

Independent Environmental Audit 2020

Whytes Gully Landfill Extension Project



for Wollongong City Council

Reddalls Road, Kembla Grange, NSW



MCW Environmental Consulting Pty Ltd

November 2020

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Abbreviations

Abbreviation	Description
ANZECC	Australian and New Zealand Environment and Conservation Council
CEMP	Construction Environmental Management Plan
CoA	Condition of Approval
Council	Wollongong City Council
CRC	Community Recycling Centre
CRG	Community Reference Group
DA	Development Application
Day	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
Department	Department of Planning, Industry and Environment
Director-General	Director-General of the Department (or his nominee)
DPIE	Department of Planning, Industry and Environment
EA	Environmental Assessment titled 'Whytes Gully New Landfill Cell', dated June 2012 and prepared by Golder Associates Pty Ltd
EMS	Environmental Management System
ENM	Excavated Natural Material
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPL	Environment Protection Licence
ESCP	Erosion and Sediment Control Plan
IEA	Independent Environmental Audit
Landfill	Whytes Gully Landfill
LEMP	Landfill Environmental Management Plan
Material harm to the environment	Harm to the environment is material if it involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial
Minister	Minister for Planning and Infrastructure, or delegate
MRF	Whytes Gully Materials Recycling Facility
MZ	Management Zone
Night	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
NMP	Noise Monitoring Program
NOW	NSW Office of Water (adopted certain responsibilities of DWE from July 2009)
OEH	Office of Environment and Heritage (formerly Department of Environment, Climate Change and Water (DECCW))
PM ₁₀	Particulate matter less than 10 micrometres (µm)
Project	The development as described in the EA
RMS	Roads and Maritime Services
Site	Lands described in Schedule 1 of the Project Approval 11_0094
SoC	Statement of Commitments - the Proponent's commitments in Appendix 1
TOC	Total Organic Carbon
TSP	Total Suspended Particulate
TSS	Total Suspended Solids
VENM	Virgin Excavated Natural Material
VMP	Vegetation Management Plan
WCC	Wollongong City Council
WGLEP	Whytes Gully Landfill Extension Project
WGRRP	Whytes Gully Resource Recovery Park
WWARRP	Wollongong Waste and Resource Recovery Park

Executive Summary

MCW Environmental Consulting Pty Ltd (MCW Environmental) was engaged by Wollongong City Council (WCC) to conduct an Independent Environmental Audit (IEA) of the Whytes Gully Landfill Extension Project (WGLEP) (The Project) at Whytes Gully Resource Recovery Park (WGRRP), Reddalls Road Kembla Grange, NSW.

The IEA was conducted as required under the Condition 9 of Schedule 5 of the Project Approval 11_0094. The approved landfill project provides approximately six million cubic metres of additional landfill capacity at the WGRRP. The overall project consists of the following key components:

- Landfill cell construction (Stage 1A, 1B, 2A, 2B, 3 and 4)
- Landfill cell operation (Stage 1A, 1B, 2A, 2B, 3 and 4)
- Progressive landfill rehabilitation and revegetation of the finished landform
- Surface water drains and surface water ponds
- Leachate management infrastructure and ponds
- Landfill gas extraction and flaring
- Demolition of existing buildings, construction of temporary and permanent roads.

The IEA process was based on the *Independent Audit: Post Approval Guidelines* (DPIE, May 2020), the auditing standard *AS/NZS ISO 19011:2014 Guidelines for Auditing Management Systems* and MCW Environmental's proposal to conduct the work dated 10 January 2020.

The IEA consisted of a detailed desktop review of documents supporting compliance, interviews with WCC staff and site inspections of the Project area in July and October 2020.

This is the second IEA undertaken at the Project. The period of the IEA was from the date of the previous audit site inspection (11 September 2017) to the first day of the site visit (6 July 2020) undertaken as part of this audit. A second site inspection was undertaken on the 23 October 2020.

The audit included consultation with the following government agencies: NSW Department of Planning, Industry and Environment, (DPIE) NSW Environment Protection Authority (EPA) and WCC.

The IEA Audit assessed compliance with relevant approvals, licences and implementation of environmental management plans applicable to the Project. Detailed compliance registers identifying audit findings, comments and recommendations are presented in **Appendix A** and **Appendix B**. Non-compliances identified against relevant approvals are summarised in Section 7.

The scope of the audit included a review of environmental performance (Section 5) and a review of the adequacy of the strategies, plans and programs required under the Development Approval (Section 6). 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 7.

1 Introduction

1.1 Background

MCW Environmental Consulting Pty Ltd (MCW Environmental) was engaged by Wollongong City Council (WCC) to conduct an Independent Environmental Audit (IEA) of the Whytes Gully Landfill Extension Project (WGLEP) (The Project) at Whytes Gully Resource Recovery Park (WGRRP), Reddalls Road Kembla Grange, NSW.

The IEA was conducted to address the requirements of the Minister's Condition of Approval 11_0094 (CoA) for Whytes Gully Landfill Extension Project.

This is the second IEA undertaken at the Whytes Gully Landfill Extension Project in accordance with Minister's Condition of Approval 11_0094.

1.2 Audit Scope

The audit was conducted in accordance with the requirements set out in WCC Whytes Gully Landfill Extension Project Minister's Approval 11_0094 (Condition 9 and 10, Schedule 5) and the *Independent Audit: Post Approval Guidelines* (Department of Planning, Industry and Environment - DPIE, May 2020) as detailed in **Table 1-1**. The audit period was from the date of the previous audit site inspection (11 September 2017) to the date of the second site inspection associated with this audit (23 October 2020).

Table 1-1 - Scope of Work

Project Condition	Approval Requirement	Where Addressed in this Report
Sch 5 Condition 9	Within a year of the commencement of operation of the project, and every 5 years thereafter, unless the Director-General directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the Project. This audit must:	Section 2.1
Sch 5 Condition 9 (a)	be conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Director-General;	Section 2.2 Appendix E
Sch 5 Condition 9 (b)	include consultation with the relevant agencies;	Section 3 Appendix E
Sch 5 Condition 9 (c)	assess the environmental performance of the project and assess whether it is complying with the relevant requirements in this approval and any relevant EPL (including any plan or program required under these approvals);	Section 5; Section 6 Appendix A and Appendix B
Sch 5 Condition 9 (d)	review the adequacy of any plans or programs required under these approvals; and, if appropriate;	Section 4
Sch 5 Condition 9 (e)	recommend measures or actions to improve the environmental performance of the Project, and/or any plan or program required under these approvals; and	Section 5
Sch 5 Condition 9 (f)	be placed on Council's website within 2 weeks of its completion.	Section 2.8.3
Sch 5 Condition 10	Within 6 weeks of the completing of this audit, or as otherwise agreed by the Director-General, the Proponent shall submit a copy of the audit report to the Director-General, together with its response to any recommendations contained in the audit report.	Section 2.8.3

The following lots are covered under the Conditions of Approval (CoA) and the Environmental Protection Licence (EPL) premise map, however were not included in the scope of this audit as they were reported by WCC to be not part of Whytes Gully Landfill Extension Project and hence specifically requested by WCC to not be included in the audit:

- Lot 52 DP 1022266 which is leased by Visy Recycling (not under the control of WCC)
- Lot 51 DP 1022266 which was noted not to be under Whytes Gully Landfill management.

This is further discussed in **Appendix A** (Condition 2 Schedule 3).

The audit scope did not include a detailed and comprehensive review of the implementation of the Landfill Environmental Management Plan (LEMP) and its subplans, however, comments relevant to the LEMP and compliance with the CoA are provided in **Appendix A and B**.

Further, there are a number of specialist and technical reports referred to in this document relating to specific areas of management of Landfills. MCW Environmental auditors are not landfill technical specialists, and have not completed any technical review of these documents as part of this audit.

1.2.1 Audit Methodology

This Independent Environmental Audit (IEA) is conducted for Wollongong City Council for Whyte Gully Landfill Extension Project (WGLEP) in compliance with Condition 9; Schedule 5 of CoA as detailed above.

The IEA was undertaken in general accordance with:

- Independent Audit: Post Approval Guidelines (DPIE, May 2020);
- AS/NZS ISO 19011:2014 Guidelines for auditing management systems; and
- MCW Environmental's proposal (dated 10 January 2020).

The IEA methodology included:

- Opening meeting with WCC management to discuss the approach and process of the IEA;
- Consultation (requests for feedback on the audit) with the following key government agencies on WGLEP environmental performance:
 - NSW Department of Planning, Environment and Infrastructure (DPIE);
 - NSW Environment Protection Authority (EPA);
 - Department of Water (Former Department of Industry – Crown Lands and Water); and
 - Officer with NSW Environment, Energy and Science (former Office of Environment and Heritage (OEH)).
- Preparation of compliance assessment checklists for the regulatory approvals and licence listed in **Table 2-1**;
- Site inspections on the 6 July 2020 and 23 October 2020. The weather on the first inspection was clear, still and sunny. The weather on the second inspection was also clear and sunny. Interviews were conducted during the site inspections with WCC representatives as listed in Section 1.4.
- Review of documentation and interviews with site personnel and contractors;
- A review of environmental management performance including reviews of:
 - Landfill Environmental Management Plan;
 - Construction Environmental Management Plan Framework;
 - Environmental management procedures;
 - Standard operation procedures;
 - Annual Returns and Annual Reports
 - Non-compliance reports; and
 - Incidents and complaints.
- An assessment of compliance was undertaken for each condition within the regulatory approvals listed in **Table 2-1** based on a review of documentation made available, observations during site

inspections, interviews, implementation of management and monitoring plans, incidents, complaints and regulatory action.

- Provision of recommendations for each non-compliance and for conditions that were assessed as compliant and where there was opportunity for continual improvement.
- Provision of a draft IEA report to WCC to provide an opportunity to provide additional information and /or correct errors in fact; and finalisation of the IEA report following receipt of feedback from WCC.

It is the responsibility of WCC to place the IEA Report on the WCC website and provide an Action Plan and responses to the recommendations in the report.

1.3 Documents Reviewed

The following information was reviewed during the audit process:

- Project Approval 11_0094;
- EPL No. 5862;
- Sydney Water Trade Waste Agreement 11205;
- Management Plans as provided by WCC;
- Site environmental plans, procedures and checklists;
- Selected records of competency, induction and training;
- Selected meeting minutes;
- Selected reports; and
- Evidence of selected monitoring data and review.

Documents sighted during the audit are referenced as part of the text discussing compliance status in **Appendix A and Appendix B**.

1.4 Personnel and Timing

The IEA was conducted by the following qualified, experienced and independent auditors:

- Michael Woolley, Lead Auditor (MCW Environmental); and
- Helen Onus, Auditor (Ethos Environmental).

Michael Woolley is registered by Exemplar Global as a Lead Auditor for Environmental Management, Site Contamination Assessment and Compliance Auditing.

Helen Onus is also registered by Exemplar Global as Lead Auditor for Environmental Management Systems (EMS), Environmental Report Verification, Compliance Audit, and ISO14001:2015 Audit.

The auditors were approved by the Secretary in a letter dated 12 February 2020. The audit schedule was initially planned earlier in 2020, however was delayed due to COVID 19 restrictions. These delays were Approved by DPIE.

Personnel responsible for the management at WWRRP interviewed during the site visit included the following:

- Christopher Brown, Waste Resource Recovery Manager (Acting);
- Oscar Gallagher, Operations Coordinator
- Nicole Diatloff, Senior Environmental Officer
- Della Kutzner, WHS Quality Environmental Officer
- Melinda Hale, Operations Coordinator
- Chris Brown, Waste Contracts: Commercial Business Manager
- Joanne Page, Manager - Open Spaces and Environmental Services WCC

1.5 Format of Report

The format of this report is as follows:

- Section 1 is introductory and defines the scope and nature of the audit;
- Section 2 describes Whytes Gully landfill operations as observed during the site inspection;
- Section 3 summarises the consultation with key regulatory agencies and stakeholders;
- Section 4 provides a summary of photographs from the site inspection.
- Section 5 provides an assessment of the environmental performance of the development and its effects on the surrounding environment;
- Section 6 presents the findings of the review of the adequacy of the Environmental Management Strategy and environmental management and monitoring plans
- Section 7 summarises the non-compliances and recommendations made throughout the report.
- Section 8 provides the limitations of the report.

Appendix A is a tabulated review of the results of the assessment of compliance with the CoA and Statement of Commitments (SoCs) of Project Approval 11_0094.

Appendix B is a tabulated review of compliance with Environmental Protection Licence 5862.

Appendix C documents the review of the close out of the recommendations from the previous IEA.

Appendix D provides DPIE approval of the audit team.

Appendix E provides copies of the correspondence received as part of the agency consultation

Appendix F provides the Auditor Declaration.

2 Whytes Gully Landfill Operations

2.1 Site Description

2.1.1 Regional Setting

The Wollongong Local Government Area (LGA) is located 80 kilometres south of Sydney. Wollongong LGA is bordered by the Royal National Park to the north, Lake Illawarra to the south, the Tasman Sea to the east and the Illawarra escarpment to the west.

2.1.2 Site Location

The site is located approximately 10 km to the south west of Wollongong Central Business District, on Reddalls Road, Kembla Grange, and within the Wollongong City Council LGA. The WGRRP is approximately 65 ha in size and is bounded by Reddalls Road to the south and west, rural residential lands to the north, north-east and north-west, and a water treatment plant to the south east. An industrial area including large car storage and parking facilities lies to the south of Reddalls Road and Dapto Creek lies to the west.

2.1.3 Site Ownership, Zoning and Tenure Details

The WGRRP is owned by Wollongong City Council and consists of:

- Part Lot 501, DP 1079122;
- Lot 502, DP 1079122;
- Lot 2, DP 240557;
- Lot 52, DP 1022266;
- Lot 53, DP 1022266; and
- Lot 51, DP 1022266.

The land is zoned as IN2 Light Industrial under the Wollongong Local Environmental Plan (West Dapto) 2010 (LEP).

2.1.4 Surrounding Land uses

The surrounding zoning and land uses are as follows:

- To the north and north east is zoned E1 and E2 to predominantly to identify and protect escarpment area.
- To the north west and west is zoned RU2 (Rural Landscape). Isolated residential properties are also scattered through this zoning.
- To the west is zoned IN3 (Heavy Industrial). Use is generally low intensity light industrial.
- To the east is zoned IN2 (Light Industrial) Land.

2.2 Description of Site Operations

2.2.1 Site History and Project Description

Whytes Gully was developed in the early 1980's as the principal landfill site for Wollongong's domestic and commercial waste streams. Initially, the 'western gully' section was landfilled. The western gully is unlined by modern standards and was used from 1982 to 1993. Initially coal wash refuse was used to provide daily cover, then around 1988/89 steel furnace slag was introduced because of its stability in wet weather and Council's inability to source local clean fill in sufficient quantities. The leachate collection from the western gully is through a series of rock drains at the centre of each lift. The rock drains connect with a riser and the leachate flows from riser to riser, and then to the leachate collection well at the base of the western gully. The western gully section of the landfill has been capped with clay to varying depths between 1m and 4m.

The 'eastern gully' section development received consent in 1992/93, following extensive public consultation. The eastern gully section is lined with a single layer of HDPE smooth liner, over a subsoil drainage layer of 5mm gravel and a corrugated groundwater drainage system. The eastern gully was excavated to rock and was developed in two stages, beginning with the first stage 80 to 100m above the slope from the current toe of the landfill embankment. The leachate is drained from the first stage of the eastern gully via a 300mm corrugated drainage pipe at the base and a 300mm thick sand layer above the liner.

The second stage of the eastern gully operates in front and above the first stage, with extended leachate drains and HDPE liner. From 2014 to 2016 the eastern gully underwent extensive surface reshaping works in order to reduce rainwater infiltration, increase surface water diversion, ensure consistent cover depths and to prepare the surface for the new landfill cell base liner.

The new landfill development commenced with construction below the eastern gully in August 2013, with the first cell 1A completed in 2014. Waste commenced being placed in Cell 1A in March 2015. Cell 1B was constructed in 2014 and commenced filling in 2015. Construction of Packages 2 and 3 and the New Leachate Pond commenced in 2017. Package 2 commenced filling in January 2019 and Package 3 commenced filling in March 2019.

Leachate is collected from all landfilled areas at the site and treated in a 3-stage process. The leachate is initially collected in a primary holding pond that uses a biological process and aeration to strip the leachate of ammonia. The leachate is then pumped to a smaller pond with a larger surface area to increase the speed of this process on a batch by batch basis. From the smaller pond the leachate is then pumped to a sequential batch reactor that in conjunction with a filtration system eliminates the residual contaminants in the leachate suitable for acceptance by sewer under the sites Trade Wastewater Agreement with Sydney Water.

A new leachate pond commenced construction in 2017 and was completed in 2019. The new leachate pond is a contingency pond that replaces the old contingency pond decommissioned in June 2017 due to the impacts of the construction of Stage 2 new landfill cell works. The new leachate pond has a maximum normal operating capacity of 6,395 m³.

2.2.2 Approvals and Licences

Table 2-1 identifies the major approvals, licences in place for WGLEP and provides relevant information were applicable.

Table 2-1 Summary of Major Approvals and Licences

Title	Date Granted	Expiry
Project Approval 11_0094 for Whytes Gully Landfill Extension Project	3 April 2013	
Environment Protection License EPL 5862	29 May 2008	Until surrendered
Sydney Water Trade Waste Agreement 11205	1 May 2018	24 months from date of commencement with 6 months automatic renewal (1 November 2020)

The Project Approval has been modified on two occasions. Modification (MOD) 1 was approved on 11 April 2018 for a change to operating hours. MOD 2 was approved on 29 May 2018 for modification of the eastern gully drainage channel alignment to be predominantly outside the landfill footprint.

EPL 5862 permits the following Scheduled Activities and fee based activities (Table 2-2).

Table 2-2 Summary of Scheduled and Fee Based Activities permitted by EPL 5862

Scheduled Activity	Fee Based Activity	Scale
Waste disposal (application to land)	Waste disposal (application to land)	Any capacity

The Trade Waste Agreement (11205) had expired in May 2020, however a clause in the Agreement provides an automatic renewal for a period of six months after the expiry date to allow for negotiations of a new Agreement. An updated Trade Waste Agreement was provided to WCC by Sydney Water in September 2020. At the time of writing, WCC were in the process of accepting the new Trade Waste Agreement however technically the existing Agreement had expired on the 1 November 2020. The existing Agreement allows for the discharge of a maximum of 605 k/L per day of wastewater to sewer and specifies concentration limits for ammonia, biochemical oxygen demand, suspended solids and total dissolved solids.

The new Agreement was not sighted by the auditors. A compliance assessment of the Sydney Water Trade Waste Agreement 11205 was not conducted as part of this audit.

2.3 Activities Occurring During Site Audit Inspection

The following activities were observed during the site inspection, as outlined below:

- Filling of Cell 1B with wastes
- Completion of construction of Stage 2 (Package 1 and 2) cells and commencement of filling in January 2019
- Completion of construction of Stage 3 (Package 3) works and commencement of filling in March 2019
- Completion of new emergency leachate pond
- Leachate management operations
- Operation of Small vehicle drop off area
- Operation of dedicated green waste drop off area
- Construction and operation of a new Community Recycling Centre (CRC)
- Water management
- Environmental controls activities
- Weed control and revegetation works

Photos of environmentally significant aspects of the operation taken during the site inspection on 6 July and 23 October 2020 are provided in Section 4.

3 Consultation with Key Government Agencies

As required of the audit scope, MCW Environmental contacted and consulted with key government agencies and local stakeholders on the environmental performance of WGRRP. The following provides a summary of this consultation. Copies of correspondence are provided in **Appendix E**.

3.1 NSW Department of Planning, Industry and Environment (DPIE)

The auditors contacted the Audit Team Approval Officer within DPIE Compliance on 4 March 2020 by telephone and email. The DPIE comments are provided in Table 3-1 below (first column) with a response in the adjacent column.

Table 3-1 DPIE comments on IEA scope and where addressed

DPIE Comment:	Response – where response is located in the report
Could you please address the following aspects as part of your audit:	
Odour Complaints	Discussion of odour complaints is provided in Schedule 4 Condition 23 of the CoA (Appendix A); and Condition L4.1 of the EPL (Appendix B).
Stormwater and leachate management, specifically after the recent storm incident on 9 February 2020 and whether the stormwater and leachate design and management is in accordance with the consent and relevant management plan.	Section 5.3.1 of the main report summarises incidents that occurred during the audit period including the incident on 9 February 2020. It is further discussed in Schedule 5, Condition 7 of the CoA Compliance Checklist (Appendix A); and in various conditions of the EPL Checklist (Appendix B).
Gas management and gas capture infrastructure are designed and managed in accordance with the consent and relevant management plans.	Auditors did not complete an assessment of whether gas capture infrastructure was constructed in accordance with management plans as most infrastructure is underground and not visible. Auditors relied on verification reports by others for addressing this requirement. Gas management is covered in the CoA compliance tables at Schedule 4 Conditions 10, 29, 30 (Appendix A).
Fire & Emergency Management, specifically in relation to a fire incident at the site on 4 March 2019.	Section 5.3.1 of the main report summarises incidents that occurred during the audit period including the Fire incident on 4 March 2019. It is further discussed in Schedule 4 Condition 46; and Schedule 5, Condition 7 of the CoA Compliance Checklist (Appendix A).
Status of the review and revisions of management plans required under the consent.	Management Plan reviews are detail in Section 6 of this Main report.
Noise Monitoring	Assessment of Noise Monitoring has been completed for Schedule 4, Conditions 31 to 34 of the CoA (Appendix A).

The DPIE Officer noted that the following actions have been issued by the Department:

- Official Caution issued on 18 Jun 2018 for non-compliance with Schedule 5 Condition 9
- Warning Letter issued on 2 Dec 2019 for non-compliance with Schedule 4, Condition 31
- Advisory Letter issued on 4 Jul 2019 for non-compliance with Schedule 5 Condition 7

The Department indicated that the relevant agencies to be consulted as part of the Audit, would be the various departments under Department of Planning, Industry and Environment as follows:

- Environment Protection Authority (EPA)
- NSW Environment, Energy and Science (Former OEH)
- Water NSW (Former Department of Industry – Crown Lands and Water)

3.2 NSW Environment Protection Authority (EPA)

DPIE Compliance identified the appropriate Officer within the local office of the EPA for consultation. An email was sent to the relevant officers on 11 September 2020. An email response with an attached letter was received on 28 September 2020 from the Unit Head Regulatory Operations (provided in **Appendix E**). The key aspect of the feedback is provided below:

From the EPA's perspective, odour, vermin, dust, stormwater and leachate management at the site are relevant matters for consideration (Table 3-2).

Table 3-2 EPA comments on IEA scope and where addressed

EPA Comment:	Response/location of response
From the EPA's perspective, odour, vermin, dust, stormwater and leachate management at the site are relevant matters for consideration:	
Odour – Odour complaints have been received from residents of Farmborough Heights and other nearby residential areas, particularly in the warmer months. It should be noted that there are other potential sources of odour in the area.	Discussion of odour complaints is provided in Schedule 4 Condition 23 of the CoA (Appendix A); and Condition L4.1 of the EPL (Appendix B).
Vermin and birds – There have been concerns raised about birds being attracted to waste and causing a public nuisance in the surrounding area.	Vermin is discussed at Condition 46; and Schedule 4, Condition 45 of the CoA Compliance Checklist (Appendix A). Birds were observed during the inspection including seagulls; ibis; pelicans; and ducks. It is noted that native birds are protected in NSW. There are currently minimal compliance requirements for the management of birds at the facility. Section 9.5 of the LEMP states that <i>“deference programs for seagulls, ibis pelicans and other birds have been carried out unsuccessfully by NSW Parks and Wildlife Services. Birds continue to be a nuisance at the site”</i> . WCC reported that the University of Wollongong and the University of Melbourne have commenced research into Seagull and Ibis management.
Stormwater and leachate – There is potential for stormwater impacts during heavy rainfall events. Leachate management at the facility, including leachate generated from both the current and capped landfill cells, should also be considered as part of the audit.	Stormwater and Leachate are discussed in Schedule 4, Condition 18 of the CoA Compliance Checklist (Appendix A). Section 5.3.1 of the main report summarises stormwater and leachate incidents that occurred on 9 February 2020. The incident is further discussed in Schedule 5, Condition 7 of the CoA Compliance Checklist (Appendix A); and in various conditions of the EPL Checklist (Appendix B).
Dust - There is the potential for dust emissions from the facility if unsealed and exposed areas are not managed appropriately	Dust management is discussed in Schedule 4, Condition 25 of the CoA Compliance Checklist (Appendix A).

The scope of the audit included an assessment of these EPL conditions which are presented in the Compliance Checklist in **Appendix B**. As two site inspections were conducted at different times, odour management was able to be reviewed for two different weather situations. The site inspections did not overlap with a period of wet weather, hence real time assessment of odour impacts during wet weather was not able to be conducted.

Discussion of odour management and odour complaints is provided in the main body of this report as well as within the compliance checklists in **Appendices A and B**.

3.3 - NSW Environment, Energy and Science (former OEH)

The NSW Environment, Energy and Science (former Office of Environment and Heritage or OEH) were contacted by email on 11 September 2020. As no contact personnel were made known to the auditors, an email was issued to the general enquiries line info@environment.nsw.gov.au. No response was provided to the time of writing this report.

3.4 Department of Water (Former Department of Industry – Crown Lands and Water)

The Department of Water (Former Department of Industry – Crown Lands and Water) were contacted by email on 11 September 2020. As no contact personnel were made known to the auditors, an email was issued to the general enquiries line water.enquiries@dpi.nsw.gov.au. No response was provided to the time of writing this report.

3.5 Wollongong City Council

Wollongong City Council were consulted throughout the audit as owners and operators of the landfill. WCC did not identify any other personnel in the organisation to consult with in respect of the IEA. Comments and input from WCC are provided throughout the document. WCC were involved during interviews and site inspections as well as for the supply of relevant documentation required by the audit.

4 Site Inspection Observations

Site inspections were carried out on two separate days: the first on 6 July and the second on 23 October 2020. The weather on the first day of inspection was clear, still and sunny. The weather on the second inspection day was also clear and sunny with a light NE wind.

Table 4-1 presents photographs of infrastructure and issues observed during the site inspection. **Appendix A** and **Appendix B** also include photos of specific and relevant issues observed during the site inspection.

Table 4-1 - Photographs of infrastructure and issues observed during the initial site inspection

Photo No.	Photo Description	Photos (dated 6/07/2020 unless otherwise marked)
4-1. 4-1	Entry to the weighbridge	
4-2.	Leachate treatment facility. Leachate is directed to sewer from this point.	



Photo No.	Photo Description	Photos (dated 6/07/2020 unless otherwise marked)
4-3.	<p>Generator used for the leachate water treatment facility. Generator is contained within bunding and covered with a roof for weather protection.</p> <p>Chemical dosing area in a bund at the leachate water treatment facility.</p>	
4-4.	<p>Primary (foreground) and secondary leachate ponds in the foreground.</p>	





Photo No.	Photo Description	Photos (dated 6/07/2020 unless otherwise marked)	
4-5.	Final sediment pond. Discharge and overflows from the pond are directed to EPL Licenced Discharge Point 1.		
4-6.	Small vehicle waste and recycling transfer area. Personnel were working in this area to identify and segregate recyclables from the area prior to removal to the landfill.		
4-7.	Waste tyres at small vehicle transfer area – 6/07/2020 (left) and 23/10/2020 (right).		


Photo No.	Photo Description	Photos (dated 6/07/2020 unless otherwise marked)	
4-8.	Examples of waste separation at the small vehicle transfer area (e-waste, mattresses, scrap metal, timber)		
4-9.	Green waste drop-off area. New emergency leachate pond in the background.		
4-10.	Boundary Litter fence. There was little observed litter around the site boundary areas. Various weeds were observed around the site such as lantana.		




Photo No.	Photo Description	Photos (dated 6/07/2020 unless otherwise marked)
4-11.	The Gas Flare was operating during the site visits.	
4-12.	Trailer mounted deodoriser in operation	
4-13.	Water cart in operation on internal roads. Cell 1A and 1B in the background with intermediate cover and grass.	


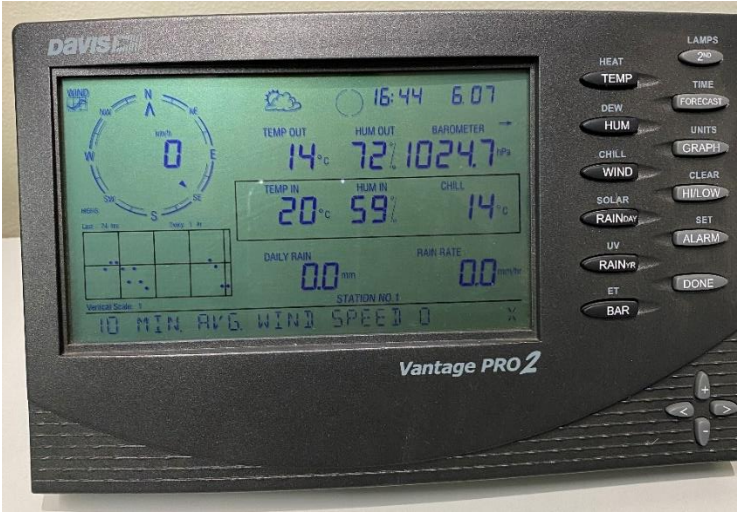


Photo No.	Photo Description	Photos (dated 6/07/2020 unless otherwise marked)
4-14.	Active landfill cells (Package 2 and 3) 	
4-15.	Active tipping face on 06/07/2020. Landfill lids visible in the background.	
4-16.	Active tipping face 23/10/2020	

Photo No.	Photo Description	Photos (dated 6/07/2020 unless otherwise marked)
4-17.	Compacting and covering of wastes at the tip face on the 23/10/2020.	
4-18.	VENM/ENM stockpile area.	
4-19.	Litter campaign observed during second site inspection on 23/10/2020 comprising of individuals finding and collecting litter from various areas of the site.	

Photo No.	Photo Description	Photos (dated 6/07/2020 unless otherwise marked)
4-20.	3,500 plants were planted by Southern Habitat in August 2020 along the north western boundary to provide screening. These were observed as small saplings.	
4-21.	Screen planting at front entrance.	
4-22.	Community Recycling Centre (CRC).	

Photo No.	Photo Description	Photos (dated 6/07/2020 unless otherwise marked)
4-23.	Weather data display for the automatic weather station located on site.	
4-24.	A significant number of birds were evident across the site.	
4-25.	Weeds such as castor oil plant and lantana were observed in various areas of the site.	

5 Environmental Performance

This Section addresses the requirement of the scope of the audit to “*assess the environmental performance of the development*”.

The auditors based the assessment of the environmental performance of the Project on the following:

- Assessment of compliance with the CoA, SoC and the EPL. The findings of these assessments are provided in the Compliance Matrix presented in **Appendix A** and **Appendix B** with the identified non-compliances and associated recommendations summarised in Section 7.
- Actual impacts compared to the predicted impacts documented in the EIS.
- The extent of the project in relation to the approved boundary, and potential off-site impacts.
- Environmental incidents that have occurred on site.
- Community complaints received during the audit period.
- Assessment of implementation of the management and monitoring plans (discussed in **Appendix A and B**).
- Feedback received by consultation from the Department, and other agencies on the environmental performance of the project during the audit period.

5.1 Actual Impacts Compared to Predicted Impacts

A high-level review of the actual impacts compared to the predicted impacts included in the Environmental Assessment (EA) is included in Table 5-1. An in-depth review of all of the EA predictions and was not undertaken and the technical assessments not reviewed.

Table 5-1 Actual impacts compared to predicted impacts in EA

EIS predicted Impacts	Actual impacts
<u>Waste</u> Annual waste accepted to landfill would not increase from the existing operations at the site (between approximately 120,000 to 150,000 tpa)	Annual waste accepted had not increased from pre-approval levels and was typically between 80,000 to 100,000 tpa. This was well below the 180,000 tpa limit imposed by the CoA.
<u>Odour</u> Odour concentrations would not exceed the OEH assessment criteria at the nearest sensitive receivers during the ‘worst case’ scenario of Stage 1 and Stage 4 of the Project. This however does not mean that odour would not necessarily be detected at all, but that odours would not be detected more than 1% of the time.	Quantitative odour assessments are not undertaken. Complaints are used as the main tool for assessing odour impacts on the community. 20 complaints were recorded over the 2018-2019 Annual Return period. Complaints are discussed further under Section 5.4. Odour management is discussed further in Appendix A under Schedule 4, Condition 23.
<u>Dust</u> Dust emissions from the proposed construction operations would be unlikely to result in cumulative impacts above the relevant criterion. It is predicted that annual average dust concentrations are unlikely to make any noticeable contribution to particulate levels at any of the surrounding receptors.	Depositional dust monitoring indicated annual averages below the 4 g/m ² /month criteria at all locations. Particulate matter (PM ₁₀) and Total Suspended Particulate (TSP matter) monitoring complied with the annual criteria. There was one exceedance recorded during the audit period of the 24 hour PM ₁₀ criteria.
<u>Greenhouse gas</u> Net emissions for the project were estimated to peak in 2053. From 2014 it was estimated that landfill gas emissions would be mitigated through flaring.	Landfill gas was being combusted through the flare. The Landfill gas monitoring report provided by LMS for June 2020 reported monthly gas volumes of 1,211.92 tCO ₂ -e. Using this as an

EIS predicted Impacts	Actual impacts
<p>Landfill gas emissions were predicted to be approximately 60,000 tCO₂-e (total) with residual emissions following capture and combustion predicted to be approximately 30,000 tCO₂-e in 2020. These estimates assume gas collection efficiencies of 50%.</p>	<p>average the annual gas volume would be approximately 15,000 tCO₂-e. This is below the EA predicted levels for 2020.</p>
<p><u>Groundwater and leachate</u></p> <p>The potential for leachate infiltration to groundwater from the landfill would be controlled by the permeability of the liner. The hydrogeological setting (upward hydraulic gradient, relatively low permeability formations, limited water supply development and no high-value GDEs in the vicinity of the site of the landfill) is conducive to landfilling operations and would appear to represent a relatively low risk in the event of a leachate release to groundwater.</p>	<p>A groundwater monitoring program is being implemented in accordance with the requirements of the EPL. The Whytes Gully Annual Review 2108-2019 provided an analysis of the groundwater monitoring results and noted the following:</p> <ul style="list-style-type: none"> - Results have generally confirmed the EA predictions, with the exception of possible metal impacts identified at a single location. - Some minor manganese and zinc impacts to groundwater at Monitoring Point 16 (hydraulic down-gradient of the surface water ponds) were recorded. - Prior to 2015, Monitoring Point 16 appeared to be highly impacted by leachate, with high concentrations of nutrients and total organic carbon reported. - This was rectified via improvements to the stormwater ponds and improvements to the operation of the leachate treatment facility, consequently, concentrations of nutrients and total organic carbon in groundwater have significantly reduced and stabilised. <p>The auditors did not independently review and analyse groundwater monitoring results.</p>
<p><u>Surface water</u></p> <p>Environmental flows of Dapto and Mullet Creek are not expected to be impacted by the Project. There is no significant increase in the proposed area of impervious surfaces at the site (i.e. paving of limited road areas), rather vegetative cover and grassed drains would be implemented, which is a similar condition to the existing disturbed site. Therefore, watershed characteristics for the Project would be similar to the existing conditions</p>	<p>A surface water monitoring program is being implemented in accordance with the requirements of the EPL. The Whytes Gully Annual Review 2108-2019 provided an analysis of the surface water monitoring results and noted the following:</p> <ul style="list-style-type: none"> - Nitrate concentrations generally exceeded the ANZECC, 2000 FW 95% assessment criteria prior to 2016. Since 2016, concentrations have decreased to below the FW 95% assessment criteria. - In general, TOC and nutrient concentrations were lowest at the upstream sampling point (Monitoring Point 33). Concentrations slightly increase at the discharge sampling point (Monitoring Point 1), then slightly decrease at the downstream sampling point (Monitoring Point 34), to concentrations similar to the upstream monitoring location. This suggests that the discharge point is having some level of influence on surface water quality at this location. - Dissolved Oxygen (DO) concentrations appear to fluctuate significantly across all locations. This correlates with a higher DO saturation during overflow events.

EIS predicted Impacts	Actual impacts
	The auditors did not independently review and analyse surface water monitoring results.
<p><u>Traffic</u></p> <p>The Project will have a low to negligible impact upon the safety and efficiency of the surrounding road network during construction and operation including at intersections within the vicinity of Whytes Gully Resource Recovery Park.</p>	<p>Impacts to the surrounding road network are generally considered low however the issue of trucks parking prior to gates opening at 7:30 has been raised by the Community Reference Group.</p> <p>In response, No Parking signs were installed and WCC wrote to 30-40 of its commercial customers, reminding them of site opening hours and reiterating that there is to be no parking/stopping/queuing prior to site opening. This was relayed to the Community Reference Group at the following meeting in August 2019 where it was noted by those present at the meeting that traffic flow had improved.</p> <p>WCC has plans in its Priority List Master Plan for upgrades to the weighbridge that will further improve traffic flow and reduce queuing. This includes constructing a slip lane, introducing number plate recognition and Airkey access to allow commercial customers to enter without stopping at the weighbridge.</p> <p>During operating hours, there is room for vehicles to queue on site prior to having to stop.</p>
<p><u>Noise</u></p> <p>Noise from the operational activities is predicted to comply with both the amenity and intrusive criteria at all of the residential receivers during all the operation phases with the exception of exceedance of the intrusive criteria during Stages 1, 2A, 2B and 3 at N2 and Stage 4 at N1 when the plant and equipment is operating within the northern part of the site.</p> <p>Exceedances of the construction (cumulative) noise criteria are predicted during stages 2A and 2B at N2 and during Stage 4 at N1.</p>	<p>The EA noise assessment was used to set the noise criteria included in Schedule 4, Condition 31. Noise monitoring conducted since February 2019 indicates that operations were compliant with this criteria.</p> <p>The exceedances predicted during the construction of Stage 2A and 2B were not able to be confirmed as noise monitoring had not been undertaken at that time.</p> <p>No complaints have been received from the community relating to noise.</p>
<p><u>Biodiversity</u></p> <p>An assessment of significance of the general and threatened flora and fauna species and endangered ecological communities that occur, or have the potential to occur on the WGRRP site concluded that, providing recommended avoidance and mitigation measures are adhered to, the Project is unlikely to have a significant impact on threatened species or the Illawarra Subtropical Rainforest located on the site.</p> <p>The Eastern Gully Diversion Drain works approved under MOD 2 will result in direct impact on remnant Illawarra Subtropical Rainforest, listed as an Endangered Ecological Community (EEC) under the NSW Biodiversity Conservation Act 2016 (BC Act), and a Critically Endangered Ecological Community (CEEC) under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act), located in the north-west corner of the study area.</p>	<p>The Vegetation Management Plan prepared by Biosis in February 2020 commits to restoring a total of 13.12 hectares of native vegetation to offset vegetation removal.</p> <p>During the audit, WCC commenced implementation of the VMP, focusing on weed removal and planting in the north west of the site (Management Zone 3A).</p> <p>Biosis commenced monitoring of the controls and actions required to manage the passive, operational and vegetated portions of the study area in March 2020.</p>

EIS predicted Impacts	Actual impacts
<p><u>Heritage</u></p> <p>The Project would have negligible impacts upon identified artefact scatters and/or the heritage significance of the local listed heritage building within Whytes Gully Resource Recovery Park.</p>	<p>The identified artefact scatters discussed in the EA are located outside the project footprint. WCC reported that there has been no impact to these sites. It was reported that no unexpected finds were uncovered during cell construction.</p>
<p><u>Visual</u></p> <p>The Project will have a moderate impact at five key view situations. Given this result the overall potential visual impact of the project is assessed as generally low to moderate, with mitigation measures proposed to reduce the potential impact of the project, including planning of the project to reduce the extent to which operations would be visible from surrounding areas of the landfill site.</p>	<p>A Landscape Strategy Plan was prepared in 2012 to manage potential long term visual impacts. It is recommended that this Strategy is reviewed (refer REC 32 – SoC Visual). Screen planting along the north western boundary of the site commenced in August 2020.</p>

5.2 The extent of the project in relation to the approved boundary, and potential off-site impacts

Based on site observations, physical WCC operations have stayed within the boundaries of the site as defined in the EA. The audit did not consider operations at the MRF as WCC indicated these were under the control of Visy Recycling.

Key potential off site impacts have been discussed in the compliance assessment detailed in **Appendix A** and **Appendix B**. Odour impacts as identified through complaints are discussed below in Section 5.4.

5.3 Environmental Incident Management

5.3.1 Reportable Incidents

The site's Pollution Incident Response Management Plan (PIRMP) contains details of how employees should respond to an environmental incident and the requirements and processes in relation to the external reporting of environmental incidents requiring external notification under legislation/approval conditions.

The EPL also requires the PIRMP to clearly document pollution risks, communication procedures with authorities and the community regarding pollution incidents as well as testing and training for pollution response. In the event there is a pollution incident involving material harm or threatening material harm to human health or the environment, the PIRMP is to be implemented.

The Incident Register for the period September 2017 to 6 July 2020 was provided to the auditors. The incident register was noted to include complaints as well as incidents. Complaints are discussed in Section 5.4. WCC recorded two fires, two incidents relating to damaged leachate pipes during construction activities and one leachate / stormwater overflow incident during the audit period. These are discussed further below.

Leachate / Stormwater Overflow 9 February 2020

On the morning of the 9 February, following a very heavy rainfall event (over 200 mm from the 7-9 February 2020) brown coloured discharge, suspected to be leachate, was observed to be seeping from the base of Cell 1 B and was being carried downstream into the stormwater system by the significant surface water flows across the site. Temporary bunds were created around the leachate

discharge (using VENM) to divert stormwater away from the area and to contain the discharge. By midday Stormwater Pond 3 began overtopping the discharge point, resulting in leachate contaminated stormwater leaving the site.

WCC collected stormwater samples daily from the time that discharge from Pond 3 was identified (9 February 2020). Stormwater was analysed for TSS, pH and ammonia. The results from the first three days (as reported in the Incident Report provided to the EPA and DPIE) noted exceedances of the 50mg/L limit permitted by the EPL, however, it was reported that these were below the upstream concentration due to the significant stormwater runoff upstream of the site. The pH was within licence limits. Ammonia levels were reported to be below the ANZECC/ARMCANZ Freshwater Guideline trigger value of 1.18 mg/L. On this basis, WCC considered that the stormwater contaminated with leachate had not caused material harm to the environment.

It is noted that during this rain event, the leachate ponds did not overtop. An additional pump was brought to site to assist in the transfer of leachate between the leachate dams and in the week following the incident, 200,000 L of leachate was transported and treated off site to create additional freeboard in the leachate ponds.

Investigation into the cause of the leachate seep identified several causes including:

- Sustained heavy rainfall causing surface water flows to erode / scour intermediate cover material at the base of Cell 1B.
- A previously constructed slag access road creating an impervious barrier, not allowing leachate to flow through into the waste mass and leachate drainage system.
- The strata of the waste mass showed that day cover material may not have been adequately removed before placing new waste. This day cover layer is likely to have created a barrier that reduced the ability of the leachate to penetrate the lower layers of the waste mass and enter the leachate drainage system.

In response, WCC implemented the following corrective and preventative actions:

- Earthworks near the identified seeps to remove sections of the slag road way and create a pathway for the leachate to drain through the waste mass and into the leachate drainage system.
- Re-training of plant operatives (tool box talks) of the importance of removing day cover material at the start of each day prior to placing waste.
- To improve the water quality within the sediment ponds following the storm event, WCC sought advice from a chemical engineer (water treatment specialist) and commenced chemical dosing of the stormwater ponds with a coagulant, introduction of an aerator and introduction of a micro-nutrient to promote the growth of diatom's over algae and bacteria.

WCC had also commenced a broader review of the stormwater and leachate management systems. Golder Associates had been engaged to review the adequacy of stormwater controls and develop an action plan. WCC also had specialist industrial water treatment contractors JPG Engineering, conduct a review of the leachate management system upon award of the LTP management contract in mid 2020. JPG provided WCC with a list of recommendations to optimise the operation of the leachate management system. WCC was progressively implementing the recommendations of this review. At the time of the second site inspection upgrades had been to pumps and flow meters.

Fire 4 March 2019

At 2:50 am on the 4 March 2019, an unknown person called 000 to report a fire at the WGRRP. The fire was in Package 3 in the active landfill. The footprint of the fire was approximately 10m X 10m and approximately 500 mm deep. The Rural Fire Service (RFS) took control of the site and extinguished the fire using non PFAS foam and water at approximately 5:40 am. Fire water and foam was contained within the landfill cell and the onsite leachate infrastructure. The EPA was notified of the incident on the 4 March 2019 and DPIE notified on the 6 March 2019.

The cause of the fire was unknown however was believed to be most likely caused by incompatible substances reacting. The incident report which included photos and additional supporting information such as survey details was provided to the EPA on the 14 March 2019. The incident report was provided to DPIE on the 27 June 2019.

DPIE issued WCC with a letter noting it was non-compliant with the requirement of Schedule 5, Condition 7 as it had failed to notify DPIE of the incident as soon as practicable after becoming aware of the incident and for failing to provide an incident report within 7 days of the date of the incident. In its letter, DPIE noted that it appeared to be an administrative oversight that the Department had not been notified. It also noted that the EPA had been notified and the incident did not appear to cause environmental harm. In response, WCC updated its PIRMP to reflect the requirement to notify DPIE of any significant environmental incidents as soon as practicable and key staff were briefed on this requirement.

No correspondence was provided by the EPA following provision of the incident report.

Fire 31 July 2018

A fire started at the Small Vehicle Transfer Station at 3:30pm on 31 July 2018 believed to be caused by a flammable liquid dropped off by a customer within a load of waste. The footprint of the fire was approximately 2m³. The fire was smothered with 3 bucket-loads of soil and the water cart was used to complete smothering the fire. The fire was extinguished at 3:40 pm on the 31 July 2018.

The Waste Services Manager was notified and reported the incident to the EPA Environment. An incident report was provided to the EPA on the 3 August 2018. DPIE was not notified of the fire or provided with the incident report. No correspondence was provided by the EPA following provision of the incident report.

The incident was contained on site and not considered to have caused impact to the environment.

Dislodged Leachate Pipe 20 November 2017

Construction contractor Ertech was working in the flow meter pit adjacent to the New Leachate Pond Work Area when heavy rainfall caused the exposed leachate pipe within the excavation to float, dislodging one of the installed pipe segments and diverting leachate flow from the existing leachate ponds into the pit excavation. The leachate discharged from the pipe was contained within the excavation. The contained leachate contaminated water was drained from the excavation into the leachate treatment pond. The pipe was re-installed and the pipeline re-secured. WCC reported the incident to the EPA Environment line.

Damaged Leachate Pipe 9 August 2017

During trench excavation works for the new leachate line located east of the northern leachate pond flowmeter, a sub-contractor to New Leachate Pond Construction contractors Ertech accidentally clipped the existing upstream flow meter bend which cracked a hole in the pipe and damaged the flange connecting the bend to the flow meter. Approximately 250-400 litres of leachate discharged and filled the excavation. A temporary repair was undertaken and the EPA notified of the incident and requested to approve emergency out of hours works for permanent repair works, if required. The leachate line was reinstated.

5.4 Complaint Management

WCC operates a customer service line (4227 7111) which members of the public could use to lodge a complaint. This number is widely advertised including on the WCC website, however, the website does not specifically advertise that the contact number is a complaints line or let the impacted community know how to make a complaint. WCC reported that it did not receive any complaints directly from members of the public relating to operations at the WGRRP.

All complaints received had been via the EPA Environment Line and re-directed by the EPA to WCC for investigation. WCC records the investigation as an Environmental Incident Report which are logged in the Council system TRIM and a copy provided to the EPA.

A summary of the complaints received for the audit period (as noted in the Annual Return's) is provided in Table 5-2. A copy of the Complaints Register is also available on the WCC website.

Table 5-2 Summary of Complaints reported from May 2017 to May 2020

Annual Return Report	Number of Complaints	Issue
29 May 2017 to 28 May 2018	12	Air pollution
29 May 2018 to 28 May 2019	23	Air pollution
29 May 2019 to 28 May 2020	20	Air pollution

The majority of the complaints related to odour. One complaint was received relating to dust. The odour complaints were often clustered with a number received on the same day. For example, on the 16 January 2019 the EPA advised that 7 complaints had been received and in 2020, eight complaints were received between the 3-4 March 2020.

The auditor reviewed a selection of the Environmental Incident Reports relating to odour complaints. The incident reports were noted to include a description of the weather conditions at the time, including prevailing wind direction, a rating of the odour intensity (0=No odour – 5=very strong odour), a description of the odour (if provided), a description of the activities taking place at the time and discussion of what control measures were taken to address the issues. The incident reports reviewed were detailed and the complaints appeared to be thoroughly investigated. Refer to **Appendix A** (Schedule 4, Condition 23) and **Appendix B** (Condition L4.1) for further discussion of odour management.

A letter was received from the EPA dated 23 April 2020, stating that there had been an increase in the number of odour complaints received by the EPA since February 2020 and that it was writing to all licensees and industries who operate in the area to ask them take all necessary action to prevent odours being generated. The EPA also stated in this letter that it would be conducting odour surveys in the coming weeks. No further action / correspondence was received from the EPA as a follow up to this letter.

As stated above, the WCC customer service line is not advertised as a complaints line and as such there is the potential that members of the public do not know to contact Whytes Gully directly to lodge a complaint. It is considered preferable to receive complaints (especially related to odour) directly, as then WCC can respond more promptly and better investigate the source of the odour and implement actions to rectify any issues sooner. Recommendation have been made to review the on-line complaints process and improve signage at the site to facilitate community members making complaints directly to WCC. Refer to recommendations under Condition M5.2 of the EPL.

5.5 Community Reference Group

The residents located closest to the landfill are part of the Community Reference Group. The CRG meets twice / year and the community members are provided with an update on operations at the WWRRP and given the opportunity to raise any issues. During the audit period, the CRG met on the following occasions:

- March 2020
- 21 August 2019
- 13 February 2019
- 23 May 2018

The key issues raised by the CRG related to odour, wind-blown litter, vehicle parking prior to gates opening and tree planting and vegetation works in particular along boundaries.

Residents noted a general improvement in odour since new cell commissioned in January 2019. However, residents raised concern with odour emanating from the site for several weeks following the storm event in February 2020. WCC explained that this was believed to be as a result of lower dissolved oxygen levels within the ponds due to storm event stirring up sediments that had been laying dormant within the dams during the drought. To address this issue WCC engaged a chemical engineer to provide a strategy to improve the water quality following the storm event and since implemented aeration of the three stormwater dams, chemical salt dosing to remove sediment and suspended solids and biological treatment to reduce nutrient levels. In addition, the deodoriser trailer was set up adjacent to the stormwater ponds.

6 Environmental Management Systems and Plans

This Section fulfils the requirement to assess the adequacy of strategies, plans or programs required under the Project Approval. The implementation of the management plans / programs is discussed in **Appendix A** and **Appendix B**.

6.1 WCC WGRRP Environmental Management System Overview

WCC WGRRP operates under the Project Approval 11_0094 and EPL 5862 which together appear to drive the development of procedures and approaches by WCC. The environmental mitigation measures, monitoring, inspections review of performance in compliance with approvals and licenses are defined in the LEMP and CEMP.

WCC has developed various Standard Operating Procedures (SOPs) such as the Placement & Compaction of Waste SOP and the Deodoriser Trailer Operator Manual - Whytes Gully SOP. In addition, a Wet Weather and Stormwater Management work instruction was created in July 2016 and implemented to ensure that the sediment pond capacity is maintained between rainfall events. It is unclear how these documents integrate into the LEMP or any other site based system approach.

There was no other apparent system approach defined by WCC for environmental management such as a structured Environmental Management System Framework. The LEMP and CEMP documents do not include key aspects of Environmental Management Systems as defined in the ISO14001 Standard such as: regular conduct of risk assessments; systems of auditing; annual reviews etc.

WCC did not provide formal internal audit reports of the CEMP that assessed the implementation or effectiveness of these documents. WCC did provide numerous examples of where the LEMP and CEMP had been implemented, such as inspection records and checklists – these are further described in Appendices A and B.

The previous IEA (2017) contained the following Management System Recommendations.

It is recommended that:

- ***WCC review approaches to site based management systems and the integration of these with the LEMP.***
- ***WCC review current approaches as defined in the LEMP and CEMP against the requirements of formal EMS Standards (such as a Gap Analysis) to ascertain what current approaches may be missing in terms of an overall system approach, and whether WCC could benefit from implementation of such approaches.***
- ***WCC conduct regular audits of the implementation and adequacy of the LEMP; CEMP, Contractors CEMPs; and other WCC systems to ensure ongoing implementation and effectiveness of controls.***

WCC did not demonstrate that these recommendations had been implemented to any material extent. Notwithstanding this, the site standards observed during the 2020 IEA were a significant improvement on the 2017 IEA in terms of litter management; reduced disturbed ground; improved weed controls; completed infrastructure; and revised leachate management.

The 2017 IEA recommendations are still considered relevant and appropriate to implement.

6.2 Management Programs and Plans

Table 6-1 summarises the strategies, plans and programs required by Project Approval 11_0094.

Table 6-1 List of Strategies, Plans and Programs

Strategy / Plan / Program	Date Prepared / Revised	Approval Date
Landfill Environmental Management Plan	September 2014 January 2020	11 December 2014 Plan with DPIE for approval
Construction Environmental Management Plan	13 August 2013 June 2020	20 August 2013 Plan with DPIE for approval
Flood Emergency and Evacuation Plan	19 August 2013	11 December 2014
Soil, Water and Leachate Management Plan (Appendix E of LEMP)	November 2008 November 2020	11 December 2014 Plan with DPIE for approval
Vegetation and Biodiversity Management Plan	1 August 2013	14 December 2017
Vegetation Management Plan: Whytes Gully New Landfill Cell (construction)	October 2019	Plan with DPIE for approval
Vegetation Management Plan: Whytes Gully Waste and Resource Recovery Centre (operations),	November 2019	Plan with DPIE for approval
Noise Management Plan	February 2019	17 September 2019
Pollution Incident Response Management Plan Revision 3	March 2019	EPL Requirement
Wollongong City Council Waste and Resource Recovery Strategy 2012 to 2022	18 July 2014	Submitted with LEMP 14 December 2014

WCC commenced the process of reviewing the LEMP in December 2019. The revised LEMP was lodged with DPIE on the 11 September 2020 but was yet to be approved at the time of writing. It is noted that this revision has been significant as the LEMP has been revised to align with the Environmental Guidelines: Solid Waste Landfills 2nd edition (EPA, 2016) which replaced the 1996 Guidelines. WCC reported it was systematically reviewing the Appendices to the LEMP. The Noise Management Plan was revised in February 2019 and approved by DPIE in September 2019. The Vegetation Management Plans and Soil, Water and Leachate Management Plan had been revised and submitted to DPIE.

The CEMP was also revised in June 2020.

The following documents were reviewed for adequacy by the auditors with a summary of the review provided in Table 6-2:

- Landfill Environmental Management Plan, January 2020 (not DPIE Approved)
- Construction Environmental Management Plan, June 2020 (not DPIE Approved)

The review of adequacy was high level only; and did not comprise a technical review of any aspect of the Plan or appendices. This was due to the nature and extent of the LEMP and CEMP documents; the technical and specialist detail in the documents and that the documents had yet to be approved by DPIE. This audit was not a management system audit, and did not assess all aspects of the implementation of these plans, hence comments on the LEMP and CEMP are not comprehensive.

Based on a very high level, non-technical review, these plans and programs were considered to be established in general accordance with the consent conditions of Project Approval 11_0094 and the

requirements of EPL 5862, subject to the comments made in **Appendix A** and **Appendix B** and in this report.

The management plans provide information to manage, monitor and report on environmental aspects and impacts associated with the landfill operations and construction of new cells.

The findings of a high level review of the adequacy of the management plans / monitoring programs and subsequent recommendations are provided in Table 6-2.

Table 6-2 Adequacy Review of Management Plans / Monitoring Programs

Management Plan / Monitoring Program	Adequacy Review and Recommendations
Landfill Environmental Management Plan and associated sub-plans	<p>The LEMP has been prepared by Golder who are understood to be specialists in Landfill Management. The LEMP contains a number of sub-plans which are required by the condition of approval such as:</p> <ul style="list-style-type: none"> • Flood Emergency and Evacuation Plan (Condition 16 of Schedule 4) • Soil, Water and Leachate Management Plan (Condition 18 of Schedule 4) • Air Quality Management Plan (Condition 29 of Schedule 4) • Greenhouse Gas Management Plan (Condition 30 of Schedule 4) • Noise Management Plan (Condition 34 of Schedule 4) • Vegetation and Biodiversity Management Plan (Condition 49 of Schedule 4) • Landfill Closure and Rehabilitation Plan (Condition 51 of Schedule 4) <p>Monitoring programs (groundwater, surface water, dust and leachate management) as per the EPL which are defined in the LEMP are conducted and monitoring results are posted in WCC website.</p> <p>The implementation of the LEMP and associated subplans on sites operations has not been reviewed by WCC or internally audited to ensure its adequacy and effectiveness.</p> <p>A number of appendices the LEMP are now out of date or not relevant to be included as part of the LEMP.</p> <p>It was noted that some Standard Operating Procedures have been updated, however these were not linked to the LEMP.</p> <p>WGRRP 2020 IEA REC 01</p> <p>Review the LEMP sub plans and appendices and update as required to ensure their effectiveness and adequacy. Technical aspects of the review should be undertaken by suitably qualified people.</p> <p>WGRRP 2020 IEA REC 02</p> <p>That WCC implement an internal audit program (potentially using external personnel if extra resources are needed) of the requirements of the LEMP. This could comprise looking at discrete sections of the LEMP over a longer timeframe and based on a risk approach to the subject material.</p> <p>WGRRP 2020 IEA REC 03</p> <p>Rationalise the documents appended to the LEMP to make it a more manageable sized document and to remove aspects of the document now not considered relevant. This could include that various design related documents being uploaded to the WCC website separately, instead of being appendices to the LEMP.</p> <p>WGRRP 2020 IEA REC 04</p> <p>That WCC reconcile the requirements of the LEMP against WCC based systems used at the Landfill such as operating level systems and procedures and ensure these processes remain consistent with each other.</p>

Management Plan / Monitoring Program	Adequacy Review and Recommendations
Construction Environmental Management Framework and associated sub-plans	<p>The CEMP contains a number of sub-plans which are required by the condition of approval such as:</p> <ul style="list-style-type: none"> • Construction Quality Assurance Plan (Condition 13 of Schedule 4) • Contamination Management Plan (Condition 19 of Schedule 4) • Noise Management Plan (Condition 34 of Schedule 4) • Construction Traffic Management Plan (Condition 38 of Schedule 4) • Heritage Management Plan (Condition 48 of Schedule 4) and • Vegetation Management Plan (Condition 49 of Schedule 4). <p>It was noted that the CEMP of contractors i.e. ERTECH has been reviewed and approved by WCC as per the requirements of CEMP.</p> <p>The implementation of the CEMP and associated subplans has not been reviewed by WCC or internally audited to ensure its adequacy and effectiveness.</p> <p>A number of appendices the CEMP are now out of date or not relevant to be included as part of the CEMP.</p> <p>WGRRP 2020 IEA REC 05</p> <p>Review the CEMP sub plans and appendices and update as required to ensure their effectiveness and adequacy. Technical aspects of the review should be undertaken by suitably qualified people.</p>
Noise Management Plan	<p>The NMP focuses on construction noise and does not specify a frequency for operational noise monitoring to assess compliance with the noise criteria.</p> <p>WGRRP 2020 IEA REC 06</p> <p>Update the NMP to include a monitoring frequency for assessing operational noise for compliance with criteria. Consider engaging acoustic consultants on an annual basis to verify competence and approach to noise monitoring conducted by WCC personnel and to provide independent noise monitoring results.</p>

7 Summary of Non Compliances and Recommendations

The status of WGRRP's performance during the audit, in respect of each condition of the CoA, EPL, SoC is presented in **Appendix A and Appendix B**. Conditions considered to be not complied with, have been summarised in Table 7-2 and Table 7-3.

Table 7-1 provides a summary of the performance categories in respect the compliance status for each requirement or commitment as defined in the *Independent Audit Post Approval Requirements*, (DPIE, May 2020).

Table 7-1 - 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.
Noted	A statement or fact, where no assessment of compliance is required.

Auditor's 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.

Where conditions were considered compliant; however it was considered a continuous improvement opportunity existed to improve the compliance status or to improve environmental performance in relation to the condition, additional recommendations have been made as summarised in Table 7-4.

The auditors have not undertaken a technical assessment of the documents required by the CoA or EPL, particularly where these documents have been signed off and/or approved by relevant regulatory authorities (for example, DPIE and the EPA). A high level review of adequacy of some documents is provided in Section 6 of this report.

Further, where conditions require specialist input, compliance with these conditions has not been assessed in full e.g. specific traffic and bushfire conditions.

On the direction of WCC, auditors did not include the MRF, operated by Visy recycling, within the scope of the audit.

Table 7-2 - Non-Compliant Conditions – Project Approval 11_0094 and Statement of Commitments

Condition Number	Condition	Comments and Evidence Sighted for Audit Period	Compliance Status and Recommendations
Schedule 3, Condition 2	The proponent shall carry out the project generally in accordance with the: a) EA; b) PPR; c) Statement of Commitments (see Appendix 1); d) site layout plans and drawings in the EA (see Appendix 2); e) modification application MOD 1 f) modification application MOD 2; and g) conditions of this approval.	Non-compliances with PA 11_00948 were identified during the audit (refer to the remainder of the report). On the basis of the non-compliances with the Project Approval, this condition has been assessed as non-compliant.	Non-compliant g) Refer to recommendations made against specific CoA
Schedule 4, Condition 14	The Proponent shall ensure that all licensed surface water discharges from the site comply with the discharge limits (volume and quality) set for the project in any EPL or relevant provisions of the POEO Act.	Based on the Annual Returns, Annual Reports, monthly reports and the Whytes Gully Environmental Data Excel workbook, the following exceedances with the discharge limits in the EPL (L2.4) were recorded during the audit period: - TSS exceedances on 17 occasions between 9 February 2020 and 3 August 2020. The highest TSS level of 118 was recorded on the 11 February 2020 - pH of 6.3 recorded on the 8 March 2020. 14 of the TSS exceedances (up until 10 May 2020) were included in the 2019-2020 Annual Return. The cause of the exceedances was recorded as 'heavy rainfall event'. The pH exceedance was suspected to be an anomaly in the data. WCC has engaged Golder Associates to review the the stormwater system following the incident in February 2020 where the sediment ponds overtopped. This review is aimed at assessing the adequacy of stormwater controls on site.	Non-compliant Refer to recommendations under Schedule 4, Condition 15

Condition Number	Condition	Comments and Evidence Sighted for Audit Period	Compliance Status and Recommendations
Schedule 4, Condition 15	<p>The proponent shall:</p> <p>a) design and install the stormwater management and collection system (including new stormwater pond and drainage) generally in accordance Chapter E14 of the Wollongong DCP 2009;</p> <p>b) ensure that the system capacity has been designed in accordance with the Blue Book Volumes 1 and 2B and Chapter E14 of Wollongong DCP 2009;</p> <p>c) ensure peak stormwater discharge rates from the site at each stage of the project do not exceed predevelopment values;</p> <p>d) divert existing clean surface water around operational areas of the site;</p> <p>e) direct all sediment laden water in overland flow away from the leachate management system; and</p> <p>f) prevent cross-contamination of clean and sediment or leachate laden water, to the satisfaction of the Secretary.</p>	<p>a) Stormwater management is described in Section 3.2.5 and Section 7.2.3 of the LEMP and accompanying design drawings included in Appendix E and as built drawings presented in Appendix B. The surface water treatment system comprises a series of surface water ponds, including two reed beds and an upper and lower surface water polishing pond with a total capacity of 40,000 kL. Surface water flows are directed to these ponds via open drains.</p> <p>Additional surface water drains have been constructed with the construction of each new cell.</p> <p>The LEMP includes Preliminary Design Drawings for future works and states that detailed designs will be undertaken with consideration of the Wollongong DCP and Blue Book for each new Stage.</p> <p>Auditors have not assessed if the stormwater management system was constructed in accordance with Chapter E14 of the Wollongong DCP 2009. Auditors have not been provided with information that confirms compliance with this condition.</p> <p>b) Auditors have not verified that the system capacity has been designed in accordance with the Blue Book and Chapter 14 of the Wollongong DCP 2009. This detail was not included in the LEMP. As information to determine compliance with this requirement was not available, this sub-condition b) was assessed as non-compliant.</p> <p>WCC has engaged Golder Associates to review the the stormwater system following an incident in February 2020 where the sediment ponds overtopped. This review is aimed at assessing the adequacy of stormwater controls on site which is relevant to this condition.</p> <p>c) This was not able to be fully verified during this audit. The LEMP does not discuss peak stormwater discharge rates. As information to determine compliance with this requirement was not available, this sub-condition c) was assessed as non-compliant.</p> <p>d) Various clean water diversion drains were observed. A Rain flap has been installed to reduce stormwater entering the landfill area.</p> <p>e) Surface water or stormwater is directed to the sediment pond which is separate to the Leachate management system.</p> <p>f) The system has been designed to separate stormwater flows from coming into contact with leachate, however there was one incident in the audit period where stormwater was cross-contaminated with leachate. This related to a heavy rain event in February 2020 where leachate seeping from the base of Cell 1 B was carried downstream into the stormwater system by the significant surface water flows across the site. This is discussed in the main report. On the basis of this incident, this sub-condition f) has been assessed as non-compliant. It is noted that leachate leakage from previously constructed cells could be an ongoing risk.</p> <p>WCC has engaged Golders to undertake a review of the stormwater systems in light of this incident.</p>	<p>Non-compliant a) b) c) f)</p> <p>WGRRP 2020 IEA REC 11 Include further details within the LEMP of the design of the sediment ponds with regards to how they meet the Blue Book and Chapter E14 of Wollongong City DCP 2009.</p> <p>WGRRP 2020 IEA REC 12 Include discussion in the LEMP of the peak stormwater discharge rates from the site and how WCC are ensuring these do not exceed predevelopment values.</p> <p>WGRRP 2020 IEA REC 13 Continue the review of the adequacy of stormwater management on the site by Golder Associates and implement actions that come out of this review.</p> <p>WGRRP 2020 IEA REC 14 WCC should also review the risk of leachate leakage from previously constructed cells either as part of the Golder review or as a separate study and implement actions that come out of this review.</p>

Condition Number	Condition	Comments and Evidence Sighted for Audit Period	Compliance Status and Recommendations																							
Schedule 4, Condition 17	<p>The Proponent shall:</p> <p>a) design and install the leachate management and collection system (including new leachate pond) generally in accordance with the conceptual design in the EA/PPR, applicable Australian Standards and industry standard best practice guidelines, or otherwise approved by the EPA;</p> <p>b) ensure that leachate generated by the project is minimised and appropriately contained, collected and disposed of;</p> <p>c) collect and store all leachate generated by the project until it is transferred for treatment/processing;</p> <p>d) install a leachate barrier to be used for the direct impoundment of leachate (see Conditions 10 to 13 of this Schedule);</p> <p>e) design and operate the leachate management system to prevent leachate from escaping to surface water, groundwater or the surrounding subsoils;</p> <p>f) ensure that the leachate management and collection system does not include leachate discharge or disposal by way of leachate re-injection into any active or capped landfill cell, unless otherwise approved by the EPA;</p> <p>g) direct all surface water from areas not subject to waste disposal or leachate disposal away from the leachate management system; and</p> <p>h) treat all water that has entered areas filled with waste, or been contaminated by leachate, as leachate,</p> <p>to the satisfaction of the Secretary.</p>	<p>e) The leachate management system was considered to be designed and constructed in accordance with EPL requirements on the basis of the acceptance of design and construction documents required by the EPL as discussed under a) above.</p> <p>The leachate management system was generally being operated to prevent leachate escaping to surface water, groundwater or soils, however there was one incident in the audit period where leachate escaped to surface water. This related to a heavy rain event in February 2020 where leachate seeping from the base of Cell 1 B was carried downstream into the stormwater system by the significant surface water flows across the site. This is discussed in the main report. On the basis of this incident, this sub-condition e) has been assessed as non-compliant. It is noted that leachate leakage from previously constructed cells could be an ongoing risk.</p> <p>A review of the leachate management system was undertaken by specialist industrial water treatment contractors JPG Engineering upon award of the LTP management contract in mid 2020. JPG provided WCC with a list of recommendations to optimise the operation of the leachate management system. One of its recommendations was that the leachate water balance model be recalibrated as significantly more leachate had been generated in the four weeks following 21 July 2020 than originally predicted by the model.</p> <p>WCC was considering and progressively implementing the recommendations of the JPG review.</p> <p>Refer to Appendix A for discussion of remaining sub-conditions.</p>	<p>Non-compliant e)</p> <p>WGRRP 2020 IEA REC 16 Recalibrate the Leachate Water Balance Model for the site to reflect accurate estimates of leachate generation volumes</p> <p>WGRRP 2020 IEA REC 17 Continue to implement the recommendations made by JPG Engineering to the improve the operation of the leachate management system</p>																							
Schedule 4, Condition 24	<p>The Proponent shall ensure that dust generated by the project does not exceed the criteria listed in Tables 2 to 4 at any private residential receiver, or on more than 25 percent of any privately owned land surrounding the site.</p> <p>Table 2 Long term criteria for particulate matter</p> <table><tr><th>Pollutant</th><th>Averaging period</th><th>Criterion</th></tr><tr><td>TSP matter</td><td>Annual</td><td>90 µg/m³</td></tr><tr><td>PM₁₀</td><td>Annual</td><td>30 µg/m³</td></tr></table> <p>Table 3 Short term criteria for particulate matter</p> <table><tr><th>Pollutant</th><th>Averaging period</th><th>Criterion</th></tr><tr><td>PM₁₀</td><td>24 hour</td><td>50 µg/m³</td></tr></table> <p>Table 4 Long term criteria for deposited dust</p> <table><tr><th>Pollutant</th><th>Averaging period</th><th>Maximum increase in deposited dust level</th><th>Maximum total deposited dust level</th></tr><tr><td>Deposited dust</td><td>Annual</td><td>2/g/m²/month</td><td>4 g/m²/month</td></tr></table>	Pollutant	Averaging period	Criterion	TSP matter	Annual	90 µg/m³	PM ₁₀	Annual	30 µg/m³	Pollutant	Averaging period	Criterion	PM ₁₀	24 hour	50 µg/m³	Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total deposited dust level	Deposited dust	Annual	2/g/m²/month	4 g/m²/month	<p>Two high volume samplers and 5 depositional dust gauges have been installed on site. Analysis is undertaken by ALS for TSP, PM₁₀ and depositional dust.</p> <p>Dust monitoring results were entered into the Environmental Data Spreadsheet. A review of the spreadsheet and the Annual Review reports indicated the following:</p> <ul style="list-style-type: none">- The rolling annual average of TSP matter did not exceed the annual criterion of 90 µg/m³ at either monitoring location.- The rolling annual average of PM₁₀ did not exceed the annual criterion of 30 µg/m³ at either monitoring location.- The 24 hour PM₁₀ criterion of 50 µg/m³ was exceeded at DDG 1 on one occasion in December 2019 noted to be impacted by the NSW bushfires and on three occasions at DDG2 (December 2017, March 2018 and December 2019).- Whilst some individual months depositional dust results were greater than 4 g/m2/month, the rolling annual average did not exceed the criteria at any of the dust gauges. <p>The Annual Review 2018-2019 includes discussion of the non-compliances with the deposited dust criteria however does not include discussion of results against the short term PM₁₀ criterion and the non-compliances recorded with this criterion. It is noted the depositional dust exceedances reported in the Annual Review are actually not non-conformances as the 4 g/m²/month criteria is an annual criteria and therefore the annual rolling average should be used to determine compliance. Individual monthly readings above 4 g/m²/month are not exceedances, although they should be investigated.</p> <p>Measures implemented to minimise dust are discussed under Schedule 4, Conditions 25 and 26.</p> <p>An exceedance of dust criteria is considered an ‘incident’ by the definition included in Schedule 2 of the CoA and therefore would trigger the incident reporting requirements of Schedule 5 Condition 7.</p> <p>There is limited detail in the LEMP on the methods proposed for the monitoring TSP, PM₁₀ and depositional dust including the locations.</p> <p>It is noted the Environmental Data spreadsheet includes the annual average relating to the reporting period. The rolling annual average should be reviewed to ensure the annual criteria is not exceeded.</p> <p>On the basis of the exceedances of the 24-hour PM₁₀ dust criteria, this condition has been assessed as non-compliant.</p>	<p>Non-compliant</p> <p>WGRRP 2020 IEA REC 20 Ensure reporting of compliance against the depositional dust criteria in the Annual Review discusses the rolling annual average rather than whether individual months have had readings greater than 4 /g/m2/month,</p> <p>WGRRP 2020 IEA REC 21 Update the LEMP to include further details of TSP and PM₁₀ monitoring including method of monitoring and locations.</p> <p>WGRRP 2020 IEA REC 22 Ensure the rolling average is reviewed when assessing compliance with the long-term criteria for TSP and PM₁₀ and not the reporting year annual average.</p> <p>WGRRP 2020 IEA REC 23 Include discussion in the Annual Review of PM₁₀ monitoring results against the short term (24 hour) criterion.</p>
Pollutant	Averaging period	Criterion																								
TSP matter	Annual	90 µg/m³																								
PM ₁₀	Annual	30 µg/m³																								
Pollutant	Averaging period	Criterion																								
PM ₁₀	24 hour	50 µg/m³																								
Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total deposited dust level																							
Deposited dust	Annual	2/g/m²/month	4 g/m²/month																							

Condition Number	Condition	Comments and Evidence Sighted for Audit Period	Compliance Status and Recommendations												
Schedule 4, Condition 30	<p>The Proponent must develop and implement a Greenhouse Gas Management Plan prior to the commencement of operation of the new landfill cells. This plan must include, as a minimum:</p> <p>a) final details of the landfill gas management system including flaring and/or combustion to reduce potential greenhouse gas emissions from the landfill;</p> <p>b) energy saving measures to be implemented; and</p> <p>c) include a program to monitor the effectiveness of these measures, and a protocol to periodically review the plan.</p> <p>This plan must be documented in the Landfill EMP (see Condition 3 in Schedule 5).</p>	<p>Greenhouse gas management is discussed in Section 8.5 of the LEMP.</p> <p>a) The LEMP includes details of the landfill gas management system including flaring. The flare was observed to be operating during the site inspections.</p> <p>WCC reported that it is investigating gas capture for electricity generation. This was included in the Waste Construction Projects – Priority List – Master Pan.</p> <p>b) The LEMP includes the following energy savings measures:</p> <ul style="list-style-type: none">- Assess the site's energy profile and usage patterns and use this as the basis for identifying opportunities for reducing energy consumption and costs. <p>This had not been undertaken. Specific measures relating to energy savings had not been identified and implemented.</p> <p>c) The LEMP states that WCC will prepare an annual action plan and progress report, focusing on ways of reducing emissions. This is undertaken at a whole of council level through the WCC Climate Change Mitigation Plan 2020. The WCC Climate Change Mitigation Plan 2020 includes Council's emissions profile (85% of emissions are from the landfill) and includes reduction targets and actions to reduce emissions. The Plan reports progress to date and includes future actions. Of relevance, the plan commits to expanding the landfill gas capture system at Whytes Gully between 2020 – 2022 and exploring the feasibility of the construction of a Whytes Gully Renewable Energy Facility with a 1MW Power Station between 2020-2025. As stated above, this had been included in the Construction Projects Priority List Master Plan.</p> <p>WCC recently awarded the contract for managing the gas collection system and flare to LMS. LMS provides WCC with Monthly Landfill Gas Reports which provide a breakdown of the volume of landfill gas flared, the average composition of the gas and the tonnes of carbon dioxide equivalent methane combusted (CO2e) for the month.</p>	<p>Non-compliant b)</p> <p>WGRRP IEA 2020 REC 25 Assess site's energy profile and usage patterns and identify opportunities for reducing energy consumption.</p>												
Schedule 4, Condition 31	<p>The Proponent shall ensure that the noise generated by the operations on site does not exceed the criteria in Table 6 at any private residential receiver.</p> <p>Table 6: Noise impact assessment criteria dB(A)</p> <table><tr><th>Residential Receiver Location</th><th>Day LAeq(day)</th></tr><tr><td>N1</td><td>47</td></tr><tr><td>N2</td><td>45</td></tr><tr><td>N3</td><td>38</td></tr><tr><td>N4</td><td>35</td></tr><tr><td>N5</td><td>35</td></tr></table>	Residential Receiver Location	Day LAeq(day)	N1	47	N2	45	N3	38	N4	35	N5	35	<p>WCC reported that it was unable to demonstrate compliance with noise criteria in its 2018 / 2019 Annual Review and in response was issued with a Warning Letter from DPIE dated 2 December 2019 for failing to comply with this condition (Schedule 4, Condition 31). The Warning Letter noted that the non-compliance did not appear to cause harm to people or the environment and that there was no record of noise complaints during the period.</p> <p>WCC engaged SLR to undertake operational noise monitoring to assess compliance with the specified noise criteria in February 2019. The attended noise monitoring indicated compliance with the noise criteria.</p> <p>SLR provided training to the WHSE Quality Officer who has undertaken monitoring for WCC in-house at the residential receiver locations on a monthly basis. Results are recorded in the Environmental Data spreadsheet. A review of the results indicated levels higher than the criteria however noted other noise sources (birds, cars, trucks). It is difficult to interpret the in-house noise monitoring results as they do not include discussion of the estimated noise level associated with the Whytes Gully operations</p> <p>The NMP focuses on construction noise and does not specify a frequency for operational noise monitoring to assess compliance with the noise criteria.</p> <p>On the basis that compliance with the noise criteria could not be demonstrated prior to February 2019, this condition has been assessed as non-compliant.</p>	<p>Non-compliant</p> <p>WGRRP 2020 IEA REC 26 Update the NMP to include a monitoring frequency for assessing operational noise for compliance with criteria. Consider engaging acoustic consultants on an annual basis to verify competence and approach to noise monitoring conducted by WCC personnel and to provide independent noise monitoring results.</p>
Residential Receiver Location	Day LAeq(day)														
N1	47														
N2	45														
N3	38														
N4	35														
N5	35														

Condition Number	Condition	Comments and Evidence Sighted for Audit Period	Compliance Status and Recommendations
Schedule 4, Condition 34	<p>The Proponent shall prepare and implement a Noise Management Plan for the project in consultation with the EPA and to the satisfaction of the Secretary. The plan must:</p> <p>a) be prepared and implemented by a suitably qualified and experienced person whose appointment has been approved by the Secretary;</p> <p>b) be approved by the Secretary prior to the commencement of construction;</p> <p>c) describe the measures that will be implemented to minimise noise from the construction and operation of the project and ensure:</p> <ul style="list-style-type: none"> best management practice is employed on site; implementation of traffic noise management measures; the noise impacts of the project are minimised during adverse meteorological conditions; and compliance with the relevant conditions (including noise limits) of this approval. <p>d) describe the noise management system;</p> <p>e) includes a noise monitoring program that:</p> <ul style="list-style-type: none"> is capable of evaluating the performance of the project; includes a protocol for determining exceedances of the noise limits in this approval and responding to complaints; adequately supports the noise management system; and evaluates and reports on the effectiveness of the noise management system <p>f) include a description of the remedial actions that may be implemented in the event of a noncompliance with the noise limits in this approval.</p> <p>g) be updated and resubmitted to the Secretary for approval within three months following the approval MOD 1. The CNMP shall be updated prior to the commencement of the conditions of any such approval;</p> <p>h) include management and mitigation measures developed in consultation with the sensitive receivers identified in Appendix 6</p> <p>This plan must be documented in the CEMP and Landfill EMP (see Conditions 2 and 3 in Schedule 5).</p>	<p>The Noise Management Plan (NMP) was originally prepared by Golder Associates and included as Section 3.4 of the CEMP and Appendix M of the LEMP.</p> <p>g) The NMP was updated and submitted to DPIE on the 20 February 2019. DPIE approval of the plan was received on the 17 September 2019. This was not within three months of approval of MOD 1 which was received in April 2018. WCC is non-compliant with this timing requirement.</p> <p>Refer to Appendix A for discussion of remainder of sub-conditions.</p>	<p>Non-compliant g)</p> <p>No recommendation required as issue addressed</p>
Schedule 4, Condition 49	<p>The Proponent shall prepare and implement a Vegetation Management Plan for the project to the satisfaction of the Secretary. This plan must:</p> <p>a) be prepared by a suitably qualified and experienced expert;</p> <p>b) be updated and approved by the Secretary within six months of determination of MOD 2 or prior to the commencement of construction, whichever is sooner;</p> <p>c) include a vegetation clearing protocol (see Condition 50 of this Schedule);</p> <p>d) must specifically include a Biodiversity Offset Strategy that:</p> <ul style="list-style-type: none"> is assessed against the OEH's 'Principles for the Use of Biodiversity Offsets in NSW' and the 'Interim Policy on Assessing and Offsetting Biodiversity Impacts of Part 3A, SSD and SSI Projects'; details the proposed offset measures to be implemented and secured for removing 0.49 hectares of native vegetation (including 0.01 hectares of Illawarra Subtropical Rainforest); relating to project approval MP 11_0094 and 0.25 hectares of native vegetation (Illawarra Subtropical Rainforest) relating to MOD 2 identify conservation mechanisms to be used to ensure the long term protection and management of the offset sites; references best practice management guidelines for restoring and managing the vegetation communities proposed for protection; details how the proposed offset measures will be protected, managed, funded and monitored over the life of the project; <p>e) ensure the project maintains suitable buffer distances to nearby waterways in accordance with Wollongong DCP 2009 to protect riparian land; and</p> <p>f) incorporate the recommendations of the Whytes Gully Landfill Modification: Flora and Fauna Assessment, prepared by Biosis, project number 20115, dated 11 October 2017; and</p> <p>g) details the site-wide ecological management and monitoring program/s to be implemented for the life of the project.</p>	<p>The initial Vegetation Management Plan was prepared by Biosis and included in the LEMP which was approved by DPIE on 11/12/14.</p> <p>b) The VMP was updated by Biosis and separated into two documents addressing the construction and operational phases of the project:</p> <ul style="list-style-type: none"> Vegetation Management Plan: Whytes Gully New Landfill Cell (construction) Vegetation Management Plan: Whytes Gully Waste and Resource Recovery Centre (operations) <p>The works associated with MOD 2 (Eastern Gully Diversion Drain) are addressed in the VMP (Construction). These works were in the design stage and yet to commence during the audit period.</p> <p>The VMPs were submitted to DPIE in November 2019 (not within six months of the MOD 2 determination on the 29 May 2018). DPIE provided comments on the 28 November 2019 and a response and updated VMPs were provided to DPIE on the 14 January 2020. DPIE advised that it would approve the VMPs as part of the LEMP which was yet to be approved at the time of writing. On the basis of the timing not being met for the update and approval of the VMP this condition has been assessed as non-compliant.</p> <p>Refer to Appendix A for remainder of sub-conditions.</p>	<p>Non-compliant b)</p> <p>No recommendation required as issue addressed</p>

Condition Number	Condition	Comments and Evidence Sighted for Audit Period	Compliance Status and Recommendations
Schedule 5, Condition 7	The Proponent shall notify the Secretary and any other relevant agencies of any incident or potential incident with actual or potential significant off-site impacts on people or the biophysical environment associated with the project as soon as practicable after the Proponent becomes aware of the incident. Within 7 days of the date of this incident, the Proponent shall provide the Secretary and any relevant agencies with a detailed report on the incident.	<p>Incidents and non-compliances reported to EPL are recorded in the Annual Returns and these are kept on Councils publicly accessible website.</p> <p>WCC recorded the following incidents during the audit period which triggered its Pollution Incident Reporting Management Plan (PIRMP) and required reporting:</p> <ul style="list-style-type: none"> - <u>Leachate / Stormwater overflow 9 February 2020</u> The incident related to seepage of leachate from the base of Cell 1B into the stormwater system during a very heavy rainfall event. The Landfill Manager became aware of the incident at approximately 9am on the 9 February 2020 and initial PIRMP notifications commenced at 12pm with phone calls to the essential agencies (EPA, DPIE, NSW Health and SafeWork NSW). An extension for the provision of the detailed report was sought from the EPA and DPIE (email dated 13/02/2020). An extension until the 19/02/2020 was granted by the EPA (email dated 17/02/2020) and the detailed report provided to the EPA and DPIE on the 19 February 2020. - <u>Fire 4 March 2019</u> A fire was reported to 000 by an anonymous caller at 2:50 am on the 4 March 2019. Rural Fire Service and NSW Fire and Rescue arrived on site and extinguished the fire. The Incident Report notes that the EPA was notified at 6am on the 4 March 2019 and that the Ministry of Health and DPIE were contacted on the 6 March 2019. SafeWork NSW was not contacted. A detailed report on the incident was provided to the EPA on the 14 March 2019 (10 days after the incident). The Incident report was not provided to DPIE at the time but was provided on the 27 June 2019. DPIE issued WCC with a letter noting the non-compliance Schedule 5, Condition 7 for failing to notify as soon as practicable after becoming aware of the incident and for failing to provide an incident report within 7 days of the date of the incident. In its letter, DPIE noted that it appeared to be an administrative oversight that the Department had not been notified. In response, WCC updated its PIRMP to reflect the requirement to notify DPIE of any significant environmental incidents as soon as practicable and key staff were briefed on this requirement. - <u>Fire 31 July 2018</u> A fire started at the Transfer Station at 3:30pm on 31 July 2018. The Waste Services Manager was notified and reported the incident to the EPA hotline (approximately 3:50pm). An incident report was provided to the EPA on the 3 August 2018. DPIE was not notified of the fire or provided with the incident report. - <u>Dislodged Leachate Pipe 20 November 2017</u> Construction contractor Ertech was working in the flow meter pit adjacent to the New Leachate Pond Work Area when heavy rainfall caused the exposed leachate pipe within the excavation to float, dislodging one of the installed pipe segments and diverting leachate flow from the existing leachate ponds into the pit excavation. The contained leachate contaminated water was drained from the excavation into the leachate treatment pond. The leachate discharged from the pipe was contained within the excavation. The pipe was re-installed and the pipeline resecured. WCC reported the incident to the EPA. - <u>Damaged Leachate Pipe 9 August 2017</u> During trench excavation works for the new leachate line located east of the northern leachate pond flowmeter, a sub-contractor to New Leachate Pond Construction contractors Ertech accidentally clipped the existing upstream flow meter bend which cracked a hole in the pipe and damaged the flange connecting the bend to the flow meter. Approximately 250-400 litres of leachate discharged and filled the excavation. A temporary repair was undertaken and the EPA notified of the incident and requested to approve emergency out of hours works for permanent repair works. <p>On the basis of the fire incidents on the 4 March 2019 and the 31 July 2018 not being reported as soon as practicable and a report not being provided to DPIE within 7 days, this condition has been assessed as non-compliant. It is noted that WCC had implemented actions to rectify this non-compliance and therefore no further recommendations are made.</p> <p>Refer to the main report for further discussion of incidents</p>	<p>Non-compliant</p> <p>No recommendation required as issue addressed</p>

Table 7-3 - Non-Compliant Conditions – Environmental Protection Licence 5862

Condition Number	Condition	Comments and Evidence Sighted for Audit Period	Compliance Status and Recommendations									
L1.1	<p>Pollution of waters</p> <p>Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.</p>	<p>For the majority of the audit period the region experienced dry conditions and there were limited site discharges.</p> <p>On the 9 February 2020 WCC reported an incident in which leachate seeping from the base of Cell 1 B was carried into the stormwater system by surface water flows during a heavy rain event. The stormwater pond overtopped the discharge point resulting in leachate contaminated stormwater leaving the site. This is considered to constitute pollution of waters and on this basis, this condition has been assessed as non-compliant. WCC reported this incident to the EPA and DPIE.</p> <p>Refer to main report for further discussion of the incident and follow up actions.</p> <p>Auditors did not review the data provided to assess whether pollution may be occurring for pollutants other than those specified in the table's.</p>	<p>Non-compliant</p> <p>Refer to REC 13 and REC 14.</p>									
L1.2	<p>There must be no discharge of contaminated stormwater to waters under dry weather conditions (less than 10 mm of rainfall within a 24-hour period) or a storm event/s of less than 1:10 year, 24-hour recurrence interval (less than 297.4 mm of rainfall within a 24-hour time period).</p> <p>Discharges of contaminated stormwater from the stormwater ponds caused by a 1:10 year, 24-hour recurrence interval storm event or greater do not constitute a breach of this licence.</p>	<p>Contaminated stormwater was discharged on numerous occasions between February 2020 and August 2020 following storm events (refer Condition L2.4). The rainfall data correlating with these discharges was not reviewed however it was not believed to be greater than 297.4 mm within a 24 hour time period.</p>	<p>Non-compliant</p> <p>WGRRP IEA 2020 REC 34 Include rainfall information in the Stormwater and overflow monitoring data within the Environmental Data Workbook to better facilitate assessment of storm events.</p> <p>Refer also to recommendations under CoA Schedule 4, Condition 15</p>									
L1.3	<p>There must be no discharge of leachate to waters under dry weather conditions (less than 10 mm of rainfall with a 24-hour period) or storm event(s) of less than 1:25 year, 24-hour recurrence interval (less than 371.5 mm of rainfall within a 24-hour period).</p>	<p>One incident was recorded during the audit period where leachate escaped into the stormwater system during a heavy rain event and was discharged from the sediment pond. This incident is discussed further in the main report.</p>	<p>Non-compliant</p> <p>Refer to recommendations under CoA Schedule 4, Condition 17</p>									
L2.1 / 2.4	<p>For each monitoring/discharge point or utilisation area specified in the table's below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.</p> <p>Water and/or Land Concentration Limits (for LDP1).</p> <table><tr><th>Pollutant</th><th>Units of measure</th><th>100 percentile concentration limit</th></tr><tr><td>pH</td><td>pH</td><td>6.5-8.5</td></tr><tr><td>TSS</td><td>mg/L</td><td>50</td></tr></table>	Pollutant	Units of measure	100 percentile concentration limit	pH	pH	6.5-8.5	TSS	mg/L	50	<p>Based on the Annual Returns, Annual Reports, monthly reports and the Whytes Gully Environmental Data Excel workbook, the following exceedances were recorded during the audit period:</p> <ul style="list-style-type: none">- TSS exceedances on 17 occasions between 9 February 2020 and 3 August 2020. The highest TSS level of 118 was recorded on the 11 February 2020- pH of 6.3 recorded on the 8 March 2020. <p>14 of the TSS exceedances (up until 10 May 2020) were included in the 2019-2020 Annual Return. The cause of the exceedances was recorded as 'heavy rainfall event'.</p> <p>The pH exceedance was suspected to be an anomaly in the data.</p> <p>WCC has engaged Golder Associates to review the the stormwater system following the incident in February 2020 where the sediment ponds overtopped. This review is aimed at assessing the adequacy of stormwater controls on site.</p>	<p>Non-compliant</p> <p>Refer to recommendations under CoA Schedule 4, Condition 15</p>
Pollutant	Units of measure	100 percentile concentration limit										
pH	pH	6.5-8.5										
TSS	mg/L	50										
M5.1	<p>The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.</p>	<p>WCC advertises its contact details on the WCC website. The website does not specifically advertise that the contact number is a complaints line or let the impacted community know how to make a complaint. This was raised as an Opportunity for Improvement in the previous IEA however was not actioned.</p> <p>WCC also noted that signage is in place with emergency contact numbers on the site's front gate. However, the signage at the front of the landfill or at the weighbridge did not specifically identify a complaints number and what to do in the event of wanting to make a complaint. This was also raised as an Opportunity for Improvement in the previous IEA and was not actioned.</p> <p>WCC reported that no complaints were received directly by council. All complaints had been received via the EPA Environment Line and re-directed by the EPA to WCC for investigation. WCC reported that it has a well-informed community and that when complaints are made on social media forums, they are directed by other residents to contact the EPA.</p> <p>It is considered that the requirement to notify the public that its contact number is a complaints line has not been met.</p>	<p>Non-compliant</p> <p>WGRRP 2020 IEA REC 36 Improve the website to notify the public that Council's main customer service line is to be used for the purpose of making a complaint.</p> <p>WGRRP 2020 IEA REC 37 Improve signage at the site to better advertise the complaints line telephone number so that the impacted community knows how to make a complaint</p>									

Condition Number	Condition	Comments and Evidence Sighted for Audit Period	Compliance Status and Recommendations
R2.3	The licensee must notify the EPA within 24 hours in accordance with condition R2.1 if surface monitoring detects methane above 1.0% (v/v), and increase the frequency of monitoring to daily, until the EPA determines otherwise.	<p>A review of the Environmental Data workbook indicated that the 1% (v/v) surface methane trigger level was exceeded in February 2020. The EPA was not notified and daily monitoring was not undertaken.</p> <p>No other exceedances of the 1% v/v surface methane trigger level were recorded during the audit period.</p>	<p>Non-compliant</p> <p>WGRRP 2020 IEA REC 39 Implement processes to ensure that exceedances of the methane trigger levels are reported to the EPA within 24 hours and that the frequency of monitoring is increased to daily.</p> <p>WGRRP 2020 IEA REC 40 Update the Environmental Data spreadsheet to state that detection above 1.0% methane (v/v) will require EPA notification rather than 1.25%</p>

7.1 Summary of Additional Recommendations

The following table has been reproduced from **Appendix A and Appendix B**. For details on the requirement, and for further discussion of the issue, please refer directly to the table in **Appendix A and Appendix B**. Many recommendations are based around continuous improvement opportunities identified during the audit and do not necessarily represent immediate potential non-compliance issues.

Table 7-4 – Additional Recommendations for Conditions considered compliant for improved compliance and continuous improvement

Approval & EPL Condition Number	Recommendations
CoA Schedule 3 Condition 2 g)	WGRRP 2020 IEA REC 07 WCC should consider the compliance implications of the approval instrument 11_0094 covering areas not under the direct control of the landfill operations (Lot 52 DP 1022266 and Lot 51 DP 1022266) and under the control of other entities. The audit did not consider activities or operations on these Lots nor did it consider any related compliance implications
CoA Schedule 4 Condition 3	WGRRP 2020 IEA REC 08 Include further discussion of the effectiveness of resource recovery in the Annual Review (for example, quantities of materials recovered / diverted, trends, progress against targets)
CoA Schedule 4 Condition 4	WGRRP 2020 IEA REC 09 Ensure training as per WCC's identified Required Training Matrix is undertaken and the Matrix updated accordingly.
CoA Schedule 4 Condition 13	WGRRP 2020 IEA REC 10 Submit the CQA Plan for each new package of construction work to DPIE for approval prior to construction.
CoA Schedule 4 Condition 16	WGRRP 2020 IEA REC 15 Review and update the Flood Emergency and Evacuation Plan
CoA Schedule 4 Condition 18 a)	WGRRP 2020 IEA REC 18 Expand the scope of the Golder Associate review to include a review of the site water and leachate balance.
CoA Schedule 4 Condition 18 e)	WGRRP 2020 IEA REC 19 Provide results of monitoring to NOW (or equivalent agency) and other relevant government agencies every 12 months or direct them to the project website.
CoA Schedule 4 Condition 27	WGRRP 2020 IEA REC 24 Identify a method for demonstrating compliance with the maximum areas specified in Table 5 for the active tipping face, daily cover and 90-day cover areas.
CoA Schedule 4 Condition 45	WGRRP 2020 IEA REC 27 Continue focus on weed management across the site to ensure all weeds on site are adequately controlled.
CoA Schedule 5 Condition 2 i)	WGRRP 2020 IEA REC 28 Include the revised CEMP prepared to satisfy Schedule 5 -Condition 2 (once approved) on the WCC website.

Approval & EPL Condition Number	Recommendations
CoA Schedule 5 Condition 3 b)	WGRRP 2020 IEA REC 29 Provide the Draft LEMP 2020 to the EPA and other relevant agencies for consultation.
CoA Schedule 5 Condition 5	WGRRP 2020 IEA REC 30 Change the file name 'Whytes Gully Annual Review-AEMR-2019' to reflect that it is the 2013-2018 Annual Review – AEMR and move from 'Whytes Gully management plans and audit documents' to 'Annual reports'
SoC Visual	WGRRP 2020 IEA REC 31 Update Landscape Strategy to align with the Vegetation Management Zones in Figure 2 of the VMP (Operations).
SOC Socio-economic	WGRRP 2020 IEA REC 32 Include discussion of the Community Reference Group in the LEMP
A3.2	WGRRP 2020 IEA REC 33 Provide the EPA with the updated LEMP for reference
M1.3	WGRRP 2020 IEA REC 35 Ensure methane monitoring records include the time at which the sample was collected.
R1.8	WGRRP 2020 IEA REC 38 Include a Section in the Annual Report which discusses implementation / consideration of the previous year's recommendations.

Table 8-3 - Recommendations Relating to Management Plans

Document or Area of Recommendation	Recommendations
Landfill Environmental Management Plan and associated sub-plans	WGRRP 2020 IEA REC 01 Review the LEMP sub plans and appendices and update as required to ensure their effectiveness and adequacy. Technical aspects of the review should be undertaken by suitably qualified people.
Landfill Environmental Management Plan and associated sub-plans	WGRRP 2020 IEA REC 02 That WCC implement an internal audit program (potentially using external personnel if extra resources are needed) of the requirements of the LEMP. This could comprise looking at discrete sections of the LEMP over a longer timeframe and based on a risk approach to the subject material.
Landfill Environmental Management Plan and associated sub-plans	WGRRP 2020 IEA REC 03 Rationalise the documents appended to the LEMP to make it a more manageable sized document and to remove aspects of the document now not considered relevant. This could include that various design related documents being uploaded to the WCC website separately, instead of being appendices to the LEMP.
Landfill Environmental Management Plan and associated sub-plans	WGRRP 2020 IEA REC 04 That WCC reconcile the requirements of the LEMP against WCC based systems used at the Landfill such as operating level systems and procedures and ensure these processes remain consistent with each other.

Document or Area of Recommendation	Recommendations
Construction Environmental Management Framework and associated sub-plans	<p>WGRRP 2020 IEA REC 05</p> <p>Review the CEMP sub plans and appendices and update as required to ensure their effectiveness and adequacy. Technical aspects of the review should be undertaken by suitably qualified people.</p>
Noise Management Plan	<p>WGRRP 2020 IEA REC 06</p> <p>Update the NMP to include a monitoring frequency for assessing operational noise for compliance with criteria. Consider engaging acoustic consultants on an annual basis to verify competence and approach to noise monitoring conducted by WCC personnel and to provide independent noise monitoring results</p>
Management system recommendation (2017 IEA)	<p>WGRRP 2020 IEA REC 41</p> <p>It is recommended that:</p> <ul style="list-style-type: none"> • <i>WCC review approaches to site based management systems and the integration of these with the LEMP.</i> • <i>WCC review current approaches as defined in the LEMP and CEMP against the requirements of formal EMS Standards (such as a Gap Analysis) to ascertain what current approaches may be missing in terms of an overall system approach, and whether WCC could benefit from implementation of such approaches.</i> • <i>WCC conduct regular audits of the implementation and adequacy of the LEMP; CEMP, Contractors CEMPs; and other WCC systems to ensure ongoing implementation and effectiveness of controls.</i>

8 Limitations of Report

MCW Environmental Consulting Pty Limited (MCW Environmental) has conducted this Independent Environmental Audit (IEA) and generated this report in accordance with the usual care and thoroughness of the consulting profession for the use of Wollongong City Council Whytes Gully Landfill Extension Project and only those third parties who have been authorised in writing by MCW 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. This IEA report did not assess any aspects relating to safety at the site.

The IEA Report is prepared in accordance with the scope of work and for the purpose outlined in the MCW Environmental Proposal dated 10 January 2020 and the signed contract executed between MCW Environmental and Wollongong City Council.

Where this IEA Report indicates that information has been provided to MCW Environmental by third parties, MCW Environmental has made no independent verification of this information except as expressly stated in the Report. MCW Environmental assumes no liability for any inaccuracies in or omissions to that information.

This IEA Report was prepared between 6 July 2020 and 25 November 2020 and is based on the conditions encountered and information reviewed at the time of the site visits on 6 July and 23 October 2020. MCW Environmental disclaims responsibility for any changes that may have occurred after the site visit.

This IEA 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 IEA 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 IEA Report unless otherwise agreed by MCW Environmental in writing. Where such agreement is provided, MCW Environmental will provide a letter of reliance to the agreed third party in the form required by MCW Environmental.

To the extent permitted by law, MCW 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 IEA Report. MCW Environmental does not admit that any action, liability or claim may exist or be available to any third party.

Except as specifically stated in this section, MCW Environmental does not authorise the use of this IEA Report by any third party.

It is the responsibility of third parties to independently make inquiries or seek advice in relation to their particular requirements and proposed use of the site.



Appendix A

Compliance Table – Project Approval 11_0094

Table A: Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
SCHEDULE 3 ADMINISTRATIVE CONDITIONS					
OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT					
Sch 3	1	The Proponent shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may results from the construction, operation or decommissioning of the Project.	Interviews with WCC personnel and Site inspection 6 July and 23 October 2020 Documents and records provided to auditors as listed under specific conditions.	WCC have developed the environmental management plans LEMP and CEMP with associated subplans and procedures for Whytes Gully Landfill Extension Project as per the requirements of CoA defining the mitigation measures to prevent and or minimise any harm to the environment during construction and operations. These plans were also approved by the DPIE for implementation. Based on information provided by WCC, and observations made during site inspections, and subject to the findings in this report, WCC has generally implemented the reasonable and feasible measures to prevent and/or minimise any harm to the environment. Incidents recorded during the audit period were determined by WCC to not to have caused material harm to the environment (refer to discussion of incidents in the main report). Where non compliances to the conditions of approval have been identified, these are discussed below within this table and in the main body of the report.	Compliant (subject to the findings for specific conditions as defined in this table).
TERMS OF APPROVAL					
Sch 3	2	The proponent shall carry out the project generally in accordance with the:			
		a) EA;		The requirements of the Environmental Assessment (EA) have been incorporated into the conditions of approval. This audit has focused on the review of compliance with the requirements of the CoA. It was noted that the LEMP and CEMP were developed as per the requirements of the EA. The requirements of the EA are also referenced in CoA conditions which have been assessed within this checklist. While Auditors have conducted a high-level review of the requirements of the EA, the audit did not comprise a detailed assessment against the EA. It is considered the project is "generally carried out in accordance with the EA" subject to the comments made throughout this checklist.	Compliant
		b) PPR;		The requirements of the Preferred Project Report (PPR) have been incorporated in the conditions of approval. Refer to the following conditions for the assessment of this condition.	Compliant

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
				While Auditors have conducted a high-level review of the requirements of the PPR, the audit did not comprise a detailed assessment against the PPR. It is considered the project is "generally carried out in accordance with the PPR" subject to the comments made throughout this checklist.	
		c) Statement of Commitments (Appendix 1);		Refer to Appendix 1 of this checklist for the compliance status on the requirements of the Statement of Commitments. Overall, it is considered the project is "generally carried out in accordance" with the Statement of Commitments other than identified otherwise in this checklist.	Compliant
		d) Site layout plans and drawings in EA (Appendix 2);	Environmental Assessment Report	Based on the site layout in EA the extent of the landfill works only covers the following Lot and DP numbers: <ul style="list-style-type: none">- Lot 1 DP240557 (it appears this should be Lot 2 DP240557)- Lot 501 DP1079122- Lot 502 DP1079122- Lot 53 DP1022266 The following lots are also covered under the CoA and EPL premise map but these are not included in the scope of this audit and were reported by WCC to be not part of Whytes Gully Landfill Extension Project: <ul style="list-style-type: none">- Lot 52 DP 1022266 is leased by Visy Recycling- Lot 51 DP 1022266 was noted not to be under Whytes Gully Landfill management.	Compliant WGRRP 2020 IEA REC 07 WCC should consider the compliance implications of the approval instrument 11_0094 covering areas not under the direct control of the landfill operations (Lot 52 DP 1022266 and Lot 51 DP 1022266) and under the control of other entities. The audit did not consider activities or operations on these Lots nor did it consider any related compliance implications
		e) modification application MOD 1;	Noise Management Plan, Rev 0, February 2019 LEMP, Rev 3, January 2020	Modification application MOD 1 sought to amend CoA 33 in relation to operating hours. No new commitments were made relating to this MOD. The new operating hours have been included in the revised management plans.	Compliant
		f) modification application MOD 2; and		Modification application MOD 2 sought to approve an alternative stormwater drainage design for the Eastern Gully Stormwater Diversion. The LEMP was updated to reflect this MOD however at the time of writing was yet to be approved by the DPIE. At the time of writing the Eastern Gully Stormwater Diversion was at the design stage.	Not triggered

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		g) Conditions of this approval.		Non-compliances with PA 11_00948 were identified during the audit (refer to the remainder of the report). On the basis of the non-compliances with the Project Approval, this condition has been assessed as non-compliant.	Non-compliant
Sch 3	3	If there is any inconsistency between the above, the conditions of this approval shall prevail to the extent of any inconsistency.		Noted	Noted
Sch 3	4	<p>The Proponent shall comply with any reasonable requirements of the Secretary arising from the Department's assessment of:</p> <p>a) Any reports, plans, strategies, programs, or correspondence that are submitted in accordance with this approval; and</p> <p>b) The implementation of any actions or measures contained in these reports, plans, strategies, programs, or correspondence.</p>	<p>DPIE approval of Noise Management Plan (Rev 0, February 2019) dated 17/09/2019.</p> <p>WCC response letter to DPIE comments on Vegetation Management Plans (Construction – October 2019 and Operations – November 2019) dated 14/01/2020</p> <p>Draft LEMP January 2020</p> <p>Email from DPIE dated 15/09/2020: LEMP – More Information Required</p>	<p>The following plans were revised and submitted to DPIE for approval during the audit period:</p> <ul style="list-style-type: none"> - Draft Landfill Environmental Management Plan (LEMP) 2020 - Noise Management Plan - Vegetation Management Plan: Whytes Gully New Landfill Cell (construction) - Vegetation Management Plan: Whytes Gully Waste and Resource Recovery Centre (operations) <p>DPIE responded that it required additional information relating to the Soil, Water and Leachate Management Plan (refer Schedule 4, Condition 18). At the time of writing WCC was in the process of addressing this request.</p> <p>Comments on the Vegetation Management Plan were received from DPIE on the 28 November 2019 and a response from WCC provided on the 14 January 2020. At the time of writing DPIE approval of the VMPs was yet to be received.</p> <p>The approval of the Noise Management Plan did not include any requirements from the Secretary.</p> <p>The 2013-2018 Annual Review was approved by DPIE as generally satisfying the requirements of the Consent in relation the Annual Review by letter dated 22 August 2019. This letter also requested that future Annual Reviews provide detail on the Whytes Gully Reference Group, including details of when meetings are held and the outcome of those community consultative meetings. The 2018-2019 Annual Review was noted to include discussion on community consultation. No requests were made relating to DPIE's review of the 2018-2019 Annual Review.</p>	Compliant
LIMITS OF APPROVAL					
Sch 3	5	The Proponent shall ensure no more than 180,000 tpa of waste is accepted at the landfill in any calendar year.	<p>Monthly Section 88 Reports to the EPA (provided for the audit period)</p> <p>Six monthly weighbridge summary data: 1 July to Dec 2017; 1 Jan to June 2018; 1 July to Dec 2018; 1 Jan to June 2019; 1 July to Dec 2019; 1 July to June 2020</p>	The volume of waste transported to the site is measured on the Weighbridge. In November 2019, WCC changed its weighbridge software and management system from WasteMan to Mandalay. The Mandalay software is expected to provide WCC with more functionality over its waste data. The weighbridge software was demonstrated to the auditors during the audit site inspection.	Compliant

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
			Annual Review 2013-2018 Annual Review 2018-2019 IW Reports EPA Report Generator – October 2019	Waste data is provided to the EPA on a monthly basis through the Section 88 Reports and also six monthly with the volumetric survey data. A high level summary of waste volumes is provided in the Annual Review. A review of this data indicated WCC had not exceeded the 180,000 tpa limit. Volumes were typically between 80,000 to 100,000 tpa.	
Sch 3	6	This approval does not authorise any landfilling activities or new landfill cell to be constructed or operated within the area marked Stage 4-2B in the PPR and shown in the staging plan in Appendix 3 of this approval.	Site inspection	Observations during the site inspection confirmed that no landfilling or construction has commenced in the area marked Stage 4-2B.	Compliant
SURRENDER OF EXISTING DEVELOPMENT CONSENTS					
Sch 3	7	Within 12 months from the date of this approval, or as otherwise agreed by the Secretary, the Proponent shall surrender the development consents identified in Table 1 in accordance with Section 75YA and 104A of the EP&A Act.	Surrender of Development Consent documents dated 13 March 2018 Applications to surrender Development Consents dated 7 February 2018	WCC surrendered all the leases detailed in Table 1 on the 13 March 2018, except for DA 1996/8256 and DA-1996/6256. The surrender of leases followed an application to surrender the leases dated 7 February 2018. The surrender of DA 1996/6256 was accepted by WCC on the 27 March 2018. Correspondence was sighted from WCC dated 19 March 2018 stating that DA 1996/8256 could not be located in Council's system and that it was advised that DA 1996/8256 is the equivalent of DA 1996/256/B which was previously surrendered. The previous IEA found this CoA non-compliant on the basis of the timing not being met and two development consents not being surrendered. This has been rectified as discussed above.	Compliant
Sch 3	8	To the extent of any inconsistency between the consents identified in Table 1 and this approval, this approval shall prevail.	Conditions of Approval 11_0094	The consents identified in Table 1 have been surrendered.	Noted
TRANSITIONAL ARRANGEMENTS					
Sch 3	9	All existing environmental management plans that apply to the site under those DAs listed in Table 1 of this Schedule shall continue to be fully applied until replaced under this approval.	2017 IEA, MCW Environmental March 2018	The management plans under the DAs listed in Table 1 were replaced with the management plans required by this approval during the previous audit period. This Condition is considered complete.	Complete
STRUCTURAL ADEQUACY					
Sch 3	10	The Proponent shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures are constructed in accordance with the relevant requirements of the BCA. <i>Notes:</i> <ul style="list-style-type: none"> Under Part 4A of the EP&A Act, the Proponent is required to obtain construction and occupation certificates for the proposed building works. Part 8 of the EP&A Regulation sets out the requirements for the certification of the Project. 	Project Coordination Letter of Compliance dated 24/10/2017	A new Community Recycling Centre was constructed during the audit period. This project was constructed under a separate Development Approval (DA-2016/535). A Letter of Compliance was provided by Project Coordination confirming the works had been completed in accordance with the BCA 2016.	Not triggered

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
Retaining Walls					
Sch 3	11	<p>The Proponent shall ensure that:</p> <p>a) all retaining walls are designed by a suitably qualified civil or structural engineer and are detailed on engineering plans which meet the requirements of WCC; and</p> <p>b) following the completion of construction of any retaining wall, a certificate from a suitably qualified civil or structural engineer is obtained to verify the structural adequacy of the retaining wall.</p>	<p>Ertech Certification Letter dated 25/11/2019</p> <p>Golder Associates Drawings Issued for Construction for Southern Perimeter Drain, Cascade Diversion Drain and Drawings stamped and signed as "Work as Executed" by project Surveyor</p>	<p>Some reinforced concrete drains incorporating gabion basket walls were built as part of Package 2 and 3 which could be considered retaining structures. These were built to Issued for Construction Drawings provided by Golder Associates and signed by a Chartered Professional Engineer. The Drawings were stamped and signed as Work as Executed by the Project Surveyor and a Certification Letter was provided by the construction contractor, Ertech, confirming work as executed reports were complete and accurate. Based on the above document WCC are considered compliant with the condition. Independent verification of compliance of the design or construction was not undertaken by the auditors.</p>	Compliant
DEMOLITION					
Sch 3	12	The Proponent shall ensure that all demolition work is carried out in accordance with Australian Standard AS 2601:2001: The Demolition of Structures, or its latest version.	Former MRF Building: Post Demolition Survey, Liberty Industrial	During the audit period the former MRF building was demolished by demolition contractors Liberty Industrial. The Post Demolition Survey stated that all demolition works were completed in accordance with AS2601:2001. On this basis, this condition has been assessed as compliant. Independent verification of compliance with the Standard was not undertaken by the auditors.	Compliant
OPERATION OF PLANT AND EQUIPMENT					
Sch 3	13	<p>The Proponent shall ensure that all plant and equipment used for the project is:</p> <p>a) maintained in a proper and efficient condition; and</p> <p>b) operated in a proper and efficient manner.</p>	<p>Waste Asset Maintenance Records</p> <p>Whytes Gully LTP Monthly Maintenance Checklist-March 2020</p> <p>Whytes Gully LTP Weekly Report Week 181 - 24th to 30th of March 2020</p> <p>LTP Maintenance Service Report Summary - October 2020</p> <p>WCC WGL - Leachate Systems Discussion - 28.10.20, JPG Engineering</p> <p>Repair and Verification Reports and Certificate of Verification dated 1/04/2020, Standard Scales and Services</p>	<p>WCC use the OneCouncil Maintenance System to manage maintenance schedules for its assets. Examples of maintenance schedules for the following plant were sighted:</p> <ul style="list-style-type: none"> - 72488D 938K – Loader - 72490D 950K - Loader - 72489D PC220 – Excavator - 93499D 826K – Compactor - 93573D – Mower - TA88JE Deodoriser - TF85EC Deodoriser <p>In addition, the following records were observed for plant managed by contractors:</p> <ul style="list-style-type: none"> - Whytes Gully LTP Weekly Report (Innaco) - Whytes Gully Leachate Treatment Plant Monthly Maintenance Checklist (Innaco) - LTP Maintenance Service Report Summary (JPG) <p>In mid-2020, WCC awarded the contract for managing the LTP to JPG Engineering. JPG conducted a review of the leachate transfer and treatment systems and</p>	Compliant

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SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
				<p>made a number of recommendations to improve the system. WCC was considering and progressively implementing these recommendations. At the time of the second site inspection upgrades had been to pumps and flow meters.</p> <ul style="list-style-type: none"> - The contract for managing the gas collection equipment and flare was awarded to LMS during the audit period. LMS were responsible for the proper and efficient operation of the Flare. LMS provides WCC with a monthly landfill gas report which reports the flare operation hours. - The weighbridge was last tested and verified in April 2020. <p>Operator training for plant and equipment is through a Statement of Attainment.</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. The assessment has been based on the documents provided and listed.</p>	
PROTECTION OF PUBLIC INFRASTRUCTURE					
Sch 3	14	<p>The Proponent shall:</p> <ul style="list-style-type: none"> a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the project; and b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the project. 		WCC reported that no public property damage occurred during the audit period.	Not triggered
STAGED SUBMISSION OF PLANS OR PROGRAMS					
Sch 3	15	With the approval of the Secretary, the Proponent may submit any plan or program required by this approval on a progressive basis.		DPIE Approval has not been sought for the staging of any plans or programs.	Not triggered
SCHEDULE 4 SPECIFIC ENVIRONMENTAL CONDITIONS					
WASTE					
Restrictions on Receipt, Classification and Disposal					
Sch 4	1	The Proponent shall only receive waste on site that is authorised for receipt by an EPL	<p>Copy of Transaction Export - Rejected Loads 14/11/2017 – 17/03/2020</p> <p>Examples of Monthly Waste Facilities (Section 88) Reports</p>	<p>EPL 5862 permits the receipt of tyres, general solid waste (putrescible and non-putrescible) and asbestos waste. Refer to EPL Condition L3.1. It is noted that WCC does not accept asbestos waste.</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>	Compliant



Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
				<p>WCC has implemented procedures to identify and prevent the disposal of waste not permitted by the EPL. This is discussed further under Sch 4, Condition 4.</p> <p>As required by the EPL, WCC maintains a register of all events involving the removal of waste that was brought to site and not permitted to be accepted at the site.</p> <p>Based on the waste and recycling data supported with screening and rejection procedures, WCC was considered to comply with this condition. Full verification of compliance with this condition is not considered practicable as part of the audit.</p>	
Sch 4	2	The Proponent shall ensure that any waste generated on the site during construction is classified in accordance with the EPA's Waste Classification Guidelines and disposed of to a facility that may lawfully accept the waste.	<p>Construction Waste 12/09/2019 to 6/04/2020 (Excel spreadsheet)</p> <p>Monthly Section 88 Reports to the EPA (provided for the audit period)</p> <p>Demonstration of Mandalay during the audit site inspection</p> <p>Bingo Kembla Grange Recycling Centre EPL 20601</p>	<p>VENM / ENM generated on site during construction has been stockpiled for use as cover material. Other waste generated during construction is recorded as outgoing through the weighbridge.</p> <p>A summary of construction waste for the period 12/09/2019 to 16/04/2020 was provided to the auditors. This includes the tonnage of outbound products including clay, concrete, gravel / aggregate and rejected materials. This was discussed with WCC and it was explained that this material was likely to be excess material brought onto site for construction including VENM that was later deemed as unsuitable (due to not meeting specifications). This material was taken off-site by Bingo for further processing at Bingo's Kembla Grange recycling centre (EPL 20601). Volume Waste transported from site for lawful recovery is recorded on the Section 88 Reports provided to the EPA. WCC did not record any waste transported from site for disposal.</p> <p>The process for waste classification is defined in the in the CEMP.</p>	Compliant
Resource Recovery					
Sch 4	3	The Proponent shall implement all reasonable and feasible measures to recover resources from the waste stream to the satisfaction of the Secretary.	<p>WWARRP Fees and Charges 2019-20 brochure</p> <p>Annual Review 2013-2018</p> <p>Annual Review 2018-2019</p>	<p>During the audit period, WCC constructed a new Community Recycling Centre (CRC) using funds from the NSW EPA Waste Less Recycle More program. The CRC allows WCC residents to recycle household and problem waste for free and includes receptacles for items including paints, e-waste, gas bottles, car batteries, motor and other oils, scrap metal, fridges and freezers as well as regular recyclables such as cardboard and paper, glass, plastic and steel cans.</p> <p>Small vehicles are encouraged by weighbridge staff to visit the CRC prior to disposing of residual waste at the small vehicle transfer station. This is also communicated in the Wollongong Waste and Resource Recovery Park (WWARRP) Fees and Charges 2019-2020 brochure which emphasises the cost savings to be had by sorting waste for free recycling before going over the weighbridge.</p>	<p>Compliant</p> <p>WGRRP 2020 IEA REC 08</p> <p>Include further discussion of the effectiveness of resource recovery in the Annual Review (for example, quantities of materials recovered / diverted, trends, progress against targets)</p>

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SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
				<p>During the audit period, WCC increased screening of material at the small vehicle drop off area with an extra dedicated resource providing more supervision. Waste separated out for recycling from the small vehicle transfer station includes: white goods, used batteries, scrap metal, electrical goods and tyres. A dedicated green waste drop-off area has been provided.</p> <p>The 2018-2019 Annual Review which was submitted to DPIE and is publicly available on the WCC website includes some discussion of waste stream volumes. The Annual Review indicates that the general trend has been for a slight decrease in total waste stream volumes over the 2013-2019 period. Detailed discussion of resource recovery and waste diversion is not provided.</p>	
Screening and Acceptance					
Sch 4	4	The Proponent must:			
		a) implement auditable procedures to: <ul style="list-style-type: none"> ensure that the site does not accept wastes that are prohibited; and screen incoming waste loads; and b) ensure that: <ul style="list-style-type: none"> all waste that are controlled under a tracking system have the appropriate documentation prior to acceptance at the site; and staff receive adequate training in order to be able to recognise and handle any hazardous or other prohibited waste. 	<p>Copy of Transaction Export - Rejected Loads 14/11/2017 – 17/03/2020</p> <p>Examples of Monthly Waste Facilities (Section 88) Reports</p> <p>Training and Development - Risk Management - Assessment - Waste Services Required Training Matrix</p> <p>SOP Asbestos Detection and Treatment at Whytes Gully Z16/16284</p> <p>Induction Record: SOP Asbestos Detection and Treatment dated 16/11/2017 and 8/12/2017.</p>	<p>The following provisions were implemented to prevent the disposal of unacceptable waste:</p> <ul style="list-style-type: none"> Signs present at the entrance clearly indicating types of waste accepted and not accepted. General information of wastes accepted on WCC's landfill website. Overhead CCTV installed at weighbridge to enable visual inspection of loads by weighbridge operator. WCC made a business decision not to accept building and demolition waste and asbestos waste due to risk (despite the EPL permitting this material to be accepted). Waste screening takes place at the Small Vehicle Transfer Station and tipping face. Operators were observed at the Small Vehicle Transfer Station screening waste during the audit site inspection. The auditors observed waste that had been screened and segregated from the Small Vehicle tipping area for recycling (e.g. white goods that require de-gassing, used car batteries, tyres, e-waste and scrap metal). It was reported that when loads or excluded wastes are identified at either the weighbridge, Small Vehicle Transfer Station or tipping face, the customer is advised and either refused entry or asked to remove the excluded waste. Where no customer can be identified, WCC removes the excluded waste and it is transferred to an approved disposal or treatment location. Rejected loads are recorded by the weighbridge. An excerpt of the rejected loads register for the period November 2017 to March 2020 noted rejected loads included soil, builders waste, fibro, plasterboard and recyclable material that was re-directed to the CRC. 	<p>Compliant</p> <p>WGRRP 2020 IEA REC 09</p> <p>Ensure training as per WCC's identified Required Training Matrix is undertaken and the Matrix updated accordingly.</p>


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SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
				<p>- Prohibited waste that has been identified and transferred off-site by WCC is recorded in the Monthly Facilities Reports (Section 88 Reports) provided to the EPA as waste transported from site.</p> <p>WCC does not accept waste that is controlled under a tracking system.</p> <p>The Training Matrix was noted to include training against Waste Classification Awareness, Asbestos Awareness as well general EPL and LEMP training. However, the matrix had not been updated for these units during the audit period. Examples of Induction records for the SOP Asbestos Detection and Treatment were sighted.</p> <p>Based on the records provided e.g. rejected loads report November 2017 to March 2020, this implies that WCC has demonstrated it has implemented practices in relation to accepting and rejecting waste at the site.</p>	
Monitoring					
Sch 4	5	<p>The Proponent shall prepare and implement a Waste and Resource Recovery Monitoring Program for the site to the satisfaction of the Secretary. This program must:</p> <p>a) be prepared in consultation with the EPA;</p> <p>b) be approved by the Secretary prior to the commencement of operation;</p> <p>c) detail the screening and acceptance procedures required by Condition 4 above;</p> <p>d) monitor:</p> <ul style="list-style-type: none"> the quantity, type and source of waste received on site; and the effectiveness of the resource recovery measures (see Condition 3 above). <p>This program must be documented in the Landfill EMP (see Condition 3 in Schedule 5).</p>	<p>Landfill Environment Management Plan, September 2014</p> <p>DPE approval letter for LEMP dated 11/12/14.</p> <p>Draft LEMP January 2020</p> <p>Wollongong Waste and Resource Recovery Strategy 2022 Action Plan (endorsed 28 July 2014)</p> <p>Monthly Section 88 Reports to the EPA (provided for the audit period)</p> <p>Six monthly weighbridge summary data: 1 July to Dec 2017; 1 Jan to June 2018; 1 July to Dec 2018; 1 Jan to June 2019; 1 July to Dec 2019; 1 July to June 2020</p> <p>Annual Review 2013-2018</p> <p>Annual Review 2018-2019</p>	<p>The initial Waste and Resource Recovery Monitoring Program was included in Section 5 of the 2014 LEMP which was consulted with the EPA and approved by DPIE. This was assessed in the previous 2017 IEA.</p> <p>The LEMP was revised during the audit period to reflect changes which had occurred on site since 2014 (including Modifications to the Project Approval) and the revised EPA Environmental Guidelines for Solid Waste Landfills. The Draft LEMP (January 2020) was submitted but yet to be approved by DPIE at the time of writing.</p> <p>The Draft LEMP was noted to include screening and acceptance procedures (Section 5.2).</p> <p>Monitoring of the quantity, type and source of waste received is discussed in Section 5.3 of the Draft LEMP.</p> <p>Section 5.4 of the Draft LEMP discusses recycling and the requirement to monitor the quantity of material recovered as a performance indicator of the effectiveness of resource recovery and recycling efforts.</p> <p><u>Implementation</u></p> <p>The weighbridge operator records the amount, type and source classification of all waste received using the waste codes nomenclature used for the national waste classification system. Each month WCC provides data to the EPA on the amount, type and source of waste in the Monthly Facilities Reports (Section 88 Reports). On a six</p>	<p>Compliant</p> <p>Refer to recommendations under Schedule 4 Condition 3.</p>

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SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
				<p>monthly basis the EPA is provided with volumetric survey data accompanied by weighbridge data for the period.</p> <p>Implementation of screening and acceptance is discussed under Schedule 4 Condition 4.</p> <p>Measures implemented to recover resources from the waste stream are discussed under Schedule 4 Condition 3.</p> <p>A high-level summary of waste volumes is provided in the Annual Review. The 2018-2019 Annual Review indicates that the general trend has been for a slight decrease in total waste stream volumes over the 2013-2019 period. Detailed discussion of resource recovery and waste diversion is not provided.</p> <p>WCC reported that resource recovery is reported in internal reports and that each year it completes the Local Government Waste and Resource Recovery survey coordinated by the EPA. The EPA compiles this data and produces an annual report on NSW local government waste and resource recovery data.</p>	
Trade Waste Agreement					
Sch 4	6	From the date of this approval, the Proponent shall ensure that a Trade Waste Agreement is in place with Sydney Water for as long as leachate is discharged to sewer.	Whytes Gully Environmental Data Z14224119 WWARRP - Sydney Water - Trade Waste Agreement Consent No. 11205 – May 2018	<p>WCC had a Trade Waste Agreement with Sydney Water (Consent 11205) to discharge treated leachate to sewer which was in force for 24 months from the date of commencement (May 2018). A clause in the Agreement provides an automatic renewal for a period of six months after the expiry date to allow for negotiations of a new Agreement. An updated Trade Waste Agreement was provided to WCC by Sydney Water in September 2020 (not sighted), however it reportedly contained reduced pollutant masses and at the time of writing WCC was in negotiations with Sydney Water regarding the updated Agreement.</p> <p>The Agreement requires monitoring of ammonia, biochemical oxygen demand, suspended solids and total dissolved solids and sets limits for temperature, PH and rates of discharge. These parameters were being monitored and results recorded in the Whytes Gully Environmental Data which was provided to the auditors.</p> <p>Auditors did not complete an assessment of compliance with the requirements of the trade waste agreement.</p>	Compliant
Landfill Operations					
Sch 4	7	Unless the Secretary agrees otherwise, the Proponent shall:	LEMP Section 6.0 defined the landfill filling operations	The landfill operations are defined in Section 6 of LEMP.	Compliant
		a) minimise the exposed or cleared areas at the landfill;	SOP Z13/54468 Placement and Compaction of Waste	The cleared areas of the landfill appeared to be what was required to construct the landfill as relevant at the time of the site inspection.	

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SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		b) progressively revegetate all completed areas of the landfill and stabilise any exposed areas with intermediate cover of at least 0.3 m that are not required for operational purposes for a period greater than 90 days;	EPL 5862 WHYTES GULLY Volumetric survey – December 2019 - Email 5 February 2020 December 2019 Volumetric Survey and accompanying information June 2020 Volumetric Survey	There were no completed areas of the landfill at the time of the inspection (relevant to the current approval). Areas not required for operational purposes for a period greater than 90 days were covered with an intermediate cover and stabilised with grasses. See photo under c) below.	
		c) ensure intermediate cover areas are revegetated with grasses;		Intermediate cover areas were revegetated with spray grass.	
					
				Cells 1A and 1B covered with temporary capping and grass cover	
		d) limit the size of the active tipping face area, waste relocation area, daily cover and 90-day cover areas to minimise dust and odour (see Table 5 of this approval);		The tip face was limited in size. Metal landfill lids were being used to cover the active face at the end of each day. See photo below.	
					
		e) minimise the tracking of mud and waste from the site on public roads;		No visual tracking of mud from site onto public roads was observed during the audit site inspections. A water cart and	

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SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		f) fill the landfill cells in a systematic manner;		<p>sweeper were reported to be on site 24 hours / day / 7 days per week. These were observed during the audit site inspection.</p> <p>Section 6.3 of the LEMP discusses the filling plan / contours. WCC is required to fill landfill cells in accordance with its EPL. Condition O6.12 requires that a filling plan is prepared for each new cell prior to filling. The following filling plans have been developed:</p> <ul style="list-style-type: none"> - Eastern Gully Fill Plan (dated 6 November 2018) - Stage 1 Filling Plan (Package 1A and 1B – dated 18 June 2015) - Stage 2B-1 Filling Plan (Package 2 and 3 Filling Plan – dated December 2019) <p>The filling plan is loaded onto the compactor and traxcavator's on-board GPS systems to guide the operators on filling. The on-board GPS systems collect survey data which are supplemented by formal volumetric surveys conducted on a six-monthly basis (June and December) and provided to the EPA as required by the NSW EPA Waste Levy Guidelines.</p>	
		g) maximise landfill compaction rates;		<p>Section 6.4 of the LEMP discusses compaction of waste and states the compaction aim for waste as 1 t/m³. This is monitored using the survey data collected from the GPS system and waste measurement data from the weighbridge. The electronic survey system is reviewed on a daily basis by the operators of the compactor and traxcavator. In addition, the Operations Coordinator and operators review the lift plans, and compare actual landfill levels with forecast levels. Any corrections required are addressed shortly after these discussions thorough a verbal correction plan. The compaction data is formally reviewed twice per year in June and December on completion of the 6 monthly volumetric survey.</p>	
		h) cover the active landfill area with at least 0.15 m of soil (or a suitable alternative material) at the end of daily waste disposal and compaction activities;		<p>Section 6.5 of LEMP discusses covering of waste. EPL Condition O6.5 also outlines requirements relating to waste covering. WCC reported that a cover of fill of 0.15m is placed as daily cover; or metal landfill lids are placed over the active waste filling zone each day.</p> <p>During the audit period, additional metal landfill lids were purchased which cover an area of 70 m² each.</p>	
		i) progressively cap the landfill cells with the approved capping layer, which shall comprise the following (from top to bottom), or an EPA approved alternative: <ul style="list-style-type: none"> • 0.5 m to 1 m revegetation layer; • geocomposite drainage system with geotextile covers to prevent clogging of the system from sediment migration; 		<p>No areas were available for capping at the time of the site inspection, hence this requirement (i) has not been triggered.</p> <p>Large areas had been temporarily covered for maintenance until required in the future.</p>	

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SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		<ul style="list-style-type: none"> linear Low-Density Polyethylene (LLDPE) geomembrane liner to prevent infiltration of water into the landfilled waste; 0.2 m clay rich bearing layer to form a low permeability and smooth base for geomembrane liner placement; 0.3 m intermediate cover remaining from the landfill operation; landfill gas collection trenches underneath the cap, consisting of gravel aggregate and perforated collection pipes connected to an active landfill gas collection system; and 			
Sch4	7	j) revegetate the covered landfill cells following the capping of each cell and once they reach their final design height.	Procedure defined in LEMP Section 6.5.	<p>The process for revegetation of the covered landfill cells following the capping of each cell and once they reach their final design height is defined in LEMP Section 6.5.</p> <p>No areas had been capped at the time of the inspection.</p>	Not triggered
Cover Material					
Sch 4	8	The Proponent shall ensure that all daily waste cover material used on site is ENM, VENM and/or alternative daily cover, as approved in writing by the EPA.	<p>SOP Acceptance of VENM at Landfill</p> <p>Waste Classification Certificate 4/09/2019, EI Australia (Doc reference E24215.E05.003)</p> <p>June 2020 Volumetric Survey - Stockpiles</p> <p>Site observations</p> <p>Interviews with site personnel</p>	<p>WCC has developed an SOP for the acceptance of VENM at Council's landfills which outlines the process to be followed to ensure that material brought onto site as waste cover is VENM.</p> <p>Example of records of waste classification and certification of ENM/VENM were provided as evidence.</p> <p>WCC also uses VENM won on site during the construction of the cells. This was stockpiled on site and is captured in the six monthly volumetric surveys. The June 2020 survey reported a combined total of 26,008 m3 of VENM stockpiled on site.</p> <p>EPL Condition O6.5 permits the use of metal covered landfill lids as an alternative daily cover. Metal landfill lids were reported to be used to cover the tip face at the end of each day. These were observed during the audit site inspection.</p>	Compliant
Litter Control					
Sch 4	9	The Proponent shall:	Waste SOP - Wind blown litter collection Whytes Gully, Issue Date: 1/11/2016	Fencing was installed around the boundary of the landfill. See photo below.	Compliant

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		a) implement suitable measures to prevent the unnecessary proliferation of litter both on and off-site, including the installation and maintenance of a mesh fence of not less than 1.8 metres high around the site; and	2020 Roster for Community Service Program Site observations	 <p>The following measures were implemented on site for the management of litter:</p> <ul style="list-style-type: none"> - Permanent litter fences installed around the boundary of the landfill - Mobile deployable litter fence used as required - Minimising the size of the tip face - Closing the small vehicle drop off area in times of high wind - Daily inspections - Weekly litter picking campaigns by Community Service Program - Additional litter picking campaigns by Green Connect (a social enterprise which employs young people and former refugees) as required. Observed on site during second site inspection. <p>The previous IEA assessed this condition as non-compliant on the basis of site observations and recommended that the effectiveness of litter reduction controls be increased.</p> <p>A significant improvement in wind blown litter levels was noted during the site inspections associated with this IEA compared to the previous IEA.</p>	
Lining System					
Sch 4	10	Prior to the commencement of any landfilling over existing landfilled waste, the Proponent must construct a Piggyback Liner System over these surfaces to the satisfaction of the EPA. The Liner System shall include the following (from bottom to top), or an EPA approved alternative:	2017 IEA, MCW Environmental March 2018	This requirement was required prior to the commencement of landfilling over the existing landfilled waste which occurred during the previous audit period and was assessed	Complete

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SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		<ul style="list-style-type: none"> a) pipework and gravel trenching to collect and vent landfill gas from the underlying waste to minimise the risk of uncontrolled lateral migration of gas and uplift pressure on the liner; b) a foundation or bridging layer at least 500 mm thick comprised of clean, well-graded, coarse engineered fill, with geogrid reinforcement at mid-layer, to protect the liner from deformations due to settlement of the underlying waste; c) a bearing layer at least 200 mm thick comprised of compacted clay to provide a smooth surface for installation of the geosynthetic liner materials; d) a composite liner comprised of a reinforced geosynthetic clay liner (GCL) with hydraulic conductivity less than 5×10^{-11} m/s under a 1.5mm thick textured linear low-density polyethylene (LLDPE) geomembrane liner; e) a geocomposite leachate collection layer, incorporating a tri-planar geonet drainage core between two protection geotextiles, linked to a pipe network graded at a minimum of 2% to convey collected leachate to a sump at the low point in each cell. The geonet must have equivalent hydraulic transmissivity to a gravel collection layer with a saturated hydraulic conductivity of 1×10^{-3} m/s², taking into account field conditions likely to impair the geonet's ability to convey flow; and f) a protection layer comprised of at least 300 mm of sand or similar material to protect the geonet and liner from damage (physical and UV). 		in the previous IEA. This CoA is considered complete and was not assessed as part of this IEA.	
Sch 4	11	<p>The detailed design of the Piggyback Liner System referred to in Condition 10 of this Schedule (above) must include a settlement analysis addressing predicted settlement and lateral deformations of the underlying waste, and demonstrating, to the satisfaction of the EPA, that:</p> <ul style="list-style-type: none"> a) the stresses and strains induced in the geosynthetic liner materials by the predicted settlements will be lower than allowable values, as expressed in contemporary best practice guidelines for design with these types of materials; b) there will be no grade reversal of drainage elements which could interfere with collection and conveyance of leachate; and c) where these performance requirements cannot be met when modelling the liner system configuration specified in Condition 10 of this Schedule, that augmentations to the thickness and strength of the liner elements in Condition 10 can be made to provide for long term liner integrity under the predicted maximum settlements. 	Previous IEA, MCW Environmental March 2018	This requirement relates to detailed design of the piggy back liner system which occurred during the previous audit period and was assessed in the previous IEA. This CoA is considered completed and was not assessed as part of this IEA.	Complete

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Sch 4	12	<p>Prior to the commencement of any landfilling over natural surfaces, the Proponent must construct a Conventional Liner System over the base of the cell to the satisfaction of the EPA. The Liner System shall include the following (from bottom to top), or an EPA approved alternative:</p> <ol style="list-style-type: none"> a bearing layer at least 200 mm thick of compacted clay to provide a smooth surface for installation of the geosynthetic liner materials; a composite liner comprised of a reinforced geosynthetic clay liner (GCL) with hydraulic conductivity less than 5×10^{-11} m/s under a mm textured high density polyethylene (HDPE) geomembrane liner. A cushion geotextile must be installed above the geomembrane to protect it from construction and waste-related load damage, including excessive strains introduced by indentation from the overlying gravel drainage aggregate; for leachate collection in areas other than over natural ridge areas, a gravel leachate collection layer at least 300 mm thick containing a pipe network graded at a minimum of 2% to convey collected leachate to a sump at the low point in each cell. The gravel must be 20 mm nominal size gravel with a saturated hydraulic conductivity of greater than 1×10^{-3} m/s². The particle size distribution must be uniform, with maximum particle size 26.5mm, not more than 20% passing the 19-mm standard sieve aperture, not more than 10% passing the 13.2mm standard sieve aperture, and not more than 3% smaller than 0.075mm. A filter protection geotextile must be placed above the gravel; and for leachate collection over natural ridge areas, a geocomposite leachate collection layer and a protection layer, as per the requirements for these elements specified for the Piggyback Liner System in Condition 10 of this Schedule. 	<p>Licence Variation Notice 1572784 20/12/2018</p> <p>Licence Variation Notice 1579764 23/05/2019</p> <p>Wollongong Waste and Resource Recovery Park New Landfill Cell Package 2 Construction Completion Report, NSW Public Works Advisory, 31 May 2019</p> <p>Wollongong Waste and Resource Recovery Park New Landfill Cell Package 3 Construction Completion Report, NSW Public Works Advisory, 31 May 2019</p>	<p>Construction of Cells 1A and 1B was completed prior to the audit period and Completion Reports and Practical Completion Certificates were sighted during the previous IEA. These were not assessed as part of this IEA.</p> <p>During this audit period, construction of Package 2 and 3 (or Stages 2 and 3) was completed.</p> <p>Licence Variation Notice 1572784 dated 20 December 2018 notes the following:</p> <ul style="list-style-type: none"> - On the 14 November 2018 Council submitted to the EPA a report titled Wollongong Waste and Resource Recovery Park New Landfill Cell Package 3 Construction Completion Report, prepared by NSW Public Works Advisory and dated November 2018 and associated supporting documentation - On 10 December 2018 the EPA requested further details and clarification from Council following a review of the documentation submitted on 14 November 2018. - On 13 December 2018 Council provided additional details to the EPA in response to the EPA's request. - The EPA reviewed this response and determined that it adequately addresses the issues raised. - The licence was varied to permit waste to be disposed of in Package 3 and requirements relating to the construction and Construction Quality Assurance (CQA) Report for Package 3 removed. <p>Licence Variation Notice 1579764 dated 23 May 2019 notes the following:</p> <ul style="list-style-type: none"> - On 28 March 2019, the licensee submitted a report titled Wollongong Waste and Resource Recovery Park New Landfill Cell Package 2 Construction Completion 	Compliant

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				<p>Report, prepared by NSW Public Works Advisory and dated March 2019</p> <ul style="list-style-type: none"> - On 3 April 2019, the EPA received an application for the variation of the licence to permit the disposal of waste in the new landfill cell "Package 2", and the removal of redundant conditions that relate to the construction of the new cell. - The licence was varied to permit waste to be disposed of in Package 2 and requirements relating to the construction and CQA Report for Package 2 removed. <p>On the basis that the construction completion information was reviewed and accepted by the EPA, it is considered EPA are satisfied with the construction and hence this Condition has been assessed as compliant. An independent review of the construction documentation or the completed construction was not undertaken as part of this audit. Auditors are not specialists in design or construction of landfills and have not undertaken any technical assessment in regards to this condition.</p>	
Sch 4	13	<p>The Proponent shall prepare and implement a Construction Quality Assurance Plan for the project. The plan must:</p> <p>a) be prepared in consultation with EPA by a suitably qualified and experienced expert whose appointment has been endorsed by the Secretary;</p>	WHYTES GULLY NEW LANDFILL CELL Construction Quality Assurance Plan (CQAP) Package 2 and 3 Landfill Cells, Golder Associates, 20 December 2016	<p>The original CQA Plan was included in the 2013 CEMP and approved by DPIE as part of the broader CEMP.</p> <p>Construction of Cells 1A and 1B was completed prior to the audit period and considered during the previous IEA.</p>	<p>Compliant</p> <p>WGRRP 2020 IEA REC 10</p> <p>Submit the CQA</p>

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		b) be approved by the Secretary prior the commencement of construction, or at a time otherwise approved by the Secretary; c) outline the construction activities and staging; d) outline the measures taken (e.g. by independent testing, certification, monitoring and inspection) to ensure that the construction and installation of the final leachate-barrier management and collection system would be successful and quality assured; e) specify the final leachate-barrier material selection and construction techniques; f) specify/validate of the final thickness and permeability of leachate barrier/s; and g) include an environmental-awareness site-induction program for construction personnel. This plan must be documented in the CEMP (see Condition 2 in Schedule 5).		<p>During this audit period, construction of Package 2 and 3 (or Stages 2 and 3) was completed.</p> <p>The Construction Quality Assurance Plan for Package 2 and 3 Landfill Cells was prepared by Golder Associates as an update of the approved CQA Plan based on revisions made to the design and specifications for the Package 2 and 3 Landfill Cells. The CQA Plan for Package 2 and 3 was not submitted to DPIE for approval, on the basis that the original CQA Plan was approved by the Secretary and each subsequent CQA plan is prepared in consultation with the EPA. Whilst the auditor can understand this approach, it is considered that each updated CQA Plan should be submitted to DPIE for approval.</p> <p>The EPL required that CQA Reports be submitted to the EPA prior to disposing of any waste in Package 2 and Package 3 landfill cells. The CQA Reports were to provide work-as-executed documentation and demonstrate that the landfill cells were constructed as per the design reports.</p> <p>CQA Reports were prepared by NSW Public Works Advisory and submitted for Package 2 and 3 and accepted by the EPA. This was evidenced by Licence Variation Notices 1572784 and 1579764 as discussed above.</p> <p>On the basis that the EPA was satisfied with the QA documentation provided for the cells constructed during the audit period (Package 2 and 3), this condition has been assessed as compliant.</p> <p>No review of the adequacy or implementation of the CQA Plan was undertaken as part of this audit. Auditors are not specialists in Quality Assurance in landfill construction and have not undertaken any technical assessment in regards to this condition.</p>	Plan for each new package of construction work to DPIE for approval prior to construction.
SOIL & WATER					
Surface Water Discharge Limits					
Sch 4	14	The Proponent shall ensure that all licensed surface water discharges from the site comply with the discharge limits (volume and quality) set for the project in any EPL or relevant provisions of the POEO Act.	Whytes Gully Environmental Data Z14224119 Annual Return 2017-2018 Annual Return 2018-2019 Annual Return 2019-2020 Golder proposal for site walkover inspection of stormwater infrastructure and preparation of action plan, 23 October 2020.	<p>Based on the Annual Returns, Annual Reports, monthly reports and the Whytes Gully Environmental Data Excel workbook, the following exceedances with the discharge limits in the EPL (L2.4) were recorded during the audit period:</p> <ul style="list-style-type: none"> - TSS exceedances on 17 occasions between 9 February 2020 and 3 August 2020. The highest TSS level of 118 was recorded on the 11 February 2020 - pH of 6.3 recorded on the 8 March 2020. <p>14 of the TSS exceedances (up until 10 May 2020) were included in the 2019-2020 Annual Return. The cause of the exceedances was recorded as 'heavy rainfall event'.</p> <p>The pH exceedance was suspected to be an anomaly in the data.</p>	Non-compliant

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Stormwater Management				WCC has engaged Golder Associates to review the the stormwater system following the incident in February 2020 where the sediment ponds overtopped. This review is aimed at assessing the adequacy of stormwater controls on site.	
Sch 4	15	<p>The Proponent shall:</p> <p>a) design and install the stormwater management and collection system (including new stormwater pond and drainage) generally in accordance Chapter E14 of the Wollongong DCP 2009;</p> <p>b) ensure that the system capacity has been designed in accordance with the Blue Book Volumes 1 and 2B and Chapter E14 of Wollongong DCP 2009;</p> <p>c) ensure peak stormwater discharge rates from the site at each stage of the project do not exceed predevelopment values;</p> <p>d) divert existing clean surface water around operational areas of the site;</p>	<p>Detailed Design Report Update - Tender Package 2 and 3 Landfill Cells, 5 October 2016</p> <p>Whytes Gully Stormwater Management Work Instruction July 2016</p> <p>Golder proposal for site walkover inspection of stormwater infrastructure and preparation of action plan, 23 October 2020.</p>	<p>Stormwater management is described in Section 3.2.5 and Section 7.2.3 of the LEMP and accompanying design drawings included in Appendix E and as built drawings presented in Appendix B. The surface water treatment system comprises a series of surface water ponds, including two reed beds and an upper and lower surface water polishing pond with a total capacity of 40,000 kL. Surface water flows are directed to these ponds via open drains.</p> <p>Additional surface water drains have been constructed with the construction of each new cell.</p> <p>The LEMP includes Preliminary Design Drawings for future works and states that detailed designs will be undertaken with consideration of the Wollongong DCP and Blue Book for each new Stage.</p> <p>Auditors have not assessed if the stormwater management system was constructed in accordance with Chapter E14 of the Wollongong DCP 2009. Auditors have not been provided with information that confirms compliance with this condition.</p> <p>Auditors have not verified that the system capacity has been designed in accordance with the Blue Book and Chapter 14 of the Wollongong DCP 2009. This detail was not included in the LEMP. As information to determine compliance with this requirement was not available, this sub-condition b) was assessed as non-compliant.</p> <p>WCC has engaged Golder Associates to review the the stormwater system following an incident in February 2020 where the sediment ponds overtopped. This review is aimed at assessing the adequacy of stormwater controls on site which is relevant to this condition.</p> <p>This was not able to be fully verified during this audit. The LEMP does not discuss peak stormwater discharge rates. As information to determine compliance with this requirement was not available, this sub-condition c) was assessed as non-compliant.</p> <p>Various clean water diversion drains were observed. A Rain flap has been installed to reduce stormwater entering the landfill area.</p>	<p>Non-compliant a), b), c) and f)</p> <p>WGRRP 2020 IEA REC 11 Include further details within the LEMP of the design of the sediment ponds with regards to how they meet the Blue Book and Chapter E14 of Wollongong City DCP 2009.</p> <p>WGRRP 2020 IEA REC 12 Include discussion in the LEMP of the peak stormwater discharge rates from the site and how WCC are ensuring these do not exceed predevelopment values.</p> <p>WGRRP 2020 IEA REC 13 Continue the review of the adequacy of stormwater management on the site by Golder Associates and implement actions that come out of this review.</p>

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		<p>e) direct all sediment laden water in overland flow away from the leachate management system; and</p> <p>f) prevent cross-contamination of clean and sediment or leachate laden water,</p> <p>to the satisfaction of the Secretary.</p>		<p>Surface water or stormwater is directed to the sediment pond which is separate to the Leachate management system.</p> <p>The system has been designed to separate stormwater flows from coming into contact with leachate, however there was one incident in the audit period where stormwater was cross-contaminated with leachate. This related to a heavy rain event in February 2020 where leachate seeping from the base of Cell 1 B was carried downstream into the stormwater system by the significant surface water flows across the site. This is discussed in the main report. On the basis of this incident, this sub-condition f) has been assessed as non-compliant. It is noted that leachate leakage from previously constructed cells could be an ongoing risk.</p> <p>WCC has engaged Golder to undertake a review of the stormwater systems in light of this incident.</p> <p>The LEMP which describes the stormwater system was approved by DPIE.</p>	<p>WGRRP 2020 IEA REC 14</p> <p>WCC should also review the risk of leachate leakage from previously constructed cells either as part of the Golder review or as a separate study and implement actions that come out of this review.</p>
Flooding Management					
Sch 4	16	<p>The Proponent must prepare and implement a Flood Emergency and Evacuation Plan to the satisfaction of the Secretary. The Plan must:</p> <ul style="list-style-type: none"> a) be prepared by a suitably qualified and experienced expert in consultation with Council; b) be approved by the Secretary prior to the commencement of construction; c) ensure the project is in accordance with Chapter E13 of Wollongong DCP 2009, Council's Mullet and Brooks Creeks Floodplain Risk Management Study and Plan and the NSW Floodplain Development Manual, taking into account Council's conduit blockage criteria; d) identify contingency actions to be implemented in the event that the site is inundated during a major flood event to protect: <ul style="list-style-type: none"> • the integrity of stormwater/leachate ponds and prevent release of stormwater/leachate into the local environment including water quality control measures; and • human safety. e) identify emergency evacuation routes, flood warning alarms, and evacuation procedures. <p>This plan must be documented in the Landfill EMP (see Condition 3 in Schedule 5).</p>	<p>117625003_287_R_Rev1 Flood Emergency Evacuation Plan, August 2013 - LEMP Appendix N</p> <p>Training Report Whytes Gully Waste Depot 10/03/2020, TrimEVAC</p>	<p>A Flood Emergency and Evacuation Plan was prepared and included as Appendix N to the LEMP which was approved by DPIE in 2014.</p> <p>The Flood Emergency and Evacuation Plan had not been updated since it had been prepared in 2013.</p> <p>It is noted the Plan states that the project would not affect flood levels or flood behaviour and therefore does provide mitigation measures. Councils Emergency Response Procedures and Plans and the PIRMP are referred to for evacuation procedures.</p> <p>A training session and emergency exercise was conducted at the WGRRP on the 10 March 2020 facilitated by an external emergency management training provider. Whilst the exercise did not focus on flooding, it did involve emergency response and evacuation procedures.</p> <p>No flooding event been reported to date at the site.</p>	<p>Compliant</p> <p>WGRRP 2020 IEA REC 15</p> <p>Review and update the Flood Emergency and Evacuation Plan</p>
Leachate Management					


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SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
Sch 4	17	The Proponent shall:	Western Gully Deep Leachate Drainage Completion Report, 17 August 2017	<p>Construction of the Deep Leachate Drainage System was completed and assessed in the previous IEA.</p> <p>During this audit period, WCC constructed the New Leachate Pond.</p> <p>Licence Variation Notice 1576255 dated 19 February 2019 notes the following:</p> <ul style="list-style-type: none"> - On 11 February 2019, Council submitted a report titled Wollongong Waste and Resource Recovery Park New Leachate Pond Construction Completion Report, January 2019. The submission of this report was a requirement of Condition O6.16 of the licence following the completion of the construction of the new leachate pond. - On 15-Feb-2019 the EPA received an application to vary the licence requesting the removal of conditions relating to the construction of the new leachate pond and submission of a QA/QC report for the new pond. - The EPA reviewed the information provided and varied the licence to remove requirements relating to the construction and CQA Report for the new leachate pond. <p>On the basis that the construction completion information was reviewed and accepted by the EPA, this Condition has been assessed as compliant. An independent review of the design and construction of the leachate management system was not undertaken as part of this audit. Auditors are not specialists in leachate treatment in landfills.</p> <p>The new leachate pond was observed during the audit site inspection. The new leachate pond was being used as an emergency or back-up leachate pond.</p> <p>Section 3.2.3 of the LEMP describes the leachate ponds, Section 3.2.4 the Leachate Treatment Plant (LTP) and Section 7.2.1 and 7.2.2 the leachate barrier system and collection system.</p> <p>Leachate was collected and treated prior to discharge to sewer under a Trade Waste Agreement.</p> <p>Defined under LEMP Section 7. During the site inspection, leachate was observed being stored in leachate ponds prior to treatment at the LTP.</p> <p>Defined under LEMP Section 7. See responses to conditions 10-13.</p> <p>The leachate management system was considered to be designed and constructed in accordance with EPL</p>	<p>Non-compliant (e)</p> <p>WGRRP 2020 IEA REC 16 Recalibrate the Leachate Water Balance Model for the site to reflect accurate estimates of leachate generation volumes</p> <p>WGRRP 2020 IEA REC 17 Continue to implement the recommendations made by JPG Engineering to the improve the operation of the leachate management system</p>
		a) design and install the leachate management and collection system (including new leachate pond) generally in accordance with the conceptual design in the EA/PPR, applicable Australian Standards and industry standard best practice guidelines, or otherwise approved by the EPA;	<p>Licence Variation Notice 1576255, 19/02/2019</p> <p>Wollongong Waste and Resource Recovery Park New Leachate Pond Construction Completion Report, May 2019</p> <p>Draft LEMP Sections 3.2.3, 3.2.4 and 7.0</p> <p>Whytes Gully Environmental Data Z14224119</p> <p>WCC WGL - Leachate Systems Discussion - 28.10.20, JPG Engineering</p>		
		b) ensure that leachate generated by the project is minimised and appropriately contained, collected and disposed of;			
		c) collect and store all leachate generated by the project until it is transferred for treatment/processing;			
		d) install a leachate barrier to be used for the direct impoundment of leachate (see Conditions 10 to 13 of this Schedule);			
		e) design and operate the leachate management system to prevent leachate from escaping to surface water, groundwater or the surrounding subsoils;			



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		<p>f) ensure that the leachate management and collection system does not include leachate discharge or disposal by way of leachate re-injection into any active or capped landfill cell, unless otherwise approved by the EPA;</p> <p>g) direct all surface water from areas not subject to waste disposal or leachate disposal away from the leachate management system; and</p> <p>h) treat all water that has entered areas filled with waste, or been contaminated by leachate, as leachate,</p> <p>to the satisfaction of the Secretary.</p>		<p>requirements on the basis of the acceptance of design and construction documents required by the EPL as discussed under a) above.</p> <p>The leachate management system was generally being operated to prevent leachate escaping to surface water, groundwater or soils, however there was one incident in the audit period where leachate escaped to surface water. This related to a heavy rain event in February 2020 where leachate seeping from the base of Cell 1 B was carried downstream into the stormwater system by the significant surface water flows across the site. This is discussed in the main report. On the basis of this incident, this sub-condition e) has been assessed as non-compliant. It is noted that leachate leakage from previously constructed cells could be an ongoing risk.</p> <p>A review of the leachate management system was undertaken by specialist industrial water treatment contractors JPG Engineering upon award of the LTP management contract in mid 2020. JPG provided WCC with a list of recommendations to optimise the operation of the leachate management system. One of its recommendations was that the leachate water balance model be recalibrated as significantly more leachate had been generated in the four weeks following 21 July 2020 than originally predicted by the model.</p> <p>WCC was considering and progressively implementing the recommendations of the JPG review.</p> <p>Defined under LEMP Section 7. As detailed above, the design has been approved by the EPA.</p> <p>Defined under LEMP Section 7. Observations during the audit site inspection indicated that surface waters were generally directed away from the leachate management system, where feasible.</p> <p>Defined under LEMP Section 7. Water that had entered the waste placement areas was generally managed as leachate and directed to the leachate treatment plant.</p> <p>Leachate management is described in the LEMP which has been approved by DPIE.</p>	
Soil, Water and Leachate Management Plan					
Sch 4	18	The Proponent shall prepare and implement a Soil, Water and Leachate Management Plan for the project in consultation with Council, NOW and the EPA and to the satisfaction of the Secretary. This plan must be prepared and implemented by a suitably qualified and experienced person and be approved by the Secretary prior to the commencement of operation. The plan must include:	Draft LEMP 2020 – Section 7 and Appendix E Email from DPIE dated 15/09/2020: LEMP – More Information Required	Section 7 of the LEMP discusses water quality management, including leachate, surface water and groundwater. Appendix E includes the surface water and leachate reports prepared for MOD 2 in 2017. The Draft LEMP was provided to DPIE for approval. In an email dated 15/09/2020, DPIE requested that Appendix E be updated to	Compliant



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			Draft Soil, Water and Leachate Management Plan (Appendix E) 2020	include the finalised Eastern Gully Stormwater Diversion Report. DPIE also advised that evidence of consultation with the NSW EPA and the Department of Industry - Water be provided on the revised Soil, Water and Leachate Plan. At the time of writing, WCC was in the process of updating the plan prior to consultation with the required agencies.	
		a) a site water balance that: <ul style="list-style-type: none"> identifies the source of all water collected or stored on site, including rainfall, stormwater and groundwater; includes details of all water use on site and any discharges; and describes the measures that will be implemented to minimise water use on site 	Draft LEMP 2020 – Section 7.2.5 and Appendices E and I	<p>A summary of the Site Water Balance is provided in Section 7.2.5 of the LEMP. This references Appendix E for the site water balance used to determine the leachate pond and surface water pond size requirements and Appendix I for the updated leachate water balance to assess the suitability of the existing infrastructure to manage leachate waters for the project. As discussed under Condition 17 e) above, JPG Engineering identified that the leachate water balance requires recalibration.</p> <p>WCC has engaged Golder Associates to review the the stormwater system following an incident in February 2020 where the sediment ponds overtopped. The scope of the current review does not include a review of the site water balance.</p> <p>Water use onsite is considered minimal and mainly comprises use of water from stormwater ponds for dust suppression and potable water use for staff amenities.</p> <p>Trade waste water is discharged to sewer as per the Sydney Water Trade waste agreement. The effluent is sampled / monitored prior to discharging to the sewer.</p>	<p>Compliant</p> <p>WGRRP 2020 IEA REC 18 Expand the scope of the Golder Associate review to include a review of the site water and leachate balance.</p> <p>Refer also to recommendations under Schedule 4 Condition 17 above</p>
		b) an erosion and sediment control plan that: <ul style="list-style-type: none"> is consistent with the requirements in the latest version of the Blue Book Volume 1 and Volume 2B; identifies the activities on site that could cause soil erosion and generate sediment; and describes the measures that will be implemented to: <ul style="list-style-type: none"> minimise soil erosion and the transport of sediment to downstream waters, including the location, function and capacity of any erosion and sediment control structures and maintain these structures over time; ensure that any topsoil stockpiles on site are suitably managed to ensure that the topsoil in these stockpiles can be beneficially used in the proposed revegetation and rehabilitation of the site. 	Draft LEMP 2020 – Section 7.2.3	<p>Erosion and sediment control is presented in Section 7.2.3 of the LEMP.</p> <p>Observations made during the site inspection included that:</p> <ul style="list-style-type: none"> The Sediment pond is being maintained and monitored. Exposed areas are spray grassed and covered. No significant areas of erosion were observed in drainage lines Clean water run on was diverted away from disturbed areas <p>WCC has engaged Golders to review the the stormwater system following an incident in February 2020 where the sediment ponds overtopped. This review is supported by the auditors.</p>	Compliant
Sch 4	18	c) a leachate management plan that: <ul style="list-style-type: none"> includes final detailed design specifications of the leachate management and collection system on site; demonstrates how the requirements of Condition 17 of this Schedule have been addressed; and 	Draft LEMP 2020 - Sections 7.2.2, 3.2.3 and 3.2.4 LTP Maintenance Service Report Summary - October 2020	The leachate collection system is discussed in Section 7.2.2 of the Draft LEMP 2020. Section 3.2.3 discusses the leachate ponds and Section 3.2.4 the Leachate Treatment Plant (LTP). Section 7.5 includes a Water Contamination Remediation Plan.	<p>Compliant</p> <p>Refer to recommendations under Schedule 4, Condition 17 above</p>


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		<ul style="list-style-type: none"> includes a remedial action plan should leachate escape the leachate containment system. 	WCC WGL - Leachate Systems Discussion - 28.10.20	The leachate ponds, LTP and collection system were operational during the audit period. In mid-2020, WCC awarded the contract for managing the LTP to JPG Engineering. JPG conducted a review of the leachate transfer and treatment systems and made a number of recommendations to improve the system. WCC was considering and progressively implementing these recommendations. At the time of the second site inspection upgrades had been made to pumps and flow meters.	
		<p>d) a stormwater management plan that:</p> <ul style="list-style-type: none"> is consistent with the guidance in the latest version of the Blue Book Volume 1 and Volume 2B and Chapter E14 of Wollongong DCP 2009; includes final detailed design specifications for the stormwater management and collection system; and demonstrates how the requirements of Condition 15 of this Schedule has been addressed; and is updated to the satisfaction of the Secretary, prior to the construction of works associated with MOD 2, to ensure the stormwater design is in accordance with Whytes Gully Resource Recovery Park — Eastern Gully Stormwater Report prepared by Golder Associates, Report Number 1528284-054-R- RevO. Dated September 2017. 	Draft LEMP 2020 Section 3.2.5 and 7.2.3	<p>Surface water ponds and drains are discussed in Section 3.2.5 and surface water and sediment controls in Section 7.2.3 of the Draft LEMP 2020.</p> <p>The original LEMP included final detailed design specifications in the detailed design report included as Appendices to the LEMP.</p> <p>The LEMP includes Preliminary Design Drawings for future works and states that detailed designs will be undertaken with consideration of the Wollongong DCP and Blue Book for each new Stage.</p> <p>Construction works associated with MOD 2 were yet to commence during the audit period. As stated under Condition 18 above, WCC was in the process of updating the Eastern Gully Stormwater Diversion Report prior to consultation with NSW EPA and the Department of Industry – Water.</p>	Compliant Refer to Recommendations made under Schedule 4, Condition 15 above.

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		<p>e) an on-going surface water, groundwater and leachate monitoring program that includes (but is not limited to):</p> <ul style="list-style-type: none"> baseline data; a combined surface and groundwater monitoring program to gain an understanding of surface and groundwater interaction and the potential for any impacts of the project on the downstream environment including GDEs and Dapto Creek; surface and groundwater impact assessment criteria including trigger levels for investigating adverse impacts; a Mitigation Plan detailing the remedial actions to be implemented address potential impacts on the downstream environment from surface or groundwater contamination associated with the project and/or in the event of exceedances of the surface and/or groundwater impact assessment criteria; and a commitment to provide the results of monitoring to NOW and other relevant government agencies every 12 months <p>This plan must be documented in the Landfill EMP (see Condition 3 in Schedule 5).</p>	<p>Draft LEMP 2020 – Section 7.3</p> <p>Whytes Gully Environmental Data Z14224119</p> <p>WCC website (https://www.wollongong.nsw.gov.au/your-council/plans-and-reports/waste-site-reports) accessed on 10 September 2020</p>	<p>Section 7.3 of LEMP defines the monitoring of surface water, groundwater and leachate to meet the requirements of the EPL. Section 7.5 provides the Water Contamination Remediation Plan.</p> <p>Results of monitoring are recorded in a register provided to the auditors.</p> <p>The following monitoring and reporting were conducted by WCC.</p> <ul style="list-style-type: none"> Groundwater Monitoring -Conducted quarterly and annually Whytes Gully Surface Water Monitoring -Conducted annually and after any overflow event caused by rain. Leachate flow monitoring and chemical analysis as per trade waste agreement <p>WCC did not provide evidence that results of monitoring were reported to NOW and other relevant government agencies every 12 months, however monitoring reports are available on the WCC website for access by all relevant agencies.</p>	<p>Compliant</p> <p>WGRRP 2020 IEA REC 19</p> <p>Provide results of monitoring to NOW (or equivalent agency) and other relevant government agencies every 12 months or direct them to the project website.</p>
Contamination Management Plan					
Sch 4	19	<p>The Proponent shall prepare and implement a Contamination Management Plan for the project to the satisfaction of the Secretary. This Plan must:</p> <ul style="list-style-type: none"> a) be prepared by a suitably qualified and experienced expert; b) be submitted to the Secretary prior to the commencement of construction; c) detail the protocols to be put in place and followed in the event that contaminated soil (including Acid Sulfate Soils) or water is encountered during construction; d) be prepared in accordance with the relevant best practice industry guidelines such as the NSW State Government's Acid Sulfate Soils Manual (ASSMAC 1998); e) detail how excavated soil will be tested, handled and stockpiled; 	<p>Construction Environmental Management Plan Framework Section 3.7 Contamination Management Plan</p>	<p>The CEMP was prepared by Golder associates and was submitted to DPIE and approved on 20 August 2013.</p> <p>The CEMP addresses the requirements for the Contamination Management Plan.</p> <p>WCC reported that many aspects of the implementation of the Contamination management plan had not been triggered as no known contamination was uncovered or reported to date.</p>	<p>Compliant</p>

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SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		f) detail the measures that will be employed to prevent erosion and sedimentation of contaminated soil; and			
		g) outline how contaminated soil and water will be disposed of off-site (e.g. at a licensed facility).			
		This plan must be documented in the CEMP (see Condition 2 in Schedule 5).			
Bunding					
Sch 4	20	The Proponent shall store all chemicals, fuels and oils used on-site in appropriately bunded areas in accordance with the requirements of all relevant Australian Standards, and/or EPA’s Storing and Handling Liquids: Environmental Protection – Participants Handbook.	Site inspection Work Health and Safety - Site Specific OHS Procedures - Substance Register Whytes Gully CURRENT 2020	A Substance Register was provided as evidence for registering chemicals used onsite and brought to site by subcontractors. Based on a brief site inspection, WCC storage and handling of chemicals were observed at the time to be in general accordance with this requirement. The generator for the wastewater treatment plant was bunded. Chemicals for the Leachate Treatment Plant were also stored in bunded area. Refer photo below. 	Compliant
				At the maintenance area, chemicals, fuels and oils were stored on bunded pallets inside a shipping container.	

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Erosion and Sediment Control					
Sch 4	21	During the construction of the project, the Proponent shall implement suitable erosion and sediment control measures on site, in accordance with the relevant requirements in the latest version of the Managing Urban Stormwater: Soils and Construction guideline.	<p>Section 3.3 of CEMP defined the erosion and sedimentation controls</p> <p>Dynamic Civil EMP (including Erosion and Sediment Control Plan) for Concrete Lining Works of Batter Slope and Cascade Drain, prepared by engineering and construction contractors, Dynamic Civil, 20/01/2020</p>	<p>No new cell construction was being undertaken at the time of the site inspection. Construction works were being undertaken associated with the southern perimeter drain and cascade drain. Contractors Dynamic Civil had prepared an Environmental Management Plan for the works which included an erosion and sediment control plan.</p> <p>The following photos are examples of implementation of sediment controls at the site.</p> 	Compliant

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
					
Soil					
Sch 4	22	<div>The Proponent shall:<div><div>a) minimise any soil loss through erosion on site;</div><div>b) set aside any topsoil won on site for the proposed revegetation and rehabilitation of the site; and</div><div>c) ensure that any topsoil stockpiles on site are suitably managed to ensure that the topsoil in these stockpiles can be beneficially used in the proposed revegetation and rehabilitation of the site.</div></div></div>	Site inspection	<div>No new cell construction was being undertaken at the time of the site inspection. Exposed areas were minimised and erosion control was observed including shaping and seeding of batters, revegetation with spray grass of intermediate cover areas and management of stockpiles.</div> <div></div> <div>No new topsoil from cell construction was won during the audit period. A small topsoil stockpile was observed from works associated with the southern perimeter drain (refer photo under Condition 21 above).</div>	Compliant
AIR QUALITY					
Odour					

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
Sch 4	23	The Proponent shall ensure the project does not cause or permit the emission of any offensive odour (as defined by the POEO Act).	Site Inspection SOP - Deodouriser Trailer Operator Manual - Whytes Gully Whytes Gully Incident Register 2017-2020 Selection of Incident Investigation Forms for odour complaint investigations (30/11/2019, 6/02/2020, 3/03/2020, 6/03/2020) EPA letter to licensees regarding odour dated 23/04/2020 Whytes Gully Community Reference Group Meeting Notes: 11 March 2020	WCC implemented the following measures to mitigate odour from the WGRRP: <ul style="list-style-type: none">- Minimising the size of the tip face- Two deodoriser trailers in operation- Use of cover material each day and at the end of operations in conjunction with the use of large metal landfill lids- Proactive weekly inspections in the Farmborough Heights and Unanderra area- Cessation of waste being placed in the top landfill cell as of late January 2019. 	Compliant
				<p>WCC recorded a number of complaints relating to odour during the audit period. These were all received via the EPA's Environment Line and passed on for investigation by the EPA. In each instance, WCC completed an incident investigation report and provided this to the EPA. Complaints are discussed further in the main report.</p> <p>A letter was received from the EPA dated 23 April 2020, stating that there had been an increase in the number of odour complaints received by the EPA since February 2020 and that it was writing to all licensees and industries who operate in the area to ask them take all necessary action to prevent odours being generated. The EPA also stated in this letter that it would be conducting odour surveys in the coming weeks. No further action / correspondence was received from the EPA.</p> <p>At the CRG meeting in March 2020, residents raised concern with odour emanating from the site for several weeks following the storm event in February 2020. WCC explained that this was believed to be as a result of lower dissolved oxygen levels within the ponds due to storm event stirring up sediments that had been laying dormant within the dams during the drought. To address this issue WCC</p>	

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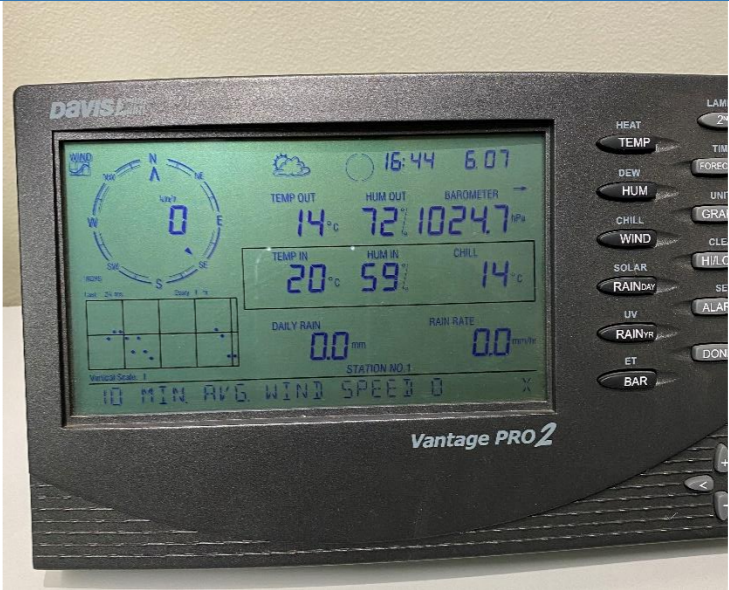
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation																							
				<p>engaged a chemical engineer to provide a strategy to improve the water quality following the storm event and since implemented aeration of the three stormwater dams, chemical salt dosing to remove sediment and suspended solids and biological treatment to reduce nutrient levels. In addition, the deodoriser trailer was set up adjacent to the stormwater ponds.</p> <p>This condition has been assessed as compliant as WCC has processes in place to identify manage odours, including investigating complaints and implementing continual improvement controls. During the site inspection, odours were not considered to be particularly offensive.</p>																								
Dust Criteria																												
Sch 4	24	<p>The Proponent shall ensure that dust generated by the project does not exceed the criteria listed in Tables 2 to 4 at any private residential receiver, or on more than 25 percent of any privately owned land surrounding the site.</p> <p>Table 2 Long term criteria for particulate matter</p> <table><tr><td>Pollutant</td><td>Averaging period</td><td>Criterion</td></tr><tr><td>TSP matter</td><td>Annual</td><td>90 µg/m³</td></tr><tr><td>PM₁₀</td><td>Annual</td><td>30 µg/m³</td></tr></table> <p>Table 3 Short term criteria for particulate matter</p> <table><tr><td>Pollutant</td><td>Averaging period</td><td>Criterion</td></tr><tr><td>PM₁₀</td><td>24 hour</td><td>50 µg/m³</td></tr></table> <p>Table 4 Long term criteria for deposited dust</p> <table><tr><td>Pollutant</td><td>Averaging period</td><td>Maximum increase in deposited dust level</td><td>Maximum total deposited dust level</td></tr><tr><td>Deposited dust</td><td>Annual</td><td>2/g/m²/month</td><td>4 g/m²/month</td></tr></table>	Pollutant	Averaging period	Criterion	TSP matter	Annual	90 µg/m³	PM ₁₀	Annual	30 µg/m³	Pollutant	Averaging period	Criterion	PM ₁₀	24 hour	50 µg/m³	Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total deposited dust level	Deposited dust	Annual	2/g/m²/month	4 g/m²/month	<p>Whytes Gully Environmental Data Z14224119</p> <p>Annual Review 2018-2019</p> <p>Sample of ALS raw monitoring results.</p>	<p>Two high volume samplers and 5 depositional dust gauges have been installed on site. Analysis is undertaken by ALS for TSP, PM₁₀ and depositional dust.</p> <p>Dust monitoring results were entered into the Environmental Data Spreadsheet. A review of the spreadsheet and the Annual Review reports indicated the following:</p> <ul style="list-style-type: none">- The rolling annual average of TSP matter did not exceed the annual criterion of 90 µg/m³ at either monitoring location.- The rolling annual average of PM₁₀ did not exceed the annual criterion of 30 µg/m³ at either monitoring location.- The 24 hour PM₁₀ criterion of 50 µg/m³ was exceeded at DDG 1 on one occasion in December 2019 noted to be impacted by the NSW bushfires and on three occasions at DDG2 (December 2017, March 2018 and December 2019).- Whilst some individual months depositional dust results were greater than 4 g/m2/month, the rolling annual average did not exceed the criteria at any of the dust gauges. <p>The Annual Review 2018-2019 includes discussion of the non-compliances with the deposited dust criteria however does not include discussion of results against the short term PM₁₀ criterion and the non-compliances recorded with this criterion. It is noted the depositional dust exceedances reported in the Annual Review are actually not non-conformances as the 4 g/m²/month criteria is an annual criteria and therefore the annual rolling average should be used to determine compliance. Individual monthly readings above 4 g/m²/month are not exceedances, although they should be investigated.</p> <p>Measures implemented to minimise dust are discussed under Schedule 4, Conditions 25 and 26.</p>	<p>Non-compliant</p> <p>WGRRP 2020 IEA REC 20 Ensure reporting of compliance against the depositional dust criteria in the Annual Review discusses the rolling annual average rather than whether individual months have had readings greater than 4 /g/m2/month,</p> <p>WGRRP 2020 IEA REC 21 Update the LEMP to include further details of TSP and PM₁₀ monitoring including method of monitoring and locations.</p> <p>WGRRP 2020 IEA REC 22 Ensure the rolling average is reviewed when assessing compliance with the long-term criteria</p>
Pollutant	Averaging period	Criterion																										
TSP matter	Annual	90 µg/m³																										
PM ₁₀	Annual	30 µg/m³																										
Pollutant	Averaging period	Criterion																										
PM ₁₀	24 hour	50 µg/m³																										
Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total deposited dust level																									
Deposited dust	Annual	2/g/m²/month	4 g/m²/month																									



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				<p>An exceedance of dust criteria is considered an 'incident' by the definition included in Schedule 2 of the CoA and therefore would trigger the incident reporting requirements of Schedule 5 Condition 7.</p> <p>There is limited detail in the LEMP on the methods proposed for the monitoring TSP, PM₁₀ and depositional dust including the locations.</p> <p>It is noted the Environmental Data spreadsheet includes the annual average relating to the reporting period. The rolling annual average should be reviewed to ensure the annual criteria is not exceeded.</p> <p>On the basis of the exceedances of the 24-hour PM₁₀ dust criteria, this condition has been assessed as non-compliant.</p>	<p>for TSP and PM₁₀ and not the reporting year annual average.</p> <p>WGRRP 2020 IEA REC 23 Include discussion in the Annual Review of PM₁₀ monitoring results against the short term (24 hour) criterion.</p>
Dust Minimisation					
Sch 4	25	During construction, the Proponent shall ensure that:			
		a) all vehicles on site do not exceed a speed limit of 25 kilometres per hour;	Site inspection	Speed limit at site was imposed, and speed limit signs were observed to be posted around the site.	Compliant
		b) all loaded vehicles entering or leaving the site have their loads covered; and	Site inspection	<p>During the site inspection it was observed that loaded vehicles entering or leaving site have their loads covered.</p> <p>Covers were only open at the weighbridge for spot check on content of the vehicle.</p>	Compliant
		c) all loaded vehicles leaving the site are cleaned of dirt, sand and other materials before they leave the site, to avoid tracking these materials on public roads.	<p>Site Inspection</p> <p>Examples of completed Daily Site Inspection Sheet Tip face (21/11/2020 to 1/02/2020)</p>	<p>No tracking of dirt or dust was noted on the road during the site inspection.</p> <p>A daily inspection of roads is also conducted by WCC. The inspection form included dust monitoring and control.</p> <p>No complaints had been received regarding dirt tracking.</p>	Compliant
Operating Conditions					
Sch 4	26	The Proponent shall:	Site Inspection		
		a) implement best management practice, including all reasonable and feasible dust and odour mitigation measures to prevent and minimise dust and odour emissions from operation;	<p>SOP Placement & Compaction of waste</p> <p>Examples of completed Daily Site Inspection Sheet Tip face (21/11/2020 to 1/02/2020)</p> <p>Environmental Incident Report – Dust incident 28/04/2020</p> <p>EPA letter dated 22/05/2020 re Dust Incident - 28 April 2020</p> <p>Whytes Gully Environmental Data Z14224119</p>	<p>There was no visual dust observed during the audit site inspections. Examples of dust mitigation measures included:</p> <ul style="list-style-type: none"> - The haul road is sealed up to approximately 100 m of the tip face, - The access road to the tip face is covered with gravel - Speed limits are imposed on site and signposted around the site - The water cart is used on unsealed trafficable areas - A street sweeper is used on the hard-stand small vehicle transfer station and greenwaste area - The size of the active tip face is kept small and a roller used for sealing the face - Capped areas are revegetated as soon as possible after forming 	Compliant

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SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
				<p>On the 28 April 2020, the EPA received a complaint reporting dust plumes coming from the landfill caused by machinery movements. WCC investigated the incident and determined that the emissions occurred while loading and removing green waste from the site. It was reported that limited dust suppression capacity was available that day due to the main water cart being offline for maintenance and an oversight involving hoses which made it difficult and slow to fill the replacement water cart. In response, WCC debriefed staff on the importance of ensuring plant and equipment that perform an environmental compliance function are not compromised. WCC also procured a new rapid fill water tank to improve the turn around time for filling the water cart for dust suppression.</p> 	
		b) prevent and minimise the air quality impacts of the project during adverse meteorological conditions and extraordinary events;		<p>The EPA responded by letter dated 22 May 2020, that it reviewed the investigation report provided by WCC and on this occasion will not be taking any regulatory action in relation to the matter.</p> <p>No other dust complaints or incidents were recorded during the audit period.</p> <p>On the basis that, this incident appeared to be an isolated event and dust minimisation measures were being implemented (as listed above) including additional measures implemented post-incident, such as purchasing of new rapid fill water tank, WCC is considered to have generally complied with this condition.</p> <p>Odour is discussed under Schedule 4 Condition 23.</p> <p>WCC reported that during adverse weather conditions landfilling activities have been stopped. More commonly, the small vehicle drop off area has been closed in periods of high wind to minimise dust and also for public safety.</p>	

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		c) regularly assess air quality monitoring data and relocate, modify, and/or stop operation to ensure compliance with the relevant conditions of this consent; and		Depositional dust and particulate matter monitoring was being undertaken on a monthly basis as discussed under Schedule 4 Condition 24. The monitoring results were reviewed by the WHSE Quality Officer upon receipt and entered into the Environmental Data Spreadsheet. Some exceedances of the dust criteria were recorded during this audit period. These are discussed under Schedule 4 Condition 24. Exceedances recorded in November and December 2019 were noted to be influenced by the NSW bushfires.																										
		d) minimise surface disturbance of the site, other than as permitted under this consent		Disturbed areas were generally observed to be areas required for landfilling. Exposed ground and stockpiles are spray grassed to stabilise surfaces.																										
Project Areas																														
Sch 4	27	<p>For each stage of the project identified in Table 5, the Proponent shall comply with the maximum area specified for active tipping face, waste relocation, daily cover and 90 day cover in the corresponding row and columns (from left to right), unless otherwise approved by the Secretary in consultation with the EPA.</p> <p>Table 5: Active tipping face area, waste relocation area, daily cover and 90 day cover</p> <table><tr><th>Stage</th><th>Active tipping face area (m²)</th><th>Waste relocation area (m²)</th><th>Daily cover area (m²)</th><th>90 day cover area (m²)</th></tr><tr><td>Stage 1</td><td>1,100</td><td>1,800</td><td>19,800</td><td>14,000</td></tr><tr><td>Stage 2</td><td>1,000</td><td>0</td><td>1,300</td><td>7,500</td></tr><tr><td>Stage 3</td><td>1,000</td><td>0</td><td>1,300</td><td>7,500</td></tr><tr><td>Stage 4</td><td>1,000</td><td>0</td><td>1,300</td><td>7,500</td></tr></table> <p>Note: This condition has been included in the approval to help control/minimise odour and dust emissions</p>	Stage	Active tipping face area (m ²)	Waste relocation area (m ²)	Daily cover area (m ²)	90 day cover area (m ²)	Stage 1	1,100	1,800	19,800	14,000	Stage 2	1,000	0	1,300	7,500	Stage 3	1,000	0	1,300	7,500	Stage 4	1,000	0	1,300	7,500	<p>Section 3.0 of LEMP</p> <p>December 2019 Volumetric Survey and accompanying information</p> <p>June 2020 Volumetric Survey</p> <p>Site inspection</p>	<p>Section 3 of the LEMP includes this table and states that a stockpile of intermediate cover material suitable for two weeks is maintained onsite.</p> <p>At the time of the site inspection there was no relocation of wastes, hence the areas defined in Table 5 for this purpose were being complied with.</p> <p>Daily and 90-day cover material (VENM) was stockpiled on site and included in the volumetric surveys provided to the EPA every six months. The volumetric survey provides the volume in m³. As this condition specifies areas is m², it is difficult to determine whether the VENM stockpiles were below the maximum's specified. During the site inspections the stockpile areas appeared to be well managed and were not observed to be contributing to odour and dust. On this basis WCC were considered compliant with the requirements for the daily cover and 90 day cover areas.</p> <p>Based on the site inspection, it was not able to be determined what the exact area of the active tipping face was and whether this was within the limits of Table 5.</p> <p>Based on the apparent and relatively small size of the tipping face, WCC were deemed compliant with this condition for the tipping face. A</p>	<p>Compliant</p> <p>WGRRP 2020 IEA REC 24</p> <p>Identify a method for demonstrating compliance with the maximum areas specified in Table 5 for the active tipping face, daily cover and 90-day cover areas.</p>
Stage	Active tipping face area (m ²)	Waste relocation area (m ²)	Daily cover area (m ²)	90 day cover area (m ²)																										
Stage 1	1,100	1,800	19,800	14,000																										
Stage 2	1,000	0	1,300	7,500																										
Stage 3	1,000	0	1,300	7,500																										
Stage 4	1,000	0	1,300	7,500																										
Monitoring																														
Sch 4	28	The Proponent shall install and operate a meteorological weather monitoring station on the site for the life of the project that complies with the requirements in the latest version of the EPA's Approved Methods for Sampling of Air Pollutants in New South Wales guideline. The meteorological station must be maintained so as to be capable of continuously monitoring the following parameters: air temperature, wind direction, windspeed, rainfall and relative humidity.	Section 2.3.3 of LEMP defined the Climate Data collection.	A Davis Vantage Pro 2 meteorological station has been installed at the site that will measure air temperature, wind direction, wind speed, rainfall and relative humidity. Data is being recorded and meets the requirements of the condition.	Compliant																									

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
					
Air Quality Management Plan					
Sch 4	29	<p>The Proponent shall prepare and implement an Air Quality Management Plan for landfilling operations in consultation with the EPA. The plan must:</p> <p>a) be prepared and implemented by a suitably qualified and experienced expert;</p> <p>b) be approved by the Secretary prior to the commencement of operation;</p> <p>c) describe the measures that will be implemented to ensure:</p> <ul style="list-style-type: none">best management practice is employed;the air quality impacts (including odour) from landfilling are minimised during adverse meteorological conditions and extraordinary events; andcompliance with the relevant conditions of this approval. <p>d) describes the air quality management system; and</p>	<p>LEMP Section 8 Air Quality Management, Section 9.4 Dust Control and Section 9.6 Odour Control</p> <p>Whytes Gully Environmental Data Z14224119</p> <p>Site inspection</p>	<p>Air Quality Management is included in LEMP which was prepared by Golders.</p> <p>The original LEMP was approved by DPIE on 11/12/14. The Draft LEMP 2020 has been submitted to DPIE but was yet to be approved at the time of writing. Air Quality Management has not changed significantly from the 2014 version.</p> <p>The LEMP describes measures to minimise impacts from landfill gas, odour and dust. These focus on:</p> <ul style="list-style-type: none">- Landfill gas containment- Extraction and disposal of landfill gas- Fire prevention- Dust control- Odour control <p>The LEMP refers to the relevant conditions of this approval.</p> <p>Section 8.2.1 of the LEMP describes the landfill gas containment system. Landfill gas is contained by a combination of leachate barrier system, site capping and revegetation and covering of waste. The leachate barrier system is described in Section 7.2.1.</p>	Compliant

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				<p>Section 8.2.2 of the LEMP describes landfill gas extraction. The Eastern Gully / Package 1 comprises 12 landfill has extraction wells extending below the piggy back liner and connected to the flare. Landfill gas is not collected in the wells in the Western Gully. Gas pipes and risers had been installed in the Stage 2 cell prior to the second site inspection. See photo below.</p> 	
				<p>Flaring was also observed during the site inspection.</p> 	
		<p>e) includes an air quality monitoring program that:</p> <ul style="list-style-type: none">• is capable of evaluating the performance of the landfill;• includes a protocol for determining any exceedances of the relevant conditions of approval and responding to complaints;		<p>The LEMP describes the following air quality monitoring program:</p> <ul style="list-style-type: none">- subsurface gas monitoring- surface gas emission monitoring- gas accumulation monitoring- depositional dust monitoring	

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		<ul style="list-style-type: none"> adequately supports the air quality management system; and evaluates and reports on the effectiveness of the air quality management system. 		<ul style="list-style-type: none"> particulate matter monitoring visual inspections odour patrols <p>The LEMP describes the corrective action process and response to complaints.</p> <p>Auditors have not assessed the operation of the gas collection system from a technical perspective hence make no comment on its adequacy or effectiveness.</p>	
Sch 4	29	This plan must be documented in the Landfill EMP (see Condition 3 in Schedule 5).		The Plan is documented in Section 8.0 of LEMP.	
Greenhouse Gas Management Plan					
Sch 4	30	<p>The Proponent must develop and implement a Greenhouse Gas Management Plan prior to the commencement of operation of the new landfill cells. This plan must include, as a minimum:</p> <p>a) final details of the landfill gas management system including flaring and/or combustion to reduce potential greenhouse gas emissions from the landfill;</p> <p>b) energy saving measures to be implemented; and</p> <p>c) include a program to monitor the effectiveness of these measures, and a protocol to periodically review the plan.</p>	<p>Section 8.5 of LEMP defined the Greenhouse Gas Management Plan</p> <p>Waste Construction Projects – Priority List – Master Plan</p> <p>LMS Monthly Landfill Gas Report (May 2020 - August 2020)</p>	<p>Greenhouse gas management is discussed in Section 8.5 of the LEMP.</p> <p>The LEMP includes details of the landfill gas management system including flaring. The flare was observed to be operating during the site inspections.</p> <p>WCC reported that it is investigating gas capture for electricity generation. This was included in the Waste Construction Projects – Priority List – Master Plan.</p> <p>The LEMP includes the following energy savings measures:</p> <ul style="list-style-type: none"> Assess the site's energy profile and usage patterns and use this as the basis for identifying opportunities for reducing energy consumption and costs. <p>This had not been undertaken. Specific measures relating to energy savings had not been identified and implemented.</p> <p>The LEMP states that WCC will prepare an annual action plan and progress report, focusing on ways of reducing emissions. This is undertaken at a whole of council level through the WCC Climate Change Mitigation Plan 2020. The WCC Climate Change Mitigation Plan 2020 includes Council's emissions profile (85% of emissions are from the landfill) and includes reduction targets and actions to reduce emissions. The Plan reports progress to date and includes future actions. Of relevance, the plan commits to expanding the landfill gas capture system at Whytes Gully between 2020 – 2022 and exploring the feasibility of the construction of a Whytes Gully Renewable Energy Facility with a 1MW Power Station between 2020-2025. As stated above, this had been included in the Construction Projects Priority List Master Plan.</p> <p>WCC recently awarded the contract for managing the gas collection system and flare to LMS. LMS provides WCC with Monthly Landfill Gas Reports which provide a breakdown of the volume of landfill gas flared, the average composition of</p>	<p>Non-compliant (b)</p> <p>WGRRP IEA 2020 REC 25</p> <p>Assess site's energy profile and usage patterns and identify opportunities for reducing energy consumption.</p>

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		This plan must be documented in the Landfill EMP (see Condition 3 in Schedule 5).		the gas and the tonnes of carbon dioxide equivalent methane combusted (CO2e) for the month. Documented in LEMP Section 8.5.													
NOISE																	
Noise Limits																	
Sch 4	31	<p>The Proponent shall ensure that the noise generated by the operations on site does not exceed the criteria in Table 6 at any private residential receiver.</p> <p>Table 6: Noise impact assessment criteria dB(A)</p> <table><tr><th>Residential Receiver Location</th><th>Day LAeq(day)</th></tr><tr><td>N1</td><td>47</td></tr><tr><td>N2</td><td>45</td></tr><tr><td>N3</td><td>38</td></tr><tr><td>N4</td><td>35</td></tr><tr><td>N5</td><td>35</td></tr></table>	Residential Receiver Location	Day LAeq(day)	N1	47	N2	45	N3	38	N4	35	N5	35	<p>Noise Management Plan, February 2019</p> <p>Wollongong Waste and Resource Recovery Park: Noise Limit Compliance Monitoring, SLR April 2019</p> <p>Warning Letter issued by DPIE dated 2/12/2019 re failure to comply with Schedule 4, Condition 31</p> <p>Whytes Gully Environmental Data Z14224119</p>	<p>WCC reported that it was unable to demonstrate compliance with noise criteria in its 2018 / 2019 Annual Review and in response was issued with a Warning Letter from DPIE dated 2 December 2019 for failing to comply with this condition (Schedule 4, Condition 31). The Warning Letter noted that the non-compliance did not appear to cause harm to people or the environment and that there was no record of noise complaints during the period.</p> <p>WCC engaged SLR to undertake operational noise monitoring to assess compliance with the specified noise criteria in February 2019. The attended noise monitoring indicated compliance with the noise criteria.</p> <p>SLR provided training to the WHSE Quality Officer who has undertaken monitoring for WCC in-house at the residential receiver locations on a monthly basis. Results are recorded in the Environmental Data spreadsheet. A review of the results indicated levels higher than the criteria however noted other noise sources (birds, cars, trucks). It is difficult to interpret the in-house noise monitoring results as they do not include discussion of the estimated noise level associated with the Whytes Gully operations</p> <p>The NMP focuses on construction noise and does not specify a frequency for operational noise monitoring to assess compliance with the noise criteria.</p> <p>On the basis that compliance with the noise criteria could not be demonstrated prior to February 2019, this condition has been assessed as non-compliant.</p>	<p>Non-compliant</p> <p>WGRRP 2020 IEA REC 26</p> <p>Update the NMP to include a monitoring frequency for assessing operational noise for compliance with criteria. Consider engaging acoustic consultants on an annual basis to verify competence and approach to noise monitoring conducted by WCC personnel and to provide independent noise monitoring results.</p>
Residential Receiver Location	Day LAeq(day)																
N1	47																
N2	45																
N3	38																
N4	35																
N5	35																
Operating Conditions																	
Sch 4	32	<p>The Proponent shall:</p> <p>a) implement best management practice, including all reasonable and feasible noise management and mitigation measures to prevent and minimise operational, low frequency and traffic noise generated by the project;</p>	<p>Noise Management Plan, February 2019</p> <p>Site inspection</p> <p>Maintenance Schedules extract from One Council system – examples for compactor, loaders and excavator.</p>	<p>Based on the complaint register there was no record of noise complaints. WCC operations work within standard operating hours and maintenance of plant and equipment is undertaken.</p> <p>Equipment had been fitted with broadband audible reversing alarms (“quakers”). These were audible during the site inspection</p>	<p>Compliant</p>												

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094																									
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation																				
		b) minimise the noise impacts of the project during adverse meteorological conditions when noise criteria do not apply;	Whytes Gully Environmental Data Z14224119	Moderate and strong temperature inversions normally occur at night outside of normal operating hours. On site activities are minimised in periods of heavy rainfall and high winds.	Compliant																				
		c) maintain the effectiveness of any noise suppression equipment on plant at all times and ensure defective plant is not used operationally until fully repaired; and		Examples of maintenance schedules for plant including the compactor, loaders and excavator were available.	Compliant																				
		d) regularly assess noise monitoring data and relocate, modify and/or stop operations to ensure compliance with the relevant conditions of this approval.		WCC commenced undertaking noise monitoring on a monthly basis in-house from March 2019. No noise complaints have been received during the audit period. Plant and equipment were inspected and maintained. High noise levels were not observed during site inspections.	Compliant																				
Operating Hours																									
Sch 4	33	The Proponent shall comply with the construction and operating hours detailed in Table 7 for the site, unless otherwise agreed in writing by the Secretary. <table><tr><th>Activity</th><th>Day</th><th>Time</th></tr><tr><td rowspan="3">Construction</td><td>Monday to Friday</td><td>7:00 AM to 6:00 PM</td></tr><tr><td>Saturday</td><td>8:00 AM to 4:00 PM</td></tr><tr><td>Sunday and Public Holidays</td><td>Nil</td></tr><tr><td rowspan="2">Operation</td><td>Monday to Friday</td><td>7:30 AM to 4:30 PM</td></tr><tr><td>Saturday, Sunday and Public Holidays</td><td>8:00 AM to 4:00 PM</td></tr><tr><td rowspan="2">Other Operational Activities</td><td>Monday to Friday</td><td>7:00 AM to 6:00 PM</td></tr><tr><td>Saturday, Sunday and Public Holidays</td><td>8:00 AM to 4:00 PM</td></tr></table>	Activity	Day	Time	Construction	Monday to Friday	7:00 AM to 6:00 PM	Saturday	8:00 AM to 4:00 PM	Sunday and Public Holidays	Nil	Operation	Monday to Friday	7:30 AM to 4:30 PM	Saturday, Sunday and Public Holidays	8:00 AM to 4:00 PM	Other Operational Activities	Monday to Friday	7:00 AM to 6:00 PM	Saturday, Sunday and Public Holidays	8:00 AM to 4:00 PM	Weighbridge data 1 Jan to 30 June 2019	Landfill operations as per the data provided (use of the weighbridge) were generally within the standard hours between 7:30 am and 4:30 pm. Construction activities were reportedly within the approved hours of 7:00 am and 6:00pm. WCC confirmed that no works were conducted outside of standard working hours.	Compliant
Activity	Day	Time																							
Construction	Monday to Friday	7:00 AM to 6:00 PM																							
	Saturday	8:00 AM to 4:00 PM																							
	Sunday and Public Holidays	Nil																							
Operation	Monday to Friday	7:30 AM to 4:30 PM																							
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Other Operational Activities	Monday to Friday	7:00 AM to 6:00 PM																							
	Saturday, Sunday and Public Holidays	8:00 AM to 4:00 PM																							
Noise Management Plan																									
Sch 4	34	The Proponent shall prepare and implement a Noise Management Plan for the project in consultation with the EPA and to the satisfaction of the Secretary. The plan must: a) be prepared and implemented by a suitably qualified and experienced person whose appointment has been approved by the Secretary; b) be approved by the Secretary prior to the commencement of construction; c) describe the measures that will be implemented to minimise noise from the construction and operation of the project and ensure: <ul style="list-style-type: none">best management practice is employed on site;implementation of traffic noise management measures;the noise impacts of the project are minimised during adverse meteorological conditions; and	Noise Management Plan. February 2019 DPIE letter of approval of NMP dated 17/09/2019. Maintenance Schedules extract from One Council system – examples for compactor, loaders and excavator. Wollongong Waste and Resource Recovery Park: Noise Limit Compliance Monitoring, SLR April 2019 Whytes Gully Environmental Data Z14224119	The Noise Management Plan (NMP) was originally prepared by Golder Associates and included as Section 3.4 of the CEMP and Appendix M of the LEMP. The NMP was revised by Golder Associates in February 2019. The original plan was approved by DPIE as part of the LEMP on 11 December 2014. The revised plan was approved by DPIE by letter dated 17 September 2019. Measures are described in the plan. Refer to Condition 32 for discussion of implementation.	Non-compliant (g)																				

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		<ul style="list-style-type: none"> compliance with the relevant conditions (including noise limits) of this approval. 			
		d) describe the noise management system;		Section 4 of the NMP describes the noise management system	
		e) includes a noise monitoring program that: <ul style="list-style-type: none"> is capable of evaluating the performance of the project; includes a protocol for determining exceedances of the noise limits in this approval and responding to complaints; adequately supports the noise management system; and evaluates and reports on the effectiveness of the noise management system 		<p>Section 4 of the NMP describes the noise monitoring program. The plan commits to undertaking monitoring at the commencement of construction activities for each stage and subsequently on a monthly basis while significant noise generating activities are being undertaken. It also commits to undertaking monitoring following receipt of noise complaints. No noise complaints were recorded during the audit period.</p> <p>The NMP does not clearly specify a frequency for assessing operational noise for compliance with the noise criteria stipulated by Condition 31. Operational noise monitoring was undertaken by SLR in February 2019 and indicated compliance.</p> <p>The 2013-2018 Annual Review included discussion of noise however noted that analysis and trend identification could not be completed due to an absence of monitoring data. The 2018 -2019 Annual Review also included a section on noise monitoring however noted that noise monitoring had not been undertaken during the reporting period.</p> <p>No complaints relating to noise had been received during the audit period.</p>	
		f) include a description of the remedial actions that may be implemented in the event of a noncompliance with the noise limits in this approval.		<p>Section 4.5 of the NMP describes the remedial actions in the event of a non-compliance with noise limits.</p> <p>No non-compliance with the noise limits were identified during the audit period. No complaints were recorded as having been received regarding noise.</p>	
		g) be updated and resubmitted to the Secretary for approval within three months following the approval MOD 1. The CNMP shall be updated prior to the commencement of the conditions of any such approval; and		The NMP was updated and submitted to DPIE on the 20 February 2019. DPIE approval of the plan was received on the 17 September 2019. This was not within three months of approval of MOD 1 which was received in April 2018. WCC is non-compliant with this requirement.	
		h) include management and mitigation measures developed in consultation with the sensitive receivers identified in Appendix 6		Section 4.1 of the plan describes noise management measures. It states that they were developed in consultation with stakeholders.	
		This plan must be documented in the CEMP and Landfill EMP (see Conditions 2 and 3 in Schedule 5).		Documented in CEMP and LEMP.	
TRANSPORT					
Traffic Monitoring					
Sch 4	35	The Proponent shall:			

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SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		a) keep accurate records of the volume of waste transported to the site b) nominate a haulage route to be used by heavy vehicles accessing the landfill consistent with the traffic assessment in the EA; and c) make these records available in its Annual Report.	Monthly Section 88 Reports to the EPA (provided for the audit period) Six monthly weighbridge summary data: 1 July to Dec 2017; 1 Jan to June 2018; 1 July to Dec 2018; 1 Jan to June 2019; 1 July to Dec 2019; 1 July to June 2020 Annual Review 2013-2018 Annual Review 2018-2019 Whytes Gully New Landfill Cell Environmental Assessment: Appendix I Traffic Impact Assessment, 2012	Volume of waste transported to the site are measured on the Weighbridge. In November 2019, WCC changed its weighbridge software and management system from WasteMan to Mandalay. The Mandalay software is expected to provide WCC with more functionality over its waste data. The weighbridge software was demonstrated to the auditors during the audit site inspection. Waste data is provided to the EPA on a monthly basis through the Section 88 Reports and also six monthly with the volumetric survey data. A high-level summary of waste volumes is provided in the Annual Review. Access to the site is via Reddalls Road / West Dapto Road / Princes Highway. This is consistent with the traffic assessment presented in the EA.	Compliant
Operating Conditions					
Sch 4	36	The Proponent shall ensure that			
		a) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the project are constructed and maintained in accordance with the latest versions of AS 2890.1 and AS 2890.2; b) the swept path of the longest vehicle entering and exiting the subject site, as well as manoeuvrability through the site, is in accordance with AUSTROADS; c) the project does not result in any vehicles queuing on the public road network; d) heavy vehicles and bins associated with the project do not park or stand on local roads or footpaths in the vicinity of the site; e) all vehicles are wholly contained on site before being required to stop; f) all loading and unloading of materials is carried out on site; and	Site inspection & Interviews with weighbridge staff WWARRP Reference Group Notes of Meeting held 13/02/2019 WWARRP Reference Group Notes of Meeting held 21/08/2019 Priority List Master Plan	This audit did not assess compliance with the Australian Standards referenced, hence construction of the roads etc. to these standards was not assessed as Auditors are not traffic experts. The swept path of the longest vehicle entering the site was not assessed during the audit. The Whytes Gully Community Reference Group, raised the issue of vehicle parking prior to gates opening at 7:30 at its meeting in February 2019. This was also tabled in late 2018 at a Council Traffic Committee Meeting. In response, No Parking signs were installed and WCC wrote to 30-40 of its commercial customers, reminding them of site opening hours and reiterating that there is to be no parking/stopping/queuing prior to site opening. This was relayed to the Community Reference Group at the following meeting in August 2019 where it was noted by those present at the meeting that traffic flow had improved. WCC has plans in its Priority List Master Plan for upgrades to the weighbridge that will further improve traffic flow and reduce queuing. This includes constructing a slip lane, introducing number plate recognition and Airkey access to allow commercial customers to enter without stopping at the weighbridge. During operating hours, there is room for vehicles to queue on site prior to having to stop. Loading and unloading is carried out on site, and traffic management noted to be in good control during site audit.	Compliant (a) and b) not assessed)

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SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		g) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.		No issues with obstacles in the car park were observed.	
Intersection Upgrade					
Sch 4	37	Prior to the receipt of more than 180,000 tpa of waste at the Whytes Gully RRP in any calendar year, or as otherwise directed by RMS, the Proponent must upgrade the intersection of West Dapto Road and the Princes Highway to traffic signals in accordance with WCC's Works Authorisation Deed with RMS, to the satisfaction of RMS.	2017 IEA, MCW Environmental March 2018	Princess Highway Reddalls Road Intersection was upgraded as part of the landfill new cell project during the previous audit period. This Condition is considered complete.	Complete
Construction Traffic Management					
Sch 4	38	The Proponent shall prepare and implement a Construction Traffic Management Plan for the project, to the satisfaction of the Secretary. The Plan shall:	Ertech Stage 2 and 3 Traffic Management Plan CEMPF Section 3.5 Public Road and Impacts	Traffic Management Plan for Ertech was prepared and provided as evidence. Details required in this condition were included in the TMP.	Compliant
Sch 4	38	<div>a) be prepared in consultation with Council and RMS by a suitably qualified and experienced expert;</div> <div>b) be approved by the Secretary prior to the commencement of construction;</div> <div>c) include a detailed analysis of the impact of the project on the road network during construction;</div> <div>d) detail the measures that would be implemented to manage internal and external road safety and network efficiency including measures to control traffic movements during construction;</div> <div>e) detail the access and parking arrangements for the site during construction;</div> <div>f) detail the measures to ensure that the local road network is not utilised by vehicles associated with the project during construction; and</div> <div>g) if necessary, detail procedures for notifying residents of any potential disruptions to routes and access.</div> <div>This plan must be documented in the CEMP (see Condition 2 in Schedule 5).</div>		Auditors are not traffic experts hence did not conduct a full assessment of this condition.	
VISUAL AMENITY					
Lighting					
Sch 4	39	<div>The Proponent shall ensure that the lighting associated with the project:</div> <div>a) complies with the latest version of AS 4282(INT) - Control of Obtrusive Effects of Outdoor Lighting; and</div> <div>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.</div>		<div>Lighting or visual amenity management was not included in CEMPF and LEMP.</div> <div>WCC reported that no works (operations or construction) are conducted at night. No lights are kept on at night except for security lights at the weighbridge. Therefore, WCC are deemed compliant with this condition as it is largely not relevant.</div>	Compliant
Landscaping					

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
Sch 4	40	The Proponent shall progressively implement the Landscape Plan (Appendix 7) following the completion of ground disturbing works across the site, to the satisfaction of the Secretary.	The Landscape Plan	The Landscape Plan (Appendix 7) defines landscaping over areas not yet landfilled and hence are not able to be rehabilitated, hence this condition is not triggered.	Not Triggered
Signage					
Sch 4	41	The Proponent shall not install any advertising signs on site without the written approval of the Secretary.	Site Inspection	No advertising was installed around the site perimeter during site audit.	Compliant
HAZARDS					
Pre-construction					
Sch 4	42	The Proponent shall prepare the studies set out under subsections 42(a) to 42(b) (the pre-construction studies). Construction, other than of preliminary works that are outside the scope of the hazard studies, shall not commence until study recommendations have been considered and, where appropriate, acted upon. a) <u>Bushfire Risk Management Strategy</u> A Fire Management Strategy for the Project. This strategy shall cover all proposed recommendations and safeguards set out in the Bushfire Report at Appendix M of the EA. b) <u>Hazard and Operability Study</u> A Hazard and Operability Study (or equivalent) for the proposed landfill gas handling equipment, chaired by an independent qualified person. The study shall be consistent with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 8, 'HAZOP Guidelines'.	2017 IEA, MCW Environmental March 2018	The pre-construction studies were completed prior to the commencement of construction during the previous audit period. This Condition is considered complete.	Complete
Pre-commissioning					
Safety Management System					
Sch 4	43	Prior to commissioning, the Proponent shall develop and implement a comprehensive Safety Management System (SMS), covering all on-site operations. The Safety Management System shall be consistent with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 9, 'Safety Management'. The SMS shall include procedures for ensuring the ongoing implementation and integrity of the safeguards identified in the Preliminary Hazard Analysis (PHA) at Appendix L of the EA and in the Bushfire Risk Management Strategy at Appendix M of the EA.	Letter from Golder Associates to DPIE dated 26 August 2014 submitting reports detailing compliance with Conditions 42 and 43. Safety Management Plan SMP, Red Energy, 2014	A Safety Management Plan was prepared by Red Energy, the contractors responsible for upgrading the gas collection system and flare. The Safety Management Plan was submitted to DPIE by letter dated 26 August 2014 to meet the requirements of this condition. This audit did not include an assessment of the implementation of the SMS as safety was considered beyond the scope of the IEA. The auditors were not commissioned to assess safety issues or safety compliance.	Compliant
Pre-startup					
Pre-startup Compliance Report					
Sch 4	44	The Proponent shall submit to the Department a report detailing compliance with Conditions 42 and 43 one month prior to the commencement of operation.		Golder Associates submitted the HAZOP report for the Whytes Gully Landfill gas collection system and bushfire management plan to DPIE by letter dated 26 August 2014. The letter requested review and approval of conditions 42 to	Compliant

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
Pest, Vermin & Noxious Weed Management				44. It is noted this correspondence was not sighted during the previous audit and this condition was assessed to be non-compliant.	
Sch 4	45	<p>The Proponent shall:</p> <p>a) implement suitable measures to manage pests, vermin and declared noxious weeds on site; and</p> <p>b) inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or noxious weeds are not present on site in sufficient numbers to pose an environmental hazard, or cause the loss of amenity in surrounding area.</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>	<p>Whytes Gully New Landfill Cell Vegetation Management Review (letter report from Biosis dated 3/07/2017)</p> <p>Email from Southern Habitat dated 14/06/2018 with program of works.</p> <p>Email from WCC to Southern Habitat dated 20/07/2018 confirming intent to proceed with proposed works in Zone 1, 5, 6 and 7.</p> <p>Whytes Gully Revegetation Report, Southern Habitat, August 2020</p> <p>Whytes Gully Waste and Resource Recovery Centre Vegetation Management Plan Monitoring Report, Biosis, 24 March 2020</p> <p>Whytes Gully Waste and Resource Recovery Centre Vegetation Management Plan Monitoring Report, Biosis, 23 July 2020</p> <p>Whytes Gully Deer Operational Results spreadsheet</p> <p>Flick Quarterly Invoice for commercial pest service (examples dated 18/02/2019, 31/05/2019)</p> <p>Pest Management Plan – Priority Pest – Rabbit</p> <p>Pest Management Plan – Priority Pest - Deer</p>	<p>WCC engaged Biosis to review the Vegetation Management Plan prepared by Biosis in 2013 and provide an updated assessment of the condition of the vegetation within the study area and the maintenance required to meet the performance criteria as outlined in the VMP. A field investigation was undertaken in June 2017 as part of this review and a table of management actions proposed to be undertaken within a 12 month program provided.</p> <p>WCC approached Southern Habitat to provide a program and cost for undertaking the management actions recommended by Biosis. Southern Habitat provided a works program broken down by the Management Zones (MZ) identified in the VMP. Southern Habitat recommended the program be considered a 2 year works program to enable procurement of good plant stock.</p> <p>WCC commenced implementing this program and the following works were undertaken during the audit period:</p> <ul style="list-style-type: none"> - Treatment of NSW priority weeds focusing on management zones MZ 1 (landfill operational area), MZ 3A (screening and corridor planting) and MZ 3B (screening and corridor planting). - Treatment of environmental weed species focusing on management zones MZ 1, MZ 3A and MZ 3B. - Mowing and slashing in MZ1, MZ 3A and MZ 3B - Revegetation works commenced in management zone MZ 3A in August 2020. 3,500 plants were planted along the north western boundary to provide screening. - Works were yet to commence in MZ 2 (disturbed Acacia scrub), MZ 5 (Illawarra subtropical rainforest) and MZ 6 (offset revegetation area) <p>The areas cleared of weeds in MZ 1 and MZ 3a were observed during the audit period. This was particular evident along fence lines and near waterways. A reduction in the presence of weeds was observed compared to the previous audit site inspection and it was evident that WCC had given this issue attention during the audit period. None the less, weeds are still an ongoing issue and challenge and it is recommended WCC continue to focus on weed management across the site.</p> <p>The VMP commits to undertaking vegetation monitoring every four months to assess the success of weed removal and plant growth. Vegetation monitoring was undertaken by Biosis in March and July 2020. Refer to Schedule 4,</p>	<p>Compliant</p> <p>WGRRP 2020 IEA REC 27</p> <p>Continue focus on weed management across the site to ensure all weeds on site are adequately controlled.</p>

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SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
				<p>Condition 49 g) for further discussion of vegetation management plan monitoring.</p> <p>The following measures were implemented to manage pests and vermin:</p> <ul style="list-style-type: none"> - Deer cull program implemented in 2019/20. A total of 54 deer were culled over 27 site visits - Quarterly rodent baiting - WCC has council wide Pest Management Plans for Priority Pests (deer and rabbits) 	
Fire Management					
Sch 4	46	<p>The Proponent shall:</p> <ul style="list-style-type: none"> a) implement suitable measures to minimise the risk of fire on site, including in the landfill area; b) extinguish any fires on site promptly; and c) maintain adequate fire-fighting capacity on site. 	<p>LEMP Section 9.9 Firefighting Capacity</p> <p>Pollution Incident Response Management Plan 4/3/2020</p> <p>Emergency Control Organisation Team, training conducted on 10/03/2020 by TrimEvac for emergency response.</p> <p>Priority List Master Plan</p> <p>Site observations</p>	<p>Measures implemented to minimise the risk of fire on site include:</p> <ul style="list-style-type: none"> - Screening of waste to prevent acceptance of prohibited waste - Flammable liquids are not accepted on site - Tyres are stockpiled in a dedicated area away from the tip face and maintained below 50 tonnes at any one time <p>Two fires were recorded during the audit period in July 2018 and March 2019. The fire in July 2018 was small (approximately 2m³) and extinguished quickly within 10 minutes of the fire starting. The fire in March 2019 was reported to 000 by an unknown person in the early hours of the morning. It was extinguished by the RFS who took control of the site. Further detail of the fires is provided in the main report.</p> <p>WCC had conducted an emergency evacuation drill in March 2020.</p> <p>Fire-fighting equipment available on site includes:</p> <ul style="list-style-type: none"> - Extinguishers located at all buildings - Water cart - 8,000 L tank that can hook onto excavator <p>WCC has plans to construct a Rapid Water Fill Station. Two portable rapid fill tanks, containers and pipework have been procured for this purpose. This will increase fire-fighting capacity on site.</p> <p>The Auditors are not fire experts and have based their assessment on the information provided as noted. Auditors have not assessed if suitable measures exist to minimise the risk of fire on site, including in the landfill area nor whether adequate fire-fighting capacity is maintained on site.</p>	Compliant
CONSERVATION					
Heritage					

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SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
Sch 4	47	<p>During the life of the Project, the Proponent shall protect the identified heritage and archaeological sites outside of the Project footprint, in consultation with the Local Aboriginal Land Council, and to the satisfaction of the Secretary.</p> <p><i>Note: The location of heritage and archaeological sites on the site are illustrated in Appendix 8 of this approval.</i></p>	<p>LEMP Figure 7 Heritage</p> <p>LEMP Section 2.5 Cultural Heritage</p>	<p>LEMP Figure 7 demonstrated the heritage and archaeological sites are outside the project footprint.</p> <p>LEMP Section 2.4 defined the management requirement for Cultural Heritage.</p> <p>Reported finds as part the initial EIS and covered under the COA which are located outside the project footprint. WCC reported that there has been no impact to these sites. Auditors did not visit these sites and have relied on WCC information in respect of determining compliance with this condition.</p> <p>The Glengarry Cottage is listed as a regionally significant heritage item. The cottage currently houses Council offices and is not impacted by landfill operations.</p>	Compliant
Heritage Management					
Sch 4	48	<p>The Proponent must prepare:</p> <p>a) heritage training and induction processes for construction personnel (including procedures for keeping records of inductions) including site identification, protection and conservation of Aboriginal and historic heritage; and</p> <p>b) procedures for dealing with heritage items including human remains, including cessation of works in the vicinity and notification of the Department, NSW Police Force (in the case of human remains), OEH and registered Aboriginal stakeholders and not recommencing any works in the area unless authorised by the NSW Police Force and/ or the Department.</p> <p>These procedures must be documented in the CEMP (see Condition 2 in Schedule 5).</p>	<p>Wollongong Waste & Resource Recovery Park Contractor/Visitor & Council Employees Induction Checklist (sighted examples of completed checklists dated 6/07/2018, 8/9/2020, 24/09/2020)</p> <p>CEMP Section 3.10 Archaeological and Heritage Protection Plan</p> <p>LEMP, Section 2.5 Cultural Heritage</p>	<p>WCC's Contractor/Visitor & Council Employees Induction Checklist includes a check relating to Heritage and Archaeological sites.</p> <p>Procedures for heritage items are included in Section 3.10 of the CEMP Archaeological and Heritage Protection Plan and Section 2.5 of the LEMP.</p> <p>Implementation not yet triggered as WCC reported that there have been no finds to date.</p> <p>The Heritage items noted in the EA were outside the construction boundary and have not been impacted by project works.</p>	Compliant
Vegetation and Biodiversity Management					
Sch 4	49	<p>The Proponent shall prepare and implement a Vegetation Management Plan for the project to the satisfaction of the Secretary. This plan must:</p> <p>a) be prepared by a suitably qualified and experienced expert;</p> <p>b) be updated and approved by the Secretary within six months of determination of MOD 2 or prior to the commencement of construction, whichever is sooner;</p> <p>c) include a vegetation clearing protocol (see Condition 50 of this Schedule);</p>	<p>Vegetation Management Plan: Whytes Gully New Landfill Cell (construction), October 2019</p> <p>Vegetation Management Plan: Whytes Gully Waste and Resource Recovery Centre (operations), November 2019</p> <p>Whytes Gully Revegetation Report, Southern Habitat, August 2020</p>	<p>a) The initial Vegetation Management Plan was prepared by Biosis and included in the LEMP which was approved by DPIE on 11/12/14.</p> <p>b) The VMP was updated by Biosis and separated into two documents addressing the construction and operational phases of the project:</p> <ul style="list-style-type: none"> - Vegetation Management Plan: Whytes Gully New Landfill Cell (construction) 	Non-compliant (b) Implementation: Compliant

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		<p>d) must specifically include a Biodiversity Offset Strategy that:</p> <ul style="list-style-type: none"> is assessed against the OEH's 'Principles for the Use of Biodiversity Offsets in NSW' and the 'Interim Policy on Assessing and Offsetting Biodiversity Impacts of Part 3A, SSD and SSI Projects'; details the proposed offset measures to be implemented and secured for removing 0.49 hectares of native vegetation (including 0.01 hectares of Illawarra Subtropical Rainforest); relating to project approval MP 11_0094 and 0.25 hectares of native vegetation (Illawarra Subtropical Rainforest) relating to MOD 2 identify conservation mechanisms to be used to ensure the long term protection and management of the offset sites; references best practice management guidelines for restoring and managing the vegetation communities proposed for protection; details how the proposed offset measures will be protected, managed, funded and monitored over the life of the project; <p>e) ensure the project maintains suitable buffer distances to nearby waterways in accordance with Wollongong DCP 2009 to protect riparian land; and</p> <p>f) incorporate the recommendations of the Whytes Gully Landfill Modification: Flora and Fauna Assessment, prepared by Biosis, project number 20115, dated 11 October 2017; and</p> <p>g) details the site-wide ecological management and monitoring program/s to be implemented for the life of the project.</p> <p>This plan must be documented in the Landfill EMP and CEMP (see Conditions 2 and 3 in Schedule 5)</p>	<p>Whytes Gully Waste and Resource Recovery Centre Vegetation Management Plan Monitoring Report, Biosis, 24 March 2020</p> <p>Whytes Gully Waste and Resource Recovery Centre Vegetation Management Plan Monitoring Report, Biosis, 23 July 2020</p>	<p>- Vegetation Management Plan: Whytes Gully Waste and Resource Recovery Centre (operations)</p> <p>The works associated with MOD 2 (Eastern Gully Diversion Drain) are addressed in the VMP (Construction). These works were in the design stage and yet to commence during the audit period.</p> <p>The VMPs were submitted to DPIE in November 2019 (not within six months of the MOD 2 determination on the 29 May 2018). DPIE provided comments on the 28 November 2019 and a response and updated VMPs were provided to DPIE on the 14 January 2020. DPIE advised that it would approve the VMPs as part of the LEMP which was yet to be approved at the time of writing. On the basis of the timing not being met for the update and approval of the VMP this condition has been assessed as non-compliant.</p> <p>c) The VMP (Construction) includes vegetation clearing protocols. Vegetation clearing had not occurred during the audit period. Clearing for the construction of Stage 2 had been completed during the previous audit period.</p> <p>d) Biodiversity offset assessment is included in Section 4 of the VMP (Construction).</p> <p>An assessment against the OEH biodiversity principals is provided in Section 4.2, Table 8. The VMP commits to restoring a total of 13.12 hectares of native vegetation to offset vegetation removal.</p> <p>The VMPs outline vegetation management actions and performance criteria for each Management Zone (MZ). As discussed under Condition 45, Southern Habitat provided a program and cost for undertaking the management actions recommended by Biosis. Works under this program commenced in 2019, focusing on weed removal and planting in the north west of the site (MZ 3A) to create a screen once trees begin to mature. Refer to discussion</p>	

under g) below for further discussion of vegetation management actions undertaken as detailed in vegetation monitoring reports.

e) Section 3.2 of the VMP (Construction) discusses riparian buffers. It states that based on previous consultation with NSW DPI Water by Biosis in 2012 no riparian buffers have been proposed as the nearest drainage line has been significantly modified.

f) EIS commitments are included in Section 3 of the VMP (Construction). It is noted that the VMPs have been prepared by Biosis who also prepared the Flora and Fauna Assessment.

g) The VMPs outline an ecological monitoring framework to assess the success of weed removal and plant growth. It commits to undertaking vegetation surveys every four months and the preparation of an annual report. Vegetation monitoring was undertaken by Biosis in March and July 2020 and the first annual report is due in February 2021.

The July 2020 monitoring report noted the following actions had been completed:

- Weed control is ongoing.
- Approximately 85% of the study area has been treated for NSW priority weed species.
- Approximately 85% of the study area has been managed for environmental weed species
- Approximately 90% of MZ 1, MZ 3a and MZ3b had been slashed.
- Revegetation works was set to commence on completion of weed control works

As discussed under d) above, revegetation works commenced in August 2020. Southern Habitat planted 3,500 plants in MZ 3A allocated in the VMP for screening and corridor planting. These were observed during the second site inspection.

The previous IEA assessed this condition as non-compliant based on the issues related to weeds and made a number of recommendations relating to weed control, implementing the VMP and reporting against the progress of implementation. During this audit period, WCC has increased its focus on vegetation management and commenced implementing the management actions identified in the revised VMP focusing on weed control. Whilst these works are ongoing, it was evident that significant progress had been made in this area. WCC should continue its focus on weed management across the site. Refer to recommendation under Schedule 4, Condition 45.

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
Sch 4	50	<p>The Vegetation Clearing Protocol must:</p> <p>a) clearly identify the location and type of vegetation to be retained and to be removed from the site;</p> <p>b) detail measures that would be implemented for vegetation clearing</p> <p>c) ensure vegetation, including trees would not be pushed or felled into any retained bushland areas during the vegetation removal process;</p> <p>d) detail procedures to manage impacts on fauna including translocation of fauna by a suitably qualified ecologist/wildlife rescuer (if appropriate); and</p> <p>e) detail the staging of construction to avoid breeding.</p>	Vegetation Management Plan: Whytes Gully New Landfill Cell (construction), October 2019	Section 3.1 of the VMP (Construction) includes vegetation clearing protocols. Vegetation clearing had not occurred during the audit period. Clearing for the construction of Stage 2 had been completed during the previous audit period.	Compliant
LANDFILL CLOSURE AND REHABILITATION					
Sch 4	51	<p>The Proponent shall prepare and implement a Rehabilitation Management Plan for the landfill to the satisfaction of the Secretary. This plan must:</p> <p>a) be prepared in consultation with the OEH by a suitably qualified and experienced expert;</p> <p>b) be submitted to the Secretary for approval within six (6) months of the date of this approval;</p> <p>c) be undertaken in a manner which is complementary with the rehabilitation is consistent with the proposed final landform depicted in the figures in Appendices 4 and 7;</p> <p>d) specify a time period for the rehabilitation to works to commence and be finalised following cessation of landfill activities; and</p> <p>e) be documented in the Landfill EMP (see Condition 3 in Schedule 5).</p>	Section 10 of LEMP Site Closure Section 10.2 Site capping and revegetation	<p>Rehabilitation Management Plan was defined in Section 10.2 of LEMP as Site Capping and Revegetation.</p> <p>The implementation is not yet triggered as landfilling is ongoing with no areas available to rehabilitate. No rehabilitation works have been conducted to date,</p>	<p>Compliant (preparation)</p> <p>Not triggered (implementation)</p>
SCHEDULE 5 ENVIRONMENTAL MANAGEMENT, REPORTING & AUDITING					
COMMUNITY EDUCATION PROGRAM					
Sch 5	1	The Proponent shall prepare and implement a Community Education Program for the project to the satisfaction of the Secretary. This program must be submitted to the Secretary for approval prior to the commencement of operation, and shall at a minimum focus on promoting resource recovery activities provided at the site.	Appendix P of LEMP, Rev 2, Sep 2014 Waste Education Sub-Plan 2019-2020, REMONDIS 2019-2020 Green Team and Promotions Coordinator Workplan	<p>The original Community Education Program was prepared in 2014 as part of the LEMP (Appendix P) and was approved as part of the LEMP approval.</p> <p>WCC's Environment and Planning Strategy Unit has established a Green Team and Promotions Coordinator Work Plan for 2019/2020 which details education programs, marketing and promotions aimed at meeting WCC's Waste Management and Minimisation, Resource Recovery and Waste Sustainability goals. The 2019/2020 Work Plan includes detailed milestones, performance indicators, timeframe, and allocates responsibilities.</p> <p>In addition, WCC's domestic waste collection contractor, REMONDIS, prepared a Waste Education Sub-Plan 2019-2020, which outlines a number of actions / programs aimed at reducing three bin contamination, reducing illegal</p>	Compliant

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
				<p>dumping, provision of education and marketing tools and supporting the Food Organics and Garden Organics (FOGO) trial. The Sub-Plan includes a contamination audit program and seasonal events program.</p> <p>During the audit, WCC constructed a new Community Recycling Centre (CRC) using funds from the NSW EPA Waste Less Recycle More program. The CRC allows WCC residents to recycle household and problem waste for free and includes receptacles for items including paints, e-waste, gas bottles, car batteries, motor and other oils, scrap metal, fridges and freezers as well as regular recyclables such as cardboard and paper, glass, plastic and steel cans.</p> <p>Small vehicles are encouraged by weighbridge staff to visit the CRC prior to disposing of residual waste at the small vehicle transfer station.</p>	
ENVIRONMENTAL MANAGEMENT					
Construction Environmental Management Plan					
Sch 5	2	The Proponent shall prepare and implement a Construction Environmental Management Plan for the project to the satisfaction of the Secretary. The Plan must	Construction Environmental Management Plan Framework (CEMP) August 2013 Draft CEMP June 2020	The CEMP was prepared by Golder Associates in August 2013 and was submitted to DPE for approval on 20 August 2013. The CEMP was revised in 2020 and provided to DPIE. At the time of writing, the CEMP was yet to be approved.	<p>Compliant</p> <p>WGRRP 2020 IEA REC 28</p> <p>Include the revised CEMP prepared to satisfy Schedule 5 - Condition 2 (once approved) on the WCC website.</p>
		a) be approved by the Secretary prior to the commencement of construction;	DPE Approval letter dated 20 August 2013	Construction contractor ERTECH prepared a Workplace Health Safety and Environment (WHSE) Management Plan for Stage 2 and 3 construction packages which was last updated in 2017.	
		b) identify the statutory consents and approvals that apply to the project;	CEMP Section 2.1	The ERTECH CEMP was provided as evidence of compliance for construction activities.	
		c) include a copy of all relevant management plans and monitoring programs required under this approval;	CEMP Section 2.2 and 2.3	WCC reported that they conduct a review of the Contractor's CEMP against the requirements of the CEMP. The Auditors did not assess the ERTECH CEMP for compliance against the CEMPF or sight this review.	
		d) outline all environmental management practices and procedures to be followed during construction and demolition works associated with the project;	CEMP Section 3.0 and Appendices	Construction of the Stage 2 and 3 cells works were largely completed in early 2019.	
		e) describe all activities to be undertaken on the site during construction of the project, including a clear indication of construction stages	CEMP Section 3.0 and Appendices CEMP Section 4 CQAP	The previous IEA assessed part (i) of this condition as non-compliant as the CEMP had not been placed on the WCC website. In response, WCC placed the WHSE Management Plan prepared by the construction contractor ERTECH on the council website however this plan is not the approved CEMP prepared for the purpose of meeting this condition. WCC should provide the updated 2020 CEMP (once approved) on its website.	
		f) detail how the environmental performance of the construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts	CEMP Section 3		
		g) describe of the roles and responsibilities for all relevant employees involved in construction and demolition works associated with the project;	CEMP Section 1.3		
		h) include arrangements for community consultation and complaints handling procedures during construction and demolition; and	CEMP Section 9		
		i) be placed on Council's website within 2 weeks of its approval.	WCC website (https://www.wollongong.nsw.gov.au/your-		

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
			council/plans-and-reports/waste-site-reports) accessed on 28 August 2020		
		<i>Note: Construction of the project shall not commence until written approval of this plan has been received from the Secretary.</i>			
		Landfill Environmental Management Plan			
Sch 5	3	Prior to the commencement of operation, the Proponent shall update the draft Landfill Environmental Management Plan in the EA for the site to the satisfaction of the Secretary. This plan must:	LEMP September 2014 Draft LEMP 2020	The original LEMP was approved by DPIE on 11 December 2014 prior to the commencement of operation. The LEMP was revised during the audit period to reflect changes which had occurred on site since 2014 (including Modifications to the Project Approval) and the revised EPA Environmental Guidelines for Solid Waste Landfills (EPA, 2016). The Draft LEMP (January 2020) was submitted but yet to be approved by DPIE at the time of writing.	Compliant
		a) be prepared by suitably qualified and experienced experts whose appointment has been endorsed by the Secretary	Prepared by Golder Associates	The LEMP has been prepared by Golder Associates.	
		b) be prepared in consultation with the EPA and other relevant government agencies	LEMP Section 1.3 Consultation	The original LEMP was sent to and reviewed by the EPA and other relevant authorities as per Section 1 of LEMP. At the time of writing the Draft LEMP 2020 had not been provided to the EPA and other relevant agencies for consultation. Given the previous version was consulted in 2014 and the significant changes made to the LEMP (including addressing the revised EPA Solid Waste Guidelines), it is considered that the revised LEMP should be provided to the EPA and other relevant agencies for consultation.	Compliant WGRRP 2020 IEA REC 29 Provide the Draft LEMP 2020 to the EPA and other relevant agencies for consultation.
		c) be approved by the Secretary prior to the commencement of operation;	LEMP Approval letter by DPE on 11 December 2014	The original LEMP was approved by DPE on 11 December 2014. The Draft LEMP (January 2020) was submitted but yet to be approved by DPIE at the time of writing.	Compliant
		d) describe in detail the management measures that would be implemented to address: <ul style="list-style-type: none"> the relevant matters referred to in the Environmental Guidelines for Solid Waste Landfills; the conditions of this approval; and requirements of the EPL; 	Draft LEMP 2020	The revised LEMP considered the EPA Environmental Guidelines for Solid Waste Landfills (2016), conditions of approval and requirements of the EPL. Discussion of these requirements is included under each aspect along with management strategies and corrective actions.	Compliant
		e) include a copy of: <ul style="list-style-type: none"> the relevant plans and programs required under this approval; a quality assurance plan for the design and installation of the leachate management system and any capping of the landfill cells that covers the relevant issues outlined in sections 1 – 2 of Appendix A of the Environmental Guidelines for Solid Waste Landfills; 	Draft LEMP Section 6, 7, 8	The LEMP includes the plans and programs required by the approval as appendices. The quality assurance process for each new cell and the leachate management system is managed through the EPL process. The EPL included a condition (O6.16) which required that a QA/QC report for the construction of the new leachate pond be provided to the EPA. This was removed from the licence by variation notice 5 July 2018 on the basis	Compliant

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
				that it was completed. A similar condition exists for the construction of any new landfill cell (refer O6.10).	
		f) describe the procedures that would be implemented to: <ul style="list-style-type: none"> keep the local community and relevant agencies informed about the operation and environmental performance of the Project; receive, handle, respond to, and record complaints; resolve any disputes that may arise during the course of the Project; and respond to emergencies 	Draft LEMP 2020, Section 11 Appendix G Complaints Register Appendix O Community Education Program	Procedures and plans included in the LEMP Appendices and process defined in Section 11.	Compliant
		g) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the Project; and	Draft LEMP 2020 Section 4	Structure and Responsibility defined in LEMP Section 4.0	Compliant
		h) be placed on Council's website within 2 weeks of its approval.	https://www.wollongong.nsw.gov.au/your-council/plans-and-reports/waste-site-reports	The approved LEMP (2014) was available on the WCC website.	Compliant
Management Plan Requirements					
Sch 5	4	The Proponent shall ensure that the management plans required under this approval are prepared in accordance with any relevant guidelines, and include: <ul style="list-style-type: none"> a) detailed baseline data; b) a description of: <ul style="list-style-type: none"> the relevant statutory requirements (including any relevant approval, licence or lease conditions); any relevant limits or performance measures/criteria; and the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the project or any management measures; c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria; d) a program to monitor and report on the: <ul style="list-style-type: none"> impacts and environmental performance of the Project; effectiveness of any management measures (see c above); a contingency plan to manage any unpredicted impacts and their consequences; a program to investigate and implement ways to improve the environmental performance of the project over time; e) a protocol for managing and reporting any: <ul style="list-style-type: none"> incidents; complaints; non-compliances with statutory requirements; and exceedances of the relevant limits and/or performance measures / criteria; and 	2017 IEA, MCW Environmental March 2018 Draft LEMP 2020 Noise Management Plan, Rev 0, February 2019 Vegetation Management Plan: Whytes Gully New Landfill Cell (construction), October 2019 Vegetation Management Plan: Whytes Gully Waste and Resource Recovery Centre (operations), November 2019 DPIE approval of Noise Management Plan (Rev 0, February 2019) dated 17/09/2019. Draft Soil, Water and Leachate Plan, Appendix E to LEMP, 2020 Draft CEMP June 2020	During this audit period, the following plans have been revised and submitted to DPIE for approval: <ul style="list-style-type: none"> - Draft LEMP 2020 - Noise Management Plan - Vegetation Management Plan: Whytes Gully New Landfill Cell (construction) - Vegetation Management Plan: Whytes Gully Waste and Resource Recovery Centre (operations) - Draft Soil, Water and Leachate Plan, Appendix E to LEMP, 2020 - Draft CEMP June 2020 <p>The Noise Management Plan was approved by DPIE by letter dated 17 September 2019. At the time of writing, the LEMP and updated Vegetation Management Plans were yet to be approved by DPIE.</p> <p>A high-level review of these plans indicated they generally included the listed requirements. Refer also to the main report for discussion of the adequacy of management plans.</p>	Compliant

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
f) a protocol for periodic review of the plan.					
Annual Review					
Sch 5	5	<p>One year after the commencement of operation, and annually thereafter, the Proponent shall review the environmental performance of the Project to the satisfaction of the Secretary. This review must:</p> <ul style="list-style-type: none"> a) describe the operations that were carried out in the past calendar year; b) analyse the monitoring results and complaints records of the project over the past year, which includes a comparison of these results against the <ul style="list-style-type: none"> • relevant statutory requirements, limits or performance measures/criteria; • monitoring results of previous years; and • relevant predictions in the EA; c) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance; d) identify any trends in the monitoring data over the life of the Project; e) describe what actions will be implemented over the next year to improve the environmental performance of the project (including a timeline for the completion of each action); and f) be placed on Council's website within 2 weeks of its completion. 	<p>Whytes Gully Landfill Annual Review 2013-2018, August 2019</p> <p>Whytes Gully Waste Disposal Facility: Annual Environmental Management Review 2018-2019, October 2019</p> <p>WCC website (https://www.wollongong.nsw.gov.au/your-council/plans-and-reports/waste-site-reports) accessed on 28 August 2020</p> <p>DPIE letter dated 22/08/2019 approving 2013-2018 Annual Review</p> <p>DPIE letter dated 27/11/2019 approving 2018-2019 Annual Review.</p>	<p>The previous IEA found that WCC was non-compliant with this condition as it was relying on the Annual Returns completed under the EPL to fulfil this requirement resulting in a gap in the scope of the review. In response, WCC engaged Cardno to prepare an Annual Review for the period 2013-2018 which specifically addressed the requirements of this condition. Consequent reports were produced on an annual basis to coincide with the EPL reporting period.</p> <p>The 2013-2018 Annual Review was submitted to DPIE on the 27 June 2019 and was approved by DPIE as generally satisfying the requirements of the Consent in relation the Annual Review by letter dated 22 August 2019. This letter also requested that future Annual Reviews provide detail on the Whytes Gully Reference Group, including details of when meetings are held and the outcome of those community consultative meetings. The 2018-2019 Annual Review was noted to include discussion on community consultation.</p> <p>WCC engaged Tallis to prepare the Annual Review for the 2018-2019 period. The 2018-2019 Annual Review was submitted to DPIE on the 29 October 2019 and was approved by DPIE as generally satisfying the requirements of the Consent in relation the Annual Review by letter dated 27 November 2019.</p> <p>The 2013-2018 Annual Review and the 2018-2019 Annual Review were available on the WCC website. However, it is noted that the 2013-2018 Annual Review is saved as "Whytes Gully Annual Review-AEMR-2019" and is listed under 'Whytes Gully management plans and audit documents'. It would be easier to find if the report was re-named 2013-2018 Annual Review – AEMR and was placed under the 'Annual reports' heading.</p> <p>The Annual Reviews generally meet the requirements outlined in this condition.</p>	<p>Compliant</p> <p>WGRRP 2020 IEA REC 30</p> <p>Change the file name 'Whytes Gully Annual Review-AEMR-2019' to reflect that it is the 2013-2018 Annual Review – AEMR and move from 'Whytes Gully management plans and audit documents' to 'Annual reports'</p>
Revision of Plans & Programs					
Sch 5	6	<p>Within 3 months of the submission of an:</p> <ul style="list-style-type: none"> a) audit under Condition 9 of Schedule 5; b) incident report under Condition 7 of Schedule 5; and c) annual review under Condition 5 of Schedule 5, the Proponent shall review, and if necessary, revise the plans and programs required under this approval to the satisfaction of the Secretary. 	<p>Post Approval Form for LEMP submitted to DPIE 11/09/2020</p>	<p>WCC commenced the process of reviewing the LEMP in December 2019. The LEMP was lodged with DPIE on the 11 September 2020. It is noted that this revision has been significant as the LEMP has been revised to align with the Environmental Guidelines: Solid Waste Landfills 2nd edition (EPA, 2016) which replaced the 1996 Guidelines.</p>	<p>Compliant</p>

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		Note: This is to ensure the plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the Project			<p>This review also included the Vegetation Management Plans and Noise Management Plan.</p> <p>The CEMP was revised in June 2020. The Draft CEMP was submitted to DPIE and at the time of writing was yet to be approved.</p> <p>The PIRMP was revised following the fire in March 2019 to reflect the requirement to notify DPIE of any significant environmental incidents as soon as practicable.</p>
REPORTING					
Incident					
Sch 5	7	The Proponent shall notify the Secretary and any other relevant agencies of any incident or potential incident with actual or potential significant off-site impacts on people or the biophysical environment associated with the project as soon as practicable after the Proponent becomes aware of the incident. Within 7 days of the date of this incident, the Proponent shall provide the Secretary and any relevant agencies with a detailed report on the incident.	<p>Whytes Gully Incident Register 2017 to 2020</p> <p>Whytes Gully Landfill Annual Review 2013-2018, August 2019</p> <p>Whytes Gully Waste Disposal Facility: Annual Environmental Management Review 2018-2019, October 2019</p> <p>Incident Report – Storm event Whytes Gully February 2020_EPL</p> <p>Incident Report Storm event Whytes Gully February 2020_Project Approval</p> <p>Email to EPA, DPIE and Health NSW dated 13/02/2020 providing update and requesting extension for provision of incident report.</p> <p>Email from EPA to WCC dated 17/02/2020 granting extension until 19/02/2020.</p> <p>Email to the EPA dated 19/02/2020 attaching incident report for 9 February 2020 overflow.</p> <p>Email to DPIE dated 19/02/2020 attaching incident report for 9 February 2020 overflow</p> <p>Environmental Incident Report Form – Fire 4 March 2019</p> <p>Email to EPA dated 14/03/2019 providing incident report relating to Fire Incident on 4 March 2019</p> <p>Email to DPIE dated 27/06/2019 providing incident report relating to Fire Incident on 4 March 2019</p> <p>Letter from DPIE dated 4/07/2019 relating to fire incident on 4 March 2019 and failure to notify</p> <p>Environmental Incident Report Form – Fire 31 July 2018</p>	<p>Incidents and non-compliances reported to EPL are recorded in the Annual Returns and these are kept on Councils publicly accessible website.</p> <p>WCC recorded the following incidents during the audit period which triggered its Pollution Incident Reporting Management Plan (PIRMP) and required reporting:</p> <ul style="list-style-type: none">- <u>Leachate / Stormwater overflow 9 February 2020</u> The incident related to seepage of leachate from the base of Cell 1B into the stormwater system during a very heavy rainfall event. The Landfill Manager became aware of the incident at approximately 9am on the 9 February 2020 and initial PIRMP notifications commenced at 12pm with phone calls to the essential agencies (EPA, DPIE, NSW Health and SafeWork NSW). An extension for the provision of the detailed report was sought from the EPA and DPIE (email dated 13/02/2020). An extension until the 19/02/2020 was granted by the EPA (email dated 17/02/2020) and the detailed report provided to the EPA and DPIE on the 19 February 2020.- <u>Fire 4 March 2019</u> A fire was reported to 000 by an anonymous caller at 2:50 am on the 4 March 2019. Rural Fire Service and NSW Fire and Rescue arrived on site and extinguished the fire. The Incident Report notes that the EPA was notified at 6am on the 4 March 2019 and that the Ministry of Health and DPIE were contacted on the 6 March 2019. SafeWork NSW was not contacted. A detailed report on the incident was provided to the EPA on the 14 March 2019 (10 days after the incident). The Incident report was not provided to DPIE at the time but was provided on the 27 June 2019. DPIE issued WCC with a letter noting the non-compliance Schedule 5, Condition 7 for failing to notify as soon as practicable after becoming aware of the incident and for failing to provide an incident report within 7 days of the date of the incident. In its letter, DPIE noted that it appeared to be an administrative	Non-compliant (issue addressed - no recommendations required)

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
			<p>Email to EPA dated 3/08/2018 attaching incident report for 31 July 2018 fire</p> <p>Incident Report Damaged Leachate Pipe 9/08/2017</p> <p>Incident Report Dislodged Leachate Pipe 20 November 2017</p>	<p>oversight that the Department had not been notified. In response, WCC updated its PIRMP to reflect the requirement to notify DPIE of any significant environmental incidents as soon as practicable and key staff were briefed on this requirement.</p> <ul style="list-style-type: none"> - <u>Fire 31 July 2018</u> A fire started at the Transfer Station at 3:30pm on 31 July 2018. The Waste Services Manager was notified and reported the incident to the EPA hotline (approximately 3:50pm). An incident report was provided to the EPA on the 3 August 2018. DPIE was not notified of the fire or provided with the incident report. - <u>Dislodged Leachate Pipe 20 November 2017</u> Construction contractor Ertech was working in the flow meter pit adjacent to the New Leachate Pond Work Area when heavy rainfall caused the exposed leachate pipe within the excavation to float, dislodging one of the installed pipe segments and diverting leachate flow from the existing leachate ponds into the pit excavation. The contained leachate contaminated water was drained from the excavation into the leachate treatment pond. The leachate discharged from the pipe was contained within the excavation. The pipe was re-installed and the pipeline resecured. WCC reported the incident to the EPA. - <u>Damaged Leachate Pipe 9 August 2017</u> During trench excavation works for the new leachate line located east of the northern leachate pond flowmeter, a sub-contractor to New Leachate Pond Construction contractors Ertech accidentally clipped the existing upstream flow meter bend which cracked a hole in the pipe and damaged the flange connecting the bend to the flow meter. Approximately 250-400 litres of leachate discharged and filled the excavation. A temporary repair was undertaken and the EPA notified of the incident and requested to approve emergency out of hours works for permanent repair works. <p>On the basis of the fire incidents on the 4 March 2019 and the 31 July 2018 not being reported as soon as practicable and a report not being provided to DPIE within 7 days, this condition has been assessed as non-compliant. It is noted that WCC had implemented actions to rectify this non-compliance and therefore no further recommendations are made.</p> <p>Refer to the main report for further discussion of incidents.</p>	
Regular Reporting					
Sch 5	8	The Proponent shall provide regular reporting on the environmental performance of the Project on its website, in accordance with the	WCC website (https://www.wollongong.nsw.gov.au/your-	The following regular monitoring and reporting are posted on the WCC website:	Compliant

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		reporting arrangements in any plans or programs approved under the conditions of this approval, and to the satisfaction of the Secretary.	council/plans-and-reports/waste-site-reports) accessed on 2 November 2020	<ul style="list-style-type: none"> Environmental Protection Licence 5862 - Annual Return Whytes Gully Groundwater Monitoring -Conducted quarterly in February, May, August and November, and annually in August Whytes Gully Stage 3 Bores & Surface Water Monitoring - Conducted quarterly in February, May, August and November. Whytes Gully Surface Water Monitoring - Conducted annually in February, and after any overflow event caused by rain Whytes Gully Air Monitoring -Conducted monthly Whytes Gully Dust Monitoring – Conducted monthly Whytes Gully Noise Monitoring March 2019-2020 <p>Auditors have not gone through all management plans to ascertain reporting requirements for each plan, and whether they have been included on the website.</p>	
INDEPENDENT ENVIRONMENTAL AUDIT					
Sch 5	9	<p>Within a year of the commencement of operation of the project, and every 5 years thereafter, unless the Secretary directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the Project. This audit must:</p> <ul style="list-style-type: none"> a) be conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary; b) include consultation with the relevant agencies; c) assess the environmental performance of the project and assess whether it is complying with the relevant requirements in this approval and any relevant EPL (including any plan or program required under these approvals); d) review the adequacy of any plans or programs required under these approvals; and, if appropriate; e) recommend measures or actions to improve the environmental performance of the Project, and/or any plan or program required under these approvals; and f) be placed on Council's website within 2 weeks of its completion. <p><i>Note: This audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Secretary.</i></p>	<p>This audit</p> <p>DPIE audit team approval letter dated 12/02/2020</p> <p>WCC website (https://www.wollongong.nsw.gov.au/your-council/plans-and-reports/waste-site-reports) accessed on 28 August 2020</p> <p>Official Caution issued by DPIE dated 18 June 2018 for failure to undertake and submit first IEA within a year of commencement of operation.</p>	<p>The previous IEA was conducted in 2017 (MCW Environmental, March 2018). The subsequent IEA is required after five years (i.e 2022) however WCC has commissioned MCW Environmental to undertake the IEA in 2020.</p> <p>The 2020 IEA audit team was approved by DPIE by letter dated 12 February 2020. DPIE did not request the audit team include experts in any fields.</p> <p>This IEA addresses the requirements of this condition. Refer to main report.</p> <p>The placement of the audit report on Council's website is the responsibility of WCC once the audit report is finalised. The 2017 IEA is available on the WCC website.</p> <p>It is noted this condition was assessed as non-compliant in the previous IEA as the first IEA was required to be submitted in 2015 and was not undertaken until 2018. DPIE issued WCC with an Official Caution relating to this non-compliance on the 19 June 2018.</p> <p>WCC are compliant with the IEA requirements relevant to this audit period.</p>	Compliant
Sch 5	10	Within 6 weeks of the completing of this audit, or as otherwise agreed by the Secretary, the Proponent shall submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report.	Letter from DPIE dated 15/05/2018 accepting 2018 IEA	<p>The previous IEA was conducted by MCW Environmental in 2017.</p> <p>The 2017 IEA was provided to DPIE on the 20 April 2018 together with its response to the recommendations. A letter was received from DPIE stating that it considered the IEA to</p>	Compliant

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094

SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
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generally satisfy the requirement of the Project Approval in relation to the IEA.

ACCESS TO INFORMATION

Sch 5	11	<p>From the commencement of construction of the project, the Proponent shall make the following information publicly available on its (Council's) website as it is progressively required by the approval:</p> <ul style="list-style-type: none"> a) a copy of all current statutory approvals; b) a copy of the current plans and programs required under this approval; c) a summary of the monitoring results of the project, which have been reported in accordance with the various plans and programs approved under the conditions of this approval; d) a complaints register, which is to be updated on a monthly basis; e) a copy of the Annual Reviews (over the last 5 years); f) a copy of any Independent Environmental Audit, and the Proponent's response to the recommendations in any audit; and g) any other matter required by the Secretary. 	<p>WCC website (https://www.wollongong.nsw.gov.au/your-council/plans-and-reports/waste-site-reports) accessed on 2 November 2020</p>	<p>The WCC website included the following information:</p> <ul style="list-style-type: none"> - Link to the Whytes Gully Extension Project approval page on the DPIE major projects planning website which contains the Planning Approval and assessment documents - EPL 5862 (23 May 2019) - Sydney Water Consent to Discharge Industrial Trade Wastewater - Integrated Operational Management Plan which includes the LEMP (2014) and sub-plans (Noise Management Plan, Vegetation and Biodiversity Management Plan) - Pollution Incident Response Management Plan 2020 - Workplace Health, Safety and Environment Plan for Whytes Gully Stage 2 and 3 Construction (Ertech 2017) - Summary of monitoring results (groundwater, surface water, air quality, dust deposition and noise) - Annual Returns and Annual Reviews - 2017 IEA and Council response - A copy of the Complaints Register was available on the website for the period 1/09/2017 to 23/10/2020. 	Compliant
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APPENDIX 1 PROPONENT'S STATEMENT OF COMMITMENTS

General	<ul style="list-style-type: none"> • Wollongong City Council would implement the Project in accordance with the EA and conditions of approval as provided by the determining authority 	Documents referred to in this audit report.	Based on the findings of this audit WCC have generally implemented the project in accordance with the EA and conditions of approval, other than where Non-compliant conditions have been identified in this report.	Compliant
	<ul style="list-style-type: none"> • Wollongong City Council commit to considering the Concept Site Masterplan for future planning of resource recovery activities on the Whytes Gully RRP site. This includes consideration of an appropriate footprint for future resource recovery activities and access requirements. 	Wollongong Waste and Resource Recovery Strategy 2022 Action Plan (endorsed 28 July 2014)	<p>WCC is committed by developing this strategy.</p> <p>This commitment is broader than the intent of this audit and has not been reviewed in full as part of this audit.</p>	Compliant
	<ul style="list-style-type: none"> • By 2014 Wollongong City Council's Waste Strategy commits Wollongong City Council to reviewing available alternative waste technologies as identified in Wollongong City Council's Waste Strategy 	2017 IEA, MCW Environmental March 2018	This requirement was required by 2014 and was assessed at a high level during the previous audit.	Complete
	<ul style="list-style-type: none"> • If the Project is approved, it is proposed that Wollongong City Council would surrender existing development consents of relevance to the Project site. This does not include the existing development consent for the MRF, which is not affected by the Project 	2017 IEA, MCW Environmental March 2018	Refer to Schedule 3; Condition 7.	Complete

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SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
Waste Management Strategy		<ul style="list-style-type: none"> Wollongong City Council would implement the Project in accordance with the "Wollongong City Council Waste and Resource Recovery Strategy 2012 to 2022" as provided in Appendix B and future updates of this document as relevant to the Project 	Wollongong Waste and Resource Recovery Strategy 2022 Action Plan (endorsed 28 July 2014)	WCC indicated that ongoing construction and operations are based on this strategy.	Complete
		<ul style="list-style-type: none"> Detailed design of the Project would consider and address constraints and opportunities identified within the EA. 	2017 IEA, MCW Environmental March 2018	Detailed design has been completed and was assessed at a high level during the previous audit.	Complete
Environmental Management Plans		<ul style="list-style-type: none"> A Construction Environmental Management Plan would be prepared and implemented to guide environmental management and monitoring activities during construction. The CEMP would include specific environmental issue subplans to reduce potential impacts and in accordance with relevant commitments identified within the EA and within this table. A monitoring program shall be conducted throughout the construction period to monitor compliance with the CEMP. 	CEMP 2013	Prepared by Golder Associates in 2013. Refer to CEMP under condition 2; Schedule 5.	Compliant
		<ul style="list-style-type: none"> The Landfill Environmental Management Plan (LEMP) would be implemented to be consistent with the draft LEMP provided in Appendix P. This includes implementation measures to guide environmental management and monitoring activities during operation as identified within the EA in addition to further specific issues identified within this Table. 	Draft LEMP January 2020	Prepared by Golder Associates in 2014 and updated in 2020. Refer to LEMP under condition 3; Schedule 5.	Compliant
Noise		Wollongong City Council commit to the following with regard to noise:		See responses to Conditions for more discussion.	
		<ul style="list-style-type: none"> All mobile equipment would be selected to minimise noise emissions. 		Plant and equipment maintenance checklist and records provided.	Compliant
		<ul style="list-style-type: none"> Equipment would be fitted with silencers and be in good working order. 			
		<ul style="list-style-type: none"> Broadband reversing alarms would be used for all site equipment. 		Broadband reversing alarms were used as observed during audit inspection.	Compliant
		<ul style="list-style-type: none"> Construction activities would be limited to the recommended construction hours where feasible and reasonable. 		Construction works within standard working hours.	Compliant
		<ul style="list-style-type: none"> Consultation with residents who are identified as potentially affected by cumulative and operational noise exceedances and communication of details of the construction and operational program on a regular basis. 	Community Reference Group Meeting Notes (13/02/2019, 21/08/2019, 11/03/2020)	The residents located closest to the landfill are part of the Community Reference Group. The CRG meets twice / year and the community members are provided with an update on operations at the WWRRP and given the opportunity to raise any issues. Operational noise has not been raised as an issue by the CRG. The CRG is discussed further in the main report.	Compliant
		<ul style="list-style-type: none"> In accordance with Chapter 8 of the EPA "NSW Industrial Noise Policy" (2000), negotiated agreements would be commenced prior to construction of the appropriate stage of the Project with the affected community (i.e. Receiver N1 – Stage 3, Receiver N2 – Stage 2). 		Not triggered	Not triggered
		<ul style="list-style-type: none"> Provide a community liaison phone number and permanent site contact so that noise complaints would be received and addressed in a timely manner. 	WCC website (https://www.wollongong.nsw.gov.au/your-council/plans-and-reports/waste-site-reports) accessed on 10 September 2020	Provided in WCC website.	Compliant

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SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		<ul style="list-style-type: none"> Submission of a noise impact assessment and associated mitigation measures for Stage 4-2b for approval prior to commencement of construction of Stage 4-2b. 		Not applicable	Not applicable
		<ul style="list-style-type: none"> An active landfill gas management system would be installed including flaring and/or combustion to reduce potential greenhouse gas emissions from the landfill. 		Flaring was conducted during audit inspection. Monitoring of gas manifolds was also conducted.	Compliant
		<ul style="list-style-type: none"> Potential energy efficiency measures would be considered in the detailed design phase of the Project and be implemented and monitored through an Energy Savings Action Plan in accordance with the "Guidelines for Energy Savings Action Plans (DEUS 2005). 		WCC indicated that OEH no longer require Energy Savings Action Plans and noted that in lieu of this, energy savings within Council are guided by their Sustainable Buildings Strategy. Energy consumption is monitored on a continuous basis using a central monitoring system. Given that Energy Savings Action Plans are now no longer required, and given WCC have alternative approaches in place, this condition was considered Not Applicable.	Not applicable
Erosion and Sediment Control		An Erosion and Sedimentation Control Plan would be developed as part of the CEMP in general accordance with the following erosion and sedimentation control principles including:	CEMP 2013	Erosion and sedimentation control plans were provided for the construction works. Refer to Condition 21, Schedule 4 for discussion of Erosion and sediment controls.	Compliant
		<ul style="list-style-type: none"> Construction of earth bunds and diversion drains upslope and around the perimeter of construction areas where surface disturbance occurs, to prevent clean surface water entering these areas. 		Observations were made of construction of earth bunds and diversion drains upslope and around the perimeter of construction areas.	Compliant
		<ul style="list-style-type: none"> Erection of silt fences or straw bales at strategic locations (i.e. around stockpiles) to manage the migration of fines 		Silt fence were observed to be installed during audit inspection.	Compliant
		<ul style="list-style-type: none"> Construction of temporary sediment retention ponds. 		Temporary sediment pond was constructed within the construction works area during the previous IEA. There were no temporary sediment ponds present at the time of the audit site inspections.	Compliant
		<ul style="list-style-type: none"> Dust suppression as needed. 		Water cart was in operation for dust suppression.	Compliant
		<ul style="list-style-type: none"> Reducing the surface area disturbed by construction activities at any one time. 		Generally, disturbed areas were sprayed with grass.	Compliant
		<ul style="list-style-type: none"> Regular inspection and maintenance of sediment and erosion control structures. 		Inspection checklist records were provided as evidence of regular inspection of sediment and erosion controls	Compliant
		<ul style="list-style-type: none"> Protecting and retaining vegetation and surface cover where possible 		Observed during audit site inspection. Vegetation and surface cover retained.	Compliant
		<ul style="list-style-type: none"> Placement of an erosion protection barrier (e.g. grassing) at the completion of works. 		Observed during audit site inspection	Compliant
		<ul style="list-style-type: none"> Using designated access roads and paths where possible. 		Designated access road was sealed.	Compliant
		<ul style="list-style-type: none"> Removing soil adhering to the wheels and undercarriage of trucks (e.g. by wheel wash) prior to departure from the Project site. 		Rumble grid in used at the construction site.	Compliant
		<ul style="list-style-type: none"> Limit both the size of any stockpile footprints and the time between excavation and removal off-site of materials. 		Stockpiles were sprayed with grass.	Compliant

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SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		<ul style="list-style-type: none">Do not place stockpiles within 30 m of any watercourse.		Stockpile were placed uphill away from waterway.	Compliant
		<ul style="list-style-type: none">Stabilise all disturbed areas as soon as practicable. Temporary vegetative destabilisation techniques must be applied to any disturbed soil to prevent areas remaining bare for more than 28 days.		Spray grass areas.	Compliant
		<ul style="list-style-type: none">Stabilise all temporary and permanent drainage immediately.		Drainage lined with rock beaching and stabilised.	Compliant
		<ul style="list-style-type: none">Maintain all sediment and erosion control measures in effective condition until the works are completed and the site is stabilised.		Controls are maintained and covered under the weekly inspection. See relevant discussion for the Conditions of Approval.	Compliant
		<ul style="list-style-type: none">Release "Dirty" Stormwater, captured and stored by sediment and erosion control measures or site works, after treatment and testing to confirm compliance with relevant criteria.	Surface monitoring results.	Testing of surface water to meet EPL criteria is conducted prior to release to waterways.	Compliant
		<ul style="list-style-type: none">A monitoring program shall be conducted by throughout the construction period to monitor compliance with the CEMP.		Public Works Surveillance Team conducted regular monitoring of the site controls with respect to construction.	Compliant
		<ul style="list-style-type: none">Proposed erosion and sediment control measures that would be applied during operation of the Project are outlined in the draft LEMP (Appendix P).		Erosion and sedimentation controls management is defined in LEMP and is implemented onsite e.g. swale with rock lining, use of rainflap, and stabilisation of exposed ground by spray grass. ERSER controls are discussed in detail in Condition 18.	Compliant
Acid Sulfate Soils		In the event of discovery of Acid Sulfate Soils, procedures would be implemented/adopted to mitigate potential impacts on the environment in accordance with appropriate guidance and legislation and as identified in Chapter 12 of the EA.		WCC reported that no acid sulphate soil had been discovered.	Not Triggered
Contamination		In the event of discovery of previously unidentified area(s) of potentially contaminated material, procedures would be implemented/adopted to mitigate potential impacts on the environment, employees and the public in accordance with appropriate guidance and legislation and as identified in Chapter 12 of the EA.	CEMPF Section 3.7 Contamination Management Plan	Procedure in place defined in CEMPF Section 3.7. WCC reported that no unidentified areas of contamination had been identified. Auditors were not able to verify this based on documents provided. A procedure is in place for unexpected finds of asbestos.	Not Triggered
Surface Water		<div>A Surface Water Management Plan would be developed as part of the CEMP in general accordance with the following control principles:<ul style="list-style-type: none">Bund fuels, oils, paints, and other chemicals onsite to comply with the requirements of relevant legislationBunds must be fitted with an impervious floor and must not be fitted with a drain valve.Remove accidental spills of soil or other materials.</div> <div>Wollongong City Council would commit to the following key principles in developing the surface water management controls for operation of the Project.<ul style="list-style-type: none">Diversion of clean drainage directly into Dapto Creek. Runoff from areas that are unaffected by the development would be allowed to discharge directly from the site to Dapto Creek.</div>	<div>CEMP, Section 3.2</div> <div>CEMP, Section 3.2 Water Quality and 3.3 Erosion and Sediment</div> <div>LEMP Appendix E WGL Surface Water and Leachate Management Plan</div>	<div>Water Quality Management is included in Section 3.2 of the CEMP. This includes requirements for bunding.</div> <div>Surface water management controls for construction were developed as part of the CEMP.</div> <div>Surface water management controls for operation were developed as part of the LEMP.</div>	<div>Compliant</div> <div>Compliant</div>

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SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		<ul style="list-style-type: none"> Runoff from areas that are likely to generate sediment such as the new cell construction areas and stockpile areas would be directed into the Surface Water Ponds Reduce the volume of runoff to Surface Water Ponds by reducing the contributing catchment area at any particular time. Keep sources of different water quality types separate from each other. Construction of a perimeter bund around the entire active landfill area to prevent surface water from entering the landfill area Construction of a diversion drain around the entire landfill area to collect all runoff from disturbed areas (but outside exposed/uncapped active waste cell area(s)) which would drain to the sedimentation basin The existing surface water ponds would be used for Stage 1 to 3 of the development The Surface Water ponds would be downsized for Stage 4 onwards, as Stage 1 to 3 would be rehabilitated and runoff would be directed offsite to Dapto Creek. Re-use 'dirty' water for dust suppression. 		Surface water management discussed in response to Condition 18 Schedule 4.	
Groundwater		<p>A Construction Quality Assurance (CQA) system would be implemented for cell construction. Detailed CQA requirements are embedded in the Technical Specification of the Design Report (Appendix 0).</p> <p>During the operational phase of the Project a number of engineering measures and management strategies would be used to mitigate impacts to groundwater.</p> <p>Further documented within the EA these include</p> <ul style="list-style-type: none"> Leachate Barrier System and Leachate Collection System Leachate Pond Leachate Treatment Plant Groundwater separation Monitoring <ul style="list-style-type: none"> A network of groundwater bores would be used to monitoring groundwater quality and trends at the Project Site. This would include a regular programme of groundwater sampling and assessment as detailed in the LEMP. The leachate management system would be monitored in accordance with measures described in the LEMP including direct monitoring for the purposes of system integrity, leachate quantity and quality. Groundwater Assessment Program to monitor background concentrations. If a significant change in 		<p>Refer to response to Condition 13; Schedule 4.</p> <p>WCC operates and implements the following controls:</p> <ul style="list-style-type: none"> Leachate Barrier System and Leachate Collection System Leachate Pond Leachate Treatment Plant Groundwater separation <p>Groundwater and surface water monitoring was being undertaken at the locations and for the pollutants specified in the EPL.</p> <p>Refer to comments and findings for Condition 18 Schedule 4.</p>	<p>Compliant</p> <p>Compliant</p>

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		<p>concentration for any of the indicator parameters is detected over two consecutive monitoring periods, then the affected groundwater monitoring bores would be resampled and assessed and OEH notified (if required). Following this a groundwater remediation plan may be developed in accordance with the LEMP.</p> <p>– Combined surface water and groundwater monitoring program to gain an understanding of surface water and groundwater interaction and to assess potential impacts on the downstream environment including Dapto Creek and GDEs.</p>			
Leachate Management		<p>Wollongong City Council commit to the following with respect to leachate management:</p> <ul style="list-style-type: none"> Segregation of leachate from surface water and groundwater; Maintain pond levels with adequate freeboard to minimise the potential for overflow. Continue to monitor leachate discharge to sewer in accordance with Trade Waste Agreement. 	Whytes Gully Environmental Data Z14224119	<p>WCC implements segregation of leachate from surface and groundwater through the installation of rain flaps, drainage system and capping layer.</p> <p>A back-up / emergency leachate pond was constructed during the audit period.</p> <p>Refer to Conditions 17 and 18; Schedule 4 for discussion of Leachate Management.</p> <p>Monitoring leachate to sewer in accordance with the Trade Waste Agreement was ongoing.</p>	Compliant
Flora and Fauna		<p>Wollongong City Council commit to the following to ensure the Project maintains or improves the biodiversity values of the region.</p> <ul style="list-style-type: none"> Clearing for the purposes of bushfire protection would be restricted to non-native vegetation communities (Acacia Scrub/Exotic, Closed Exotic Grassland, Planted). In accordance with the Bushfire Assessment, clearing or trimming of the Illawarra Subtropical Rainforest on the site is proposed to be avoided. Removal of native vegetation communities and fauna habitats during construction and operation of the Project be avoided and minimised where possible. Undertaking two additional targeted surveys for the Green and Golden Bell Frog in the peak breeding season to confirm results of targeted surveys undertaken in November/December 2011 and early January 2012. Waterbody removal and associated vegetation removal being undertaken over the spring or summer months when fauna species are most active. Undertaking protection of all retained trees. Tree protection measures such as temporary fencing will be implemented for any trees potentially indirectly impacted by the Project. Installation of protective fencing around all retained native vegetation. This is particularly important for areas of ISTR EEC where there is a risk of indirect impact. Installation of sediment and erosion controls as required including for potential indirect impacts to the ISTR EEC. 	<p>Vegetation Management Plan: Whytes Gully New Landfill Cell (construction), October 2019</p> <p>Vegetation Management Plan: Whytes Gully Waste and Resource Recovery Centre (operations), November 2019</p> <p>EPL Annual Returns and Annual Reports</p> <p>Site inspection</p>	<p>These commitments are included in the VMP (Construction) and VMP (Operations).</p> <p>Documented in VMP (Construction). Refer also to Schedule 4 Condition 50.</p> <p>Completed in 2013 and assessed in previous IEA.</p> <p>Documented in VMP (Construction).</p> <p>Documented in VMP (Construction).</p> <p>Documented in VMP (Construction).</p> <p>Erosion and sediment controls implemented as required. These are discussed in Schedule 4, Condition 18.</p>	<p>Compliant</p> <p>Compliant</p> <p>Complete</p> <p>Compliant</p> <p>Compliant</p> <p>Compliant</p> <p>Compliant</p>

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SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		<ul style="list-style-type: none"> Ensure machinery parking, equipment or materials storage compounds, temporary stockpiling of excavated material and work areas are outside sensitive natural features including retained native vegetation, wetlands and drainage lines. 		Machinery, equipment and materials storage compounds were observed to be outside of sensitive areas during the audit site inspection.	Compliant
		<ul style="list-style-type: none"> Logs removed with any vegetation removal would be relocated into areas of retained vegetation, for the purpose of providing fauna habitat. 		Documented in VMP (Construction).	Compliant
		<ul style="list-style-type: none"> A weed control program would be undertaken in accordance with the LEMP. 		Documented in VMP (Construction) and VMP (Operations). Refer to Schedule 4, Condition 45.	Compliant
		<ul style="list-style-type: none"> Undertake revegetation of cleared and disturbed areas using a range of native species of local provenance for the purpose of managing weeds, controlling soil erosion, and maintaining fauna habitat in accordance with the Landscape Strategy (Appendix N) 		Documented in VMP (Operations).	Compliant
		<ul style="list-style-type: none"> Maintain suitable buffer distances from nearby waterways. These buffer distances are recommended based on the stream orders of waterways and the subsequent categories identified within the "Wollongong City Council Development Control Plan 2009". 		Documented in VMP (Construction)	Compliant
		<ul style="list-style-type: none"> Following the disturbance of existing surface water ponds, landscaping would be undertaken to enhance existing riparian zone vegetation associated at the ponds to be in accordance with appropriate riparian buffer widths. The vegetation buffer is proposed to be constructed to an average width of 5 metres where possible to improve the existing aquatic habitats. 		Documented in VMP (Construction)	Compliant
		<ul style="list-style-type: none"> Extend the current water quality monitoring program to include one monitoring location on Dapto Creek, upstream of the discharge point and two locations downstream. 		One upstream (Point 34) and one downstream (Point 33) surface water monitoring points are included in the EPL and monitored accordingly.	Compliant
		<ul style="list-style-type: none"> Biodiversity and habitat values would be maintained and increased where possible by planting a range of indigenous species. 		Documented in VMP (Construction).	Compliant
		<ul style="list-style-type: none"> Offsetting measures, and measures to monitor the success of these offsets, would be outlined in a Vegetation Management Plan. 			
Air Quality		Wollongong City Council commits to the following with regard to air quality	Documented in LEMP 8.0 Air Quality Management	The following dust management practices were observed on site:	Compliant
		<ul style="list-style-type: none"> Watering of unsealed haul roads and disturbed surfaces (including construction areas). 	Site inspection	- Water cart was observed during inspection.	
		<ul style="list-style-type: none"> Restricting the size of disturbed areas as much as practicable. 	Plant Daily Inspection Matrix Whytes Gully	- Additional 8,000 L tank that can hook onto excavator purchased for use for dust suppression and fire-fighting	
		<ul style="list-style-type: none"> Disturbed areas would be rehabilitation progressively in accordance with the Landscape Strategy. 	SOP Placement & Compaction of waste	- Exposed area is restricted. Evident during site inspection.	
		<ul style="list-style-type: none"> Prevention of truck over-loading and covering dusty loads. 	Whytes Gully Air Monitoring -Conducted monthly.	- Disturb areas are sprayed grass prior to landscaping.	
		<ul style="list-style-type: none"> Washing down trucks before they leave the site. 	Priority List Master Plan	- Air monitoring is conducted as per the EPL.	
				- Odouriser was in operation during site audit.	

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		<ul style="list-style-type: none"> Maintaining equipment and plant appropriately to ensure efficient operation. The active landfill area would be covered following the completion of waste placement at the end of each day with landfill lids or approximately 150 mm of daily cover material or other cover system. Adhering to appropriate hours of construction and operation. Temporarily suspending operations under extreme wind speed conditions Giving consideration to reducing the footprint of the active cell area and daily cover and increasing the thickness of daily cover to control odour as required, particularly during the operation of Stage 1 during waste relocation works and Stage 4. An air quality (including dust and odour) management strategy would be incorporated into the CEMP. Monitoring in accordance with the EPL and ongoing assessment. 		<ul style="list-style-type: none"> Small tip face to restrict cover material. Tip face covered daily with combination of day cover and landfill lids (approved by EPL as alternative daily cover). Loads covered when leaving site. Site did not have a dedicated wheel wash however the Priority List Master Plan includes a project to install a portable wheel wash. Construction and operation hours were adhered to. <p>Other dust management measures are discussed on response to Condition 29; Schedule 4.</p>	
Traffic and Transport		<p>Wollongong City Council commit to:</p> <ul style="list-style-type: none"> Appropriate management and maintenance of road pavement of Reddalls Road intersection to Whytes Gully RRP and site access. The CEMP for the Project would include a traffic management plan identifying truck movements to and from the site, internal access, interactions with general public, parking and access requirements for construction personnel and safety signage and training of personnel in traffic management in accordance with relevant requirements and guidelines of the RTA in terms of road safety and network efficiency. Where possible, trucks to the site would be scheduled to avoid peak hour and within standard hours of operation, except in emergencies. 	<p>LEMP Section 9.8 Traffic Control</p> <p>Princes Highway Reddalls Road Intersection Upgrade design</p> <p>Stage 2 Traffic Management Plan</p>	<p>WCC had demonstrated commitment based on the evidences presented i.e. development of traffic controls in LEMP, CEMP Traffic Management Plan, and upgrade of Reddalls Road Intersection.</p>	Compliant
Heritage		<p>Wollongong City Council commit to the following with regard to heritage (indigenous and non-indigenous):</p> <ul style="list-style-type: none"> Registered Aboriginal parties identified within the EA would be informed about the management of Aboriginal cultural heritage sites within Whytes Gully RRP where they may be impacted upon by the Project. Identified potential archaeological deposits within the Whytes Gully RRP site would be left in their identified location and not salvaged unless the Project cannot avoid impacting upon these sites. If salvage is required Wollongong City Council would consult with the relevant statutory bodies and provide an opportunity for collection of the cultural material from the site. Monitoring of construction would be completed for the Project where in proximity to listed heritage items (i.e. Glengarry 	LEMP Figure 7 Heritage	<p>Location of heritage significant areas within WGRRP were identified in Figure 7 of LEMP.</p> <p>WCC noted that the heritage areas are out the current landfill footprint.</p> <p>It was reported that no indigenous or non-indigenous cultural material had been identified during construction or operations.</p> <p>Refer to response to Condition 47; Schedule 4.</p>	Compliant

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		Cottage) to ensure there is no disturbance to heritage significance.			
		<ul style="list-style-type: none"> A heritage induction including indigenous and non-indigenous heritage is proposed to be incorporated within the general induction during construction of the Project. Should indigenous or non-indigenous cultural material be identified during any works, construction and/or operation will cease in the vicinity of the find and the appropriate representative at OEH will be contacted. 			
Visual		<p>Wollongong City Council commit to:</p> <ul style="list-style-type: none"> Staging and planning of landfill activities to reduce the extent to which they would be visible during the construction and operation of the Project. Implementation of the Landscape Strategy (Appendix N of the EA) to reduce and manage potential long term visual impacts Reducing the area of un-vegetated landfill slope, both permanent and temporary, by staging the operations and progressively establishing a vegetation cover on each section of slope as they are completed. Revegetating the proposed landfill slopes with mix of shrubs and small trees and grass to create a landscape character similar to adjoining rural areas Adopting design options (when suitable) to be in keeping with the surroundings of the site including native grasses and dark toned colours for existing and proposed structures to reduce their visual contrast with their landscape setting. Consulting with residents (as identified within the relevant chapter of the EA) to discuss the potential for planting to be carried out close to their houses to screen views of the landfill operations. Subject to bushfire protection requirements (such as trimming of mature trees), existing native vegetation would be retained where possible to provide visual screening and contribute to the landscape character of Whytes Gully RRP. Screen planting with dense tall tree planting on natural ground would be used to block views to the site, particularly from adjoining residences. 	<p>LEMP Appendix L Landscape Strategy</p> <p>Vegetation Management Plan: Whytes Gully New Landfill Cell (construction), October 2019</p> <p>Vegetation Management Plan: Whytes Gully Waste and Resource Recovery Centre (operations), November 2019</p>	<p>Landscape Strategy is documented in LEMP.</p> <p>The VMP (Operations) presents Vegetation Management Zones which includes zones classified as screening and planting.</p> <p>The Landscape Strategy Plan (2012) And Vegetation Management Zones in Figure 2 of the VMP (operations) 2019, don't quite align.</p> <p>Refer to Condition 40; Schedule 4.</p> <p>Plant selection and planting types included in Landscape Strategy.</p> <p>Landscape strategy is documented in the LEMP.</p> <p>Screen planting along the north western boundary of the site commenced in August 2020. The planting schedule was promised to be circulated at the next CRG meeting which was postponed due to COVID-19 restrictions.</p> <p>Documented in the VMP (Operations).</p> <p>The previous IEA assessed this requirement as non-compliant as screen planting had not been undertaken at the boundary of the site to block views to the site from adjoining residences.</p> <p>During this audit period, revegetation works commenced in management zone MZ 3A in August 2020. 3,500 plants were planted by Southern Habitat along the north western boundary to provide screening. These were observed during the second site inspection. Southern Habitat went out to site to water plantings over the first three months. Monitoring of the success of this revegetation was being undertaken by Biosis on a four monthly basis.</p>	<p>Compliant</p> <p>WGRRP 2020 IEA REC 31 Update Landscape Strategy to align with the Vegetation Management Zones in Figure 2 of the VMP (Operations).</p> <p>Compliant</p> <p>Compliant</p> <p>Compliant</p> <p>Compliant</p> <p>Compliant</p>

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
Socio-economic		Wollongong City Council commit to ensuring:	LEMP Appendix P Community Reference Group Meeting Notes (13/02/2019, 21/08/2019, 11/03/2020)	Appendix P of the LEMP provides for a community education program. WCC stated that the community website also provides a function to meet this condition. This did not appear to be a specific stakeholder strategy for the Landfill Operations. Section 4.3 of the LEMP discusses complaint management. A Community Reference Group has been established and meets twice per year. Details of the Community Reference Group are not provided in the LEMP.	Compliant WGRRP 2020 IEA REC 32 Include discussion of the Community Reference Group in the LEMP
		<ul style="list-style-type: none"> A Stakeholder Strategy would be implemented throughout the delivery of the Project. Provided within environmental management documentation (LEMP) the Stakeholder Strategy would provide procedures for communication with stakeholders, procedures for the dissemination of information to the community, identification of the communication channels available for the community and stakeholders to provide feedback on the Project, a protocol for the Project to respond to any enquires or feedback and for managing site visits and property inspections. Implementation of measures to reduce the potential for construction and operation impacts upon amenity as identified within the relevant chapters of the EA and the draft Statement of Commitments. 			
Hazards and Risks		Wollongong City Council commit to ensuring:	Safety Management Plan SMP Induction TEMPLATE Checklist CURRENT June 2016 LEMP 2020 CEMP 2013 Site inspection	Evidence of demonstration at the site was observed and included in the Safety Management Plan Induction Checklist for all visitors and employees. No smoking signs observed at the WGL compound and offices. Spill bunding was available for plant and the hazardous materials sighted.	Compliant
		<ul style="list-style-type: none"> No smoking around plant equipment and within designated areas only. Any dangerous goods would be stored in accordance with normal dangerous goods storage procedures. Spill containment to be managed in accordance with relevant Australian Standards. Safety hazards would be managed through occupational health and safety procedures. Environmental hazards would be managed through the CEMP and LEMP. 			
Hazards and Risks		Fire protection (including fire extinguishers, separation distances) would be provided in accordance with relevant Australian Standards and as identified within the EA.	Flood Emergency and Evacuation Plan	Fire extinguishers and fire hydrants are available and maintained. The Auditors are not fire experts and an assessment of compliance with this commitment was not undertaken.	Not Assessed
		Fire suppression and protection systems serviced and inspected periodically.		Fire extinguisher serviced periodically. The Auditors are not fire experts and an assessment of compliance with this commitment was not undertaken.	Compliant
		Water carts would continue to be made available at the site.		Water cart always available on site.	Compliant
		Site emergency response plan including emergency contact numbers provided within management system for the site.	LEMP Appendix A Emergency Response Procedures and Plan Pollution Incident Response Management Plan (PIRMP) V6, 22/1/2019 Training Report Whytes Gully Waste Depot 10/03/2020, TrimEVAC	Emergency Response Plan and PIRMP are available and implemented. WCC had conducted emergency evacuation drill in March 2020.	Compliant
		The site landscaping would not exceed a fuel load of 2 t/ha.	Landscape Strategy	WCC implementation of Landscape Strategy.	Compliant

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
				WCC reported that they consider that the current landscape does not exceed a fuel load of 2 t/ha.	
		<ul style="list-style-type: none"> Planted trees that are retained on the site would have the lower branches trimmed (cut off) to a height of 2 m above the ground. The tree trimming works may be staged with priority given to the protection of assets and fuel load reduction adjacent to roads. 		Planted trees have lower branched trimmed. Not all areas were inspected to determine this.	Compliant
		<ul style="list-style-type: none"> An asset protection zone (APZ) of 10 m would be maintained around existing site buildings. 		WCC stated that an asset protection zone of 10 m is maintained, however this was not verified by auditors.	Compliant
		<ul style="list-style-type: none"> A perimeter firebreak of 5 metres be established around the entire Whytes Gully RRP site and around buildings (roads and access tracks including offsite roads and tracks, may be utilised to form the fire break). 		WCC stated that a perimeter firebreak of 5 metres is established around the WGRRP. This was not fully verified by Auditors.	Compliant
		<ul style="list-style-type: none"> Wind-blown litter would be managed as outlined in the LEMP. 		Litter collection is conducted. Refer to Schedule 4, Condition 9.	Compliant
		<ul style="list-style-type: none"> Coordination of vegetation planting and removal with bushfire management requirements that include access tracks and fuel management zones. 		Defined in Vegetation and Biodiversity Management Plan. Aspects relating to bushfire management were not assessed during the audit.	Compliant
		<ul style="list-style-type: none"> Flammable materials would be removed from site fencing as outlined in the LEMP. 	LEMP Operating procedures	Defined in operating procedures. No flammable materials were observed on site fencing.	Compliant
		<ul style="list-style-type: none"> The LEMP would be implemented to ensure reduction of hazards and risk associated with delivery and/or processing of waste. 		Comments on implementation of the LEMP are made throughout this document. A risk and hazard assessment was not conducted as part of this audit.	Compliant
		<ul style="list-style-type: none"> A Vegetation Management Strategy (including Weed management) would be developed within the LEMP to ensure that vegetation is managed to not exceed recommended fuel loads in relevant guidelines. 	Vegetation Management Plan: Whytes Gully New Landfill Cell (construction), October 2019 Vegetation Management Plan: Whytes Gully Waste and Resource Recovery Centre (operations), November 2019	Included in VMPs.	Compliant
		<ul style="list-style-type: none"> The general public would not be allowed direct access to the landfill. 		No direct access to the landfill was observed during site inspections. Fencing around the WGRRP and security at the weigh bridge.	Compliant
		<ul style="list-style-type: none"> Security of the site would be maintained during construction and operation including security fencing, which is locked after hours of operation. 	LEMP Section 9.2 Security of Site	Security is maintained at the construction site and operations. Construction areas are fenced. Access to landfill is only through the weighbridge. A camera is installed at the weighbridge.	Compliant
		<ul style="list-style-type: none"> Waste entry and flows would be monitored and controlled in accordance with the LEMP. 	LEMP Section 5 Gatehouse operation	Waste entry and flows was observed during site audit. Waste entry is through the weighbridge and signage are available to direct truck drivers where to go.	Compliant
Rehabilitation and Final landform		Wollongong City Council commit to: <ul style="list-style-type: none"> Development of a final landform that integrates with the surrounding landscape and environment. 	LEMP Section 10 Site Closure	LEMP Section 10 Site Closure outlines the proposed approach for site and rehabilitation.	Compliant

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		<ul style="list-style-type: none"> Implementing of the Design Report to ensure that appropriate capping of the landfill is completed progressively throughout the Project. Implementing the LEMP to ensure appropriate post closure monitoring and maintenance. This includes contingency and remediation measures should environmental monitoring indicate that the closed landfill is impacting upon air, surface water, groundwater or amenity of nearby receptors. This also includes procedures for maintaining the landfill surface post closure and repairing damage to the capping system. 		<p>Implementation of the LEMP and SOP for Placement and Compaction of waste was observed during the site audit.</p> <p>Final landform rehabilitation is yet to be implemented.</p>	
Stakeholder Engagement		Wollongong City Council commit to ongoing regular consultation with the community on the Project through:	Community Reference Group Meeting Notes (13/02/2019, 21/08/2019, 11/03/2020)	WCC provided minutes of the Whytes Gully Reference Group for 12 February 2019, 21 August 2018 and 11 March 2020.	Compliant
		<ul style="list-style-type: none"> Community Consultative Committee for the Whytes Gully RRP. 			
		<ul style="list-style-type: none"> Phone line to communicate issues to Whytes Gully RRP management. 	WCC website (https://www.wollongong.nsw.gov.au/your-council/plans-and-reports/waste-site-reports) accessed on 28 August 2020	Contact Us information (telephone number and email address) is available on the WCC homepage for residents. It is also available on the "Waste Site Reports" page where the majority of the WGRRP reporting information is located.	Compliant
		<ul style="list-style-type: none"> Complaints management process (as provided in the draft LEMP). 	Whytes Gully Indecent Register 2017 to 2020	WCC reported that all complaints/correspondence lodged with Council or via EPA are logged in the OneCouncil and/or Trim.	Compliant
		<ul style="list-style-type: none"> Clear signage at construction sites during construction. 		It was reported that clear signage of construction sites is installed during construction and the area fenced. Construction works had been completed at the time of the audit site inspection.	Compliant.
		<ul style="list-style-type: none"> Stakeholder satisfaction surveys and feedback forms (as part of wider Wollongong City Council activity). 	WCC website (https://www.wollongong.nsw.gov.au/your-council/plans-and-reports/waste-site-reports) accessed on 28 August 2020	Available on the WCC website.	Compliant
		<ul style="list-style-type: none"> Ongoing use of interactive web-based activities including updates of the Project website. 	WCC website (https://www.wollongong.nsw.gov.au/your-council/plans-and-reports/waste-site-reports) accessed on 28 August 2020	WCC website available with project updates.	Compliant



Appendix B

Compliance Table – EPL 5862



Table B: Whytes Gully Landfill Extension Project Environmental Protection License (5862), Licence Version date 23 May 2019

Whytes Gully Landfill Extension Project Environmental Protection License (5862)										
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation						
1 Administrative Conditions										
A1	What the licence authorises and regulates	Site observations	The activities undertaken on site during the audit period are aligned with those listed in this condition	Compliant						
A1.1	<p>This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.</p> <p>Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.</p> <table><tr><th>Scheduled Activity</th><th>Fee Based Activity</th><th>Scale</th></tr><tr><td>Waste disposal (application to land)</td><td>Waste disposal by application to land</td><td>Any capacity</td></tr></table>				Scheduled Activity	Fee Based Activity	Scale	Waste disposal (application to land)	Waste disposal by application to land	Any capacity
Scheduled Activity	Fee Based Activity				Scale					
Waste disposal (application to land)	Waste disposal by application to land	Any capacity								
A2	Premises or plant to which this licence applies									
A2.1	<p>The licence applies to the following premises:</p> <table><tr><th>Premises Details</th></tr><tr><td>WHYTES GULLY WASTE DISPOSAL FACILITY REDDALLS ROAD KEMBLA GRANGE NSW 2526 LOT 2 DP 240557, PART LOT 52 DP 1022266, PART LOT 53 DP 1022266, PART LOT 501 DP 1079122, PART LOT 502 DP 1079122 THE PREMISES BOUNDARY IS DEPICTED BY THE AREA BOUNDED IN GREEN ON THE DRAWING LABELLED "WHYTES GULLY WASTE DISPOSAL FACILITY SITE BOUNDARY PLAN - 2 JULY 2014" (EPA REF DOC14/116147)</td></tr></table>	Premises Details	WHYTES GULLY WASTE DISPOSAL FACILITY REDDALLS ROAD KEMBLA GRANGE NSW 2526 LOT 2 DP 240557, PART LOT 52 DP 1022266, PART LOT 53 DP 1022266, PART LOT 501 DP 1079122, PART LOT 502 DP 1079122 THE PREMISES BOUNDARY IS DEPICTED BY THE AREA BOUNDED IN GREEN ON THE DRAWING LABELLED "WHYTES GULLY WASTE DISPOSAL FACILITY SITE BOUNDARY PLAN - 2 JULY 2014" (EPA REF DOC14/116147)		Noted	Noted				
Premises Details										
WHYTES GULLY WASTE DISPOSAL FACILITY REDDALLS ROAD KEMBLA GRANGE NSW 2526 LOT 2 DP 240557, PART LOT 52 DP 1022266, PART LOT 53 DP 1022266, PART LOT 501 DP 1079122, PART LOT 502 DP 1079122 THE PREMISES BOUNDARY IS DEPICTED BY THE AREA BOUNDED IN GREEN ON THE DRAWING LABELLED "WHYTES GULLY WASTE DISPOSAL FACILITY SITE BOUNDARY PLAN - 2 JULY 2014" (EPA REF DOC14/116147)										
A3	Information supplied to the EPA		EPL 5862 was issued to WCC on the 6 December 2000. A review of the licence application and supporting information was not undertaken as part of this audit.	Not assessed						
A3.1	<p>Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.</p> <p>In this condition, the reference to "the licence application" includes a reference to:</p> <ul style="list-style-type: none">a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; andb) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.									
A3.2	The Whytes Gully Landfill Environmental Management Plan (LEMP), dated March 2012 is not to be taken as part of the documentation in A3.1, other than those parts specifically referenced in this licence	LEMP 2020	The LEMP dated March 2012 has been superseded. A revised LEMP (2020) has been submitted to DPIE for approval.	Noted WGRRP 2020 IEA REC 33 Provide the EPA with the updated LEMP for reference						
2 Discharges to Air and Water and Applications to Land										

Whytes Gully Landfill Extension Project Environmental Protection License (5862)				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
P1	Location of monitoring/discharge points and areas	Whytes Gully Environmental Data Z14224119	The location of monitoring/discharge points and areas in the EPL were defined in the Current Environmental Monitoring Landfill Sites Master Whytes Gully Analytical Data excel workbook and were monitored as per the requirement of the EPL. Annual Returns report to EPA presented the annual summary of monitoring and analytical results as per the locations identified in the EPL.	Compliant
P1.1	The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point. Refer to EPL for Table.	Annual Return 2017-2018		
		Annual Return 2018-2019		
		Annual Return 2019-2020		
P1.2	The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point. Refer to EPL for Table.			
3 Limit Conditions				
L1	Pollution of waters	Incident Report Leachate seep - storm event 9 February 2020	For the majority of the audit period the region experienced dry conditions and there were limited site discharges.	Non-compliant
L1.1	Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.	Various emails from WCC to the EPA providing updates on activities relating to the incident (9/02/2020 to 21/02/2020)	On the 9 February 2020 WCC reported an incident in which leachate seeping from the base of Cell 1 B was carried into the stormwater system by surface water flows during a heavy rain event. The stormwater pond overtopped the discharge point resulting in leachate contaminated stormwater leaving the site. This is considered to constitute pollution of waters and on this basis, this condition has been assessed as non-compliant. WCC reported this incident to the EPA and DPIE.	Refer to REC 13 and REC 14.
		Whytes Gully Environmental Data Z14224119	Refer to main report for further discussion of the incident and follow up actions.	
		Annual Return 2017-2018	Auditors did not review the data provided to assess whether pollution may be occurring for pollutants other than those specified in the table\.	
		Annual Return 2018-2019		
		Annual Return 2019-2020		
L1.2	There must be no discharge of contaminated stormwater to waters under dry weather conditions (less than 10 mm of rainfall within a 24-hour period) or a storm event/s of less than 1:10 year, 24-hour recurrence interval (less than 297.4 mm of rainfall within a 24-hour time period).	Whytes Gully Environmental Data Z14224119	Contaminated stormwater was discharged on numerous occasions between February 2020 and August 2020 following storm events (refer Condition L2.4). The rainfall data correlating with these discharges was not reviewed however it was not believed to be greater than 297.4 mm within a 24 hour time period.	Non-compliant
	Discharges of contaminated stormwater from the stormwater ponds caused by a 1:10 year, 24-hour recurrence interval storm event or greater do not constitute a breach of this licence.	Annual Return 2017-2018		WGRRP IEA 2020 REC 34 Include rainfall information in the Stormwater and overflow monitoring data within the Environmental Data Workbook to better facilitate assessment of storm events.
		Annual Return 2018-2019		
		Annual Return 2019-2020		Refer also to recommendations under CoA Schedule 4, Condition 15
L1.3	There must be no discharge of leachate to waters under dry weather conditions (less than 10 mm of rainfall with a 24-hour period) or storm event(s) of less than 1:25 year, 24-hour recurrence interval (less than 371.5 mm of rainfall within a 24-hour period).	Incident Report Leachate seep - storm event 9 February 2020	One incident was recorded during the audit period where leachate escaped into the stormwater system during a heavy rain event and was discharged from the sediment pond. This incident is discussed further in the main report.	Non-compliant
		Various emails from WCC to the EPA providing updates on activities		Refer to recommendations under CoA

Whytes Gully Landfill Extension Project Environmental Protection License (5862)													
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation									
	Discharges of leachate from the leachate pond caused by a 1:25 year, 24-hour recurrence interval storm event or greater do not constitute a breach of this licence.	relating to the incident (9/02/2020 to 21/02/2020) Whytes Gully Environmental Data Z14224119 Annual Return 2017-2018 Annual Return 2018-2019 Annual Return 2019-2020		Schedule 4, Condition 17									
L2	Concentration limits		Refer to L2.4	Refer to L2.4									
L2.1	For each monitoring/discharge point or utilisation area specified in the table\s below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.												
L2.2	Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.		Noted. Refer to L2.4 for discussion of exceedances of limits.	Noted									
L2.3	To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table\s.	Whytes Gully Environmental Data Z14224119	Auditors did not review the data provided to assess whether pollution may be occurring for pollutants other than those specified in the table\s. Refer to L1.1.	Noted									
L2.4	Water and/or Land Concentration Limits (for LDP1). <table><tr><th>Pollutant</th><th>Units of measure</th><th>100 percentile concentration limit</th></tr><tr><td>pH</td><td>pH</td><td>6.5-8.5</td></tr><tr><td>TSS</td><td>mg/L</td><td>50</td></tr></table>	Pollutant	Units of measure	100 percentile concentration limit	pH	pH	6.5-8.5	TSS	mg/L	50	Whytes Gully Environmental Data Z14224119 Annual Return 2017-2018 Annual Return 2018-2019 Annual Return 2019-2020 Golder proposal for site walkover inspection of stormwater infrastructure and preparation of action plan, 23 October 2020.	Based on the Annual Returns, Annual Reports, monthly reports and the Whytes Gully Environmental Data Excel workbook, the following exceedances were recorded during the audit period: - TSS exceedances on 17 occasions between 9 February 2020 and 3 August 2020. The highest TSS level of 118 was recorded on the 11 February 2020 - pH of 6.3 recorded on the 8 March 2020. 14 of the TSS exceedances (up until 10 May 2020) were included in the 2019-2020 Annual Return. The cause of the exceedances was recorded as ‘heavy rainfall event’. The pH exceedance was suspected to be an anomaly in the data. WCC has engaged Golder Associates to review the the stormwater system following the incident in February 2020 where the sediment ponds overtopped. This review is aimed at assessing the adequacy of stormwater controls on site.	Non-compliant Refer to recommendations under CoA Schedule 4, Condition 15
Pollutant	Units of measure	100 percentile concentration limit											
pH	pH	6.5-8.5											
TSS	mg/L	50											

Whytes Gully Landfill Extension Project Environmental Protection License (5862)																															
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation																											
L3	Waste			Compliant																											
L3.1	<p>The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled “Waste” and meeting the definition, if any, in the column titled “Description” in the table below.</p> <p>Any waste received at the premises must only be used for the activities referred to in relation to that waste in the column titled “Activity” in the table below.</p> <p>Any waste received at the premises is subject to those limits or conditions, if any, referred to in relation to that waste contained in the column titled “Other Limits” in the table below.</p> <p>This condition does not limit any other conditions in this licence.</p> <table border="1"> <thead> <tr> <th>Code</th><th>Waste</th><th>Description</th><th>Activity</th><th>Other limits</th></tr> </thead> <tbody> <tr> <td>T140</td><td>Tyres</td><td rowspan="4">As defined in Schedule 1 of the POEO Act, in force from time to time</td><td>Waste storage</td><td>NA</td></tr> <tr> <td></td><td></td><td>Waste disposal (application to land)</td><td></td></tr> <tr> <td>NA</td><td>General solid waste (non-putrescible)</td><td>Waste disposal (application to land)</td><td>NA</td></tr> <tr> <td>NA</td><td>General solid waste (putrescible)</td><td>Waste disposal (application to land)</td><td>NA</td></tr> <tr> <td>NA</td><td>Asbestos waste</td><td></td><td>Waste disposal (application to land)</td><td>NA</td></tr> </tbody> </table>	Code	Waste	Description	Activity	Other limits	T140	Tyres	As defined in Schedule 1 of the POEO Act, in force from time to time	Waste storage	NA			Waste disposal (application to land)		NA	General solid waste (non-putrescible)	Waste disposal (application to land)	NA	NA	General solid waste (putrescible)	Waste disposal (application to land)	NA	NA	Asbestos waste		Waste disposal (application to land)	NA	<p>Copy of Transaction Export - Rejected Loads 14/11/2017 – 17/03/2020</p> <p>Examples of Monthly Waste Facilities (Section 88) Reports</p> <p>Training and Development - Risk Management - Assessment - Waste Services Required Training Matrix</p> <p>SOP Asbestos Detection and Treatment at Whytes Gully Z16/16284</p> <p>Induction Record: SOP Asbestos Detection and Treatment dated 16/11/2017 and 8/12/2017.</p>	<p>WCC reported that tyres were not disposed of at the premises, however they were stored for transfer to a tyre recycling facility (refer L3.2).</p> <p>WCC made a business decision not to accept building and demolition waste and asbestos waste due to risk.</p> <p>General solid waste (putrescible and non-putrescible) was disposed of by application to land.</p> <p>Acceptance of wastes process is defined in the LEMP and standard operating procedures were available to help ensure that only waste allowed in the EPL will be accepted. Refer to O6.1 for discussion of the implementation of procedures to prevent the disposal of waste not permitted by the licence.</p>	
Code	Waste	Description	Activity	Other limits																											
T140	Tyres	As defined in Schedule 1 of the POEO Act, in force from time to time	Waste storage	NA																											
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NA	Asbestos waste		Waste disposal (application to land)	NA																											
L3.2	<p>The licensee must not dispose of any tyres on the premises which;</p> <p>a) have a diameter of less than 1.2 metres; and</p> <p>b) are delivered at the premises in a load containing more than 5 whole tyres; and</p> <p>c) became waste in the Sydney Metropolitan Area.</p> <p>Note:</p> <p>This condition does not apply where:</p> <p>i) The tyres received comply with the EPA Tyre Disposal Specifications; or</p> <p>ii) The premises have the capacity, at the time of unloading the tyres, to comply with the EPA Tyre Disposal Specifications; or</p> <p>iii) The premises have the capacity, at the time of unloading the tyres, to recycle or reprocess the tyres into a saleable product, including rethreading the tyres.</p>	Monthly Section 88 Reports to the EPA (provided for the audit period)	WCC reported that tyres are not disposed of on the premises. Tyres were stockpiled in a dedicated area prior to collection for off-site recycling by Tyrecycle, St Marys NSW (EPL 13217). Volumes removed from site are reported in the Section 88 Reports as “waste transported from site for lawful recovery at a licenced waste facility”. For example, the Section 88 Report for January 2020 reported 11.18 tonnes of tyres transported to Tyrecycle St Marys.	Compliant																											
L3.3	<p>Tyres stockpiled on the premises must:</p> <p>a) not exceed fifty (50) tonnes of tyres at any one time; and</p>	Site inspection	Waste tyres were observed to be stored in a defined area away from the tipping face.	Compliant																											

Whytes Gully Landfill Extension Project Environmental Protection License (5862)				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	b) be located in a clearly defined area away from the tipping face; and c) be managed to control vermin; and d) be managed to prevent any tyres from catching fire.	Volumetric Survey Plan 26/06/2020	<div><p>06/07/2020</p></div> <p>Tyre stockpile as at 6 July 2020</p> <p>During the first inspection an overflow tyre stockpile was also observed away from the tipping face. Tyres had been collected and the overflow stockpile removed by the time of the second inspection.</p> <div><p>06/07/2020</p></div> <p>Overflow tyre stockpile as at 6 July 2020.</p>	


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No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
				
			<p>Tyre stockpile as at 25 October 2020.</p> <p>The tyres observed were well under the 50 tonne limit. The tyre stockpile is included in the annual survey provided to the EPA. The June 2020 survey recorded the tyre stockpile as 92m³.</p>	
L4	Potentially offensive odour	Site Inspection	WCC implemented the following measures to mitigate odour from the WGRRP:	Compliant
L4.1	The licensee must not cause or permit the emission of offensive odour beyond the boundary of the premises.	<p>SOP - Deodouriser Trailer Operator Manual - Whytes Gully</p> <p>Whytes Gully Incident Register 2017-2020</p> <p>Selection of Incident Investigation Forms for odour complaint investigations (30/11/2019, 6/02/2020, 3/03/2020, 6/03/2020)</p> <p>EPA letter to licensees regarding odour dated 23/04/2020</p> <p>Whytes Gully Community Reference Group Meeting Notes: 11 March 2020</p>	<ul style="list-style-type: none">- Minimising the size of the tip face- Two deodoriser trailers in operation- Use of cover material each day and at the end of operations in conjunction with the use of large metal landfill lids- Proactive weekly inspections in the Farmborough Heights and Unanderra area- Cessation of waste being placed in the top landfill cell as of late January 2019. <p>WCC recorded a number of complaints relating to odour during the audit period. These were all received via the EPA's Environment Line and passed on for investigation by the EPA. In each instance, WCC completed an incident investigation report and provided this to the EPA. Complaints are discussed further in the main report.</p> <p>A letter was received from the EPA dated 23 April 2020, stating that there had been an increase in the number of odour complaints received by the EPA since February 2020 and that it was writing to all licensees and industries who operate in the area to ask them take all necessary action to prevent odours being generated. The EPA also stated in this letter that it would be conducting odour surveys in the coming weeks. No further action / correspondence was received from the EPA.</p> <p>At the CRG meeting in March 2020, residents raised concern with odour emanating from the site for several weeks following the storm event in February 2020. WCC explained that this was believed to be as</p>	

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			<p>a result of lower dissolved oxygen levels within the ponds due to storm event stirring up sediments that had been laying dormant within the dams during the drought. To address this issue WCC engaged a chemical engineer to provide a strategy to improve the water quality following the storm event and since implemented aeration of the three stormwater dams, chemical salt dosing to remove sediment and suspended solids and biological treatment to reduce nutrient levels. In addition, the deodoriser trailer was set up adjacent to the stormwater ponds.</p> <p>This condition has been assessed as compliant as WCC has processes in place to identify manage odours, including investigating complaints and implementing continual improvement controls. During the site inspection, odours were not considered to be particularly offensive.</p>	
4 Operating Condition				
O1	Activities must be carried out in a competent manner	LEMP	The operational processes for the landfill are defined in the LEMP and various WCC procedures.	Compliant
O1.1	<p>Licensed activities must be carried out in a competent manner.</p> <p>This includes:</p> <p>a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and</p> <p>b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.</p>	<p>SOP Placement & Compaction of waste</p> <p>SOP - Weighbridge Procedure</p> <p>Procedure eWaste, mattresses and tyres, storage and removal – WRRP</p> <p>Whytes Gully Weighbridge Cash Handling procedures</p> <p>Acceptance of VENM at Landfill</p> <p>Asbestos Detection & Treatment at Whytes Gully Safe Operating Procedure</p> <p>Examples of completed Daily Site Inspection Sheet Tip face (21/11/2020 to 1/02/2020)</p> <p>Plant Daily Inspection Matrix Whytes Gully</p>	<p>Implementation of these procedures was observed during the site inspection at the time of this audit such as:</p> <ul style="list-style-type: none"> - Weigh Bridge entry and exit with dockets - Trucks entering landfill - Trucks unloading wastes - Excavator compacting waste - Excavator covering waste with acceptable material - Deodoriser in operation <p>Not all aspects of the WCC operations were considered by the auditors or assessed under this condition. Based on the observations on site and documents provided, WCC were considered to be generally compliant with this condition.</p>	
O2	Maintenance of plant and equipment	Waste Asset Maintenance Records	WCC use the OneCouncil Maintenance System to manage maintenance schedules for its assets. Examples of maintenance schedules for the following plant were sighted:	Compliant
O2.1	<p>All plant and equipment installed at the premises or used in connection with the licensed activity:</p> <p>a) must be maintained in a proper and efficient condition; and</p> <p>b) must be operated in a proper and efficient manner.</p>	<p>Whytes Gully LTP Monthly Maintenance Checklist-March 2020</p> <p>Whytes Gully LTP Weekly Report Week 181 - 24th to 30th of March 2020</p> <p>LTP Maintenance Service Report Summary - October 2020</p> <p>WCC WGL - Leachate Systems Discussion - 28.10.20, JPG Engineering</p> <p>Repair and Verification Reports and Certificate of Verification dated</p>	<ul style="list-style-type: none"> - 72488D 938K – Loader - 72490D 950K - Loader - 72489D PC220 – Excavator - 93499D 826K – Compactor - 93573D – Mower - TA88JE Deodoriser - TF85EC Deodoriser 	

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No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		1/04/2020, Standard Scales and Services	<p>In addition, the following records were observed for plant managed by contractors:</p> <ul style="list-style-type: none"> - Whytes Gully LTP Weekly Report (Innaco) - Whytes Gully Leachate Treatment Plant Monthly Maintenance Checklist (Innaco) - LTP Maintenance Service Report Summary (JPG) <p>In mid-2020, WCC awarded the contract for managing the LTP to JPG Engineering. JPG conducted a review of the leachate transfer and treatment systems and made a number of recommendations to improve the system. WCC was considering and progressively implementing these recommendations. At the time of the second site inspection upgrades had been to pumps and flow meters.</p> <ul style="list-style-type: none"> - The contract for managing the gas collection equipment and flare was awarded to LMS during the audit period. LMS were responsible for the proper and efficient operation of the Flare. LMS provides WCC with a monthly landfill gas report which reports the flare operation hours. - The weighbridge was last tested and verified in April 2020. <p>Operator training for plant and equipment is through a Statement of Attainment.</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. The assessment has been based on the documents provided and listed.</p>	
O3	Dust	Site Inspection	There was no visual dust observed during the audit site inspections.	Compliant
O3.1	The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.	SOP Placement & Compaction of waste	Examples of dust mitigation measures included:	
O3.2	All operations and activities occurring at the premises must be carried out in a manner that will minimise the emission of dust from the premises.	<p>Examples of completed Daily Site Inspection Sheet Tip face (21/11/2020 to 1/02/2020)</p> <p>Environmental Incident Report – Dust incident 28/04/2020</p> <p>EPA letter dated 22/05/2020 re Dust Incident - 28 April 2020</p> <p>Whytes Gully Environmental Data Z14224119</p>	<ul style="list-style-type: none"> - The haul road is sealed up to approximately 100 m of the tip face, - The access road to the tip face is covered with gravel - Speed limits are imposed on site and signposted around the site - The water cart is used on unsealed trafficable areas - A street sweeper is used on the hard-stand small vehicle transfer station and greenwaste area - The size of the active tip face is kept small and a roller used for sealing the face - Capped areas are revegetated as soon as possible after forming <p>On the 28 April 2020, the EPA received a complaint reporting dust plumes coming from the landfill caused by machinery movements. WCC investigated the incident and determined that the emissions occurred while loading and removing green waste from the site. It was reported that limited dust suppression capacity was available that day due to the main water cart being offline for maintenance and an oversight involving hoses which made it difficult and slow to fill the replacement water cart. In response, WCC debriefed staff on the importance of ensuring plant and equipment that perform an environmental compliance function are not compromised. WCC also procured a new rapid fill water tank to improve the turn around time for filling the water cart for dust suppression (see photo).</p>	Compliant


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			 <p>The EPA responded by letter dated 22 May 2020, that it reviewed the investigation report provided by WCC and on this occasion will not be taking any regulatory action in relation to the matter.</p> <p>No other dust complaints or incidents were recorded during the audit period.</p> <p>On the basis that, this incident appeared to be an isolated event and dust minimisation measures were being implemented (as listed above) including additional measures implemented post-incident, such as purchasing of new rapid fill water tank, WCC is considered to have generally complied with O3.1 and O3.2.</p>	
O4 O4.1	Emergency response The licensee must extinguish fires at the premises as soon as possible.	Pollution Incident Response Management Plan	<p>A Pollution Incident Response Management Plan is in place and defines the emergency response to extinguish fires at the premise as soon as possible.</p> <p>Two fires were recorded during the audit period in July 2018 and March 2019. The fire in July 2018 was small (approximately 2m³) and extinguished quickly within 10 minutes of the fire starting. The fire in March 2019 was reported to 000 by an unknown person in the early hours of the morning. It was extinguished by the RFS who took control of the site. Further detail of the fires is provided in the main report.</p> <p>Refer also to discussion under Schedule 4, Condition 46 of the CoA Checklist.</p>	Compliant
O5 O5.1	Processes and management The licensee must take all practicable steps to control entry to the premises.	LEMP Site inspection Daily Inspection Checklist	<p>The site security process of the site is defined in LEMP.</p> <p>The landfill site is bounded by security fence along the perimeter of the site. The main access gate has alarm and is locked outside business hours. The main access to the landfill area is through weigh bridge which has camera installed and alarm.</p> <p>A sample of daily inspection checklist was provided as evidence for includes inspection of gates and fencing for damage and illegal entry at leachate ponds; ammonia plant; settling ponds and weighbridge.</p>	Compliant
O5.2	The licensee must ensure that all gates are locked whenever the premises is unattended.	LEMP	The end of day closure and security procedure is defined in LEMP.	Compliant


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No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
			Gates are locked outside business hours as witnessed during site audit.	
O6	Waste management	LEMP Section 5.0		
O6.1	The licensee must have in place and implement procedures to identify and prevent the disposal of any waste not permitted by this licence to be disposed of at the premises.	Copy of Transaction Export - Rejected Loads 14/11/2017 – 17/03/2020 Examples of Monthly Waste Facilities (Section 88) Reports	<p>The following provisions were implemented to prevent the disposal of unacceptable waste:</p> <ul style="list-style-type: none"> - Signs present at the entrance clearly indicating types of waste accepted and not accepted. - General information of wastes accepted on WCC's landfill website. - Overhead CCTV installed at weighbridge to enable visual inspection of loads by weighbridge operator. - WCC made a business decision not to accept building and demolition waste and asbestos waste due to risk (despite the EPL permitting this material to be accepted). - Waste screening takes place at the Small Vehicle Transfer Station and tipping face. Operators were observed at the Small Vehicle Transfer Station screening waste during the audit site inspection. The auditors observed waste that had been screened and segregated from the Small Vehicle tipping area for recycling (e.g. white goods that require de-gassing, used car batteries, tyres, e-waste and scrap metal). - It was reported that when loads or excluded wastes are identified at either the weighbridge, Small Vehicle Transfer Station or tipping face, the customer is advised and either refused entry or asked to remove the excluded waste. Where no customer can be identified, WCC removes the excluded waste and it is transferred to an approved disposal or treatment location. - Rejected loads are recorded by the weighbridge. An excerpt of the rejected loads register for the period November 2017 to March 2020 noted rejected loads included soil, builders waste, fibro, plasterboard and recyclable material that was re-directed to the CRC. - Prohibited waste that has been identified and transferred off-site by WCC is recorded in the Monthly Facilities Reports (Section 88 Reports) provided to the EPA as waste transported from site. <p>Refer also to CoA Schedule 4, Condition 4.</p>	Compliant
O6.2	The licensee must ensure that the local amenity is not degraded by litter from the premises.	LEMP 9.3 Litter Control Community Service Attendance Records - Litter collection (5/12/2019) SOP - Wind blown litter collection – Whytes Gully (Issued 1/11/2016)	<p>The following measures were implemented on site for the management of litter:</p> <ul style="list-style-type: none"> - Permanent litter fences installed around the boundary of the landfill - Mobile deployable litter fence used as required - Minimising the size of the tip face - Closing the small vehicle drop off area in times of high wind - Daily inspections - Weekly litter picking campaigns by Community Service Program - Additional litter picking campaigns by Green Connect (a social enterprise which employs young people and former refugees) as required. Observed on site during second site inspection. <p>A significant improvement in wind blown litter levels was noted during the site inspections associated with this IEA compared to the previous IEA.</p> <p>See discussion at Condition 9, Schedule 4 of the CoA.</p>	Compliant

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No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
O6.3	The licensee must only dispose of waste in the Upper Eastern Gully Tipping Face, Cell 1B, Package 3 or Package 2.	Volumetric Survey Plan June 2020 Volumetric Survey Plan December 2019 Site inspection	At the time of the audit site inspections WCC was filling Package 2 and 3. Cell 1B had been filled during the audit period but was capped with intermediate cover at the time of the audit site inspection. WCC submits a volumetric survey to the EPA every six months in accordance with NSW EPA Waste Levy Guidelines. The volumetric survey plan shows the active cell fill area.	Compliant
O6.4	The surface of filled areas must have a minimum slope of one per cent with suitable design to prevent ponding of water. Any surface depressions that develop must be restored, graded and compacted to prevent further ponding of water.	Site Inspection SOP Placement & Compaction of waste	<p>Based on the site inspection, there was no ponding water on the tip face. The tip face was compacted, regraded and temporary covered.</p> <p>A standard operating procedure was also developed for the placement and compaction of waste. It was noted in this SOP that a slope of 4:1 is maintained on the working face.</p> 	Compliant
O6.5	<p>The licensee must apply cover material to landfilled waste in accordance with this condition. This cover material must be either Virgin Excavated Natural Material (VENM), Excavated Natural Material (ENM – as defined and characterised by the Excavated Natural Material Order, as in force from time to time), Road Asphalt Profiling's (RAP), Steel Furnace Slag (SFS), Steel Framed Fabric or Metal Covered Landfill Lids or an alternative cover approved in writing by the EPA.</p> <p>a) Daily cover must be applied to a minimum depth of 150mm over all exposed landfilled waste prior to ceasing operations at the end of each day.</p> <p>b) Intermediate cover must be applied to a depth of 300mm over surfaces of the landfilled waste at the premises which are to be exposed for more than 90 days.</p> <p>c) Cover material stockpile: at least two weeks cover material must be available at the premises under all weather conditions. This material may be won on site, or alternatively a cover stockpile may be maintained adjacent to the tip face.</p> <p>d) Excavated Natural Material used as cover material must be managed in accordance with the practices detailed in the licensee's letter dated 21 March 2017 (Z17/70390).</p>	<p>LEMP Covering of Waste</p> <p>SOP Placement & Compaction of waste</p> <p>Volumetric Survey Plan June 2020</p> <p>Volumetric Survey Plan December 2019</p> <p>Waste Classification Certificate 4/09/2019, EI Australia (Doc reference E24215.E05.003)</p> <p>Site observations</p>	<p>The procedure for covering the landfill is defined in the LEMP.</p> <p>WCC used the following cover material:</p> <ul style="list-style-type: none"> - VENM won on site - Material classified as VENM brought onto site - Metal covered landfill lids <p>Daily cover was reportedly applied to approximately 150 mm in accordance with the SOP for Placement and Compaction of waste. The metal lids were also used to cover the tip face at the end of each day. These were observed during the audit site inspection.</p> <p>Intermediate cover (VENM) was reportedly applied to a depth of 300 mm over surfaces exposed for more than 90 days. At the time of the audit, Cells 1A and 1b had been covered with intermediate cover and revegetated with grass. The auditors could not verify whether the depth of cover had been achieved.</p> <p>Stockpiles of VENM were observed on site and were captured in the six monthly volumetric surveys. The June 2020 survey reported a combined total of 26,008 m3 of VENM stockpiled on site.</p>	Compliant

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O6.6	The licensee must ensure that landfill cells are capped progressively during operations and specifically at times when the level of waste reaches final heights	LEMP Covering of Waste SOP Placement & Compaction of waste Volumetric Survey Plan June 2020 Volumetric Survey Plan December 2019	The landfill operations had not reached a point where they could be capped at the time of the site inspections for the audit. The process for covering the landfill is defined in LEMP as per the condition. The filled cells are temporarily covered. The tip face is covered during daily operations. The capping layers will be constructed once the final height of the cell has been reached.	Not triggered
O6.7	Vehicles leaving the premises must not track materials to external surfaces.	LEMP Section 5.6 Site inspection	The process for cleaning vehicles before leaving site is defined in LEMP Section 5.6. The tipping face access road and all access roads are sealed with bitumen or gravel which limits the tracking of mud or dirt to external surfaces. A wet weather tipping area covered with gravel is used during inclement weather to limit exposure of vehicles to mud. A water cart was also permanently available onsite for dust suppression and also used for cleaning mud. A high-pressure water cleaner is also available to clean vehicles prior leaving site. There were no signs of tracking of mud or dirt on the road to external surfaces during the audit inspection.	Compliant
O6.8	The licensee must not exhume any landfilled waste unless approved in writing by the EPA.	EPA letter dated 14 February 2020 approving exhumation of waste associated with remedial activities at Cell 1B EPA letter dated 26 August 2020 approving exhumation of waste associated with overfill and reshaping of Package 2. Waste Exhumation for Reshaping of Landfill Lift 1 – Site observations 5/09/2020 and 6/09/2020.	The process of exhumation of the landfill is defined in the LEMP. EPA approval was sought and granted (by letter dated 14 February 2020) for the possible exhumation of waste as part of works to remediate a leachate seep emanating from Cell 1B. The approval was subject to a number of conditions including that in the event that offensive odour is emitted during the works, Council immediately cease work, cover any exposed waste and notify the EPA. The EPA was notified that the works were successfully completed by email dated 21 February 2020. EPA approval was sought and granted (via letter dated 26 August 2020) for the exhumation of waste to correct an overfill on the southern end of Package 2. The approval was subject to a number of conditions including Council immediately cease work, cover any exposed waste and notify the EPA in the event that offensive odour is emitted. The works were completed over the weekend 5-6 November 2020. Two deodorisers were in operation during the works and odour surveys conducted by WCC during the works did not detect odours off-site.	Compliant
O6.9	The licensee must obtain approval from the EPA prior to constructing any landfill cells at the premises.	Licence Variation Notice 1572784 20/12/2018 Licence Variation Notice 1579764 23/05/2019	During the audit period, WCC constructed Package 2 and 3. EPA approval of the construction of these cells was evident from the following Licence Variation Notices. Licence Variation Notice 1572784 dated 20 December 2018 which noted the Construction Completion Report received for Landfill Cell Package 3 and permitted waste to be disposed of in Package 3. Licence Variation Notice 1579764 dated 23 May 2019 which noted the Construction Completion Report received for Landfill Cell Package 2 and permitted waste to be disposed of in Package 2.	Compliant
O6.10	The licensee must provide a report to the EPA which details the design, construction, operation and rehabilitation of any new landfill cell. This report must be submitted to the EPA at least six months before the licensee intends to construct the cell, and it	WHYTES GULLY NEW LANDFILL CELL Construction Quality Assurance Plan (CQAP) Package 2	The Construction Quality Assurance Plan for Package 2 and 3 Landfill Cells was prepared by Golder Associates in 2016 (during the previous audit period). During this audit period, evidence that the cells 2 and 3 were constructed to meet design specifications was provided to the	Compliant

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	must include details on a QA/QC program which can demonstrate that the cell was constructed to meet its design specifications.	<p>and 3 Landfill Cells, Golder Associates, 20 December 2016</p> <p>Wollongong Waste and Resource Recovery Park New Landfill Cell Package 2 Construction Completion Report, NSW Public Works Advisory, 31 May 2019</p> <p>Wollongong Waste and Resource Recovery Park New Landfill Cell Package 3 Construction Completion Report, NSW Public Works Advisory, 31 May 2019</p> <p>Licence Variation Notice 1572784 20/12/2018</p> <p>Licence Variation Notice 1579764 23/05/2019</p>	EPA in the form of construction completion reports. These were accepted by the EPA and conditions relating to construction and CQA Reports removed from the licence by variation notices 1572784 and 1579764.	
O6.11	Any report prepared in accordance with condition O6.10 must consider the recommendations made in the document titled "Wollongong Waste and Resource Recovery Park - Slope Stability Re-Assessment For Package 2 and Package 3" prepared by Golder Associates and dated 27 June 2018.		This requirement was included in the EPL by variation dated 5 July 2018. Since this time, no reports had been prepared in accordance with O6.10 and therefore this condition had not been triggered.	Not triggered
O6.12	The licensee must prepare and maintain a detailed filling plan for each active landfill cell at the premises	Wollongong Waste and Resource Recovery Park: Package 2 & 3 Progressive Filling Plan, Golder Associates, 23 December 2019	WCC engaged Golder Associates to prepare the Package 2 & 3 Progressive Filling Plan dated 23 December 2019.	Compliant
O6.13	The last licensee must prepare and submit to the EPA within six months prior to the last load of waste being landfilled, a closure plan in accordance with section 76 of the Protection of the Environment Operations Act 1997		Waste was continuing to be landfilled at Whytes Gully. It was reported that the current cell (Package 2 & 3) has capacity for at least the next 3-4 years.	Not triggered
O7	Other operating conditions	Site inspection	Drainage from areas not subject to waste disposal activities were directed away from the leachate ponds and to the sediment pond.	Compliant
O7.1	Drainage from areas not subject to waste disposal activities must be directed away from the existing leachate collection pond(s).		Drainage or swales were lined with gravel.	

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			A Rainflap was also used to redirect surface water away from active landfill areas.	
O7.2	The licensee must maintain a leachate management system to collect and direct all leachate to a point for treatment and disposal to sewer.	<p>Whytes Gully Environmental Data Z14224119</p> <p>Whytes Gully LTP Monthly Maintenance Checklist-March 2020</p> <p>Whytes Gully LTP Weekly Report Week 181 - 24th to 30th of March 2020</p> <p>LTP Maintenance Service Report Summary - October 2020</p> <p>WCC WGL - Leachate Systems Discussion - 28.10.20, JPG Engineering</p>	<p>The leachate management system is being operated and evidence of monitoring and testing of leachate were provided to the auditors. Leachate ponds were sighted in operation during the audit sites inspections. The Leachate Treatment Plant is connected to the leachate pond and treated water is tested prior to discharge to sewer within the Trade Waste agreement and EPL requirements.</p> <p>In mid-2020, WCC awarded the contract for managing the LTP to JPG Engineering. JPG conducted a review of the leachate transfer and treatment systems and made a number of recommendations to improve the system. WCC was considering and progressively implementing these recommendations. At the time of the second site inspection upgrades had been made to pumps and flow meters.</p> <p>The auditors have not assessed compliance with the Trade Waste Agreement.</p>	Compliant

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No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
				
O7.3	Disturbed areas must be provided with separate water quality controls for the treatment of runoff containing suspended or turbid pollutants.	Site inspection	No new cell construction was being undertaken at the time of the site inspection. Construction works were being undertaken associated with the southern perimeter drain and cascade drain. Contractors Dynamic Civil had prepared an Environmental Management Plan for the works which included an erosion and sediment control plan. Sediment controls observed during the site inspection included a sediment fence around the dedicated soil stockpile area and straw bales at intervals across the width of the drain.	Compliant
5 Monitoring and Recording Conditions				
M1	Monitoring records	Whytes Gully Environmental Data Z14224119	Results of all monitoring required were presented in the Whytes Gully Environmental Data Z14224119 register.	Compliant
M1.1	The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.	Monitoring Reports as posted on Council website: https://www.wollongong.nsw.gov.au/your-council/plans-and-reports/waste-site-reports	Monitoring Reports are posted on the council website.	
M1.2	All records required to be kept by this licence must be: a) in a legible form, or in a form that can readily be reduced to a legible form; b) kept for at least 4 years after the monitoring or event to which they relate took place; and c) produced in a legible form to any authorised officer of the EPA who asks to see them.	Whytes Gully Environmental Data Z14224119 Examples of monitoring reports (groundwater, surface water, methane)	Records were kept by WCC as per this requirement and posted in the WCC website. Monitoring reports posted in the website were from 2012 up to August 2020 (checked in October 2020).	Compliant
M1.3	The following records must be kept in respect of any samples required to be collected for the purposes of this licence: a) the date(s) on which the sample was taken; b) the time(s) at which the sample was collected; c) the point at which the sample was taken; and	Whytes Gully Environmental Data Z14224119 Examples of monitoring reports (groundwater, surface water, methane)	Monitoring Reports were posted in council website. The monitoring reports for surface water and groundwater included the following records: a) the date(s) on which the sample was taken; b) the time(s) at which the sample was collected;	Compliant WGRRP 2020 IEA REC 35 Ensure methane monitoring records include the time at

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No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation																								
	d) the name of the person who collected the sample.		c) the point at which the sample was taken; and d) the name of the person who collected the sample The methane monitoring did not include the time at which the sample was taken.	which the sample was collected.																								
M2	Requirement to monitor concentration of pollutants discharged		Refer to discussion under M2.2 and M2.3.	Compliant																								
M2.1	For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:																											
M2.2	Air Monitoring Requirements Point 3 <table><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling method</th></tr><tr><td>Methane</td><td>% by volume</td><td>Special Frequency 2</td><td>Sampling Method 1</td></tr></table> Point 4 <table><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling method</th></tr><tr><td>Methane</td><td>% by volume</td><td>Special Frequency 2</td><td>Sampling Method 2</td></tr></table> Point 21, 22, 23, 24,25, 26, 27, 28, 29, 30, 31, 32 <table><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling method</th></tr><tr><td>Methane</td><td>% by volume</td><td>Special Frequency 2</td><td>Sampling Method 3</td></tr></table> Note: Special frequency 2 means monthly if an initial survey indicates significant gas. Note: Sampling method 1 means in accordance with surface gas emission monitoring procedures described in Section 5.2 Landfill Gas Surface Emission Monitoring of the Environmental Guidelines: Solid Waste Landfills (2016) Note: Sampling method 2 means in accordance with gas accumulation monitoring procedures described in Section 5.4 Gas Accumulation Monitoring in Enclosed Structures of the Environmental Guidelines: Solid Waste Landfills (2016) Note: Sampling method 3 means in accordance with subsurface gas monitoring procedures described in Section 5.3 Landfill Gas Sub-Surface Monitoring of the Environmental Guidelines: Solid Waste Landfills (2016).	Pollutant	Units of measure	Frequency	Sampling method	Methane	% by volume	Special Frequency 2	Sampling Method 1	Pollutant	Units of measure	Frequency	Sampling method	Methane	% by volume	Special Frequency 2	Sampling Method 2	Pollutant	Units of measure	Frequency	Sampling method	Methane	% by volume	Special Frequency 2	Sampling Method 3	Whytes Gully Environmental Data Z14224119 Examples of monthly ALS Landfill Emissions Reports Whytes Gully Landfill Annual Report 2017-2018 Whytes Gully Landfill Annual Report 2018-2019	Condition P1.1 describes the monitoring points as follows: <ul style="list-style-type: none">- Point 3: Surface gas monitoring in areas where intermediate or final cover has been placed.- Point 4: Gas accumulation monitoring inside all buildings within 250 metres of deposited waste- Points 21-32: Subsurface gas monitoring at nominated wells. 3 is described under Surface gas, gas accumulation and subsurface monitoring was undertaken on a monthly basis and results were publicly available on the WCC website (monthly Air Monitoring Reports) and summarised in the Annual Reports prepared to meet R1.8. The auditor was also provided with the Whytes Gully Environmental Data Excel workbook which included the methane monitoring results. Refer to M3.2 for discussion of sampling method.	Compliant
Pollutant	Units of measure	Frequency	Sampling method																									
Methane	% by volume	Special Frequency 2	Sampling Method 1																									
Pollutant	Units of measure	Frequency	Sampling method																									
Methane	% by volume	Special Frequency 2	Sampling Method 2																									
Pollutant	Units of measure	Frequency	Sampling method																									
Methane	% by volume	Special Frequency 2	Sampling Method 3																									
M2.3	Water and/ or Land Monitoring Requirements Point 1, 33, 34 Refer to table in licence Point 5,9,10,11,12,13,14,15,16,17,18,19,20 Refer to table in licence Note: Special frequency 1 means annually and whenever overflows occur.	Whytes Gully Environmental Data Z14224119 Annual Return 2017-2018 Annual Return 2018-2019 Annual Return 2019-2020 Examples of monitoring reports (groundwater, surface water) available on WCC website: https://www.wollongong.nsw.gov.au/your-council/plans-and-reports/waste-site-reports	Surface water and groundwater monitoring was being undertaken for the specified pollutants and at the frequencies specified in the EPL. This was evidenced through the Annual Returns and Annual Reports provided to the EPA and by reviewing the Whytes Gully Environmental Data Excel workbook. The individual reports for each monitoring event were also available on the WCC website Point 1 which is the stormwater monitoring and discharge point and Points 33 and 34 which are the downstream and upstream stormwater monitoring points require annual monitoring and whenever overflow occurs. During the 2017-2018 Annual Return period there had been no overflows from the outlet and monitoring had been conducted annually.	Compliant																								

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No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		Whytes Gully Landfill Annual Report 2018-2019	<p>There had been two overflows during the 2018-2019 Annual Return period (11/10/2018 and 11/02/2019).</p> <p>The site (and region) experienced significant rainfall in February 2020 and overflows were recorded for the period from the 9 -26 February. Daily monitoring was undertaken at Point 1, Point 33 and Point 34 until the overflow ceased on the 19 March 2020. Additional overflow monitoring was undertaken on the following dates:</p> <ul style="list-style-type: none"> - 30/3/2020 - 1/04/2020 to 14/04/2020 - 1/05/2020 to 10/05/2020 - 27/07/2020 to 31/07/2020 - 3/08/2020 to 13/08/2020 - 24/08/2020 <p>Groundwater monitoring was undertaken quarterly and annually as required.</p>	
M3	Testing methods - concentration limits			
M3.1	<p>Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.</p> <p>Note: The Protection of the Environment Operations (Clean Air) Regulation 2010 requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".</p>	<p>Examples of monitoring reports (groundwater, surface water) available on WCC website:</p> <p>https://www.wollongong.nsw.gov.au/your-council/plans-and-reports/waste-site-reports</p> <p>Whytes Gully Landfill Annual Report 2018-2019</p>	<p>The Annual Report states that surface water monitoring was conducted by ALS environmental</p> <p>The Annual Report states that groundwater was sampled by ALS Environmental using the bailer technique and a water quality meter. The collected samples were tested by ALS for the required pollutants.</p> <p>The ALS laboratory reports for surface water and groundwater posted on the website state that analytical procedures used by ALS have been developed from established internationally recognised procedures such as those published by the USEPA, APHA, AS and NEPM. The results reports do not mention the Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (EPA, 2004). The auditors requested and were provided with a table that compares the NSW EPA Approved Method with the ALS Technique / Method for certain parameters. On this basis, this condition is considered compliant.</p>	Compliant
M3.2	<p>Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with:</p> <p>a) any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or</p> <p>b) if no such requirement is imposed by or under the Act, any methodology which a condition of this licence requires to be used for that testing; or</p> <p>c) if no such requirement is imposed by or under the Act or by a condition of this licence, any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.</p>	<p>Whytes Gully Landfill Annual Report 2018-2019</p> <p>Examples of Air Monitoring reports available on WCC website:</p> <p>https://www.wollongong.nsw.gov.au/your-council/plans-and-reports/waste-site-reports</p>	<p>Condition M2.2 requires that methane monitoring is undertaken in accordance with Section 5.2 Landfill Gas Surface Emission Monitoring and Section 5.4 Gas Accumulation Monitoring of the Environmental Guidelines: Solid Waste Landfills (2016).</p> <p>The Annual Report states that surface gas, sub-surface gas and gas accumulation monitoring for methane was undertaken by ALS Environmental using an Inspectra Laser Gas Detector.</p> <p>The ALS Landfill Emissions Report for September and August 2020 was reviewed by the auditor (all months are available on the WCC website). The ALS report stated that sampling was performed in accordance with EPA Environmental Guidelines Solid Waste Landfills, Second Edition, 2016. Based on the reports as referenced, WCC are considered to be compliant with the condition.</p>	Compliant
M4	Recording of pollution complaints			
M4.1	The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.	<p>Whytes Gully Incident Register 2017 to 2020</p> <p>Incident Report – EPA received dust complaint 28 April 2020</p> <p>Incident Report -EPA received odour complaint November / December 2019</p>	<p>WCC reported that all complaints had been received via the EPA Environment Line and re-directed by the EPA to WCC for investigation.</p> <p>WCC records the investigation as an Environmental Incident Report which are logged in the Council system TRIM.</p> <p>Examples of the incident reports completed relating to complaints were reviewed. These 'incidents' were included in the Whytes Gully Incident Register.</p>	Complaint

Whytes Gully Landfill Extension Project Environmental Protection License (5862)				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		Incident Report – EPA received odour complaint 15/10/2019 Incident Report – EPA received odour complaints 9 April 2019 Incident Report – EPA received odour complaint 18 February 2019 Incident Report – EPA received odour complaints 16 January 2019 Incident Report – EPA received odour complaint 3 January 2019 Incident Report – EPA received odour complaint 10 December 2018		
M4.2	The record must include details of the following: a) the date and time of the complaint; b) the method by which the complaint was made; c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect; d) the nature of the complaint; e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and f) if no action was taken by the licensee, the reasons why no action was taken.	Whytes Gully Incident Register 2017 to 2020 Incident Report – EPA received dust complaint 28 April 2020 Incident Report -EPA received odour complaint November / December 2019 Incident Report – EPA received odour complaint 15/10/2019 Incident Report – EPA received odour complaints 9 April 2019 Incident Report – EPA received odour complaint 18 February 2019 Incident Report – EPA received odour complaints 16 January 2019 Incident Report – EPA received odour complaint 3 January 2019 Incident Report – EPA received odour complaint 10 December 2018	The Incident Reports completed for the complaints received included the required information. It is noted that as the complaints were received via the EPA, the complainant's personal details were often not provided and the results of the investigation and follow up action was provided to the EPA rather than direct to the complainant.	Compliant
M4.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	Council Record System – TRIM	Records are available when requested and go back at least four years.	Compliant
M4.4	The record must be produced to any authorised officer of the EPA who asks to see them.		WCC reported that records are made available if and when requested by the EPA.	Compliant
M5 M5.1	Telephone complaints line The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.	LEMP Section 4.3	Council's main customer service line is 4227 7111. This number is widely advertised and calls to this number are promptly allocated to the responsible personnel.	Compliant
M5.2	The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.	LEMP Section 4.3	WCC advertises its contact details on the WCC website. The website does not specifically advertise that the contact number is a complaints line or let the impacted community know how to make a complaint. This was raised as an Opportunity for Improvement in the previous IEA however was not actioned.	Non-compliant WGRRP 2020 IEA REC 36 Improve the website to notify the public that

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No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
			<p>WCC also noted that signage is in place with emergency contact numbers on the site's front gate. However, the signage at the front of the landfill or at the weighbridge did not specifically identify a complaints number and what to do in the event of wanting to make a complaint. This was also raised as an Opportunity for Improvement in the previous IEA and was not actioned.</p> <p>WCC reported that no complaints were received directly by council. All complaints had been received via the EPA Environment Line and re-directed by the EPA to WCC for investigation. WCC reported that it has a well-informed community and that when complaints are made on social media forums, they are directed by other residents to contact the EPA.</p> <p>It is considered that the requirement to notify the public that its contact number is a complaints line has not been met.</p>	<p>Council's main customer service line is to be used for the purpose of making a complaint.</p> <p>WGRRP 2020 IEA REC 37 Improve signage at the site to better advertise the complaints line telephone number so that the impacted community knows how to make a complaint</p>
M5.3	The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.			Noted
M6	Other monitoring and recording conditions	Copy of Transaction Export - Rejected Loads 14/11/2017 – 17/03/2020	Rejected loads are recorded by the weighbridge. An excerpt of the rejected loads register for the period November 2017 to March 2020 noted rejected loads included soil, builders waste, fibro, plasterboard and recyclable material that was re-directed to the CRC.	Compliant
M6.1	The licensee must maintain a record of all events involving the removal of any waste that was brought to the facility and which is not permitted to be disposed of at the facility.	Examples of Monthly Waste Facilities (Section 88) Reports	Prohibited waste that has been identified and transferred off-site by WCC is recorded in the Monthly Facilities Reports (Section 88 Reports) provided to the EPA as waste transported from site.	
M6.2	The licensee must make available to the EPA the results of monthly Trade Waste monitoring of leachate and include these results in the Annual Report.	Whytes Gully Landfill Annual Report 2017-2018 Whytes Gully Landfill Annual Report 2018-2019	Trade Waste monitoring results were included in the Annual Reports prepared to meet Condition R1.8. The Annual Reports are provided to the EPA with the Annual Return and are available on the WCC website.	Compliant
6 Reporting Conditions				
R1	Annual return documents	Annual Return 29 May 2017 - 28 May 2018	The annual return for 2016-2017 was completed and provided to EPA comprising the approved form and required content as per this condition.	Compliant
R1.1	<p>The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:</p> <ol style="list-style-type: none"> 1. a Statement of Compliance, 2. a Monitoring and Complaints Summary, 3. a Statement of Compliance - Licence Conditions, 4. a Statement of Compliance - Load based Fee, 5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan, 6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and 7. a Statement of Compliance - Environmental Management Systems and Practices. 	<p>Annual Return 29 May 2018 - 28 May 2019</p> <p>Annual Return 29 May 2019 – 28 2020</p>	<p>Annual Returns in the approved form comprising the required content were completed and provided to the EPA for 2017-2018, 2018-2019 and 2019-2020.</p>	

Whytes Gully Landfill Extension Project Environmental Protection License (5862)				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	At the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.			
R1.2	<p>An Annual Return must be prepared in respect of each reporting period, except as provided below.</p> <p>Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.</p>	<p>Annual Return 29 May 2017 - 28 May 2018</p> <p>Annual Return 29 May 2018 - 28 May 2019</p> <p>Annual Return 29 May 2019 – 28 2020</p> <p>Letter to EPA dated 20/05/2020 requesting revised 2019-2020 Annual Return Submission date.</p> <p>Email from EPA dated 29/06/2020 granting extension until 30/09/2020.</p>	<p>The annual return was completed with respect of each reporting period.</p> <p>WCC sought an extension for the 2019-2020 Annual Return due to constraints brought about through the Covid 19 pandemic. The EPA granted the requested revised submission date of 30 September 2020. The 2019-2020 Annual Return was received by the EPA on the 30 September (as recorded on the EPA website).</p>	Compliant
R1.3	<p>Where this licence is transferred from the licensee to a new licensee:</p> <p>a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and</p> <p>b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.</p> <p>Note: An application to transfer a licence must be made in the approved form for this purpose.</p>		WCC reported that the licence has not been transferred during the audit period.	Not Triggered
R1.4	<p>Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:</p> <p>a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or</p> <p>b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.</p>		WCC reported that the licence has not been surrendered or revoked during the audit period.	Not Triggered
R1.5	The Annual Return for the reporting period must be supplied to the EPA via eConnect EPA or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').	<p>EPA website</p> <p>https://apps.epa.nsw.gov.au/prpoeoapp/Detail.aspx?instid=5862&id=5862&option=licence&searchrange=licence&range=POEO%20licence&prp=no&status=Issued</p>	<p>The EPA website confirms that the 2018-2019 Annual Return was received on the 25 July 2019 and the 2017 – 2018 Annual Return was received on the 27 July 2018. This is within 60 days of the end of the reporting period which is 28 May.</p> <p>WCC sought an extension for the 2019-2020 Annual Return due to constraints brought about through the Covid 19 pandemic. The EPA granted the requested revised submission date of 30 September 2020. The 2019-2020 Annual Return was received by the EPA on the 30 September (as recorded on the EPA website).</p>	Compliant
R1.6	The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.	<p>WCC website:</p> <p>https://www.wollongong.nsw.gov.au/your-council/plans-and-reports/waste-site-reports</p>	Annual Returns going back greater than 4 years were available on the WCC website.	Compliant
R1.7	<p>Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:</p> <p>a) the licence holder; or</p>	Whytes Gully WWARRP - Annual Return 29 May 2016 - 28 May 2017	Statement of Compliance was certified and monitoring and complaints summary was signed in the Annual Returns for 2017-2018 and 2018-	Compliant

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No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	b) by a person approved in writing by the EPA to sign on behalf of the licence holder.		2019. The statement of compliance was signed by the General Manager.	
R1.8	<p>The Annual Return must be accompanied by/or include an Annual Report which must contain an assessment of environmental performance relevant to licence conditions including:</p> <p>a) tabulated results of all monitoring data required to be collected by this licence;</p> <p>b) a graphical presentation of data from at least the last three years (if available) in order to show variability and/or trends. Any statistically significant variations or anomalies should be highlighted and explained;</p> <p>c) an analysis and interpretation of all monitoring data;</p> <p>d) an analysis of and response to any complaints received;</p> <p>e) identification of any deficiencies in environmental performance identified by the monitoring data, trends or incidents and of remedial action taken or proposed to be taken to address these deficiencies; and</p> <p>f) recommendations on improving the environmental performance of the facility.</p>	<p>Whytes Gully Landfill Annual Report 2017-2018</p> <p>Whytes Gully Landfill Annual Report 2018-2019</p> <p>Email from EPA dated 30/09/2020 granting extension for submission of 2019-2020 Annual Report</p>	<p>Annual Reports were prepared to accompany the Annual Returns for the audit period. The EPA granted WCC an extension for submission of the 2019-2020 Annual Report by the 28 November 2020.</p> <p>The Annual Reports included an assessment of environmental performance and generally addressed the sub-conditions a to f.</p> <p>Section 9 of the report includes conclusions and recommendations. It is unclear whether or how these recommendations are considered or tracked.</p>	<p>Compliant</p> <p>WGRRP 2020 IEA REC 38</p> <p>Include a Section in the Annual Report which discusses implementation / consideration of the previous year's recommendations.</p>
R2	Notification of environmental harm	LEMP Section 11	The process of reporting incidents and environmental harm to EPA is defined in the LEMP Section 11 and in the PIRMP.	Compliant
R2.1	<p>Notifications must be made by telephoning the Environment Line service on 131 555.</p> <p>Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.</p>	<p>Pollution Incident Response Management Plan (PIRMP)</p> <p>Incident Report Leachate seep - Storm Event 9 February 2020</p> <p>Various emails from WCC to the EPA providing updates on activities relating to the leachate seep incident (9/02/2020 to 21/02/2020)</p> <p>Incident Report Fire 4 March 2019</p> <p>Incident Report Fire in Transfer Station 31 July 2018</p> <p>Incident Report Dislodged Leachate Pipe 9 August 2017</p> <p>Incident Report Broken Leachate Pipe 20 November 2017</p>	<p>Notifications were made to the Environment Line on the following occasions:</p> <ul style="list-style-type: none"> - 9 February 2020: Leachate / stormwater overflow. EPA notified within 2 hours of identified suspected leachate seepage. - 4 March 2019: Fire. EPA notified within 3 hours. It is noted the fire was reported to 000 by a member of the public at 3am. - 31 July 2018: Fire in transfer station. EPA notified within half an hour. - 9 August 2017: Dislodged leachate pipe. EPA notified within half an hour of incident. - 20 November 2017: Broken leachate pipe. EPA notified within half an hour of incident. <p>Based on the timeframes noted above (which have been obtained from the incident reports), it is considered that the requirement for immediate notification to the EPA of incidents causing or threatening material harm to the environment has generally been met.</p>	
R2.2	The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.	<p>Email to EPA dated 19 February 2020 providing Incident Report for 9 February 2020 leachate seepage</p> <p>Email from EPA dated 17 February 2020 approving extension for provision of written report to the 19 February 2020.</p> <p>Email to EPA dated 14 March 2019 providing Incident Report for 4 March 2019 fire.</p> <p>Email to EPA dated 3 August 2018 providing Incident Report for 31 July 2018 fire in transfer station.</p>	<p>Written reports for the incidents listed under R2.1 above were available and reportedly provided to the EPA. WCC were able to provide evidence of email correspondence submitting the Incident Reports to the EPA within 7 days for the majority of the incidents (as listed under the Evidence Source column). On this basis, this condition has been assessed as compliant.</p>	Compliant

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No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
R2.3	The licensee must notify the EPA within 24 hours in accordance with condition R2.1 if surface monitoring detects methane above 1.0% (v/v), and increase the frequency of monitoring to daily, until the EPA determines otherwise.	Whytes Gully Environmental Data Z14224119	A review of the Environmental Data workbook indicated that the 1% (v/v) surface methane trigger level was exceeded in February 2020. The EPA was not notified and daily monitoring was not undertaken. No other exceedances of the 1% v/v surface methane trigger level were recorded during the audit period.	Non-compliant WGRRP 2020 IEA REC 39 Implement processes to ensure that exceedances of the methane trigger levels are reported to the EPA within 24 hours and that the frequency of monitoring is increased to daily. WGRRP 2020 IEA REC 40 Update the Environmental Data spreadsheet to state that detection above 1.0% methane (v/v) will require EPA notification rather than 1.25%
R3	Written report			
R3.1	Where an authorised officer of the EPA suspects on reasonable grounds that: a) where this licence applies to premises, an event has occurred at the premises; or b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event		It was reported that the EPA had not requested any written reports relating to any events (other than those self-reported by WCC as discussed above).	Not Triggered
R3.2	The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.		As indicated above, WCC did not report that an EPA Officer had made requests relevant under this condition or R3.1.	Not Triggered
R3.3	The request may require a report which includes any or all of the following information: a) the cause, time and duration of the event; b) the type, volume and concentration of every pollutant discharged as a result of the event; c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event; d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort; e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;		As indicated above, WCC did not report that an EPA Officer had made requests relevant under this condition or R3.1.	Not Triggered

Whytes Gully Landfill Extension Project Environmental Protection License (5862)				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and g) any other relevant matters.			
R3.4	The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.		As indicated above, WCC did not report that an EPA Officer had made requests relevant under this condition or R3.1.	Not Triggered
R4	Other reporting conditions	Whytes Gully Environmental Incident Report (Fire in transfer station 31/07/2018)	The requirements of R4.1 for recording the listed data of fires at the site is included in the Whytes Gully Environmental Incident Report Form (p.g. 3 of the template 'Other Reporting Conditions').	Compliant
R4.1	The licensee must maintain a daily log and record the following data of fires at the site: a) Time and date when the fire was deliberately started or reported. b) Whether the fire was authorised by the licensee, and, if not, the circumstances which ignited the fire. c) The time and date that the fire ceased and whether it burnt out or was extinguished. d) The location of fire (eg. clean timber stockpile, putrescible garbage cell, etc). e) Prevailing weather conditions. f) Observations made in regard to smoke direction and dispersion. g) The amount of waste that was combusted by the fire. h) Action taken to extinguish the fire.	Whytes Gully Environmental Incident Report (Fire in Package 3 4/03/2019)	Two fires were recorded during the audit period, on the 4 March 2019 and the 31 July 2018. A review of the incident reports completed for these events included the required information. Refer to the main report for further discussion of incidents.	
R4.2	The licensee or its employees or agents must notify the EPA in accordance with conditions R2.1 and R2.2 of all fires at the premises as soon as practical after becoming aware of the incident.	Whytes Gully Environmental Incident Report (Fire in transfer station 31/07/2018) Whytes Gully Environmental Incident Report (Fire in Package 3 4/03/2019)	The incident reports indicated that the EPA was notified of both fires recorded during the audit period. Refer also to R2.1 and R2.2 for further discussion of reporting requirements.	Compliant
7 General Conditions				
G1	Copy of licence kept at the premises or plant	EPL 5862	The copy of the license is available at the premise.	Compliant
G1.1	A copy of this licence must be kept at the premises to which the licence applies.			
G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it.		The copy of the licence is available to any authorised officer of EPA who asks to see it.	Compliant
G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.		The copy of the license is available on the WCC and the EPA website and is searchable and available to all employees and public.	Compliant
8 Special Conditions				
E1	Environmental Obligations of Licensee (Works & Programs)	LEMP and CEMP		
E1.1	While the licensee's premises are being used for the purpose to which the licence relates, the licensee must: a) Clean up any spill, leak or other discharge of any waste(s) or other material(s) as soon as practicable after it becomes known to the licensee or to one of the licensee's employees or agents. b) In the event(s) that any liquid and non-liquid waste(s) is unlawfully deposited on the premises, such waste(s) must be removed and lawfully disposed of as soon as practicable or in accordance with any direction given by the EPA. c) Provide all monitoring data as required by the conditions of this licence or as directed by the EPA.	Copy of Transaction Export - Rejected Loads 14/11/2017 – 17/03/2020 SOP Asbestos Detection and Treatment at Whytes Gully Z16/16284 Examples of Monthly Waste Facilities (Section 88) Reports	a) The process for managing spill and clean-up of any leaks is defined in the LEMP, CEMP and PIRMP. Incidents are discussed further in the main report. b) WCC has implemented procedures to identify and prevent the disposal of waste not permitted by the EPL. It was reported that when loads or excluded wastes are identified at either the weighbridge, Small Vehicle Transfer Station or tipping face, the customer is advised and either refused entry or asked to remove the excluded waste. Where no customer can be identified, WCC removes the excluded waste and it is transferred to an approved disposal or treatment location.	Compliant

Whytes Gully Landfill Extension Project Environmental Protection License (5862)

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
			<p>Rejected loads are recorded by the weighbridge. An excerpt of the rejected loads register for the period November 2017 to March 2020 noted rejected loads included soil, builders waste, fibro, plasterboard and recyclable material that was re-directed to the CRC.</p> <p>Prohibited waste that has been identified and transferred off-site by WCC is recorded in the Monthly Facilities Reports (Section 88 Reports) provided to the EPA as waste transported from site.</p> <p>c) Monitoring data required by the licence conditions are provided to the EPA in the Annual Return and uploaded onto the WCC website.</p>	
E1.2	<p>In the event of an earthquake, storm, fire, flood, or any other event where it is reasonable to suspect that a pollution incident has occurred, is occurring or is likely to occur, the licensee (whether or not the premises continue to be used for the purposes to which the licence relates) must:</p> <p>a) make all efforts to contain all firewater on the licensee's premises,</p> <p>b) make all efforts to control air pollution from the licensee's premises,</p> <p>c) make all efforts to contain any discharge, spill or run-off from the licensee's premises,</p> <p>d) make all efforts to prevent flood water entering the licensee's premises,</p> <p>e) remediate and rehabilitate any exposed areas of soil and/or waste,</p> <p>f) lawfully dispose of all liquid and solid waste(s) stored on the premises that is not already securely disposed of,</p> <p>g) at the request of the EPA monitor groundwater beneath the licensee's premises and its potential to migrate from the licensee's premises,</p> <p>h) at the request of the EPA monitor surface water leaving the licensee's premises; and</p> <p>i) ensure the licensee's premises is secure.</p>	Flood Emergency and Evacuation Plan	<p>The Flood Emergency and Evacuation Plan was developed to manage some of these emergency events.</p> <p>The fire on the 4 March 2019 was extinguished by the Rural Fire Service using non PFAS foam and water. Fire water and foam was contained within the landfill cell and the onsite leachate infrastructure.</p> <p>The heavy rain event in February 2020 resulted in leachate contaminated stormwater to discharge from Pond 3. This is discussed further in the main report. WCC made efforts to contain the discharge including:</p> <ul style="list-style-type: none"> - Hiring additional pumps and setting them up on site at the leachate ponds to transfer leachate in anticipation of the forecast heavy rain - Processing leachate at the LTP at maximum capacity to create additional freeboard - Transferring leachate from the primary pond to the secondary pond to maximise freeboard - During the rain event, once the leachate seepage was identified, a temporary bund was created around the leachate seep to direct stormwater away from the area and contain the seep. - Additional water samples were taken from the stormwater system around the site. <p>The EPA was regularly updated on the status of the incident response and corrective and preventative actions. Monitoring results were provided to the EPA. The EPA did not request any additional monitoring (to what was already being undertaken) to be conducted. On the basis of the efforts made to control pollution it is considered the intent of this condition has been met.</p>	Compliant
E1.3	<p>After the licensee's premises cease to be used for the purpose to which the licence relates or in the event that the licensee ceases to carry out the activity that is the subject of this licence, that licensee must:</p> <p>a) remove and lawfully dispose of all liquid and non-liquid waste stored on the licensee's premises; and</p> <p>b) rehabilitate the site, including conducting an assessment of and if required remediation of any site contamination.</p>	LEMP Section 10 Site Closure	The process for site closure and rehabilitation of the site is defined in LEMP Section 10.	Not Triggered



Appendix C

2017 IEA Action Plan Review

Appendix C: 2017 IEA Action Plan Review

Table C 1 Review of implementation of Recommendations from 2017 IEA – Project Approval 11_0094

Condition Number	Condition	Recommendation	WCC Actions (as per 2018 Action Plan)	2020 Audit Review
Sch 3 Condition 7	Within 12 months from the date of this approval, or as otherwise agreed by the Director-General, the Proponent shall surrender the development consents identified in Table 1 in accordance with Section 75YA and 104A of the EP&A Act.	Recommendation: Ensure that development consents DA 1996/8256 and DA-1996/6256 are surrendered in accordance with Condition 7: Schedule 3.	All of the relevant DA consents have been surrendered by the 27th March 2018.	Development Consents had been surrendered. Refer to 2020 IEA findings for evidence.
Sch 4 Condition 9	<p>The Proponent shall:</p> <ul style="list-style-type: none"> a) implement suitable measures to prevent the unnecessary proliferation of litter both on and off-site, including the installation and maintenance of a mesh fence of not less than 1.8 metres high around the site; and b) inspect daily and clear the site (and if necessary, surrounding area) of litter on at least a weekly basis. 	Recommendation: Increase the effectiveness of litter reduction controls and of litter reduction campaigns to reduce on and off site litter.	<p>Council conducts most of the litter removal at the site via intensive campaigns at least weekly. There is a dedicated crew on site at least once a week performing litter reduction.</p> <p>This non-compliance is based on technical wording associated with "clear the site of litter". The auditor has advised that even one piece of litter under this wording renders Council non-compliant.</p> <p>Council does not agree with this interpretation and feels that if the intent was that no single piece of litter should be identified at an time on site, than the consent wording would be that specific.</p> <p>Council are looking at ways to safely capture of the windblown litter with new designed litter fences and also additional litter reduction staff.</p>	A significant improvement in wind-blown litter levels was noted during the site inspections associated with this IEA compared to the previous IEA. Refer to 2020 IEA audit findings under Schedule 4, Condition 9.

Condition Number	Condition	Recommendation	WCC Actions (as per 2018 Action Plan)	2020 Audit Review
Sch 4 Condition 14	The Proponent shall ensure that all licensed surface water discharges from the site comply with the discharge limits (volume and quality) set for the project in any EPL or relevant provisions of the POEO Act.	Recommendation: Continue to review the effectiveness of corrective actions applied to site water management and address any further non compliances as required.	<p>This non-compliance has been reported to the EPA and additional processes and procedures have been placed around the sites storm water management and reviewed after each event.</p> <p>This non-compliance is a replication of a historic EPL non-compliance and has since been managed to the satisfaction of the EPA</p> <p>This condition is a replication of EPL conditions.</p>	Non-compliances with water quality criteria were recorded during the audit period. Refer to 2020 audit findings and recommendations under Schedule 4, Condition 14 and EPL Condition L2.1.
Sch 4 Condition 18e	<p>The Proponent shall prepare and implement a Soil, Water and Leachate Management Plan for the project in consultation with Council, NOW and the EPA and to the satisfaction of the Director-General. This plan must be prepared and implemented by a suitably qualified and experienced person and be approved by the Director-General prior to the commencement of operation. The plan must include:</p> <p>e) an on-going surface water, groundwater and leachate monitoring program that includes (but is not limited to):</p> <p>a commitment to provide the results of monitoring to NOW and other relevant government agencies every 12 months</p>	Recommendation: Provide results of monitoring to Crown Lands and Water (formerly NOW) and other relevant government agencies every 12 months as required of the condition.	Council would like discuss with DoP what Government agencies would like data from the site as well as what data they would require.	WCC did not provide evidence that results of monitoring were reported to NOW and other relevant government agencies every 12 months, however monitoring reports are available on the WCC website for access by all relevant agencies. Refer to new recommendation under Schedule 4, Condition 18.

Condition Number	Condition	Recommendation	WCC Actions (as per 2018 Action Plan)	2020 Audit Review
Sch 4 Condition 23	The Proponent shall ensure the project does not cause or permit the emission of any offensive odour (as defined by the POEO Act).	<p>Not Verified</p> <p>Recommendation: WCC to ensure that odouriser is in operation as required to minimise the risk of offensive odour going off site. It is recommended that WCC review the implementation of the procedure regarding the use and placement of the odouriser.</p> <p>Recommendation: It is recommended that WCC conduct additional odour monitoring to re-assess the potential for odours during southerly winds and assess if existing controls are adequate to prevent off site odours. Based on the outcomes of the monitoring, additional controls may be warranted.</p>	<p>Council conducts odour monitoring daily and upon the opening of the site as well as regular use of an odour abatement system (deoderisor).</p> <p>Council will undertake an additional odour monitoring trial, specifically southerly winds to see if there are any extra odours generated. This will be reported in the next report.</p>	<p>Council had purchased an additional deodoriser and now has two deodoriser trailers in operation.</p> <p>Odour is discussed in the Annual Review.</p> <p>Refer to Schedule 4, Condition 23 of 2020 IEA for further discussion.</p>
Sch 4 Condition 36	<p>The Proponent shall ensure that</p> <ul style="list-style-type: none"> c) the project does not result in any vehicles queuing on the public road network; d) heavy vehicles and bins associated with the project do not park or stand on local roads or footpaths in the vicinity of the site; e) all vehicles are wholly contained on site before being required to stop; 	<p>Not Verified</p> <p>Recommendation: That WCC manage the road in accordance with the condition. Alternatively, confirm with RMS that current arrangements related to trucks parking outside the facility prior to opening is acceptable, and notify DPE of the outcomes of this consultation.</p>	<p>Council to issue instruction to customers (operational) and contractors (construction) not to arrive at the site prior to site opening hours.</p>	<p>This issue was raised again in February 2019 by the CRG. Refer to Schedule 4, Condition 36 of 2020 IEA.</p> <p>WCC has plans in its Priority List Master Plan for upgrades to the weighbridge that will further improve traffic flow and reduce queuing. This includes constructing a slip lane, introducing number plate recognition and Airkey access to allow commercial customers to enter without stopping at the weighbridge.</p>

Condition Number	Condition	Recommendation	WCC Actions (as per 2018 Action Plan)	2020 Audit Review
Sch 4 Condition 45	<p>The Proponent shall:</p> <ul style="list-style-type: none"> a) implement suitable measures to manage pests, vermin and declared noxious weeds on site; and b) inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or noxious weeds are not present on site in sufficient numbers to pose an environmental hazard, or cause the loss of amenity in surrounding area. <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>	<p>Non-compliant</p> <p>Recommendation: Implement the controls in the program as defined by Biosis for pest, vermin and noxious weeds management.</p>	<p>Council notes compliance with pest species management and the auditors opinion that noxious weed control should be improved.</p> <p>Council has a weed crew regularly visit the site to remove and poison non native vegetation. Council will continue to implement an improved noxious weed control measures as recommended.</p> <p>Council notes that the referenced Biosis report is a document that was created as a specification for contract weed control. Council believes that this document is auxiliary to this audit as the implementation of day labour vs contract staff and their relative effectiveness is not in the audit scope.</p>	<p>WCC has increased its focus on vegetation management and commenced implementing the management actions identified in the revised VMP focusing on weed control. Whilst these works are ongoing, it was evident that significant progress had been made in this area. WCC should continue its focus on weed management across the site. Refer to Schedule 4, Conditions 45 and 49 of 2020 IEA.</p>
Sch 4 Condition 49	<p>The Proponent shall prepare and implement a Vegetation Management Plan for the project to the satisfaction of the Director-General.</p>	<p>Recommendation: It is recommended WCC implement weed controls as defined in the Vegetation Management Plan.</p> <p>Recommendation: That WCC complete the implementation of the Vegetation Management Plan in full (in addition to weed management as defined above) and in regard to Offsets as detailed in the Vegetation Management Plan.</p> <p>Recommendation: Report progress in implementation of the VMP in Annual Environmental Reports.</p>	<p>Council has a weed crew regularly visit the site to remove and poison non native vegetation. Council will implement and improve the Vegetation Management Plan in full and report back in the next report.</p>	<p>WCC has increased its focus on vegetation management and commenced implementing the management actions identified in the revised VMP focusing on weed control. Whilst these works are ongoing, it was evident that significant progress had been made in this area. WCC should continue its focus on weed management across the site. Refer to Schedule 4, Conditions 45 and 49 of 2020 IEA.</p>

Condition Number	Condition	Recommendation	WCC Actions (as per 2018 Action Plan)	2020 Audit Review
Sch 5 Condition 4	The Proponent shall ensure that the management plans required under this approval are prepared in accordance with any relevant guidelines, and include: a protocol for periodic review of the plan.	Recommendation: Implement a formal review process for the LEMP and CEMPF. Where relevant and based on the findings of the review, update the LEMP.	Council have implemented a Formal management review to take place prior to the Issue of the Annual Environmental Report.	WCC commenced reviewing the LEMP and was working systematically through the appendices. The CEMP had also been reviewed.
Sch 5 Condition 5	One year after the commencement of operation, and annually thereafter, the Proponent shall review the environmental performance of the Project to the satisfaction of the Director-General. This review must: a) describe the operations that were carried out in the past calendar year; b) analyse the monitoring results and complaints records of the project over the past year, which includes a comparison of these results against the <ul style="list-style-type: none"> relevant statutory requirements, limits or performance measures/criteria; monitoring results of previous years; and relevant predictions in the EA; c) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance;	Recommendation: It is recommended WCC increase the scope of the Annual Reports to address all of the requirements of Condition 5 (Schedule 5) specific to the Project Approval.	Council has amended the scope for the Annual report to address all concerns in Schedule 5.	The previous IEA found that WCC was non-compliant with this condition as it was relying on the Annual Reports completed under the EPL to fulfil this requirement resulting in a gap in the scope of the review. In response, WCC engaged Cardno to prepare an Annual Review for the period 2013-2018 which specifically addressed the requirements of this condition. Consequent reports were produced on an annual basis.

Condition Number	Condition	Recommendation	WCC Actions (as per 2018 Action Plan)	2020 Audit Review
Sch 5 Condition 11	<p>From the commencement of construction of the project, the Proponent shall make the following information publicly available on its (Council's) website as it is progressively required by the approval:</p> <p>c) a copy of the current plans and programs required under this approval;</p> <p>a complaints register, which is to be updated on a monthly</p>	Recommendation: It is recommended that a register of complaints, updated monthly, is provided on the WCC website.	A register of complaints has been listed on the website and is updated monthly.	The updated complaints register was available on the website.
Statement of Commitment	<p>Wollongong City Council commit to:</p> <p>Screen planting with dense tall tree planting on natural ground would be used to block views to the site, particularly from adjoining residences.</p>	Recommendation: WCC to conduct screen planting with dense tall tree planting on natural ground to block views to the site, particularly from adjoining residences.	<p>The consent operations have not yet moved in the area that has designated screen planting. The existing operational area does not impact the proposed screen planting location.</p> <p>The intent of the screen planting is to screen views when the operational area moves west towards the adjoining property and towards the proposed planting area.</p> <p>Council to expedite screen planting</p>	Revegetation works commenced in management zone MZ 3A in August 2020. 3,500 plants were planted by Southern Habitat along the north western boundary to provide screening. These were observed during the second site inspection. Southern Habitat went out to site to water plantings over the first three months. Monitoring of the success of this revegetation was being undertaken by Biosis on a four monthly basis.

Table C 2 Review of implementation of Recommendations from 2017 IEA- EPL

Condition Number	Condition	Recommendation	WCC Actions (as per 2018 Action Plan)	2020 Audit Review
L2.1	For each monitoring/discharge point or utilisation area specified in the table\ below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.	Recommendation: It is recommended that WCC continue to monitor the effectiveness of the controls defined in the Wet Weather and Stormwater Management work instruction and implement additional mitigation measures as required.	<p>This non compliance has been reported to the EPA and additional processes and procedures have been placed around the sites storm water management and reviewed after each event.</p> <p>This non-compliance is a replication of a historic EPL non compliance and has since been managed to the satisfaction of the EPA.</p>	Non-compliances with water quality criteria were recorded during the audit period. Refer to 2020 audit findings and recommendations under L2.1.
O7.3	Disturbed areas must be provided with separate water quality controls for the treatment of runoff containing suspended or turbid pollutants.	Recommendation: That WCC and its contractors review the processes for installation of ERSER controls in construction areas and ensure that controls are effective and placed promptly after works are completed.	<p>Council has been working closely with the construction team to ensure that the ERSER controls are adequate.</p> <p>The ERSER controls discuss exist internal to the site. Councils discharge of stormwater has not been over the EPL limit.</p>	Unable to be verified as bulk construction activities had been completed at the time of the audit site inspection. Some minor works were being undertaken associated with the southern perimeter drain and cascade drain. Contractors Dynamic Civil had prepared an Environmental Management Plan for the works which included an erosion and sediment control plan. Sediment controls observed during the site inspection included a sediment fence around the dedicated soil stockpile area and straw bales at intervals across the width of the drain.

Condition Number	Condition	Recommendation	WCC Actions (as per 2018 Action Plan)	2020 Audit Review
R4.1	<p>The licensee must maintain a daily log and record the following data of fires at the site:</p> <ul style="list-style-type: none"> a) Time and date when the fire was deliberately started or reported. b) Whether the fire was authorised by the licensee, and, if not, the circumstances which ignited the fire. c) The time and date that the fire ceased and whether it burnt out or was extinguished. d) The location of fire (eg. clean timber stockpile, putrescible garbage cell, etc). e) Prevailing weather conditions. f) Observations made in regard to smoke direction and dispersion. g) The amount of waste that was combusted by the fire. h) Action taken to extinguish the fire. 	<p>Recommendation: It is recommended that WCC record all details as defined in the condition relating to fires at the site and ensure that the EPA are notified of details of fires occurring on site as defined in the condition.</p>	<p>Council has reviewed the incident form for fires and has will make amendments to expressively ensure all individual conditions are included in the report template.</p>	<p>The Environmental Incident Report was noted to include fields for recording the data required by R4.1.</p>



Appendix D

Audit Team DPIE Approval



Mr Corey Stoneham
Wollongong City Council
Locked Bag 8821
Wollongong DC NSW 2500

Contact: Jennifer Rowe
Phone: (02) 4247 1851
Reference: 11_0094

12 February 2020

Dear Mr Stoneham

**Whytes Gully Landfill Extension Project (11_0094)
Independent Environmental Audit**

I refer to your letter dated 11 February 2020 seeking the Secretary's endorsement for an auditor to undertake the Independent Environmental Audit (audit) for the Whytes Gully Landfill Extension Project Approval 11_0094 (**Approval**).

Having considered the qualifications and experience, of the MCW Environmental audit team, namely:

- Michael Woolley – Lead Auditor
- Helen Onus

the Secretary endorses the appointment of this team to undertake the audit in accordance with Schedule 5 Condition 9 of the Approval. This endorsement is conditional on Mr Michael Woolley and Helen Onus being independent of the development.

The audit is to be conducted in accordance with the IAPAR. A copy of the requirements can be located at <https://www.planning.nsw.gov.au/Assess-and-Regulate/About-compliance/Compliance-policy-and-guidelines/Independent-audit-post-approval-requirements>. Auditors may wish to have regard to AS/NZS ISO 19011 Australian/New Zealand Standard: Guidelines for quality and/or environmental management systems

The audit report is to:

- include a compliance table indicating the compliance status of each condition of consent;
- not use the term "partial compliance"
- recommend actions in response to non-compliances;
- review the adequacy of plans and programs required under this approval; and
- identify opportunities for improved environmental management and performance.

Within 6 weeks of completing the audit, or otherwise as agreed by the Secretary, Wollongong City Council is to submit a copy of the audit report to the Secretary together with its response to any recommendations contained in the audit report and a timetable to implement the recommendations. Prior to submitting the audit report to the Secretary, it is recommended that Wollongong City Council reviews the report to ensure it complies with the relevant approval condition.

Should you wish to discuss this matter please contact Jennifer Rowe on the details above.

Yours sincerely,

Katrina O'Reilly
Team Leader Compliance
as nominee for the Secretary



Appendix E

Consultation with Key Government Agencies

Subject: FW: Independent Environmental Audit at Whytes Gully - Consultation

From: Jennifer Rowe <Jennifer.Rowe@planning.nsw.gov.au>
Sent: Tuesday, 17 March 2020 11:09 AM
To: mcwenvironmental@bigpond.com
Subject: RE: Independent Environmental Audit at Whytes Gully - Consultation

To Michael

Thank you for the email below. In relation to your request the Department provides the following in response.

The Audit needs to ensure that it addresses all the requirements outlined in Schedule 5 Conditions 9 of MP11_0094.

Could you please address the following aspects as part of your audit:

- Odour Complaints
- Stormwater and leachate management, specifically after the recent storm incident on 9 February 2020 and whether the stormwater and leachate design and management is in accordance with the consent and relevant management plan.
- Gas management and gas capture infrastructure are designed and managed in accordance with the consent and relevant management plans.
- Fire & Emergency Management, specifically in relation to a fire incident at the site on 4 March 2019.
- Status of the review and revisions of management plans required under the consent.
- Noise Monitoring

The following actions have been issued by the Department:

- Official Caution issued on 18 Jun 2018 for non-compliance with Schedule 5 Condition 9
- Warning Letter issued on 2 Dec 2019 for non-compliance with Schedule 4, Condition 31
- Advisory Letter issued on 4 Jul 2019 for non-compliance with Schedule 5 Condition 7

Lastly, if are submitting any future compliance documents or requests as required under the conditions of consent or approval, please note that the Department is no longer accepting lodgement via compliance@planning.nsw.gov.au.

The Department has recently upgraded the Major Projects Website to improve the timeliness and transparency of its post approval and compliance functions. As part of this upgrade, proponents are now requested to submit all post approval and compliance documents online, via the Major Projects Website. To do this, please refer to the instructions available [here](#).

Should you have any further questions, please don't hesitate to contact me on the details below.

Kind regards,
Jennifer Rowe
Senior Compliance Officer

Compliance | Department of Planning, Industry and Environment
T 02 4247 1851 | **M** 0488 988 641 | **E** jennifer.rowe@planning.nsw.gov.au
PO Box 5475 | Level 2/84 Crown Street Wollongong, NSW 2500
www.dpie.nsw.gov.au



The Department of Planning, Industry 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.

If you are submitting a compliance document or request as required under the conditions of consent or approval, please note that the Department is no longer accepting lodgement via compliance@planning.nsw.gov.au.

The Department has recently upgraded the Major Projects Website to improve the timeliness and transparency of its post approval and compliance functions. As part of this upgrade, proponents are now requested to submit all post approval and compliance documents online, via the Major Projects Website. To do this, please refer to the instructions available [here](#).

From: mcwenvironmental@bigpond.com <mcwenvironmental@bigpond.com>

Sent: Wednesday, 4 March 2020 11:09 AM

To: Jennifer Rowe <Jennifer.Rowe@planning.nsw.gov.au>

Subject: Independent Environmental Audit at Whytes Gully - Consultation

Dear Jennifer

Thank you for your time on Monday this week to discuss the Independent Environmental Audit at Whytes Gully. MCW Environmental is pleased to have been approved by DPIE as auditors to conduct the IEA. We note Whytes Gully Project Approval (Conditions 9 and 10: Schedule 5) covers the requirement for the audit as below:

9. Within a year of the commencement of operation of the project, and every 5 years thereafter, unless the Director-General directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the Project. This audit must:

- (a) be conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Director-General;*
- (b) **include consultation with the relevant agencies;***
- (c) assess the environmental performance of the project and assess whether it is complying with the relevant requirements in this approval and any relevant EPL (including any plan or program required under these approvals);*
- (d) review the adequacy of any plans or programs required under these approvals; and, if appropriate;*
- (e) recommend measures or actions to improve the environmental performance of the Project, and/or any plan or program required under these approvals; and*
- (f) be placed on Council's website within 2 weeks of its completion.*

10. Within 6 weeks of the completing of this audit, or as otherwise agreed by the Director-General, the Proponent shall submit a copy of the audit report to the Director-General, together with its response to any recommendations contained in the audit report.

In order to address the requirement in the condition for consultation with relevant agencies, could you (and generally DPIE) please advise on: any specific areas you would like us to consider during the audit; provide any feedback on the environmental and compliance performance of WCC in operating under the Whytes Gully Project Approval; and advise on what other agencies you would expect us to consult with for the audit (preferably with names and contact details if possible).

If you or anyone else would like to discuss this request directly, please contact me on the number below or by return email.

Thank you in advance for your consideration of this request.

Best Regards

DOC20/758113

Mr Michael Woolley
MCW Environmental
By email: mcwenvironmental@bigpond.com

28 September 2020

Dear Mr Woolley

Independent Environmental Audit – Whytes Gully Landfill – EPA comments

I am writing to you about your request for comments from the Environment Protection Authority (EPA) as part of the Independent Environmental Audit for Wollongong City Council's Whytes Gully Landfill required by Project Approval (11_0094) issued by the Department of Planning, Industry and Environment.

Council holds Environment Protection Licence no. 5862 (the Licence) for the facility. As such, all aspects of compliance with the Licence and relevant environmental legislation including the *Protection of the Environment Operations Act 1997* and its associated regulations should be considered as part of the audit.

From the EPA's perspective, odour, vermin, dust, stormwater and leachate management at the site are relevant matters for consideration:

- **Odour** – Odour complaints have been received from residents of Farmborough Heights and other nearby residential areas, particularly in the warmer months. It should be noted that there are other potential sources of odour in the area.
- **Vermin and birds** – There have been concerns raised about birds being attracted to waste and causing a public nuisance in the surrounding area.
- **Stormwater and leachate** – There is potential for stormwater impacts during heavy rainfall events. Leachate management at the facility, including leachate generated from both the current and capped landfill cells, should also be considered as part of the audit.
- **Dust** - There is the potential for dust emissions from the facility if unsealed and exposed areas are not managed appropriately.

You can find information about the Licence and any regulatory action taken by the EPA on our public register at <https://www.epa.nsw.gov.au/licensing-and-regulation/public-registers>. We note that Council has been cooperative and responsive in dealing with the EPA in relation to this facility when required.

If you have any questions about this matter, please contact Tracey McAndrew on (02) 4224 4124.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Megan Whelan'.

MEGAN WHELAN
Unit Head Regulatory Operations



Appendix F

Auditor Declaration

Appendix E – Independent Audit Report Declaration Form Template

Independent Audit Report Declaration Form

Project Name	Whytes Gully Landfill Extension Project
Consent Number	11_0094
Description of Project	Construction and operation of new landfill cells at Whytes Gully Landfill
Project Address	Reddall's Road
Proponent	Wollongong City Council
Title of Audit	Independent Environmental Audit 2020 Whytes Gully Landfill Extension Project
Date	25/11/2020

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

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

Notes:

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

Name of Auditor	Michael Woolley	Helen Onus
Signature		
Qualification	Lead Auditor	Auditor
Company	MCW Environmental	Ethos Environmental
Company Address	Bondi Beach, NSW	Kogarah, NSW