>Organic material and waste at the existing GO Facility was being managed in accordance with EPL 12520.</p>	Not triggered
C14	The Applicant must conduct an odour audit of the GO Facility to validate the odour data used in the EIS SSD-6835-MOD-2 . The odour audit must: (a) be prepared by a suitably qualified and experienced person in consultation with the EPA and Council; (b) be submitted to the EPA, Council and the Planning Secretary within 6 12 months of commencement of operation of the GO Facility as described in the EIS SSD-6835-MOD-2 ; (c) include collection and analysis of odour samples in accordance with the EPA's <i>Approved Methods for Sampling and Analysis of Air Pollutants in NSW</i> ; (d) validate the efficiencies of the odour controls, specifically the covers used for the active composting stage ; tunnel pasteurisation technology used for the active composting stage (e) validate the odour data for freshly turned material; (f) demonstrate that the final design achieves an equivalent or better performance than stated in the EIS Modification Assessment , supported by dispersion modelling in accordance with EPA's <i>Approved Methods for Sampling and Analysis of Air Pollutants in NSW</i> , if required; and (g) identify additional mitigation measures with a timeline for implementation, where odour performance significantly differs from the predictions in the EIS Modification Assessments .		This Condition relates to the new GO Facility which was not operational during the audit period.	Not triggered
Note: Conditions C15 to C21 were removed from MOD 2 as they related to the ARRT Facility Biofilter and Pre-Treatment System which was not constructed and was removed from the Approval under MOD 2				

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status
GREENHOUSE GAS				
C22	The Applicant must implement all reasonable and feasible measures to minimise energy use on site and greenhouse gas emissions produced on site.	<ul style="list-style-type: none"> • NGERs Solid Waste Calculator 2022-23 • Sample of monthly EDL Reports (Jan - April 2024, March 2023, Aug 2023, Dec 2023, Feb 2022, June 2022, Oct 2022, July 2021, Nov 2021) 	<p>Cleanaway is required to report its energy use and greenhouse gas emissions under the National Greenhouse Gas and Energy Reporting Scheme (NGERs). This is done at the corporate level with input from the facilities.</p> <p>Cleanaway minimises greenhouse gas emissions through the efficient operation of the gas infrastructure. The gas infrastructure installed on site collects landfill gas and converts it to electricity or where this is not possible the landfill gas is flared. This is managed by EDL. The EDL Monthly Report provides statistics including the amount of methane used in power generation, the amount of electricity produced and the tonnes of CO₂e abated. EDL has an economic incentive to maximise the amount of landfill gas collected and converted to electricity, reducing greenhouse gas emissions. On average, the landfill abated around 73,000 tCO₂-e per month through the operation of the landfill gas extraction system and conversion to electricity.</p> <p>Cleanaway reported that it replaced the lights in the office area to LEDs and installed a solar powered light at the public drop off area to reduce energy use.</p>	Compliant
LEACHATE				
Landfill – Dual Gas and Leachate Trench				
C23	The Applicant must design and install a dual gas and leachate management trench near the perimeter of the re-profiled landfill to intercept sideways movement of leachate. The trench must: <ul style="list-style-type: none"> (a) be designed in accordance with the requirements of the EPA; (b) be approved by the EPA, prior to construction of the trench and landfill re-profiling; (c) include extraction risers along the length of the trench to allow extraction and transfer of leachate to the existing ring main; and (d) be installed in accordance with a CEMP, prepared by a suitably qualified person and submitted to the EPA at least one month prior to construction of the trench. 	<ul style="list-style-type: none"> • Interviews with site personnel • Site inspection observations • CEMP for the Dual Gas and Leachate Trench construction works, Rev 4, 2/10/2018 • Completed Select Civil Walkthrough Hazard Risk Assessment forms (throughout 2021, 2023 and early 2024) 	<p>The preparation of the CEMP for the dual gas and leachate trench construction works was assessed in previous IEAs.</p> <p>During the audit period the leachate and gas cutoff trench was installed in Area G (2021), Area C (2023), and Area F (2023-2024). Area F was the last section of trench to be installed and was completed in March 2024. The leachate and gas cutoff trench works are now complete and connected to the existing leachate and gas infrastructure managed by EDL.</p> <p>The trench was constructed by Select Civil, with Cleanaway carrying out informal inspection of work on a daily basis. No environmental incidents were reported. Examples of completed Select Civil Walkthrough Hazard Risk Assessment forms were sighted for the trench works in Area C, Area G and Area F. The forms included an environmental monitoring section and included sections for noting non-compliances and pro-active environmental observations.</p> <p>As the trench was completed prior to the site inspection for the audit, it was difficult to assess whether it was constructed in accordance with the CEMP. However, based on the evidence noted above, this condition has been assessed as compliant.</p>	Compliant
Landfill Gas Infrastructure				
C24	The Applicant must maintain and operate the landfill gas infrastructure on the site, at all times. The Applicant must retain and operate the gas collection system within the prepared surface (stripped back cover) as much as practicable.	<ul style="list-style-type: none"> • Sample of monthly EDL Reports (Jan - April 2024, March 2023, Aug 2023, Dec 2023, Feb 2022, June 2022, Oct 2022, July 2021, Nov 2021) • Interviews with site personnel 	<p>The gas infrastructure within the landfill is operational at all times, less those wells which are offline for a combination of capping and tipping operations or for maintenance reasons. This information is recorded in the EDL monthly report. A high-level review of the monthly reports indicated a relatively low number of wells were offline each month.</p> <p>Refer also to Condition C5.</p>	Compliant
Operating Conditions				
C25	Accumulated sludge and sediment formed during leachate storage at the site must be disposed of to a special waste area at the LHRRP, separate from the active tip face.	Interviews with site personnel	Cleanaway reported that there had been no de-sludging of the leachate dams during the audit period.	Not triggered

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status
C26	The Applicant must manage all water that comes into contact with waste at the GO Facility as leachate. Leachate generated at the GO Facility may only be reused in the composting process on site or disposed to sewer in accordance with a Trade Waste Agreement or as otherwise agreed in writing with the EPA.	<ul style="list-style-type: none"> Interviews with site personnel EPL 12520 GO Facility EPL Notice of Variation Of Licence No. 5065, 02/11/2023 EPL 12588 Veolia SUEZ Spring Farm, dated 28/06/2023 Email to EPA dated 24/10/2022 notifying of discharge of GO Facility leachate to Lucas Heights Landfill leachate system 2022 Annual Return 	<p>Surface water that runs off the existing GO Facility was collected in the GO Facility leachate pond. The GO Facility EPL allows for waste liquor that has been appropriately aerated to be irrigated over the compost windrows. This was reportedly undertaken until late 2022 when Cleanaway stopped composting and storing composted material at the existing GO Facility.</p> <p>Leachate from the GO Facility leachate pond was trucked to the SUEZ (now Veolia) Spring Farm Resource Recovery Park for processing up until November 2023. On 02/11/2023 EPL 5065 was amended to permit the acceptance of up to 80 kL/day of leachate from the GO Facility for processing by the Lucas Heights landfill leachate treatment system. The treated wastewater is then disposed to sewer under a Trade Waste Agreement with Sydney Water.</p> <p>There was one instance where Cleanaway notified the EPA that it was going to send leachate from the GO Facility to the Lucas Heights landfill leachate treatment system to prevent an overtopping of the GO Facility leachate pond. This occurred in October 2022 prior the licence variation on 02/11/2023 that made this permissible.</p> <p>There was one incident in March 2022 where the bund at the organics pad was damaged during heavy rainfall causing stormwater that had come in contact with organics (leachate) to enter the stormwater system and Mill Creek.</p> <p>On the basis that water coming into contact with waste at the GO Facility was being managed as leachate, this condition is assessed as compliant, noting the one incident where leachate escaped the controls and entered the stormwater system.</p>	Compliant
C27	All leachate generated at the ARRT Facility must be stored indoors or in enclosed tanks and used in the ARRT composting process or transferred for disposal to a Facility lawfully permitted to receive it.			
Leachate Monitoring				
C28	The Applicant must routinely monitor leachate volumes from all sources to evaluate the need to and re-calibrate the leachate model included in the EIS, and to ensure adequate storage, treatment and disposal capacity is maintained at all times. The leachate model must be recalibrated if ongoing monitoring demonstrates that leachate is being generated more than can be routinely managed at the site, or at least every five years. The Applicant must report the results of on-going monitoring and status of the modelling model calibration every year in the Annual Review required under Condition D7.	<ul style="list-style-type: none"> Leachate inventory status report spreadsheet Jan 2016 – April 2024 Leachate Calibration Report 2023 (Appendix G to 2023 AEMR) Interviews with JPG Engineering personnel 	<p>Real-time monitoring of leachate volumes was conducted using a SCADA system. This was demonstrated to the auditors during the audit site inspection.</p> <p>In addition, the Leachate Inventory Status Report (Excel workbook) was being updated on a monthly basis. The report includes a summary of the leachate generation (m³/day) and available leachate storage capacity in each of the leachate dams.</p> <p>Calibration of the leachate model was carried out by GHD in 2023 and included as Appendix to the AEMR.</p>	Compliant
C29	The Applicant must implement any recommended measures identified by leachate model calibrations to maintain adequate storage, treatment and disposal capacity for the LHRRP at all times.	Leachate Calibration Report 2023 (Appendix G to 2023 AEMR)	<p>The 2023 Leachate Calibration undertaken by GHD revised the EIS leachate assessment leachate water balance models to reflect the site arrangement and climatic conditions for the period January 2022 to October 2023.</p> <p>The report noted that the period experienced extreme weather conditions (2022 being the wettest on record and 2023 being one of the driest) and that the calibration models overestimate leachate generation in extreme wet conditions and underestimate leachate generation in extreme dry conditions. As such the models are conservative for future predictions of leachate storage and disposal requirements.</p> <p>The report concluded that no changes are required to the site's existing practices or leachate management.</p>	Compliant

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status
SURFACE WATER & GROUNDWATER Discharge Limits				
C30	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.	<ul style="list-style-type: none"> LH2 Surface Water Samples 2011 – present Weather Station Data 6 May 2021 – 10 May 2024 Complaints and Incidents Register 6 May 2021 – 10 May 2024 Regulatory Activity Register 6 May 2021 – 10 May 2024 2021, 2022 & 2023 AEMRs 2021, 2022 & 2023 Annual Returns Soil and Water Management Plan and Monitoring Program (SWMP), Rev 3, 26/10/2021 (Appendix B to OEMP) 	<p><u>Discharges and monitoring results</u></p> <p>EPL 5065 includes the following discharge points:</p> <ul style="list-style-type: none"> EPA Point 20 – pumped discharge from Sediment Dam 5 EPA Point 21 – pumped discharge from stormwater treatment plant EPA Point 22 – overflow from Sediment Dam 5 EPA Point 1 – discharge point at Mill Creek (MC1) <p>Concentration limits are specified for Point 20, 21 and 22 for nitrogen (ammonia) and TSS. Concentration limits for Point 1 include conductivity, dissolved oxygen, pH, Phenol, nitrogen (ammonia) and TSS. Monitoring is required to be undertaken within 24 hours of discharge at Point 1 and Point 22 and weekly during discharge at Point 20 and Point 21.</p> <p>Condition L2.5 of the EPL states that the licensee is not taken to have breached the licence TSS limits for Point 1 and Point 22 if the overflow is caused by a rainfall event and the licensee has taken all practical measures to avoid and minimise water pollution. The EPL also includes conditions for the management of surface waters including maintaining 10 ML of freeboard in the sediment dam and re-establishing the 10 ML capacity settling zone within 5 days of a 2 day 90th percentile rainfall event of 34.8mm or more.</p> <p>A review of the monitoring data and rainfall data from the weather station for the audit period by the auditor indicated the following:</p> <ul style="list-style-type: none"> EPA Point 1 was sampled 39 times (indicating there were 39 discharge events). Nineteen (19) exceedances of the 50 mg/L TSS limit were recorded (ranging from 62-1,500 mg/L). All of the exceedances followed rainfall events (noting that there were two discharge events where this could not be confirmed as weather station data was not available). The majority of the rainfall events exceeded the design capacity of the sediment basin (2-day rain event of 34.8 mm). Two of the exceedances were after smaller rain events. Three exceedances of the 2.5 mg/L ammonia limit were recorded at EPA Point 1. Two of these were reported in the 2022 Annual Return submitted to the EPA and in the 2022 AEMR. The explanation provided in the Annual Return for the exceedance recorded on 27/03/2022 was that the bund at the organics pad was damaged during heavy rainfall, resulting in stormwater from the organics pad reaching Mill Creek. The explanation provided for the exceedance recorded on 8/04/2022 was that during heavy rainfall, the drains controlling surface run-off at the tip face were damaged and contaminated water reached Sediment Dam 5 and Mill Creek. The exceedance recorded on the 7/03/2022 was not reported in the Annual Return or the AEMR. None of the events that resulted in these exceedances were recorded as incidents in the Complaints and Incidents Register. Two exceedances of the dissolved oxygen limit of >6 mg/L were recorded at EPA Point 1 in 2022. These were not reported in the Annual Return, AEMR or recorded in the Complaints and Incident Register. 	<p>Non-compliant</p> <p>2024 IEA REC 05: Ensure all incidents and exceedances of concentration limits are recorded in Cleanaway's incident management system so that they are appropriately investigated and a record is retained.</p> <p>2024 IEA REC 09: Conduct a review by an expert of Erosion and Sediment Control and Management at the site and implement additional controls to improve water quality in water discharging from the site such as to Mill Creek and the clean water drain to the north of the landfill area.</p> <p>2024 IEA REC 10: Implement additional erosion and sediment controls at the western GO Facility area, near the access road across Mill Creek to prevent sediment from entering Mill Creek</p> <p>2024 IEA REC 11: Reinstate periodic (rainfall based) surface water monitoring at locations along Mill Creek upstream and downstream of the LHRRP to better understand the performance of the Landfill in managing their impacts on the Creek. Consider aligning these with the monitoring locations chosen for the Aquatic Habitat monitoring</p>

			<ul style="list-style-type: none"> EPA Point 22 was sampled 12 times (indicating there were 12 discharge events from Sediment Dam 5). Eleven (11) exceedances of the 50 mg/L TSS limit were recorded (ranging from 106-1,830 mg/L). All of the exceedances followed rainfall events (noting that there was one discharge event where this could not be confirmed as weather station data was not available). All but one of the rainfall events exceeded the design capacity of the sediment basin (2-day rain event of 34.8 mm). One exceedance of the 2.5 mg/L ammonia limit was recorded at EPA Point 22 on the 08/04/2022. This was caused by the failure in the drains at the tip face described above for the exceedance at EPA Point 1. EPA Point 21 was sampled 38 times (indicating a minimum of 38 discharges from the stormwater treatment plant). All but one discharge was below the 50 mg/L TSS limit. An exceedance was recorded on the 14/01/2022 (63 mg/L) and attributed to insufficient coagulant use. In response it was reported that the coagulant dosing pump was adjusted to increase the input of coagulant into the treatment system. This exceedance was reported in the 2022 Annual Return and 2022 AEMR but was not recorded in the Complaints and Incident Register. There were no pumped discharges directly from Sediment Dam 5 and therefore EPA Point 20 was not monitored during the audit period. Mill Creek 3 (MC3) is located downstream of the LHRRP (where the northerly extension of Little Forest Road crosses Mill Creek). The Soil and Water Management Plan and Monitoring Program (SWMP) states that additional surface water monitoring may be undertaken at MC3, as well as at the PCYC Dam and Sediment Dam 1 (western sediment and water reuse basin). It is noted there is no licence requirement to monitor at these locations. Ten (10) rounds of monitoring were undertaken at MC3, the last one recorded on the 4/07/2022. Ammonia levels were low (below 2.5 mg/L) in all samples. TSS was monitored only once on the 04/07/2022 by the lab and recorded a level of 114 mg/L. The other samples had the turbidity measured using a probe in the field and recorded levels ranging from 50-230 NTU. <p><u>Incidents</u></p> <p>A review of the Complaints and Incident Register, Regulator Activity Register, Annual Returns, AEMRs and correspondence to the EPA and DPHI identified the following incidents with the potential to pollute waters:</p> <ul style="list-style-type: none"> 19/03/2022, Sediment Dam 5 went into overflow. On the 21/03/2022, leachate was found in the stormwater drain leading to Sediment Dam 5. Cleanaway reported that it engaged pumps at MC1 (EPA Point 1) and Sediment Dam 5 to pump the contaminated water in Sediment Dam 5 into the leachate collection system. <p>The source of the contamination was identified as seepages from the waste batter in Area G. The seepages were diverted into the nearby leachate cut-off trench to enter the leachate management system. This incident was reported to the EPA and DPHI. It was reported that no further action / correspondence was received from the EPA following provision of the written report.</p> <p>It is noted that monitoring was undertaken on the 21/03/2022 which identified that ammonia levels were below the EPL limit of 2.5 mg/L for EPA Point 1. However, the sediment dam began discharging on the 19/03/2022 and a sample was not taken within 24 hours of discharge as required by the EPL.</p>	<p>2024 IEA REC 44: Ensure all exceedances are appropriately reported in the Annual Returns to the EPA and in the AEMRs.</p>
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Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status
			<p>Temporary erosion and sediment controls were observed in Area G which had been recently capped and seeded. This included sediment fences and hay bales to slow down flow until the grass establishes.</p> <p>Stage 1 of the excavation works for the western GO Facility footprint had been completed and the site was draining inwards and being utilised as a sediment basin.</p> <p>Observations made in respect of water management during the IEA site inspections during and following heavy rain events included:</p> <ul style="list-style-type: none"> • High volumes of turbid flow over topping the dam wall at the main sediment dam • Turbid water in the clean water diversion drain discharging into the main sediment dam and immediately over topping the dam • Turbid water in Mill Creek along its length, with varying inputs from the landfill • Sedimentation at Mill Creek near drainage points from the capped areas of the landfill • Evidence of erosion at the road crossings of Mill Creek • Evidence of erosion and sedimentation along the access road around the base of the landfill to the western GO Facility • Some minor scouring of areas of capping <p><u>Summary</u></p> <p>Some exceedances of the concentration limits of pollutants specified by EPL 5065 were recorded during the audit period. Exceedances of the TSS limits at Point 1 and Point 22 were not considered breaches of the EPL, as in each instance the overflow was caused by a rainfall event (as per EPL Condition L2.5). However, three exceedances of ammonia limits were recorded, which are considered breaches of the EPL. Two of these exceedances were caused by incidents where leachate entered the stormwater system and Mill Creek. The cause of the third ammonia exceedance is unknown as it was not reported. A further incident where leachate seepages from the waste batter in Area G entered Sediment Dam 5 (which was overflowing into Mill Creek at the time) was recorded on the 19-21 /03/2022 and reported to the EPA and DPHI. At around this time, it was reported that the GO facility leachate pond also overflowed resulting in leachate entering the stormwater system. This was not recorded in Cleanaway's incident management system or included in the incident reports provided to the EPA and DPHI regarding the leachate seepages from Area G.</p> <p>On the basis of the exceedances of the pollutant concentration limits specified in the EPL for ammonia caused by incidents where leachate entered the stormwater system and Mill Creek, as well as TSS contribution from site, this condition has been assessed as non-compliant.</p>	
GO Facility				
C31	The Applicant must ensure excess water collected in the leachate dams at the GO Facility during high rainfall periods is transported off-site and disposed of lawfully or discharged to sewer in accordance with a Trade Waste Agreement.	<ul style="list-style-type: none"> • Email to EPA dated 24/10/2022 re discharge to Trade Waste, potential breach of licence condition, no risk of harm to environment • EPL Notice of Variation Of Licence No. 5065, 02/11/2023 	On 24/10/2022, in response to wet weather and forecast rain and to prevent an overtopping of the existing GO Facility leachate pond, Cleanaway notified the EPA that it would send leachate from the GO Facility leachate pond to the Lucas Heights landfill leachate treatment system for treatment through the LTP and discharge to sewer. This was notified as a potential breach of EPL 5065 which did not permit the acceptance of leachate from the GO Facility at the time. Cleanaway reported that no response was provided from the EPA.	Compliant

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status
		<ul style="list-style-type: none"> EPL 12588 Veolia SUEZ Spring Farm, dated 28/06/2023 	<p>EPL 5065 was amended on 02/11/2023 to permit the acceptance of up to 80 kL/day of leachate from the GO Facility for processing by the Lucas Heights landfill leachate treatment system. The treated wastewater is then disposed to sewer under a Trade Waste Agreement with Sydney Water.</p> <p>Cleanaway reported one incident to the auditor relating to an overflow of the GO Facility leachate pond into the stormwater system. Details of this incident were not available as it was not recorded in Cleanaway's incident management system. The incident occurred around the 19/03/2022 at a time when Cleanaway was managing another incident relating to leachate entering Sediment Dam 5.</p> <p>Other than the incident described, prior to the licence variation, leachate from the GO Facility was trucked to the SUEZ (now Veolia) Spring Farm Resource Recovery Park for processing. The Veolia Spring Farm Resource Recovery Park is licenced to receive leachate from licensed landfills including EPL 5065.</p>	
C32	<p>The Applicant must prepare and submit a detailed design for managing surface water from roofs and breathable membrane covers the western and eastern operational areas at the GO Facility detailed in SSD-6835-MOD-2. The design must:</p> <p>(a) be approved by the EPA prior to the commencement of operation of the GO Facility;</p> <p>(b) demonstrate that surface water runoff from the roofs and breathable membrane covers (including the covered maturation area) does not come into contact with waste; and</p> <p>(c) describe a program for on-going monitoring of the water quality discharged from at the GO Facility including discharge of surface water to Mill Creek.</p>	Interviews with site personnel	Detailed design for the new GO Facility was still being prepared at the time of the audit and had not been submitted.	Not triggered
Mill Creek				
C33	<p>The Applicant must prepare an Aquatic Habitat Monitoring Plan to monitor the stream health of Mill Creek within the site. The plan must:</p> <p>(a) be prepared by a suitably qualified and experienced person in consultation with DPE Water;</p> <p>(b) be submitted to the Planning Secretary prior to construction of the GO Facility and updated and re-submitted to the Secretary prior to construction of the ARRT Facility;</p> <p>(c) describe the monitoring locations, frequency and parameters to be measured; and</p> <p>(d) detail the measures to be implemented if monitoring indicates the habitat quality of Mill Creek is decreasing as a result of activities on the site.</p>	<ul style="list-style-type: none"> AHMP, GHD, dated April 2021 GHD letter dated 28/05/2024 Re Summary of aquatic ecology monitoring at Lucas Heights Resource Recovery Park 	<p>An Aquatic Habitat Management Plan (AHMP, April 2021) was prepared and submitted to DPHI during the previous audit period. The AHMP has not been updated since the 2021 IEA. The 2021 IEA assessed that the plan was compliant with the requirements of C33. The adequacy of the Plan is discussed in Section 3.2.</p> <p>The AHMP requires biannual monitoring in spring and autumn with the first event occurring prior to the construction of the new GO Facility. Construction of the new GO Facility commenced in early 2023.</p> <p>Two rounds of monitoring had been undertaken during the audit period, in spring 2023 and autumn 2024. A letter report was provided by GHD outlining the monitoring events but stating that the results will be documented and interpreted once the results of the autumn 2024 macroinvertebrate identification and water quality sampling are available.</p> <p>Whilst the aquatic habitat monitoring program had been implemented during the audit period, the frequency outlined in the AHMP had not been met. Monitoring did not commence prior to construction of the new GO Facility to allow for the collection of baseline data at new monitoring site MC0 (Mill Creek downstream of proposed GO Facility).</p>	<p>Compliant</p> <p>2024 IEA REC 30: Consult with the GHD aquatic ecologist on whether not commencing the monitoring prior to construction has had a significant effect on the baseline data and whether any changes are required to the aquatic habitat monitoring program to account for this, such as additional monitoring.</p>

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status
C34	The Applicant must prepare a Mill Creek Stream Rehabilitation, Stabilisation and Vegetation Management Plan. The plan must: (a) be prepared by a suitably qualified and experienced person in consultation with DPE Water; (b) be submitted to the Planning Secretary prior to construction of the GO and ARRT facility; (c) be prepared in accordance with DPEI Water <i>Guidelines for Controlled Activities on Waterfront Land</i> ; (d) detail proposed stream realignment works including details of the measures to minimise water quality impacts; (e) detail the proposed rehabilitation and stabilisation of the stream including methods and staging of works; (f) detail opportunities to maximise the width of riparian zones, particularly in the final landform design, and detail the vegetation types, maintenance, monitoring and performance criteria for the rehabilitation works; and (g) be updated to include any changes to the rehabilitation objectives and staging approved in the Post Closure Plan for the site, required under Condition C40.	Mill Creek Stream Rehabilitation, Stabilisation and Vegetation Management Plan, GHD, dated April 2021	The Mill Creek Stream Rehabilitation, Stabilisation and Vegetation Management Plan was prepared and submitted to DPHI during the previous audit period. The plan has not been updated since the 2021 IEA. The 2021 IEA assessed that the Mill Creek Stream Rehabilitation, Stabilisation and Vegetation Management Plan was compliant with the requirements of C34. The adequacy of the Plan is discussed in Section 3.2. The Mill Creek realignment works had not commenced during the audit period. It was reported that works were planned to commence later in 2024.	Compliant
Groundwater Management Plan				
C35	The Applicant must prepare or update a Groundwater Management Plan for the site. The plan must: (a) be prepared by a suitably qualified and experienced person, in consultation with the EPA and DPE Water; (b) be submitted to the Planning Secretary, prior to the commencement of construction; (c) detail the groundwater monitoring network including location and frequency of monitoring, the parameters for testing, relevant criteria and trigger levels for action; (d) include a protocol for investigation, notification and mitigation of any exceedances of the identified trigger levels; and (e) describe the measures that could be implemented to respond to identified groundwater contamination.	<ul style="list-style-type: none"> GMP, Douglas Partners, Rev 2, 31/01/2018 2021 IEA, AECOM June 2021 	The Groundwater Management was prepared during the previous audit period and submitted to the Department in January 2018. An assessment of whether the Plan addressed the requirements of this condition was presented in the 2018 IEA. The Plan had not been revised during the audit period. Cleanaway reported that it was in the process of updating the GMP following approval of MOD2. The adequacy of the Plan is discussed in Section 3.2.	Compliant
Groundwater Monitoring				
C36	The Applicant shall re-establish historic groundwater monitoring bores (BH24, BH31, MB021 and MB022) to improve detection of leachate in groundwater systems to the north of the site. The Applicant shall monitor groundwater from these bores in accordance with the requirements of an EPL for the site and the groundwater management plan required under Condition C35. The Applicant must monitor groundwater from the extensive bore network established at and within proximity to the LHRRP, as in accordance with the requirements of the EPL for the site and groundwater management plan required under Condition C35.	<ul style="list-style-type: none"> GMP, dated 31 January 2018 EPL 5065 2022 & 2023 Annual Return CES groundwater analytical results spreadsheet, March 2024 CES Quarterly Report in Water Monitoring, March 2021 CES Quarterly Report in Water Monitoring, June 2021 CES Quarterly Report in Water Monitoring, March 2022 CES Quarterly Report in Water Monitoring, March 2023 EPL 5065 Lucas Heights Landfill Groundwater Monitoring Data, March 2024, December 2023, July 2023 	EPL 5065 identifies the following groundwater monitoring points: MB008, MB032, MB034, MB305, MB306, MB033, MB035, MB038, MB039, MB040, MB041, MB023, MB044, MB045, MB046, MB047, MB048, MB049, and requires quarterly monitoring of some pollutants and yearly monitoring of a larger suite of pollutants. This is consistent with the GMP. Groundwater monitoring was undertaken by Consulting Earth Science (CES) during the audit period. Monitoring was undertaken as per the EPL. Results were reported to the EPA as part of the Annual Returns and were also published on the Cleanaway website as required under the POEO Act. The EPL does not include any concentration limits for pollutants in groundwater. However, EPL condition R4.2 requires that the EPA is notified if monitoring detects ammonia in groundwater at a concentration above 1 mg/L at any of the monitoring points. Ammonia levels above 1 mg/L were detected on five occasions during the audit period. The GMP provides groundwater investigation levels (GILs), an exceedance of which will trigger further assessment of groundwater quality. The GMP recommends that statistical trend analysis is undertaken of the sampling points on an annual basis. The monitoring reports provided by CES do not include any detailed interpretation and analysis of monitoring results. The AEMRs report the monitoring results for ammonia testing only. The other analytes monitored are not discussed. There is no analysis of trends of any pollutants other than ammonia and no statistical analysis of monitoring results.	Compliant 2024 IEA REC 28: Undertake a more detailed interpretation and analysis of groundwater monitoring results against the groundwater trigger levels adopted in the GMP. Undertake Mann-Kendall Trend Analysis on an annual basis to determine if there are statistically significant trends at the monitoring points as outlined in the GMP and provide a discussion of this analysis in the AEMR

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status
			On the basis that groundwater monitoring was being undertaken in accordance with the EPL and the GMP, this condition has been assessed as compliant. However, it is noted that interpretation and analysis of the results was not being done as per the GMP.	
Bunding				
C37	The Applicant must store all chemicals, fuels and oils used on the site in appropriately banded areas in accordance with the requirements of all relevant Australian Standards, and/or the EPA's <i>Storing and Handling of Liquids: Environmental Protection - Participants Handbook</i> .	Site inspection observations	<p>The following chemicals, fuels and oils were stored on site at the time of the site inspection:</p> <ul style="list-style-type: none"> an aboveground double-skinned self-banded 60,000 L diesel tank in the Select Civil workshop area Waste oils in two 2,000 L tanks in the Select Civil workshop area in a concrete bund Oils and coolants in intermediate bulk containers (IBCs), 205 L drums and 20 L containers in the Select Civil workshop stored on single IBC banded spill pallets. In-ground waste oil pit associated with oil water separator in the Select Civil workshop area. Waste oil from the separator is stored in a 20 L plastic container. Select Civil reported that minimal separated oil is generated. Waste oil is collected for off-site recycling. 60,000 L diesel tank used for refuelling collection vehicles in the Truck Parking Area (TPA). At the time of the audit site inspection, the TPA was not being used as the contract with the council that was using it had expired. The tank was observed to still be in place. IBCs of odour suppressant compounds stored on single IBC banded spill pallets at the TPA workshop. IBCs of waste paint stored in an undercover, banded areas in the public drop off area. An above ground tank for storing waste oil decanted from public drop off area. This was sitting inside a concrete bund but was not covered. At the time of the audit site inspection, considerable rain had been received at the site and the bund was not observed to contain much rain water, raising concerns of the integrity of the bund. <p>Select Civil is responsible for maintaining the Workshop area. Select Civil has its own management systems and procedures for the storage of chemicals, fuels and oils including SC-WHS-005 <i>Storage & Handling of Hazardous Materials</i> and SC-SOP-<i>Hazardous Substances and Dangerous Goods</i>.</p> <p>In general, observations during the audit site inspection noted that most chemicals, fuels and oils were stored in appropriately banded areas.</p>	<p>Compliant</p> <p>2024 IEA REC 02: Review and assess the integrity the concrete bund containing the waste oil tank at the back of the public drop off area.</p>
FINAL LANDFORM, REHABILITATION & CLOSURE				
Final Landform				
C38	The Applicant must rehabilitate the site to achieve the final landform shown in Appendix C, in accordance with the criteria in the EPA's <i>Environmental Guidelines: Solid Waste Landfills, 2016</i> , or its latest version.	Interviews with site personnel	Not triggered during the audit period	Not triggered
C39	The Applicant must ensure the height of the final landform does not exceed 179.9 metres Australian Height Datum (AHO) post-settlement of the waste mass and final capping, as described in the EIS.	Interviews with site personnel	Not triggered during the audit period	Not triggered

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status
Post-Closure Plan				
C40	The Applicant must amend the draft Post-Closure Plan for the site, to the satisfaction of the Planning Secretary. The plan must: (a) be prepared by a suitably qualified and experienced person; (b) be submitted to the EPA and the Planning Secretary 12 months prior to the planned closure of the landfill and GO and ARRT Facility on the site; (c) be approved by the EPA, Council, ANSTO and the Planning Secretary, prior to commencement of the final phase of landfill capping and rehabilitation works; (d) detail the requirements for on-going management of the capped waste mass; (e) describe monitoring and management measures to ensure integrity of the cap; (f) describe on-going leachate and surface water management, odour and dust control; (g) detail landfill gas monitoring and maintenance; (h) identify future land uses on the site, developed in consultation with Council, ANSTO, the Cronulla Model Aero Club and local recreational and sporting groups; (i) include a rehabilitation management plan, including, but not limited to: i) rehabilitation works as generally depicted in Appendix C; ii) criteria for evaluating the effectiveness of the rehabilitation; iii) a program and schedule to monitor the effectiveness of the rehabilitation; iv) a program and schedule for routine maintenance of the rehabilitation; v) any remedial actions necessary to ensure the success of the rehabilitation; vi) a weed management plan; and j) incorporate the post closure requirements detailed in the VPA.	Interviews with site personnel	Not triggered during the audit period	Not triggered
VISUAL AMENITY				
C41	The Applicant must undertake screen planting as shown on the plan in Appendix D to minimise the visual impacts of the Development. The planting shall be completed by January 2025 , subject to agreement with ANSTO for works on ANSTO's land. Evidence of implementation of the planting shall be provided to the satisfaction of the Planning Secretary, within one month of completing the planting.	Interviews with Site personnel	It is noted the Consolidated Consent states that the planting must be undertaken within 6 months of the date of this consent, or as otherwise agreed with the Planning Secretary . It is believed by Cleanaway and the auditor that this is an error (as it was not marked as a change in MOD 1 or MOD 2 and that the timing provided in the original Consent for the planting to be completed by January 2025 stands. Cleanaway reported that it is in consultation with ANSTO to commence the planting later this year.	Not triggered
C42	The Applicant must progressively hydro-mulch and grass completed landfill areas to minimise the visual impacts of the Development.	Site inspection observations	The following areas were observed during the audit site inspection: <ul style="list-style-type: none"> • Areas D and E had been seeded during the previous audit period. Grass was observed to be well established. • Area A and B had been seeded approximately one year prior to the IEA site inspection. Grass was observed to be established • Area G had been seeded a few weeks prior to the audit site inspection. 	Compliant
C42A	The Applicant must ensure any lighting associated with the operation of the landfill: (a) complies with the latest version of AS 4282 (INT) - Control of Obtrusive Effects of Outdoor Lighting; and (b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.	<ul style="list-style-type: none"> • Complaints and Incident Register 6/05/2021 – 10/05/2024 • 2021 IEA, AECOM June 2021 	A mobile light tower was installed at tip face by Select Civil following the approval of MOD 1 to illuminate the landfill during the earlier hours of operation. The 2021 IEA reported that the Select Civil General Manager carried out a review of the lighting installation against AS 4282 (INT) and concluded that it was in compliance with the Standard. No complaints relating to outdoor lighting were received during the audit period.	Compliant

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status
BIODIVERSITY Construction				
C43	The Applicant must prepare a Vegetation and Fauna Management Plan to minimise impacts on biodiversity during construction of the GO and ARRT facility, to the satisfaction of the Planning Secretary. The plan must: (a) be prepared by a suitably qualified and experienced ecologist; (b) be submitted to the Planning Secretary, prior to the commencement of construction of the GO and or ARRT Facility, whichever is sooner ; (c) include a vegetation clearing protocol and pre-clearance surveys; (d) detail specific procedures for protecting native vegetation, including the <i>Coastal Upland Swamp</i> , and fauna adjacent to construction areas, including the access track near the GO Facility, the sediment pond north of the ARRT Facility and the verge adjacent to Heathcote Road; (e) detail erosion and sediment controls and weed management procedures; and (f) include procedures for seed collection and translocation of key species, including <i>Allocasuarina diminuta subsp. Mimica</i> and <i>Acacia bynoeana</i> .	<ul style="list-style-type: none"> Go Facility Vegetation and Fauna Management Plan, April, 2021 2021 IEA, AECOM June 2021 GHD letter dated 15/02/2023 detailing GO Facility Clearing Supervision and attaching report by Arcane Botanica for the extraction of <i>Allocasuarina diminuta subsp. mimica</i> Morris Civil Contract Assurance Plan (Inspection and Test Plan) 	<p>A Vegetation and Fauna Management Plan (VFMP) for the GO Facility (April 2021) was prepared and included as Appendix D of the GO Facility CEMP. The VFMP has not been updated since the 2021 IEA. The 2021 IEA assessed that the plan was compliant with the requirements of C43. DPHI approved the VFMP by letter dated 22/06/2021. The adequacy of the plan is discussed in Section 3.2.</p> <p>Construction of the GO Facility commenced in early 2023. Evidence of implementation of the key components of the VFMP include:</p> <ul style="list-style-type: none"> Pre-clearance survey was undertaken by GHD ecologists on 18/01/2023. No additional habitat features or threatened plant species were found, beyond those that were already recorded. No nocturnal surveys were required. No weed infestations were recorded that required management. 14 plants of the threatened population of <i>Allocasuarina diminuta subsp. mimica</i> were located and tagged by Arcane Botanica in December 2022. These and six possible hybrids were extracted on 20 January 2023 and transplanted into nursery trays and pots and translocated to the onsite nursery. A contractor induction was conducted by a GHD ecologist on the 23/01/2023 covering the biodiversity values of the site and the requirements of the VFMP. Vegetation clearing was supervised by a GHD ecologist on 23/01/2023 and 24/01/2023. GHD reported that few fauna were observed. One small lizard was captured and relocated to an area of vegetation to be retained to the north of the site. No fauna required rescue and care. <p>Implementation of the Erosion and Sediment Control Plan is discussed under Condition D3.</p>	Compliant
C44	The Applicant must appoint a qualified and experienced ecologist to be present on site during native vegetation clearing for construction of the GO and ARRT facility and realignment of Mill Creek.	<ul style="list-style-type: none"> GHD letter dated 15/02/2023 detailing GO Facility Clearing Supervision 	Vegetation clearing for the construction of the GO Facility was undertaken over two days on 23 -24 January 2023. The clearing was supervised by a GHD ecologist.	Compliant

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status																
Biodiversity Offset Strategy																				
C45	<p>The Applicant must purchase and retire the ecosystem and species credits listed in Table 1, in accordance with EHG's <i>Frameworks for Biodiversity Assessment 2014</i> and the <i>NSW Biodiversity Offsets Policy for Major Projects 2014</i>, to the satisfaction of the Planning Secretary. The credits must be purchased and retired prior to construction of the relevant facility listed in Table 1.</p> <p>Table 1: Biodiversity Offset Strategy</p> <table border="1"> <thead> <tr> <th>Facility</th> <th>No. of Credits</th> <th>Offset Type</th> </tr> </thead> <tbody> <tr> <td>GO Facility</td> <td>185 ecosystem</td> <td>Red Bloodwood – Scribbly Gum Healthy woodland on sandstone plateaux</td> </tr> <tr> <td rowspan="3">Former ARRT Facility</td> <td>97 species</td> <td>Eastern Pygmy-possum</td> </tr> <tr> <td>143 ecosystem</td> <td>Red Bloodwood – Scribbly Gum Healthy woodland on sandstone plateaux</td> </tr> <tr> <td>88 species</td> <td>Eastern Pygmy-possum</td> </tr> <tr> <td></td> <td>5154 species</td> <td><i>Allocasuarina diminuta</i> subsp. <i>Mimica</i></td> </tr> </tbody> </table> <p><i>Note: The areas referred to in Table 1 are shown on the figures in Appendix A.</i></p>	Facility	No. of Credits	Offset Type	GO Facility	185 ecosystem	Red Bloodwood – Scribbly Gum Healthy woodland on sandstone plateaux	Former ARRT Facility	97 species	Eastern Pygmy-possum	143 ecosystem	Red Bloodwood – Scribbly Gum Healthy woodland on sandstone plateaux	88 species	Eastern Pygmy-possum		5154 species	<i>Allocasuarina diminuta</i> subsp. <i>Mimica</i>	<ul style="list-style-type: none"> Letter to DPHI dated 30/11/2022 attaching BioBanking Credit Retirement Report 	<p>Cleanaway purchased and retired ecosystem and species credits for the GO Facility prior to the commencement of construction of the GO Facility in early 2023. Cleanaway stated that credits for the Former ARRT Facility will be purchased and retired prior to construction in that area.</p> <p>Cleanaway provided DPHI with a Credit Retirement Report by letter dated 30/11/2022. The report, which had an effective date of 4/11/2022, outlined that the following credits had been retired:</p> <ul style="list-style-type: none"> 134 ecosystem credits for Red Bloodwood – scribbly gum heathy woodland on sandstone plateaux of the Sydney Basin Bioregion (vegetation code HN566) 54 ecosystem credits for Smooth-barked Apple – Red Bloodwood – Sydney Peppermint heathy open forest on slopes of dry sandstone gullies of western and southern Sydney, Sydney Basis Bioregion (vegetation code HN586) 97 species credits for Eastern Pygmy-possum <p>Cleanaway reported that there was a shortage in the market for Red Bloodwood – scribbly gum heathy woodland credits and therefore credits for Smooth-barked Apple – Red Bloodwood – Sydney Peppermint heathy open forest were purchased and retired instead. This was not discussed with Environment and Heritage or with DPHI. The auditor is not an expert in biobanking, however on the basis that the biodiversity credits were not like-for like and the variation was not approved by the decision maker, this condition has been assessed as non-compliant.</p>	<p>Non-compliant</p> <p>2024 IEA REC 45: Seek retrospective approval from the decision maker that the alternative ecosystem credits purchased and retired meet the offset rules and satisfy the requirements of Condition C45.</p>
Facility	No. of Credits	Offset Type																		
GO Facility	185 ecosystem	Red Bloodwood – Scribbly Gum Healthy woodland on sandstone plateaux																		
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C46	<p>The Applicant must not commence construction of a facility listed in Table 1, until the Biodiversity Offset Strategy for that facility has been implemented, to the satisfaction of the Planning Secretary.</p>	<ul style="list-style-type: none"> Letter to DPHI dated 02/11/2022 re Report of Biodiversity Offset Strategy for GO Facility DPHI letter dated 30/11/2022 approving Biodiversity Offset Strategy 	<p>Cleanaway reported to DPHI by letter dated 02/11/2022 that it had implemented the Biodiversity Offset Strategy and secured the ecosystem credits and species credits outlined in Table 1 of C45. A copy of the Biobanking Register was attached which showed that Cleanaway was the owner of 134 ecosystem credits of vegetation code HN566 and 54 ecosystem credits of vegetation code H586 as well as 97 species credits for Eastern Pygmy-possum. The letter did not discuss that vegetation code HN586 was a different ecosystem to that outlined in the Table 1 of C45.</p> <p>DPHI approved the Biodiversity Offset Strategy by letter dated 30/11/2022. The letter specifically referenced the Biodiversity Offset Strategy dated 02/11/2022.</p> <p>The auditor considers that DPHI's approval was based on the Biodiversity Offset Strategy as outlined in the Cleanaway letter dated 02/11/2022 which stated that 185 ecosystem credits of Red Bloodwood -Scribbly Gum heathy woodland had been secured and that DPHI would have been unaware that a different ecosystem had been secured for 54 of the credits.</p> <p>On the basis that the approved Biodiversity Offset Strategy does not reflect the implemented Biodiversity Offset Strategy, this condition has been assessed as non-compliant.</p>	<p>Non-compliant</p> <p>2024 IEA REC 46: Seek retrospective approval from DPHI on the revised Biodiversity Offset Strategy.</p>																
C47	<p>The Applicant must ensure the biodiversity offsets are secured by a conservation mechanism, which protects and manages the land in perpetuity, to the satisfaction of the Planning Secretary.</p>		<p>Biodiversity offsets were achieved through the purchase and retirement of biodiversity credits created under the Biodiversity Offset Scheme. Under the Scheme, biodiversity credits are created when landowners establish Biodiversity Stewardship Agreements to conserve and manage the biodiversity on their land.</p>	<p>Compliant</p>																

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status
TRANSPORT AND ACCESS				
Construction Traffic Management Plan				
C48	<p>The Applicant must prepare a Construction Traffic Management Plan for construction of the GO and ARRT facility. The plan must:</p> <p>(a) be prepared by a suitably qualified and experienced expert, in consultation with Council and TfNSW;</p> <p>(b) be submitted to the Planning Secretary, prior to the commencement of construction of the GO and/or ARRT Facility;</p> <p>(c) detail the measures to be implemented to ensure road safety and network efficiency during construction;</p> <p>(d) detail heavy vehicle routes, access and parking arrangements;</p> <p>(e) include a Driver Code of Conduct to:</p> <ul style="list-style-type: none"> • minimise the impacts of construction works on the local and regional road network; • minimise conflicts with other road users; • ensure truck drivers use specified routes; <p>(f) include a program to monitor the effectiveness of these measures; and</p> <p>(g) if necessary, detail procedures for notifying residents and the community, of any potential disruptions to routes.</p>	<ul style="list-style-type: none"> • Go Facility Construction Traffic Management Plan, GHD, July 2021 • DPHI letter dated 01/10/2021 approving CTMP, Rev 5, July 2021 	<p>A Construction Traffic Management Plan (CTMP) for the GO Facility was included as Appendix E of the GO Facility CEMP. This was revised following the 2021 IEA.</p> <p>a) The CTMP was prepared by GHD. Evidence of consultation with TfNSW is provided in Appendix C. The CTMP was provided to SSC as part of the CEMP. SSC did not have any specific comments on the CTMP. Evidence of this consultation is provided in Appendix A of the CEMP.</p> <p>b) The CTMP (Rev 5, July 2021) was approved by DPHI by letter dated 01/10/2021.</p> <p>c) Section 4 details traffic management procedures</p> <p>d) Section 3.3 outlines proposed haulage routes, Section 3.5 outlines construction personnel vehicle access routes and Section 3.6 discusses parking.</p> <p>e) A Driver Code of Conduct is included as Appendix B</p> <p>f) Section 4.9 details the monitoring program</p> <p>g) Not included.</p> <p>On the basis that the CTMP was approved by DPHI this condition has been assessed as compliant, however a recommendation has been made relating to procedures for notifying the community of disruptions to routes.</p>	<p>Compliant</p> <p>2024 IEA REC 42: Update the CTMP to include procedures for notifying residents and the community of any potential disruptions to routes</p>
Intersection Safety Review				
C49	<p>The Applicant must conduct a safety review of the Little Forest Road and New Illawarra Road intersection in the years 2020 and 2025 to ensure the on-going safe and efficient performance of the intersection. The safety reviews must be prepared to the satisfaction of the Planning Secretary and shall:</p> <p>(a) be prepared by an independent traffic expert;</p> <p>(b) be undertaken in consultation with Council and TfNSW and in accordance with relevant guidelines;</p> <p>(c) be approved by the Secretary and TfNSW, by the end of 2020 and 2025;</p> <p>(d) analyse vehicle movements and delays during peak periods;</p> <p>(e) establish intersection performance and the need for any intersection upgrade works; and</p> <p>(f) include a program for implementation of intersection upgrade works, if required.</p>	2021 IEA, AECOM June 2021	<p>The 2020 safety review of the Little Forest Road and new Illawarra Road intersection was reviewed in the 2021 IEA.</p> <p>The 2025 safety review has not been triggered.</p>	Not triggered
C50	<p>The Applicant must implement the recommendations of the safety reviews, including any required intersection upgrades, to the satisfaction of the Planning Secretary and TfNSW. The timing and payment for implementation of any required intersection upgrades shall be agreed with the Planning Secretary and TfNSW.</p>	2021 IEA, AECOM June 2021	<p>As reported in the 2021 IEA, the Intersection Safety Review conducted in 2020 did not recommend any upgrades to the Little Forest Road and New Illawarra Road intersection.</p>	Not triggered
Operating Conditions				
C51	<p>The Applicant must ensure:</p> <p>(a) all staff vehicles, plant and equipment are parked on site and do not park on the public road network;</p> <p>(b) all loading and unloading of materials is carried out on site;</p> <p>(c) all trucks entering or leaving the site with loads have their loads covered;</p> <p>(d) vehicles do not track dirt onto the public road network; and</p> <p>(e) heavy vehicles use designated routes to minimise impacts on the local and regional road network.</p>	<ul style="list-style-type: none"> • Site inspection observations • Interviews with site personnel 	<p>(a) No parked vehicles, plant or equipment was sighted on the public road network during the two days of the audit site inspection. Parking bays were available for staff vehicles. A Truck Parking Area is available for municipal waste trucks.</p> <p>(b) All vehicles entering the site must pass over the weighbridge. Weighbridge staff direct vehicles to the appropriate areas for unloading.</p> <p>(c) The majority of loads received at LHRRP are from Municipal waste trucks which are enclosed bodies. For other waste loads, the weighbridge has cameras installed to check that loads are covered upon entering and exiting the Site.</p>	Compliant

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status																															
			<p>(d) The wheel wash was extended in 2023 and is now double the length it was previously with more jets installed. It was observed to be operational and used by trucks during the audit site inspection which was on a wet day. Mud was not observed to be tracked onto the public road network on the days of the site inspections. There were no complaints relating to dirt on public roads received during the audit period.</p> <p>(e) Cleanaway implemented the following measures for heavy vehicles:</p> <ul style="list-style-type: none"> Cleanaway has Heavy Vehicle PBS Authorisation permit for a number of its trucks (quad-axle mostly used to transport waste from transfer stations) which specifies which designated routes they can use. Cleanaway's sub-contractors toolbox drivers on designated routes. Cleanaway's trucks are fitted with GPS monitoring. If a vehicle deviates from the designated route an alert is sent to the head office 																																
Parking																																			
C52	The Applicant must provide sufficient parking facilities for site personnel and heavy vehicles on the site, to ensure traffic associated with the site does not utilise public and residential streets or public parking facilities.	Site inspection observations	Site observations indicated that parking facilities are sufficient for the workforce and heavy vehicles.	Compliant																															
NOISE																																			
Hours of Work																																			
C53	<p>The Applicant must comply with the hours detailed in Table 2, unless otherwise agreed in writing by the EPA or the Planning Secretary.</p> <p>Table 2: Hours of Work</p> <table border="1"> <thead> <tr> <th>Facility</th> <th>Activity</th> <th>Day</th> <th>Time</th> </tr> </thead> <tbody> <tr> <td rowspan="3">Landfill</td> <td>Construction</td> <td>Monday - Friday Saturday - Sunday</td> <td>7 am – 5pm 8 am – 5pm</td> </tr> <tr> <td>Operation</td> <td>Monday - Friday Saturday Sunday</td> <td>5 am – 5pm 6 am – 5pm 8am – 5pm</td> </tr> <tr> <td>Other operations¹</td> <td>Monday - Sunday</td> <td>Anytime</td> </tr> <tr> <td rowspan="3">GO Facility</td> <td>Construction</td> <td>Monday - Friday Saturday - Sunday</td> <td>7 am – 5pm 8 am – 5pm</td> </tr> <tr> <td>Operation</td> <td>Monday - Friday Saturday - Sunday</td> <td>6 am – 5pm 8 am – 5pm</td> </tr> <tr> <td>Other operations²</td> <td>Monday - Sunday</td> <td>Anytime</td> </tr> <tr> <td rowspan="2">ARRT Facility</td> <td>Construction</td> <td>Monday - Friday Saturday - Sunday</td> <td>7 am – 5 pm 8 am – 5 pm</td> </tr> <tr> <td>Operation</td> <td>Monday - Sunday</td> <td>Anytime</td> </tr> </tbody> </table> <p>Notes: 1 Other landfilling operations includes only security guard control, machinery maintenance and/or repairs, site infrastructure maintenance and/or repairs (landfill gas and leachate), and emergency management activities related to site safety, emergency repairs and site infrastructure repairs 2 Other GO operations includes only repair works, machinery maintenance and repairs, loading bunkers, final product preparation manufacture (but does not include shredding) and emergency management activities related to site safety, emergency repairs and site infrastructure repairs. Unloading bunkers-tunnels is only permitted between the hours of operations listed under 'GO Facility - Operation' in Table 2.</p>	Facility	Activity	Day	Time	Landfill	Construction	Monday - Friday Saturday - Sunday	7 am – 5pm 8 am – 5pm	Operation	Monday - Friday Saturday Sunday	5 am – 5pm 6 am – 5pm 8am – 5pm	Other operations ¹	Monday - Sunday	Anytime	GO Facility	Construction	Monday - Friday Saturday - Sunday	7 am – 5pm 8 am – 5pm	Operation	Monday - Friday Saturday - Sunday	6 am – 5pm 8 am – 5pm	Other operations ²	Monday - Sunday	Anytime	ARRT Facility	Construction	Monday - Friday Saturday - Sunday	7 am – 5 pm 8 am – 5 pm	Operation	Monday - Sunday	Anytime	<ul style="list-style-type: none"> Interviews with site personnel DPHI letter dated 03/03/2022 approving temporary extension of operating hours DPHI letter dated 18/03/2022 approving temporary extension of operating hours DPHI letter dated 11/05/2022 approving temporary extension of operating hours DPHI letter dated 25/05/2022 approving temporary extension of operating hours DPHI letter dated 27/07/2022 approving temporary extension of operating hours LHRRP Amendment to Landfill Operating Hours: Modification Report, GHD, 7/03/2023 Statement of Work for GO Facility Bulk Earthworks, 01/06/2022 	<p>On 03/03/2022 temporary approval was granted by DPHI to extend operating hours from 4am-6pm weekdays, 5am-5pm Saturday and 6am-5pm Sunday. This was requested as the continued wet weather was impacting access to the tip face and resulting in considerable delays and restrictions on the number of loads able to be received daily. This approval was for a four-week period commencing 4/03/2022 until 01/04/2022.</p> <p>A further approval was requested and granted on 18/03/2022 to allow the Lucas Heights Landfill to accept waste 24 hours per day Mondays to Saturdays and between 6am to 5pm on Sundays. This was due to flooding of the rail line between Sydney and the Velia Woodlawn facility affecting that facilities ability to accept waste and increasing the demand for municipal waste disposal at the Lucas Heights landfill. This approval was for a four-week period commencing 18/03/2022 to 15/04/2022.</p> <p>Further extensions were granted in May and July extending the hours to 2am to 4pm weekdays, 5am to 4pm Saturdays and 6am to 4pm Sundays. On 30/09/2022 approval was received permitting operations from 3am to 5pm on weekdays, 5am to 4pm on Saturday and 6am to 4pm on Sunday. This temporary approval had an expiry date of 31/03/2023.</p> <p>Cleanaway began the process of seeking to permanently change its operating hours to 3am to 5pm weekdays, 5am to 4pm on Saturday and 6am to 4pm on Sunday through a modification of the development consent. A Modification Report was prepared by GHD and submitted to SSC in January 2023 for consultation as co-applicant. SSC provided feedback with regards to noise assessments for the site and considerations. The Modification Report was revised and resubmitted to SSC in March 2023. Cleanaway was hoping that the modification would be discussed and endorsed by SSC at their meeting in May 2023.</p> <p>The Modification Report was also submitted to DPHI and EPA on the 29/03/2023 and a request sought for an extension to the temporary approval of the extended hours whilst the formal process of lodging the modification progressed.</p> <p>The EPA responded by letter dated 11/04/2023 that it agreed to extend the temporary approval of the extended hours until the 10 June 2023.</p>	<p>Non-compliant</p> <p>2024 IEA REC 47: Ensure that the operating hours specified by the Consent are adhered to</p>
Facility	Activity	Day	Time																																
Landfill	Construction	Monday - Friday Saturday - Sunday	7 am – 5pm 8 am – 5pm																																
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		<ul style="list-style-type: none"> Sample of Excel extracts of weighbridge data 25/04/2023, 14/05/2023, 16/07/2023, 03/08/2023, 06/09/2023, 13/11/2023, 21/11/2023 	<p>Cleanaway reported that SSC did not endorse the Modification application and therefore it was not officially submitted. Cleanaway continued to consult with SSC throughout 2023 and into 2024 and reported that it is still pursuing the Modification application.</p> <p>The auditor selected a sample of days and spot checked the weighbridge data for 'Time In' and 'Time Out'. The following was noted:</p> <ul style="list-style-type: none"> Tuesday 25/04/2023: earliest Time In: 3:01, latest Time Out: 15:48 Sunday 14/05/2023: earliest Time In: 8:01, latest Time Out: 15:41 Sunday 16/07/2023: earliest Time In: 8:01, latest Time Out: 16:11 Thursday 03/08/2023: earliest Time In: 3:01, latest Time Out: 16:02 Wednesday 06/09/2023: earliest Time In: 3:01, latest Time Out: 16:04 Monday 13/11/2023: earliest Time In: 3:00, latest Time Out: 16:02 Tuesday 21/11/2023: earliest Time In: 3:00, latest Time Out: 15:51 <p>Construction associated with the GO Facility commenced in 2023 and was undertaken by contractor Morris Civil. This included clearing and mulching of vegetation and excavation activities. It was reported that these activities were undertaken from 7am to 5pm. The Statement of Work between Cleanaway and Morris Civil for the GO Facility bulk earthworks dated 01/06/2022 was sighted and noted to include Development Consent SSD 6835, EPL 5065 and the GO Facility CEMP as attachments.</p> <p>Given that temporary approval of the extended operating hours lapsed on 10 June 2023 and Cleanaway continued to accept waste at 3am weekdays up until 11 June 2024, this condition has been assessed as non-compliant.</p>																																																	
Operational Noise Limits																																																				
C54	<p>C54. The Applicant must ensure noise from the site does not exceed the noise limits in Table 3.</p> <p>Table 3: Noise Limits dB(A)</p> <table border="1"> <thead> <tr> <th>No.</th> <th>Location</th> <th>Day</th> <th>Evening</th> <th>Night</th> <th>Night</th> </tr> <tr> <td></td> <td></td> <td>Leq(15min)</td> <td>Leq(15min)</td> <td>Leq(15min)</td> <td>Leq(1min)</td> </tr> </thead> <tbody> <tr> <td>R1</td> <td>Engadine</td> <td>35</td> <td>35</td> <td>35</td> <td>45</td> </tr> <tr> <td>R2</td> <td>Barden Ridge</td> <td>35</td> <td>35</td> <td>35</td> <td>45</td> </tr> <tr> <td>R3</td> <td>Menai</td> <td>35</td> <td>35</td> <td>35</td> <td>45</td> </tr> <tr> <td>R6</td> <td>Gandangara</td> <td>37</td> <td>37</td> <td>37</td> <td>45</td> </tr> <tr> <td>R7</td> <td>Gandangara North</td> <td>35</td> <td>35</td> <td>35</td> <td>45</td> </tr> <tr> <td>R8</td> <td>The Ridgeway</td> <td>35</td> <td>35</td> <td>35</td> <td>35</td> </tr> </tbody> </table> <p>Note:</p> <ul style="list-style-type: none"> To identify a noise receiver location, refer to the figure in Appendix E. Noise generated on the site is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the EPA's NSW Industrial Noise Policy. 	No.	Location	Day	Evening	Night	Night			Leq(15min)	Leq(15min)	Leq(15min)	Leq(1min)	R1	Engadine	35	35	35	45	R2	Barden Ridge	35	35	35	45	R3	Menai	35	35	35	45	R6	Gandangara	37	37	37	45	R7	Gandangara North	35	35	35	45	R8	The Ridgeway	35	35	35	35	<ul style="list-style-type: none"> Annual Noise Compliance Monitoring, RWDI, 20/12/2023 Annual Noise Compliance Monitoring, RWDI, 13/01/2023 Annual Compliance Noise Monitoring Report, RWDI, 07/02/2022 	<p>Cleanaway commissioned noise consultants, RWDI to undertake annual noise monitoring and assessment at the receiver locations R1 to R7 in 2021 and 2022 and receiver locations R1 to R8 in 2023 (noting that receiver R8 was added to the Consent in November 2023).</p> <p>The noise monitoring indicated that no noise from the site was audible at any of the measurement locations during any of the monitoring events. On this basis, RWDI estimated the site noise contribution at each receiver location and assessed that the estimated noise from the LHRRP complied with the consent conditions at all locations.</p>	Compliant
No.	Location	Day	Evening	Night	Night																																															
		Leq(15min)	Leq(15min)	Leq(15min)	Leq(1min)																																															
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R8	The Ridgeway	35	35	35	35																																															

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status
Noise Management				
C55	The Applicant must implement the noise management measures described in the OEMPs for the LHRRP and GO and ARRT facility to ensure noise from the site complies with the limits in Table 3.	<ul style="list-style-type: none"> Interviews with site personnel Landfill Daily Checklist, 26/04/2024 Noise monitoring record sheets, 16/04/2024 	<p>The OEMP for the LHRRP includes a number of preventative, mitigation and rectification measures. These were considered to be generally implemented as discussed below:</p> <ul style="list-style-type: none"> The site is inspected for excessive noise levels – daily. The auditors noted that the Landfill Daily Checklist includes a check of “noise (on and off-site)”. No further detail is provided on how this assessment is undertaken. Maintenance of machinery – as required. Maintenance of plant and equipment is discussed under condition B11. Checking machinery for excessive noise – quarterly. Select Civil undertake plant monitoring and record the results in a ‘Noise Monitoring Record Sheet’. The tests undertaken on 16/04/2024 for two compactors and two dozers indicated measured levels were below 85 dB which is the recommended maximum noted on the Monitoring Record Sheet. Recording noise complaints – on occurrence. Complaints from one resident regarding noise from the leachate treatment plant were received during the audit period. Cleanaway liaised with the EPA and with the complainant to investigate this complaint. This is discussed further in Section 3.1. <p>Annual noise monitoring undertaken during the audit period demonstrates that the site complies with the noise limits in C54.</p>	Compliant
Noise Monitoring				
C56	The Applicant must monitor noise from the site to demonstrate compliance with the noise limits in Table 3. The monitoring must be: (a) undertaken annually, or to address genuine noise complaints that are related to the site as determined by the EPA or the Planning Secretary; (b) in accordance with the <i>NSW Industrial Noise Policy</i> ; and (c) reported to the EPA and the Planning Secretary within one month of completing the monitoring, including details of management actions taken and the effectiveness of the actions to address any exceedances of the limits in Table 3.	<ul style="list-style-type: none"> Annual Noise Compliance Monitoring, RWDI, 20/12/2023 Annual Noise Compliance Monitoring, RWDI, 13/01/2023 Annual Compliance Noise Monitoring Report, RWDI, 07/02/2022 Post Mitigation Noise Testing of Cleanaway Leachate Plant, RWDI, 15/01/2024 Submission email to EPA, dated 14/02/2022 Submission email to EPA, dated 13/02/2023 Submission email to EPA, dated 30/01/2024 	<p>a) Annual noise compliance monitoring was undertaken by RWDI in 2021, 2022 and 2023.</p> <p>In addition, noise monitoring was undertaken on 12/12/2023 in response to a noise complaint received from a resident in Barden Ridge. This monitoring was initiated by Cleanaway and was not directed by the EPA or DPHI. This is discussed further in 3.1.</p> <p>b) The RWDI reports state in Section 1, that the assessments were conducted in accordance with the <i>NSW EPA Industrial Noise Policy</i>.</p> <p>c) The 2021 annual noise compliance monitoring was undertaken on 13/12/2021. The report dated 07/02/2022 was provided to the EPA on 14/02/2022. A summary of the results was provided in the 2021 AEMR however the report itself was not provided to DPHI.</p> <p>The 2022 annual noise compliance monitoring was undertaken on 19/12/2022. The report dated 13/01/2023 was provided to the EPA by email on 13/02/2023. A summary of the results was provided in the 2022 AEMR however the report itself was not provided to DPHI.</p> <p>The 2023 annual noise compliance monitoring was undertaken on 12/12/2023. The report dated 20/12/2023 was provided to the EPA by email on 30/01/2024. The report was included as an attachment to the 2023 AEMR which was submitted to DPHI on 29/02/2024.</p> <p>The monitoring undertaken on 12/12/2023 to address the noise complaint from the Barden Ridge resident was provided to the EPA on request by email on 30/01/2024. This monitoring and the outcomes were not discussed in the AEMR.</p> <p>The monitoring did not identify any exceedances with the limits of C54 and therefore management actions were not considered necessary, although it is noted that some mitigation measures were implemented in response to the Barden Ridge complaint.</p>	Non-compliant 2024 IEA REC 48: Ensure annual noise monitoring is provided to DPHI within one month of completing the monitoring

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status
			On the basis that the annual noise monitoring reports were not provided to DPHI in 2021 and 2022, this condition has been assessed as non-compliant. It is noted that the 2023 noise monitoring conducted in December was included within the 2023 AEMR submitted to DPHI in February, however technically this also does not meet the reporting timeframe.	
LITTER & PEST CONTROL				
C57	The Applicant must: (a) ensure all waste loads are covered; (b) inspect and clear the site (and if necessary, surrounding area) of litter arising from the Development on a daily basis; and (c) maintain the site in a clean and tidy state at all times.	<ul style="list-style-type: none"> • Interviews with site personnel • Site inspection observations • SC-SOP-025 Litter Control • SC-SOP-025 Training Record, 13/02/2024 • Landfill Daily Checklist dated 26/04/2024 • Environmental Site Walk 10/11/2023, 15/01/2024, 27/03/2024 	<p>a) The majority of loads received at LHRRP are from Municipal waste trucks which are enclosed bodies. For other waste loads, the weighbridge has cameras installed to check that loads are covered upon entering and exiting the Site.</p> <p>b) The following measures were in place to manage litter:</p> <ul style="list-style-type: none"> • Select Civil has developed SOP-025 Litter Control which includes actions to control litter, prior to waste delivery, at the tip face and for the control of loose litter. This includes measures such as ensuring loads are covered whilst in transit to the landfill, wetting down the waste during tipping, surrounding the tipping area with moveable litter screens, wetting down waste during spreading and compaction, covering waste, maintaining cover material to minimise exposed waste, installing litter fences and daily litter collection. Training records were observed indicating staff had been trained on this SOP on the 13/02/2024. • Landfill Daily Checklist completed by Select Civil. The checklist includes notes on litter management, including whether a litter inspection was completed, litter collected, litter fences in position and the number of litter pickers. • Environmental Site Walk undertaken by the Environment Technical Team on a monthly basis. The Environmental Site Walk looks at issues across the site and includes checks for litter. The inspections in November 2023, January 2024 and March 2024 all identified areas that required additional litter picking. <p>c) The Site entrance, public drop-off area and landfill areas were observed to generally be clean and tidy at the time of the IEA site inspections. Litter fences have been installed along the boundary of the active tipping face, at the perimeter of Area C and Area F and along the boundary with the EDL power station. The process of covering waste at the active tip face at the end of the day was observed during the site inspection, including with tarps using the Tarp Deployment System machine and with daily cover.</p>	Compliant

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status
C58	<p>The Applicant must:</p> <p>(a) implement measures to manage pests, vermin and declared noxious weeds on site; and</p> <p>(b) inspect the site routinely to ensure the 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.</p> <p><i>Note: For the purposes of this condition, noxious weeds are those species subject to an order declared under the Noxious Weed Act 1993.</i></p>	<ul style="list-style-type: none"> Site inspection observations Weed Management Plan, Rev 3, 01/10/2021 Cleanaway High Risk Weed Control Program, SSC, 23/08/2022 and 01/10/2023 Work Summary for Weed Control Works carried out at SUEZ, Lucas Heights December 2020-March 2022, EcoHort Letter from SSC, Control of Pest Species at Lucas Heights Conservation Area and SUEZ, 08/02/2022 and 20/01/2023 	<p>Section 8.9 of the OEMP includes a management strategy for weeds, pest and vermin. Cleanaway has also developed a Weed Management Plan, which was last updated in October 2021.</p> <p>Cleanaway participates in an Integrated Program for high-risk priority weeds and environmental weeds with SSC. An annual program was prepared identifying the weeds to be targeted, the program outline and treatment method. The program was administered by SSC with Cleanaway contributing financially and allowing access to the site. Cleanaway reported that due to COVID-19, the implementation of the 2021 and 2022 programs was delayed. The 2022 program commenced on 29/08/2022 and was completed on 30/06/2023. The 2023 program commenced on 1/10/2023 and was completed on 30/11/2023. From 2024, Cleanaway is responsible for organising the program rather than SSC.</p> <p>Cleanaway also participates in a co-operative control program for rabbits, cats, foxes, dogs and deer with SSC. The program is managed by SSC with Cleanaway contributing financially and by providing access to the site. The auditors sighted letters from SSC outlining the Council's pest control program for 2022 and 2023.</p> <p>Cleanaway reported that it engaged a pest control contractor to undertake pest control around the office area.</p> <p>Some weeds were observed during the audit site inspection. Refer to Site inspection observations in Section 2.4</p>	<p>Compliant</p> <p>2024 IEA REC 52: Update the Weed Management Plan to reflect the change in administration of the weed control program between SSC and Cleanaway and ensure this is reflected in the Action Plan responsibilities</p> <p>2024 IEA REC 01: Develop and implement the annual weed control program for 2024</p>
HERITAGE				
Unexpected Finds Protocol				
C59	If Aboriginal objects are uncovered during construction, work in the immediate area must stop and the Regional Operations Group of the EHG, Council and the Registered Aboriginal Parties are to be consulted.	Interviews with site personnel	No Aboriginal objects were reportedly uncovered during the audit period.	Not triggered
C60	If any archaeological relics are uncovered during the course of the work, then all works must cease immediately in that area and the EHG Heritage Branch contacted. Depending on the possible significance of the relics, an archaeological assessment and an excavation permit under the <i>NSW Heritage Act 1977</i> may be required before further works can continue in that area.	Interviews with site personnel	No archaeological relics were reportedly uncovered during the audit period.	Not triggered
Site Impact Recording				
C61	Within one month of the date of this consent, the Applicant must submit Site Impact Recording Forms to EHG for the four previously impacted Aboriginal heritage sites, AHIMS 52-2-1 108, 52-2-1029, 52-2-1030 and 52-2-1031, as described in the EIS.	2021 IEA, AECOM, June 2021	Assessed as complete in previous IEA.	Complete
FIRE PREVENTION & MANAGEMENT				
C62	The Applicant shall: (a) design and construct the GO and ARRT Facility buildings to meet the fire safety requirements of the SCA; and (b) maintain a 10 metre wide Asset Protection Zone around the northern and western sides of the GO and ARRT Facility buildings.	Interviews with site personnel	Not triggered during the audit period	Not triggered
C63	The Applicant must prepare an Emergency Response Plan for the site detailing procedures to be implemented in the event of a fire on or near the site. The Emergency Response Plan must: (a) be prepared by a suitably qualified and experienced expert in consultation with Council and the NSW Rural Fire Service; (b) be submitted to the Planning Secretary within three months of the date of this consent, or an alternative timing as otherwise agreed with the Planning Secretary; and (c) detail emergency access and egress routes, including an alternative access route, escape routes, refuge areas, assembly points and evacuation procedures.	<ul style="list-style-type: none"> ERP Version 13, 08/10/2021 DPHI approval of ERP dated 04/11/2021 	<p>The Emergency Response Plan (ERP) was last revised on the 8/10/2021 to update the alternative access route and refuge areas within the site.</p> <p>It was reported that the ERP was in the process of being revised following approval of MOD 2 and to update it from a SUEZ document to a Cleanaway document.</p> <p>(a) The ERP was prepared and revised by a number of Cleanaway staff. Details of consultation are included in Appendix 6 of the Plan. (b) Rev 13 of the ERP was approved by DPIE on 04/11/2021. (c) The plan includes Evacuation Diagrams for the different areas across the site.</p>	Compliant

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status
ENVIRONMENTAL MANAGEMENT				
Construction Environmental Management Plan				
D1	The Applicant must prepare a Construction Environmental Management Plan (CEMP) for the Development, to the satisfaction of the Planning Secretary. The Plan must: (a) be prepared in consultation with Council and be approved by the Planning Secretary prior to construction of the Development; (b) identify the statutory approvals that apply to the site; (c) outline all environmental management practices and procedures to be followed during construction; (d) describe all activities to be undertaken on the site during construction, including a clear indication of construction stages; (e) detail how the environmental performance of the construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts; (f) describe the roles and responsibilities for all relevant employees involved in construction works; and (g) include the management plans under Condition D2 of this consent.	<ul style="list-style-type: none"> • 2021 IEA, AECOM June 2021 • GO Facility CEMP, July 2021 • DPHI letter dated 22/06/2021 approving GO Facility CEMP and sub plans • CEMP Dual Gas and Leachate Trench Construction Works, Rev 4, 02/10/2028 • OEMP, dated 23 October 2018 	<p>A CEMP was prepared for the Dual Gas and Leachate Trench construction works and for the construction of the new GO Facility. Activities associated with landfill re-profiling, stripping back covered areas and landfilling on top of existing waste are incorporated into the OEMP.</p> <p>The Dual Gas and Leachate Trench CEMP was not revised during the audit period. Refer to C23.</p> <p>The GO Facility CEMP was originally submitted to DPHI in April 2021 (as noted in previous IEA). DPHI requested additional information be included by letter dated 11/05/201. The GO CEMP was revised and approved by DPHI by letter dated 22/06/2021.</p> <p>The GO Facility CEMP was assessed in the 2021 IEA as addressing the requirements of this condition. The adequacy of the Plan is discussed in Section 3.2.</p>	Compliant
D2	As part of the CEMP for the Development, required under Condition D1 of this consent, the Applicant must include the following: (a) a construction management plan for the dual gas and leachate trench prepared in consultation with EPA (Condition C23); (b) an erosion and sediment control plan; (c) a vegetation and fauna management plan (Condition C43); and (d) a construction traffic management plan (Condition C48).	<ul style="list-style-type: none"> • GO Facility CEMP, July 2021 • CEMP for the Dual Gas and Leachate Trench construction works, Rev 4, 02/10/2018 	<p>The GO Facility CEMP includes the following appendices:</p> <p>(a) Appendix B: CEMP for the Dual Gas and Leachate Trench construction works, dated July 2017. It is noted the most recent version of this CEMP is Rev 4, 02/10/2018</p> <p>(b) Appendix C: Erosion and Sediment Control Plan, April 2021</p> <p>(c) Appendix D: Vegetation and Fauna Management Plan, April 2021</p> <p>(d) Appendix E: Construction Traffic Management Plan, July 2021</p> <p>The adequacy of these plans is discussed in Section 3.2.</p>	Compliant 2024 IEA OFI 03: Update Appendix B of the GO Facility CEMP to include the most up to date CEMP for the Dual Gas and Leachate Trench construction works
D3	The Applicant must carry out construction of the Development in accordance with the CEMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time), unless otherwise agreed by the Planning Secretary.	<ul style="list-style-type: none"> • GO Facility CEMP, July 2021 • Morris Civil Contract Assurance Plan (Inspection and Test Plan) • Statement of Work – Major Works: LHGO Development Bulk Earthworks Phase 1 between Cleanaway and Morris Civil • Morris Civil General Site Inspection Checklist, 19/03/2023 • Morris Civil Toolbox Talk / Minutes, 22/03/2023 • Interviews with site personnel 	<p>Construction of the dual gas and leachate trench was completed during the audit period. Refer to Condition C23 for further discussion of these works.</p> <p>Construction of the new GO Facility commenced in early 2023 and was undertaken by contractor Morris Civil. This included clearing and mulching of vegetation and excavation activities.</p> <p>The following evidence of implementation of the GO Facility CEMP was provided:</p> <ul style="list-style-type: none"> • At the time of the audit site inspection, Stage 1 of the excavation works for the western GO Facility footprint had been completed and the site was draining inwards and being utilised as a sediment basin • Topsoil was scraped back and stockpiled and reportedly re-spread over disturbed area (small remnant stockpiles observed during site inspection) • Two watercarts were available for dust suppression at the GO Facility (reported and photograph provided) • Site inspections were undertaken by the contractor. Sighted completed checklist dated 19/03/2023 which included a check of environmental / operational controls and notes that additional controls were required at diversion trench entrances • Toolbox talks were undertaken. Sighted minutes for toolbox talk on 23/03/2023 which included discussion of housekeeping (including oil drum storage, chemical storage, spill kit refill), erosion control inspection improvement, dust control and CEMP • It was reported that no unexpected material (including waste materials or evidence of filling) was encountered during construction • It was reported that there were no unexpected Aboriginal or non-Aboriginal heritage finds 	Compliant

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status
			Implementation of the key components of the Vegetation and Fauna Management Plan is discussed under Condition C43. As no construction works were occurring at the time of the site inspection, review of the CEMP implementation was limited to review of documents form the time as provided by Cleanaway.	
Operational Environmental Management Plan				
D4	The Applicant must amend the draft Operational Environmental Management Plan (OEMP) for the Landfill and GO and ARRT Facility, to the satisfaction of the Planning Secretary. The Plans must: <ul style="list-style-type: none"> (a) be prepared in consultation with Council and be approved by the Planning Secretary prior to operation of the Development; (b) identify the statutory approvals that apply to the site; (c) outline all environmental management practices and procedures to be followed during operation; (d) detail how the environmental performance of the Development will be monitored, and what actions will be taken to address identified adverse environmental impacts; and (e) include the management plans under Condition D5 of this consent. (f) incorporate the measures identified in the Modification Assessments in accordance with the timing specified in Condition D8(d) 	<ul style="list-style-type: none"> • OEMP, Rev 4, 23/10/2021 • DPHI Major Projects email 4/11/2021 confirming receipt of OEMP 	<p>The OEMP was updated in October 2021 following the 2021 IEA and submitted it to DPHI on 4/11/2021. Cleanaway reported that it then transitioned from SUEZ to Cleanaway and was unaware if the OEMP was approved by DPHI.</p> <ul style="list-style-type: none"> a) Consultation with SSC during preparation of the OEMP is not discussed in the OEMP b) The statutory approvals that apply to the site are included in Section 1.7 c) environmental management practices and procedures are discussed in Section 8 d) monitoring requirements are discussed in Section 9. Environmental auditing and review is discussed in Section 6 e) refer to Condition D5 f) the measures from the Modification Assessment associated with MOD 2 have not been incorporated into this revision of the OEMP. <p>The draft GO Facility OEMP will be amended prior to operation of the new GO Facility.</p> <p>The adequacy of the plan is discussed in Section 3.2.</p> <p>On the basis that the OEMP did not incorporate the measures identified in the MOD 2 Modification Assessment, this condition is considered non-compliant.</p>	Non-compliant 2024 IEA REC 12: Update the OEMP to incorporate the measures identified in the MOD 2 Modification Assessment and to remove activities and references related to the ARRT and submit to DPHI for approval
D5	As part of the OEMP's for the Development, required under Condition D4 of this consent, the Applicant must include the following: <ul style="list-style-type: none"> (a) site air quality and odour management plan (Condition C11); (b) ARRT Facility air quality and odour management plan (Condition C17); detailed design of the surface management at the GO Facility (Condition C32) (c) biofilter and pre-treatment monitoring and maintenance plan (Condition C18); (c) aquatic habitat monitoring plan (Condition C33); (d) Mill Creek stream rehabilitation, stabilisation and vegetation management plan (Condition C34); (e) groundwater management plan (Condition C35); and (f) emergency response plan (Condition C63). 	<ul style="list-style-type: none"> • AQOMP, 09/09/2021 • Mill Creek Stream Rehabilitation, Stabilisation and Vegetation Management Plan, GHD, dated April 2021 • AHMP, GHD, dated April 2021 • GMP, Douglas Partners, Rev 2, 31/01/2018 • ERP Version 13 08/10/2021 	<p>The following plans were included as part of the OEMP:</p> <ul style="list-style-type: none"> a) Site AQOMP - updated 09/09/2021 b) GO Facility detailed design – not triggered during the audit period c) AHMP – dated April 2021 (not updated during audit period) d) Mill Creek Stream Rehabilitation, Stabilisation and Vegetation Management Plan – dated April 2021 (not updated during the audit period) e) GMP – dated 31 January 2018 (not updated during audit period) f) ERP – updated 08/10/2021 	Compliant

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status
D6	The Applicant must operate the Development in accordance with the OEMP's approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time), unless otherwise agreed by the Planning Secretary.	Evidence sighted throughout this Compliance Table	<p>The OEMP had not been updated to reflect Cleanaway's management structure, systems and procedures and therefore a number of aspects of the OEMP were not being implemented as described. This included roles and responsibilities, inspections, training, incident and complaint reporting, and internal audit procedures.</p> <p>Aspects of the OEMP that were being implemented include:</p> <ul style="list-style-type: none"> Monitoring was being undertaken, including surface water, groundwater, leachate, landfill gas, depositional dust, TSP, noise, meteorological, odour and litter The OEMP and AQOMP trigger for notifying SSC when 10 or more complaints are received within any calendar month was implemented in April 2022. AEMRs were prepared and submitted to DPHI on an annual basis The Community Reference Group (CRG) was established and met on a quarterly basis. Monitoring results were presented to the CRG. The Cleanaway website included the information required by Condition D15 including management plans, monitoring results, AEMRs, IEAs and the Complaints Register Complaints were recorded, however in Cleanaway's Complaint and Incident Register in the Cleanaway MYOSH Safety Management Software, rather than the SUEZ SIMS Safety Management Software Environmental inspections were carried out but not at the frequency outlined in the OEMP (Monthly inspections by the Environmental Technical Team rather than Weekly inspections by the Environmental Advisor) <p>The following aspects of the OEMP (and sub-plans) were not implemented:</p> <ul style="list-style-type: none"> Landfill operation hours had not been complied with. The LHRRP continued to operate from 3 am Monday to Friday after temporary approval for the extended hours had expired, refer Condition C53 Not all incidents were recorded in Cleanaway's incident management system, refer Condition D10 Biannual aquatic habitat monitoring did not commence prior to the commencement of construction of the GO Facility, refer Condition C32 Interpretation and trend analysis of groundwater monitoring results was not undertaken on an annual basis for analytes other than ammonia, refer Condition C36 <p>On the basis that the current SUEZ OEMP does not accurately reflect Cleanaway's management systems and procedures and on the aspects of the OEMP and sub plans not implemented as detailed above, this condition has been assessed as non-compliant.</p>	<p>Non-compliant</p> <p>2024 IEA REC 13: Update the OEMP to remove references to SUEZ and to reflect Cleanaway's management system, structure, key roles and responsibilities, internal audit and review processes and complaint and incident management and reporting</p> <p>Refer also to recommendations made under Conditions C53, D10, C32 and C36</p>

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status
Management Plan Requirements				
D7	<p>The Applicant must ensure the Management Plans required under this consent are prepared in accordance with any relevant guidelines, and include:</p> <p>(a) detailed baseline data;</p> <p>(b) a description of:</p> <p>i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);</p> <p>ii) any relevant limits or performance measures/criteria; and</p> <p>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;</p> <p>(c) a description of the measures that will be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;</p> <p>(d) a program to monitor and report on the:</p> <p>i) impacts and environmental performance of the Development; and</p> <p>ii) effectiveness of any management measures (see (c) above);</p> <p>(e) a contingency plan to manage any unpredicted impacts and their consequences;</p> <p>(f) a program to investigate and implement ways to improve the environmental performance of the Development over time;</p> <p>(g) a protocol for managing and reporting any:</p> <p>i) incidents;</p> <p>ii) complaints;</p> <p>iii) non-compliances with statutory requirements; and</p> <p>iv) exceedances of the impact assessment criteria and/or performance criteria; and</p> <p>(h) a protocol for periodic review of the plan.</p> <p><i>Note: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.</i></p>	<ul style="list-style-type: none"> • OEMP, Rev 4, 23/10/2021 • CEMP for the Dual Gas and Leachate Trench construction works, Rev 4, 2/10/2018 • GO Facility CEMP, July 2021 • AQOMP, 09/09/2021 • Mill Creek Stream Rehabilitation, Stabilisation and Vegetation Management Plan, GHD, dated April 2021 • AHMP, GHD, dated April 2021 • GMP, Douglas Partners, Rev 2, 31/01/2018 • ERP Version 13 08/10/2021 	<p>The following plans had been prepared at the time of the audit, for review under this condition:</p> <ul style="list-style-type: none"> • OEMP • AQOMP • GMP • CEMP for the Gas and Leachate Trench • CEMP for the GO Facility • Mill Creek Stream Rehabilitation, Stabilisation and Vegetation Management Plan • AHMP <p>In general, the plans appeared to address the requirements of this condition. A more detailed assessment of the adequacy of the management plans is provided in Section 3.2.</p>	Compliant
Revisions to Strategies, Plans and Programs				
D8	<p>Within three months of:</p> <p>(a) an audit submitted under Condition D12;</p> <p>(b) an incident report under Conditions D10 and D11;</p> <p>(c) an annual review under Condition D9; and/or</p> <p>(d) a modification to this consent,</p> <p>the Applicant must review, and if necessary, revise the strategies, plans, and programs required under this consent to the satisfaction of the Planning Secretary.</p> <p><i>Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the site.</i></p>	<ul style="list-style-type: none"> • Interviews with personnel • OEMP, Rev 4, 23/10/2021 	<p>The OEMP was updated in October 2021 following the 2021 IEA. Cleanaway reported that it was in the process of updating the OEMP and sub plans following approval of MOD 2. Given MOD 2 was approved in November 2023 the three-month time frame specified by this Condition had not been met at the time of the audit (May 2024).</p> <p>It is also noted that the OEMP had not been reviewed following reportable incidents and annual reviews.</p> <p>On this basis, the Condition has been assessed as non-compliant.</p>	<p>Non-compliant</p> <p>2024 IEA REC 49 - Implement a process to ensure management plans are reviewed (and revised if necessary) following a reportable incident, Annual Review and/or Modification to the consent. Ensure the review process is documented, in particular where plans are reviewed but do not require revision.</p>

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status
REPORTING Annual Review				
D9	<p>By the end of each calendar year, and annually thereafter, the Applicant must review the environmental performance of the site, to the satisfaction of the Planning Secretary. This review must:</p> <p>(a) be submitted to the Planning Secretary by the end of February each year;</p> <p>(b) describe the operations that were carried out in the past year;</p> <p>(c) analyse the monitoring results and complaints records of the site over the past year, including a comparison of these results against the:</p> <p>i) relevant statutory requirements, limits or performance measures/criteria;</p> <p>ii) monitoring results of previous years;</p> <p>iii) predictions in the EIS;</p> <p>(d) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance;</p> <p>(e) identify any trends in the monitoring data;</p> <p>(f) identify any discrepancies between the impacts predicted in the EIS and the actual impacts of the site and analyse the potential cause of any significant discrepancies; and</p> <p>(g) describe what measure will be implemented over the next year to improve the environmental performance of the site.</p>	<ul style="list-style-type: none"> • 2021 AEMR, Version 2, April 2022 • 2022 AEMR, February 2023 • 2023 AEMR, February 2024 • DPHI letter accepting the revised 2021 AEMR dated 05/05/2022 • DPHI letter accepting 2022 AEMR dated 29/03/2023 • DPHI letter accepting 2023 AEMR dated 15/05/2024 	<p>AEMRs were prepared and submitted to DPHI for the 2021, 2022 and 2023 calendar years by the end of February each year.</p> <p>The 2021 AEMR was submitted on the 28/02/2022. DPHI responded by letter dated 24/03/2022 that upon review of the AEMR it considered more information was required to satisfy the requirements of Condition D9. It requested that the 2021 AEMR be amended with the following additional information:</p> <ul style="list-style-type: none"> • Table detailing any actions required as an outcome of the previous Annual Review • Odour complaint information as an Appendix • Details of complaint trends: nature of complaint, timing of complaint by month, location of complainant • An active link for the company website <p>The 2021 AEMR was revised to address this request for additional information and Version 2 submitted on the 29/04/2022. DPHI responded by letter dated 5/05/2022 that it considered it to generally satisfy the reporting requirements of the consent.</p> <p>The 2022 AEMR was submitted on the 28/02/2023. DPHI responded by letter dated 29/03/2023 that it considered it to generally satisfy the reporting requirements of the consent.</p> <p>The 2023 AEMR was submitted on the 29/02/2024. DPHI responded by letter dated 15/05/2024 that it considered it to generally satisfy the reporting requirements of the consent however requested that future AEMR's include any actions as an outcome of complaints received and that the upcoming Independent Audit includes this information. Complaints were reviewed as part of this audit and are discussed in Section 3.1.</p> <p>A review of the AEMRs conducted as part of this audit indicate that the reports generally satisfy the requirements, noting DPHI's request for additional information relating to actions arising from complaints. It is also noted that TSP monitoring is not discussed in the AEMR and that groundwater monitoring results interpretation and analysis is limited to ammonia and does not include any of the other pollutants monitored.</p>	<p>Compliant</p> <p>2024 IEA REC 08: Include within the discussion of complaints in the AEMR, details of any actions taken as an outcome of complaints received</p> <p>2024 IEA REC 53: Include discussion of TSP monitoring results in AEMR</p> <p>Refer also to recommendation under Condition C36</p>

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status
Incident Reporting				
D10	Upon detecting an exceedance of the limits/performance criteria in this consent or the occurrence of an incident that causes (or may cause) material harm to the environment, the Applicant must immediately (or as soon as practical thereafter) notify the Planning Secretary and any other relevant agencies of the exceedance/incident.	<ul style="list-style-type: none"> • Letters to DPHI dated 12/01/2022 and 24/01/2022 reporting exceedance of 2021 annual waste limit • Letter to DPHI dated 18/02/2022 providing detailed report of 2021 waste exceedance incident • Warning Letter issued by DPHI dated 24/02/2022 for failure to comply with Condition B6, D10 and D11 • Letter to DPHI dated 7/12/2022 reporting that it will exceed the 2022 annual waste limit. • Letter to DPHI dated 15/12/2022 providing written report of 2022 waste exceedance incident • Letter to DPHI dated 23/03/2022 reporting incident of sedimentation dam overflow with potential elevated ammonia concentration • Regulator Activity Register 6 May 2021- 10 May 2024 • Complaints and Incident Register 6 May 2021 – 10 May 2024 • Multiple emails to EPA re fires and surface gas exceedances • EPA Annual Returns 2021, 2022, 2023 	<p>The following exceedances of limits and incidents were reported during the audit period:</p> <ul style="list-style-type: none"> • Exceedance of annual waste limit set by Condition B6 for 2021 calendar year. DPHI was notified on 12/01/2022 that Cleanaway had exceeded the 850,000 tonne general solid waste (putrescible and non-putrescible) and 10,000 tonne general solid waste (non-putrescible) at the end of 2021. • Exceedance of annual waste limit set by Condition B6 for 2022 calendar year. DPHI was notified on 7/12/2022 that it had received 892,878 tonnes of general solid waste (putrescible and non-putrescible) by the end of November 2022. • Leachate seepages from the waste batter in Area G was found on the 21/03/2022 to have entered the stormwater drain leading to the sedimentation dam which had been overflowing since 9am on the 19/03/2022. The incident was reported to the EPA on 21/03/2022 and to DPHI on 23/03/2022. <p>Cleanaway also reported nine fires to the EPA (as required by Condition R4.1 of its EPL) and six instances where surface gas monitoring detected methane levels above 500 parts per million (as required by Condition M8.1).</p> <p>In addition, a review of the EPA Annual Returns identified another two instances where leachate had entered the stormwater system and resulted in an exceedance of the ammonia limit at EPA Point 1. These were not recorded as incidents in Cleanaway's incident management system and were not reported to DPHI.</p> <p>Incidents and regulatory action are discussed further in Section 3.1.</p> <p>DPHI issued Cleanaway with a Warning Letter following the 2021 waste limit exceedance for failing to comply with Condition D10 and D11 to report the exceedance to DPHI. It is also noted that the incident involving contaminated water entering the stormwater drain and sediment basin, was not reported to DPHI immediately (or as soon as practical thereafter). On this basis, this Condition is considered non-compliant.</p>	<p>Non-compliant</p> <p>2024 IEA REC 06 – Implement a process to ensure DPHI and any other relevant agencies is notified immediately of any incident that causes (or may cause) material harm to the environment or any exceedance of limits or performance criteria in the Consent</p> <p>Refer also to recommendations relating to incident reporting under C30 and in Section 3.1.2</p>

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status
D11	Within seven days of the date of the incident, the Applicant must provide the Planning Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.	<ul style="list-style-type: none"> • Letter to DPHI dated 18/02/2022 providing detailed report of 2021 waste exceedance incident • Warning Letter issued by DPHI dated 24/02/2022 for failure to comply with Condition B6, D10 and D11 re 2021 waste limit exceedance • Letter to DPHI dated 15/12/2022 providing written report of 2022 waste exceedance incident • Warning Letter issued by DPHI dated 22/12/2022 for failure to comply with Condition B6 re 2022 waste limit exceedance • Letter to DPHI dated 30/03/2022 providing written report for 21/03/2022 contaminated water incident 	<p>Following the 2021 annual waste limit exceedance, Cleanaway provided a detailed report to DPHI on 18/02/2021. DPHI issued Cleanaway with a Warning Letter for failing to comply with Condition D10 and D11 to report the exceedance to DPHI within seven days.</p> <p>The 2022 annual waste limit exceedance was originally reported on 7/12/2022 and a written report provided on 15/12/2022. Further information was provided (as requested) on the 20/12/2022.</p> <p>Following the incident involving contaminated water entering the stormwater system, Cleanaway provided a detailed report to DPHI on 30/03/2022. This was not within seven days of the date of the incident.</p> <p>On the basis that a Warning Letter was issued by DPHI for failure to comply with Condition D11 regarding the 2021 annual waste limit exceedance and considering that the detailed report for the contaminated water incident which occurred on the 21/03/2022 was not provided to DPHI within seven days, this condition has been assessed as non-compliant.</p>	<p>Non-compliant</p> <p>2024 IEA REC 50: Implement a process to ensure a detailed report is provided to DPHI within seven days of any reportable incident or exceedance</p>
INDEPENDENT ENVIRONMENTAL AUDIT				
D12	Within one year of the date of this consent, and every three years thereafter, unless the Planning Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the site. The audit must: (a) be carried out by a suitably qualified, experienced and independent audit team whose appointment has been endorsed by the Secretary; (b) assess the environmental performance of the site, and its effects on the surrounding environment; (c) determine whether the site is complying with the relevant standards, performance measures and statutory requirements; (d) review the adequacy of the Environmental Management Plans for the site, compliance with this consent, and any other licences and consents; and, if necessary; (e) recommend measures or actions to improve the environmental performance of the site, and/or any plan/program required under this consent.	<ul style="list-style-type: none"> • 2024 IEA audit report • DPHI letter dated 09/01/2024 endorsing independent audit team 	<p>This report presents the findings of the third IEA of Development Consent SSD 6835 (site inspections undertaken on the 8 and 10 May 2024). This was within three years of the previous audit undertaken in May 2021.</p> <p>(a) The audit was conducted by suitably qualified and experienced audit team from Ethos Environmental Pty Ltd endorsed by the Department. (b) The environmental performance of the site is assessed in Section 3.1. (c) Refer to relevant conditions requiring assessment of relevant standards, performance measures and statutory requirements. (d) The adequacy of the EMPs is reviewed in Section 3.2. This report presents the findings of the assessment of compliance with the conditions of consent. (e) Recommendations have been made through this report and are summarised in Section 4.</p>	Compliant
D13	Within three months of commissioning the audit, or as otherwise agreed by the Planning Secretary, the Applicant must submit a copy of the audit report to the Planning Secretary with a response to all recommendations contained in the audit report.	<ul style="list-style-type: none"> • DPHI letter accepting 2021 IEA dated 04/08/2021 	The 2021 IEA audit report and Cleanaway response to the recommendations was submitted to DPHI on 15 July 2021, within the required timeframe.	Compliant

Reference No.	Condition	Evidence	Independent Audit Findings and Recommendations	Compliance Status
COMMUNITY ENGAGEMENT				
Community Reference Group				
D14	The Applicant must establish and maintain a Community Reference Group (CRG) to maintain regular communication with the local community regarding activities on the site, any environmental impacts, monitoring results and management actions. The CRG must include representatives from the local community, recreational and sporting clubs, ANSTO, Council and the Applicant. The CRG shall meet on a quarterly basis.	CRG meeting minutes: <ul style="list-style-type: none"> • 22/04/2021 • 16/12/2021 • 24/03/2022 • 23/06/2022 • 06/10/2022 • 05/12/2022 • 09/03/2023 • 08/06/2023 • 07/09/2023 • 07/12/2023 • 7/03/2024 	The CRG was operational during the audit period. The CRG was chaired by the Cleanaway Education & Community Grants Officer and included community members, councillors and Cleanaway employees. Invitees also included the Menai Wildflower Group and members of parliament. The meetings were held biannually in 2021 (due to COVID 19 restrictions) and then quarterly from 2022 onwards. The meetings included the following agenda: operations update, organics, environmental update, general discussion, actions arising / outstanding issues. The Environmental Update was attached to the minutes and included a summary of environmental monitoring and complaints. The review of the meeting minutes indicated that questions raised by community members and councillors were answered where possible or taken on notice and information provided at the next meeting. A site tour was undertaken at the meetings held on 16/12/2021, 5/12/2022 and 7/12/2023.	Compliant
Access To Information				
D15	The Applicant must make the following information publicly available on its website and keep the information up to date. (a) the EIS, RTS, CEMP and OEMPs; (b) current statutory consents, approvals and licences for the site; (c) approved strategies, plans and programs; (d) a summary of all monitoring data for the site as required under this consent; (e) a complaints register, updated on an annual basis; (f) Annual Reviews, Independent Environmental Audits and the Applicant's response to the recommendations; and (g) any other matter required by the Secretary. <i>Note: This requirement does not require any confidential information to be made available to the public.</i>	Cleanaway website	The following information was available on the Cleanaway website, when reviewed on the 31 May 2024: <ul style="list-style-type: none"> • Link to the NSW Planning Portal for access to the EIS documentation • OEMP, Rev 4, October 2021 • CEMP Garden Organics Facility, July 2021 • CEMP for the dual gas and leachate trench, Rev 3, July 2018 • Link to the NSW Planning Portal for access to the Development Consent (SSD 6835) • Link to the EPA website for access to EPL 12520 and EPL 5065 • Air Quality and Odour Management Plan, Rev 3, September 2021 • Stormwater Management Plan, Rev 3, October 2021 • Groundwater Management Plan, Rev 2, January 2018 • Aquatic Habitat Monitoring Plan, April 2021 • Mill Creek Stream Rehabilitation, Stabilisation, Vegetation Management Plan, April 2021 • Weed Management Plan, November 2021 • Complaints Register 2022-2023 • AEMRs: 2021, 2022, 2023 • 2021 IEA Audit Report • 2021 IEA Action Plan, July 2021 and 2021 IEA Status Update Report, September 2021 • Leachate monitoring reports • Surface Gas monitoring reports • Subsurface gas monitoring reports • Groundwater monitoring • Surface water monitoring • Discharge to waters monitoring • Annual noise report 2022 and 2023 • PIRMP dated May 2024 	Compliant

Appendix B: 2021 IEA Action Plan Review

Appendix B 2021 IEA Action Plan Review

Table B-1 Review of implementation of recommendations from 2021 IEA

Reference No.	Recommendation	2024 Audit Review
Site observation	2021 IEA REC 01 - Review incident categorisation and ensure incidents are appropriately categorised to reflect their severity	The LHRRP was acquired from SUEZ by Cleanaway. Cleanaway has its own incident management and categorisation processes and procedures. The OEMP and management plans require updating to reflect Cleanaway's incident management systems. Refer adequacy review of management plans in Section 3.2
Site observation	2021 IEA REC 02 - Implement weed control in areas that border established vegetation	Additional weed control is required. Refer to site inspection observations (Section 2.4) and recommendations made under Condition C58
Site observation	2021 IEA REC 03 - Ensure spill kits are restocked after use	Spill kits were observed to be stocked during the site inspection
C37 and Site observation	2021 IEA REC 04 - Review liquid storage at the Select Civil Workshop area and ensure adequate bunding is provided	Liquid storage at the Select Civil Workshop were observed to be adequate
OEMP review	<p>2021 IEA REC 05 - It is recommended that the OEMP is revised to consider the following:</p> <ul style="list-style-type: none"> Update the OEMP to reflect EPL tip face requirements relating to the prepared surface, stripped back area and active tip face Update OEMP to make it clearer within the OEMP that it also incorporates the requirements of Condition D1 for a CEMP for the works associated with reprofiling, stripping and landfilling on top of existing waste and seek Department approval of this approach Update the OEMP to identify that the new GO Facility and ARRT Facility have not begun construction and that prior to their operation, the OEMP would be updated or a separate OEMP(s) prepared. The OEMP currently states that these OEMPs have been prepared Include a section within the OEMP that states that the OEMP has been prepared to address the requirements of SSD 6835, Condition D4, D5 and D7, and identify where in the plan each requirement has been addressed Conduct a review to ensure appendices referred to in the text of the document are up to date and appended to the OEMP Attach the AQOMP and GMP as an appendix to the OEMP, as required under SSD 6835, Condition D5 Update Section 8.8 Noise Control to include a plan showing noise monitoring locations Update Section 9.9 to reflect that the Landfill Gas Monitoring Program is no longer in Draft. 	<p>These recommendations were considered during the 2021 review of the OEMP.</p> <p>The OEMP however requires a thorough and detailed review. Refer to adequacy review and recommendations made in Section 3.2</p>

Reference No.	Recommendation	2024 Audit Review
AQOMP review	2021 IEA REC 06 - AQOMP to be updated to include a reference to SSD 6835, Condition D8 which includes a number of triggers for updating the strategies, plans and programs required under SSD 6835	Addressed in the 2021 review of the AQOMP
AQOMP review	2021 IEA REC 07 Update AQOMP in accordance with Condition 11A and submit to DPIE	Addressed in the 2021 review of the AQOMP for MOD 1, however needs to be revised again for MOD 2 Refer Condition C11A
GMP review	2021 IEA REC 08 - Update Section 1.1 to include reference to where in the GMP each requirement has been addressed. In addition, include reference to CoC D8 which includes a number of triggers for updating the strategies, plans and programs required under SSD 6835	The GMP was not updated during the audit period. This recommendation is still considered relevant. Refer to adequacy review and recommendations made in Section 3.2
GMP review	2021 IEA REC 09 - Resolve issue over requirement for a Water Access Licence and obtain DPIE approval of GMP	The GMP was not updated during the audit period. This recommendation is still considered relevant. Refer to adequacy review and recommendations made in Section 3.2
CEMP for Dual Gas and Leachate Trench Construction review	2021 IEA REC 10 - Retain records including completed checklists and photographs as a record of CEMP implementation.	Examples of completed Select Civil Walkthrough Hazard Risk Assessment forms were sighted for the trench works in Area C, Area G and Area F. Refer Condition C23
GO Facility Construction Traffic Management Plan	2021 IEA REC 11 - Update Construction Traffic Management Plan meet the requirements of Condition C48 and to reflect that consultation with SSC and TfNSW occurred. Resubmit to the Department prior to commencement of construction of the GO Facility.	The CTMP for the GO Facility was revised in July 2021 and approved by DPHI in October 2021 Refer to adequacy review and recommendations made in Section 3.2
B6	2021 IEA REC 12 – Implement processes to periodically review / track the cumulative quantity of waste received throughout the calendar year to ensure tonnages prescribed in CoC B6 are not exceeded	Non-compliant in 2021 and 2022. Tonnage increased by MOD 2 Compliant in 2023 Refer Condition B6
B10	2021 IEA REC 13 – Implement recommendations in the BCA Advice report prepared by Concise Certification, dated 2 June 2021	BCA Advice report prepared by Concise Certification, dated 2 September 2021 concludes that the completed works are considered to satisfy the requirements of the Deemed to Satisfy provisions of the Building Code of Australia
C11A	2021 IEA REC 14 – Update AQOMP in accordance with Condition 11A and submit to DPIE	Addressed in the 2021 review of the AQOMP for MOD 1, however needs to be revised again for MOD 2 Refer Condition C11A

Reference No.	Recommendation	2024 Audit Review
C36	2021 IEA REC 15 – Obtain DPIE approval of alternative bore locations	Condition C36 was modified by MOD 2 and now references the established groundwater monitoring bore network and monitoring requirements of the EPL
C49	2021 IEA REC 16 – Obtain TfNSW (RMS) approval of the Intersection Safety Review for 2020	TfNSW stated in email dated 15 December 2020 that it had no further comments or objections to the Intersection Safety review Report
D8	2021 IEA REC 17 - Implement a process to ensure management plans are reviewed (and revised if necessary) following a reportable incident, Annual Review and/or Modification to the consent. Ensure the review process is documented, in particular where plans are reviewed but do not require revision	Management plans were not revised within three months of the triggers outlined in Condition D8. This recommendation is still considered relevant Refer Condition D8
D10	2021 IEA REC 18 – Implement a process to ensure the Department is notified immediately of any exceedance of trigger values or limits	There were a few incidents and exceedances during the audit period that were not reported to DPHI. Refer Condition D10
D12	2021 IEA REC 19 – Ensure IEAs are conducted within 3 years	The 2024 IEA was undertaken within three years of the 2021 IEA
D15	2021 IEA REC 20 – Ensure all of the documents required by Condition D15 are uploaded onto the SUEZ website	Documents required by Condition D15 were available on the Cleanaway website

Appendix C: DPHI Audit Team Approval

NSW Planning ref: SSD-6835-PA-42

LC Chiang
New Illawarra Road Landfill Manager
CLEANAWAY PTY LTD
LEVEL 4, 441 ST KILDA ROAD
MELBOURNE 3004

09/01/2024

Sent via the Major Projects Portal only

Subject: Lucas Heights Resource Recovery Facility - IEA Auditor Nomination Request

Dear LC Chiang

Reference is made to your post-approval matter, SSD-6835-PA-42, request for the Planning Secretary's approval of suitably qualified, experienced, and independent person/s to conduct an Independent Audit of the Lucas Heights Resource Recovery Facility, submitted as required by Schedule D, Condition D12 of SSD-6835 as modified (the **Consent**) to NSW Department of Planning, Housing and Infrastructure (**NSW Planning**) on 28 December 2023.

NSW Planning has reviewed the independent auditor nominations and based on the information you have provided is satisfied that the proposed person/s are suitably qualified, experienced, and independent.

In accordance with Schedule D, Condition D12 of the Consent and the NSW Planning, as nominee of the Planning Secretary, I endorse the following independent audit team from Ethos Environmental Pty Ltd:

- Ms Helen Onus – Lead Auditor
- Mr Michael Woolley – Auditor and Peer Reviewer

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

The Independent Audit must be prepared, undertaken, and finalised in accordance with the conditions of Consent. Failure to meet these requirements will require revision and resubmission. NSW Planning requests the audit be prepared, undertaken, and finalised in accordance with the *Independent Audit Post Approval Requirements (2020)*.

NSW Planning notes that Helen Onus has been approved for 3 consecutive operational audits. Please note Helen Onus will not be approved to undertake the next audit for this project. NSW Planning reserves the right to request an alternate auditor or audit team for future audits.

Department of Planning, Housing and Infrastructure



Should you wish to discuss the matter further, please contact Astrid Christensen, (Compliance Officer) on 9274 6170 or email compliance@planning.nsw.gov.au

Yours sincerely

A handwritten signature in blue ink, appearing to read "Julia Pope".

Julia Pope
Team Leader Compliance - Metro
Compliance

As nominee of the Planning Secretary

Appendix D: Consultation with Key Government Agencies

From: Maria Divis <Maria.Divis@planning.nsw.gov.au>
Sent: Tuesday, 7 May 2024 3:49 PM
To: helen.onus@ethosenvironmental.com.au
Subject: RE: Lucas Heights Resource Recovery Park - SSD-6835: Independent Environmental Audit - Consultation

Good afternoon Helen,

Thank you for consulting with the NSW Department of Planning and Environment (NSW Planning) in order to obtain input into the scope of the Independent Environmental Audit (IEA) for SSD 6835 as modified (the consent), in accordance with consent and the Independent Audit Post Approval Requirements 2020 (IAPARs).

NSW Planning would like for the IEA to provide an assessment of the environmental performance of the project, including commentary on whether the auditor considered the environmental management plans, sub-plans and post approval documents adequate. This detail is to be provided in addition to the IEA requirements outlined in the Conditions of Consent and IAPARs. Specific reference is made to (but not limited to) Section 3.3 of the IAPARs available on the department's website and here: <https://www.planning.nsw.gov.au/sites/default/files/2023-02/independent-audit-par-202005.pdf>.

Additionally, please ensure that the IEA includes a site map clearly identifying areas within the site where works are continuing, as well as areas where works are now complete and/or operational, with commentary to support details provided in the map.

Lastly, it is suggested that you consult with the EPA, local Council, stakeholders identified in the Community Communication Strategy and any other agencies that may be referenced in the consent.

With regard to the specific questions listed in your email, please see comments below.

For further enquiries, please contact me on the below details.

Kind regards,

Maria Divis
Senior Compliance Officer

Planning & Assessment | Department of Planning, Housing and Infrastructure
T 02 8275 1156 | E Maria.Divis@planning.nsw.gov.au
Locked Bag 5022 | PARRAMATTA NSW 2124
www.dpie.nsw.gov.au



The Department of Planning and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

From: helen.onus@ethosenvironmental.com.au <helen.onus@ethosenvironmental.com.au>
Sent: Monday, 6 May 2024 11:57 AM
To: Maria Divis <Maria.Divis@planning.nsw.gov.au>
Subject: Lucas Heights Resource Recovery Park - SSD-6835: Independent Environmental Audit - Consultation

Hi Maria

Ethos Environmental has been endorsed by the Department of Planning, Housing and Infrastructure to undertake the 2024 Independent Environmental Audit of the Lucas Heights Resource Recovery Park located at Little Forest Road, Lucas Heights, NSW as required by its Development Approval SSD-6835.

Condition D12, of the Project Approval requires that:

Within one year of the date of this consent, and every three years thereafter, unless the Secretary directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the site. The audit must:

- a. be carried out by a suitably qualified, experienced and independent audit team whose appointment has been endorsed by the Secretary;*
- b. assess the environmental performance of the site, and its effects on the surrounding environment;*
- c. determine whether the site is complying with the relevant standards, performance measures and statutory requirements;*
- d. review the adequacy of the Environmental Management Plans for the site, compliance with this consent, and any other licences and consents; and, if necessary; and*
- e. recommend measures or actions to improve the environmental performance of the site, and/or any plan/program required under this consent.*

Section 3.2 of the Department’s *Independent Audit Post-approval Requirements, May 2020*, requires that the auditor consults with the Department, who may request other parties or agencies are consulted, including the Community Consultative Committee Chairperson, to obtain input into the scope of the audit.

The audit period is 6 May 2021 (previous audit) to 10 May 2024 (date of planned site inspection).

To assist you with your feedback we have provided a list of questions that may help structure your response; however, it is not mandatory that the questions are answered. Please feel free to respond in any manner that suits you or your agency. Your response can be either via email or we can discuss your response over the phone at a time convenient to you.

Question	Response
What has been DPHI’s involvement with LHRRP during the audit period?	NSW Planning conducted an investigation into NCs with waste limits. Please liaise with the project on this for further information
Has DPHI conducted an inspection of the site during the audit period? If so, when was the site last inspected by DPIE?	Inspections have been undertaken during the reporting period. Please liaise with the project on this for further information
Are there past or recent compliance issues such as fines, notices, correspondence or enforcement actions you are aware of concerning the site? If so have these been addressed by LHRRP? Are there outstanding actions?	Notices, correspondence and enforcements have been issued. Please liaise with the project on this for further information

<p>Has DPHI received any community complaints regarding operations at LHRRP? Were these satisfactorily addressed?</p>	<p>Nil received by NSW Planning. It is suggested that you liaise with the EPA for further information</p>
<p>Are there any positive comments regarding environmental management at LHRRP?</p>	<p>Waste limit has been increased by way of a MOD in response to historical exceedances</p>
<p>Are there any areas you would like the independent environmental audit to focus on?</p>	<p>See details listed in my email above.</p>

We are planning on consulting with the EPA and Sutherland Shire Council are there any other agencies that you require us to consult with?

Kind regards,

Helen Onus
Director – Environment

Ethos Environmental Pty Ltd
Helen.onus@ethosenvironmental.com.au

From: Sean Nunan <Sean.Nunan@epa.nsw.gov.au>
Sent: Tuesday, 7 May 2024 2:37 PM
To: helen.onus@ethosenvironmental.com.au
Subject: RE: Independent Environmental Audit of Lucas Heights Resource Recovery Park - EPA Consultation

Hi Helen,

I have included the responses to your questions below.

In regard to the environmental performance of the licensee for the site, in my experience in regulating the landfill over the last two/three years I can say:

1. Given the amount of putrescible waste received at the premises, the EPA receives a low number of odour complaints. This is due partly to the distance between the tipface and local residents, and partly due to the diligence of the licensee in applying daily cover at the tipface, intermediate cover, and final capping layers.
2. The methane exceedances are dealt with by the installation of additional gas wells.
3. The noise complaints for the leachate processing facility was first reported by a resident at Barden Ridge who had moved into the area relatively recently Prior to that there had been no noise complainants. The EPA investigated the matter, identified the source of the noise as a blower unit at the leachate processing facility, then conducted noise monitoring. The monitoring showed that the noise was below the noise levels set out in the development consent. Cleanaway installed additional noise mitigating material anyway, which reduced the noise further and the EPA was satisfied that there was no issue – the complainant was/continues to be unhappy about the level of noise.

Please let me know if you want any further information.

Regards

Sean

Question	Response
What has been the EPA's involvement with LHRRP during the audit period?	<p>The following matters have been referred to the EPA during the reporting period:</p> <ul style="list-style-type: none"> • 8 odour complaints • 3 self-reported methane gas exceedances • 7 self-reported notifications of small fires • Ongoing complaints (two complainants) from Nov 2022 regarding noise emanating from leachate processing plant • 1 complaint concerning mud tracking onto road • 1 complaint concerning dust/sand coming off site
Has DPHI conducted an inspection of the site during the audit period? If so, when was the site last inspected by the EPA?	<p>The site has been inspected four times by the EPA during the audit period. The last inspection was conducted on 26 July 2023.</p>
Are there past or recent compliance issues such as fines, notices, correspondence or	<p>There are no outstanding or ongoing compliance issues or actions concerning this site.</p>

<p>enforcement actions you are aware of concerning the site? If so have these been addressed by LHRRP?</p> <p>Are there outstanding actions?</p>	
<p>Has the EPA received any community complaints regarding operations at LHRRP?</p> <p>Were these satisfactorily addressed?</p>	<p>There have been 8 odour complaints from landfill operations at the site in the audit period. The licensee has responded positively when notified of the complaints.</p> <p>Two neighbours have made ongoing complaints about noise emanating from the leachate processing plant – the EPA has investigated the matter and does not believe there are any ongoing issues.</p>
<p>Are there any positive comments regarding environmental management at LHRRP?</p>	<p>The licensee responds positively to issues raised by the EPA in regard to activities taking place at the site.</p>
<p>Are there any areas you would like the independent environmental audit to focus on?</p>	<p>Odour and noise from the leachate processing plant.</p>

Sean Nunan
Operations Officer
Regulatory Operations
NSW Environment Protection Authority
P 02 9995 5977



www.epa.nsw.gov.au @NSW EPA

The EPA acknowledges the Traditional Custodians of the land, waters and sky where we work. As part of the world's oldest surviving cultures we pay our respect to Aboriginal Elders past and present.

I work on Burramattagal Country.



Report pollution and environmental incidents 131 555 or +61 2 9995 5555

From: helen.onus@ethosenvironmental.com.au <helen.onus@ethosenvironmental.com.au>
Sent: Monday, 6 May 2024 12:10 PM
To: Sean Nunan <Sean.Nunan@epa.nsw.gov.au>
Subject: Independent Environmental Audit of Lucas Heights Resource Recovery Park - EPA Consultation

Hi Sean,

Ethos Environmental has been endorsed by the Department of Planning, Housing and Infrastructure to undertake the 2024 Independent Environmental Audit of the Lucas Heights Resource Recovery Park located at Little Forest Road, Lucas Heights, NSW as required by its Development Approval SSD-6835.

Condition D12, of the Project Approval requires that:

Within one year of the date of this consent, and every three years thereafter, unless the Secretary directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the site. The audit must:

- a. be carried out by a suitably qualified, experienced and independent audit team whose appointment has been endorsed by the Secretary;
- b. assess the environmental performance of the site, and its effects on the surrounding environment;
- c. determine whether the site is complying with the relevant standards, performance measures and statutory requirements;
- d. review the adequacy of the Environmental Management Plans for the site, compliance with this consent, and any other licences and consents; and, if necessary; and
- e. recommend measures or actions to improve the environmental performance of the site, and/or any plan/program required under this consent.

Section 3.2 of the Department’s *Independent Audit Post-approval Requirements, May 2020*, requires that the auditor consults with relevant agencies to obtain input into the scope of the audit.

As a significant stakeholder we are seeking your feedback concerning the environmental performance of the LHRRP during the audit period, taken from 6 May 2021 (previous audit) to 10 May 2024 (date of planned site inspection).

To assist you with your feedback we have provided a list of questions that may help structure your response; however, it is not mandatory that the questions are answered. Please feel free to respond in any manner that suits you or your agency. Your response can be either via email or we can discuss your response over the phone at a time convenient to you.

Question	Response
What has been the EPA’s involvement with LHRRP during the audit period?	
Has DPHI conducted an inspection of the site during the audit period? If so, when was the site last inspected by the EPA?	
Are there past or recent compliance issues such as fines, notices, correspondence or enforcement actions you are aware of concerning the site? If so have these been addressed by LHRRP? Are there outstanding actions?	
Has the EPA received any community complaints regarding operations at LHRRP? Were these satisfactorily addressed?	
Are there any positive comments regarding environmental management at LHRRP?	
Are there any areas you would like the independent environmental audit to focus on?	

We are planning to conduct the site inspection for the audit on the 8 and 10 May 2024, hence would appreciate at your earliest convenience.

Kind regards,

Helen Onus
Director – Environment

Ethos Environmental Pty Ltd
Helen.onus@ethosenvironmental.com.au

This email is intended for the addressee(s) named and may contain confidential and/or privileged information. If you are not the intended recipient, please notify the sender and then delete it immediately. Any views expressed in this email are those of the individual sender except where the sender expressly and with authority states them to be the views of the Environment Protection Authority.

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL

From: Phillipa Biswell <PBiswell@ssc.nsw.gov.au>
Sent: Monday, 17 June 2024 12:36 PM
To: helen.onus@ethosenvironmental.com.au
Subject: RE: Independent Environmental Audit of Lucas Heights Resource Recovery Park - Sutherland Shire Council Consultation
Attachments: VPA Quarterly Report December 2023.pdf; VPA Quarterly Report March 2024.pdf

Hi Helen,

Please find responses in table below. I have also attached the last two quarterly reports for your perusal.

If you have any additional questions, please don't hesitate to contact me.

Kind Regards
Phillippa

Phillippa Biswell

Sutherland Shire Council | Environmental Project Officer – Earth Scientist | Environmental Science Unit
E: pbiswell@ssc.nsw.gov.au
T: 02 9710 0210

sutherlandshire.nsw.gov.au



We acknowledge the Dharawal people as the Traditional Custodians of the land within Sutherland Shire. We pay respect to the Elders and their families, past, present and emerging, and through them, to all Aboriginal and Torres Strait Islander peoples.



From: helen.onus@ethosenvironmental.com.au <helen.onus@ethosenvironmental.com.au>
Sent: Monday, May 6, 2024 12:13 PM
To: Phillipa Biswell <PBiswell@ssc.nsw.gov.au>
Subject: Independent Environmental Audit of Lucas Heights Resource Recovery Park - Sutherland Shire Council Consultation

Hi Phillipa,

Ethos Environmental has been endorsed by the Department of Planning, Housing and Infrastructure to undertake the 2024 Independent Environmental Audit of the Lucas Heights Resource Recovery Park located at Little Forest Road, Lucas Heights, NSW as required by its Development Approval SSD-6835.

Condition D12, of the Project Approval requires that:

Within one year of the date of this consent, and every three years thereafter, unless the Secretary directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the site. The audit must:

- a. be carried out by a suitably qualified, experienced and independent audit team whose appointment has been endorsed by the Secretary;
- b. assess the environmental performance of the site, and its effects on the surrounding environment;
- c. determine whether the site is complying with the relevant standards, performance measures and statutory requirements;
- d. review the adequacy of the Environmental Management Plans for the site, compliance with this consent, and any other licences and consents; and, if necessary; and
- e. recommend measures or actions to improve the environmental performance of the site, and/or any plan/program required under this consent.

Section 3.2 of the Department’s *Independent Audit Post-approval Requirements, May 2020*, requires that the auditor consults with relevant agencies to obtain input into the scope of the audit.

As a significant stakeholder we are seeking your feedback concerning the environmental performance of the LHRRP during the audit period, taken from 6 May 2021 (previous audit) to 10 May 2024 (date of planned site inspection).

To assist you with your feedback we have provided a list of questions that may help structure your response; however, it is not mandatory that the questions are answered. Please feel free to respond in any manner that suits you or your agency. Your response can be either via email or we can discuss your response over the phone at a time convenient to you.

Question	Response
What has been Council’s involvement with LHRRP during the audit period?	Council receives quarterly reporting on environmental performance of the waste management operations in accordance with the requirements of a VPA between Council and Cleanaway. In addition to this, quarterly meeting are help to discuss the contents of this performance reporting and other issues associated with the management of the site. See an example of this VPA reporting attached.
Has Council conducted an inspection of the site during the audit period? If so, when was the site last inspected by the Council ?	Yes, Council inspects the site at every second meeting, i.e. every six months. Last inspection XXXX
Are there past or recent compliance issues such as fines, notices, correspondence or enforcement actions you are aware of concerning the site? If so have these been addressed by LHRRP? Are there outstanding actions?	Increased odour complaints in April 2022 were discussed with SUEZ. As a result of these discussions, the number of landfill gas extraction wells were increased and capping of some perimeter batter slopes was improved. As a result of these works, odour complaints reduced. There are currently no outstanding actions.
Has Council received any community complaints regarding operations at LHRRP?	Community complaints are directed to the NSW EPA as the regulatory authority for the waste management activities on the site. Independent of this, Council receives

Were these satisfactorily addressed?	information on community complaints through quarterly VPA reporting. As noted above issues arising from this reporting have been appropriately dealt with.
Are there any positive comments regarding environmental management at LHRRP?	The current VPA performance reporting and follow up actions arising from regular quarterly meetings is currently working well, and SUEZ/Cleanaway respond positively to issues raised at these meetings.
Are there any areas you would like the independent environmental audit to focus on?	Nothing in particular.

We are planning to conduct the site inspection for the audit on the 8 and 10 May 2024, hence would appreciate at your earliest convenience.

Kind regards,

Helen Onus
Director – Environment

Ethos Environmental Pty Ltd
Helen.onus@ethosenvironmental.com.au

Appendix E: Independent Audit Declaration Form

Declaration of Independence Form

Declaration of Independence - Auditor

Project Name:	Lucas Heights Resource Recovery Park 2024 Independent Environmental Audit
Consent Number:	SSD 6835
Description of Project:	Increase landfill capacity, relocate and expand garden organics facility and construct and operate a new resource recovery facility
Project Address:	Little Forest Road, Lucas Heights
Proponent:	Cleanaway
Date:	8/08/2024

I declare that:

- 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;
- 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;
- 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;
- I am not an Environmental Representative for the project; and
- 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:

- 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
- 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: Helen Onus

Signature:



Qualification: BSc Environmental Biology, Masters Environmental Management, Exemplar Global Certified Lead Auditor (#11149)

Company: Ethos Environmental Pty Ltd